

Authorised person and registered general building contractor and its authorised signatory disciplined for negligence

The Authorized Persons', Registered Structural Engineers' and Registered Geotechnical Engineers' Disciplinary Board has completed a disciplinary inquiry and decided that an authorised person (AP) should be disciplined for being negligent in a professional way under section 7(1A)(b) of the Buildings Ordinance (BO) (see Note).

The Board ordered the AP to be reprimanded and to pay about \$790,000, being the costs of the inquiry of the Board and the Buildings Department (BD). The Board's decision was published in the Gazette today (October 23). Details are available at the following link:
www.gld.gov.hk/egazette/pdf/20202443/egn202024436028.pdf.

In providing his professional advice in relation to the addition of a removable tray green roof system (Greenery Cover) on top of the roof of the Chan Tai Ho Multi-purpose Hall (the Roof) at the Amenities and Sports Block in the City University of Hong Kong, the AP wrongly assessed the loading capacity of the Roof and wrongly certified that the addition of the Greenery Cover on the Roof was within the design loading capacity of the Roof. Given the age of the building and the Roof with a long-span steel truss system, the AP failed to examine and/or review the existing condition of the Roof before giving his advice and/or failed to alert his client with a caveat to qualify his advice on its limitations. Hence, his acts had led to the Roof being subjected to a load beyond its proper bearing capacity.

In addition, regarding the re-roofing works for the Roof, the Registered Contractors' Disciplinary Board has completed a disciplinary inquiry and decided that a registered general building contractor (RGBC) and its authorised signatory (AS) responsible for the works should be disciplined for being negligent in the building works under section 13(2)(b) of the BO.

The Board ordered the RGBC and its AS to be reprimanded and to pay the costs of the inquiry of the Board and the BD in the sum of about \$880,000. The Board's decision was published in the Gazette today. Details are available at the following link:
www.gld.gov.hk/egazette/pdf/20202443/egn202024436030.pdf.

The RGBC and its AS were negligent in carrying out the re-roofing works for having failed to first obtain the approval and consent from the BD as required under section 14(1) of the BO and to carry out their duties to comply generally with the BO.

A spokesperson for the BD emphasised that persons and contractors registered under the B0 and persons appointed to act on the registered contractors' behalf for the purposes of the B0 may be disciplined if they are negligent or misconduct themselves.

Note: The authorised person has lodged an appeal against the Board's decision.