

Registered minor works contractor fined and prohibited by disciplinary board from certifying or carrying out minor works 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) should be disciplined under sections 13(2)(b), 13(2)(i) and 13(2)(j) of the BO for having carried out and certified building works as if it were minor works carried out under the simplified requirements of the Minor Works Control System (MWCS), and having been negligent or misconducted itself in the building works.

The Board ordered the RMWC to be prohibited from certifying or carrying out any minor works under the simplified requirements of the MWCS for six months with effect from the date of the Gazette and be fined \$20,000. Also, the RMWC was ordered to pay \$50,100 in total, being the costs of the Board and the Buildings Department (BD) for conducting the inquiry.

The Board's written decision and order issued on February 26 was published in the Gazette today (March 14). Details are available at the following link: www.gld.gov.hk/egazette/pdf/20252911/egn202529111497.pdf.

The RMWC submitted a certificate to the Independent Checking Unit (ICU) under the Office of the Permanent Secretary for Housing in March 2022, notifying the commencement of minor works, i.e. alteration of external non-load bearing reinforced concrete walls, at a shopping centre at Tsui Lam Road, Tseung Kwan O. The RMWC subsequently submitted a completion certificate to the ICU certifying the completion of the alteration works. After an investigation by the ICU, it was revealed that the alteration works involved external walls, including external load bearing reinforced concrete walls, which were over 3.5 metres high, and do not comply with the Building (Minor Works) Regulation. Such works do not belong to any minor works items and should only be carried out after obtaining prior approval and consent from the ICU. All of the above showed that the RMWC had carried out and certified such works as if it were minor works commenced under the simplified requirements of the MWCS, and that the RMWC had been negligent or had misconducted itself in the building works.

A spokesperson for the BD reiterated that any registered contractor who contravenes the relevant provisions of the BO in carrying out building works will be subject to enforcement action including criminal prosecution and disciplinary action under the BO.