

## Qualified person prohibited by disciplinary board from certifying prescribed inspections and repairs of windows for six months

The Registered Contractors' Disciplinary Board (the Board) has completed a disciplinary inquiry under the Buildings Ordinance (BO) and decided that a registered minor works contractor (RMWC) appointed as a qualified person (QP) under the Mandatory Window Inspection Scheme (MWIS) should be disciplined for failing to discharge the duties or abide by the requirements imposed on a QP under the BO.

The Board ordered the RMWC to be prohibited from certifying any prescribed inspection, or certifying or supervising any prescribed repair of windows, for six months with effect from the date of the Gazette, and to pay a total of \$43,400, being the costs of the Board and the Buildings Department (BD) for conducting the inquiry.

The Board's written decision and order issued on March 14 was published in the Gazette today (March 28). Details are available at the following link: [www.gld.gov.hk/egazette/pdf/20252913/egn202529131789.pdf](http://www.gld.gov.hk/egazette/pdf/20252913/egn202529131789.pdf).

The RMWC submitted a certificate to the BD in April 2021, certifying that a prescribed inspection had been carried out to the windows of a residential unit in Tuen Mun, and that those windows were safe and no prescribed repair was required. Subsequently, the BD conducted an investigation in response to a report and found that the rivets of some windows showed greyish white powder or rust.

The RMWC was later prosecuted, convicted and fined \$9,000 at the Tuen Mun Magistrates' Courts in May 2022, pursuant to sections 40(2B)(b) of the BO, for having carried out a prescribed inspection in a manner likely to cause a risk of personal injury or property damage.

In view of the convictions and investigation results, the BD notified the Board for its consideration of disciplinary action against the RMWC under the provisions of section 13(1) of the BO.

A spokesperson for the BD reiterated that in order to ensure building safety, the BD attaches great importance to the quality of the prescribed inspection and repair of windows by a QP under the MWIS. Any QP who contravenes the relevant provisions of the BO in carrying out a prescribed inspection and repair of windows under the MWIS is not only liable to criminal prosecution but also disciplinary action under the BO.