

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 21 May 2020 and was satisfied that Ma Kam-man trading as Keep Smile Engineering Company ('the Contractor'), being a Registered Minor Works Contractor on the register of minor works contractors under section 8A(1)(c) of the Ordinance and a qualified person who directly concerned with the prescribed window inspection and prescribed window repair for windows in a residential unit of a building situated at Broadview Garden, No. 1 Tsing Luk Street, Tsing Yi, New Territories ('the Premises'), had been convicted at the West Kowloon Magistrates on 17 January 2018 of two offences relating to building works:—

- (a) the Contractor knowingly misrepresented material facts in a form given to the Building Authority under the Ordinance on 6 June 2016, namely that the Contractor falsely represented in the form certifying that he had completed the prescribed window inspection required by a statutory window inspection notice of the Premises which was completed on 5 June 2016 and no prescribed repair was required, contrary to section 40(2A)(c) of the Ordinance ('Charge 1'); and
- (b) the Contractor did not provide proper supervision of the carrying out of the prescribed window repair works in the Premises on 17 May 2016, contrary to section 40(2AE)(b) of the Ordinance ('Charge 2').

The Board ordered that:—

- (a) in relation to Charge 1, the Contractor be prohibited from certifying any prescribed inspection, or certifying or supervising any prescribed repair, in respect of a window in a building for 8 months, with effect from the Gazette date of these findings and order by the Board;
- (b) in relation to Charge 2, the Contractor be prohibited from certifying any prescribed inspection, or certifying or supervising any prescribed repair, in respect of a window in a building for 4 months, with effect from the Gazette date of these findings and order by the Board;
- (c) the orders made in (a) and (b) above shall take effect concurrently;
- (d) the Contractor shall pay the costs of inquiry assessed at the amount of HK\$23,833; and
- (e) the Contractor shall pay the costs of the Building Authority assessed at the amount of HK\$15,727.

18 September 2020

LAU Man-kwan, Julia Chairlady  
Registered Contractors' Disciplinary Board