

Registered General Building Contractor disciplined for being convicted by court of offences relating to building works

The Registered Contractors' Disciplinary Board (the Board) has completed disciplinary inquiries under the Buildings Ordinance (BO) on three fatal incidents at construction sites and decided that the Registered General Building Contractor (RGBC) concerned should be disciplined for having been convicted by the courts of offences relating to building works.

The Board ordered the RGBC to be fined \$1,088,000 in total. Also, the RGBC was ordered to pay \$171,700 in total, being the costs of the Board and the Buildings Department (BD) for conducting the inquiries.

The Board's written decisions and orders issued on May 9 were published in the Gazette today (May 23). Details are available at the following links:

Case 1: www.gld.gov.hk/egazette/pdf/20252921/egn202529213024.pdf

Case 2: www.gld.gov.hk/egazette/pdf/20252921/egn202529213025.pdf

Case 3: www.gld.gov.hk/egazette/pdf/20252921/egn202529213026.pdf

The first case involved a fatal incident that occurred on June 27, 2020, at a construction site at Kai Tak. At the topmost floor of a building under construction, a metal beam being installed fell from and struck a bamboo scaffold being erected below at the external wall of the building, causing a scaffolder to plunge to his death. The RGBC was prosecuted by the Labour Department (LD) for violation of the Factories and Industrial Undertakings Ordinance (FIUO) and the Construction Sites (Safety) Regulations (CSSR). The RGBC was convicted and fined \$165,000 at the Kowloon City Magistrates' Courts on May 24, 2021.

The second case involved a fatal incident that occurred on January 13, 2020, at a construction site in Quarry Bay. A crawler-mounted crane slewed during a lifting operation, causing a worker nearby to be trapped between the rear part of the crane and a metal railing. The worker sustained severe injuries and died the same day. The RGBC was prosecuted by the LD for violation of the FIUO and the Factories and Industrial Undertakings (Lifting Appliances and Lifting Gear) Regulations. The RGBC was convicted and fined \$62,000 at the Eastern Magistrates' Courts on December 11, 2020.

The third case involved a fatal incident that occurred on April 18, 2022, at a construction site at Kai Tak. A worker while working on the 11th floor of a building under construction was suspected to have fallen through a floor opening down to the ninth floor and died. The RGBC was prosecuted by the LD for violation of the FIUO and the CSSR. The RGBC was convicted and fined \$130,000 at the Kowloon City Magistrates' Courts on June 5, 2023.

In view of the convictions of the RGBC, the BD notified the Board for its consideration of disciplinary action against the RGBC under the provisions of section 13(1) of the B0.

A spokesperson for the BD reiterated that any registered contractor who is convicted by any court of an offence relating to building works, or has been negligent or has misconducted himself in building works, may be subject to disciplinary action under the B0.