

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 6 December 2019 and was satisfied that (i) STP Interior Design Limited ('the Contractor'), being a Registered Minor Works Contractor (Types: A, B, C, D, E, F & G under Classes II & III) on the register of minor works contractors under section 8A(1)(c) of the Ordinance and a qualified person who could carry out the prescribed inspection and prescribed repair in respect of windows in buildings as required under the Ordinance ('the qualified person'); and (ii) Shum Kwong Ming, a director of the Contractor and the only person appointed by the Contractor to act for it for the purpose of the Ordinance under section 12(7)(a)(ii) of the Building (Minor Works) Regulation, were each convicted at the Eastern Magistrates' Court on 25 February 2016 of an offence relating to building works carried out on a residential unit of a building situated in Horizon Gardens, No. 18A Taikoo Shing Road, Taikoo Shing, Hong Kong ('the Premises'), namely:—

- (i) the Contractor, being the registered minor works contractor and the qualified person directly concerned with the prescribed inspection of windows and/or building works carried out in the Premises from December 2014 to early January 2015, was convicted of the offence of knowingly misrepresented a material fact (i.e. certifying the windows of the Premises were safe and no prescribed repair was required) in the Form MWI 5 dated 5 January 2015 signed by the Authorized Signatory submitted to the Building Authority, in contravention of section 40(2A)(c) of the Ordinance, and was fined HK\$6,000;
- (ii) Shum Kwong Ming, being a director and the authorized signatory of the Contractor and directly concerned with the prescribed inspection of windows and/or building works carried out in the Premises from December 2014 to early January 2015, was convicted of the offence of knowingly misrepresented a material fact (i.e. certifying the windows of the Premises were safe and no prescribed repair was required) in the Form MWI 5 dated 5 January 2015 (as signed by him) submitted to the Building Authority, in contravention of section 40(2A)(c) and section 40(5) of the Ordinance, and was fined HK\$6,000.

The Board ordered that:—

- (a) the Contractor and Shum Kwong Ming be severally fined HK\$6,000;
- (b) the Contractor and Shum Kwong Ming do jointly and severally pay the costs of inquiry of the Board in the sum of HK\$33,300; and
- (c) the Contractor and Shum Kwong Ming do jointly and severally pay the costs of the Building Authority in the sum of HK\$25,342.

3 April 2020

CHAN Chiu-ming *Chairman, Registered Contractors' Disciplinary Board*