

BUILDINGS ORDINANCE (Chapter 123)

It is hereby notified that the Registered Contractors' Disciplinary Board ('the Board') conducted an inquiry under section 13 of the Buildings Ordinance (Chapter 123) ('the Ordinance') on 11 May 2017 and 17 April 2018 and was satisfied that Shun Sun Construction Co. Ltd. ('the Contractor'), a General Building Contractor registered on the register of General Building Contractors kept pursuant to section 8A of the Ordinance, and Mr. IP Wai-ming, a person appointed by the Contractor to act for it for the purposes under section 8B(2)(d) and 8B(8)(b) of the Ordinance, misconducted themselves in relation to the building works carried out to an earth-retaining structure ('the Structure') adjoining Lot No. 748 in D.D. 216, Sai Kung ('the Lot') between July and August 2009,

in that:—

- (1) they did commence or carry out building works to the Structure adjoining the Lot between July and August 2009 which were specialised works, but were not urgent works, and such works were required to be carried out by a Registered Specialist Contractor (Site Formation Works) for which the Contractor is not registered; and
- (2) they, together with Authorized Person Mr. LUI Wing-shing Raymond and Registered Structural Engineer Mr. LAW Yue-kei Ricky, commenced or carried out building works to the Structure between July and August 2009 which:—
  - (a) were inconsistent with the plans approved by the Building Authority on 18 June 2008 of reference numbers ELS/001 and ELS/002 for the Structure which was in response to an order DH0158/NT/05/C issued by the Building Authority; and
  - (b) were without the Building Authority's prior consent.

The Board finds them guilty of the above charge.

The Board ordered that the Contractor:—

- (a) be fined HK\$15,000;
- (b) pays the costs of the Board in the amount of HK\$82,058; and
- (c) pays the costs of the Building Authority in the amount of HK\$26,567.

The Board ordered that Mr. IP Wai-ming:—

- (a) be fined HK\$8,000;
- (b) pays the costs of the Board in the amount of HK\$82,058; and
- (c) pays the costs of the Building Authority in the amount of HK\$26,567.

2 November 2018

YU Lin-keung, Maurice *Chairman,*  
*Registered Contractors' Disciplinary Board*