

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 30 July 2021 and 9 August 2021 and was satisfied that:—

- (A) Fuk Fai Decoration Limited ('the Contractor'), which is a registered minor works contractor ('RMWC') on the minor works contractors' register under section 8A(1)(c) of the Ordinance and was appointed in the capacity of a qualified person ('QP') in respect of the prescribed inspection ('Prescribed Inspection') and the supervision of the prescribed repair ('Prescribed Repair') of the windows at Flat G on 26th Floor, Block 4, Bayview Garden, No. 633 Castle Peak Road, Tsuen Wan, New Territories on 18 and 19 June 2016; and carried out the Prescribed Repair in its capacity of RMWC;
- (1) was convicted on 25 October 2017 at the West Kowloon Magistrates' Courts of offences relating to building works under section 40(2AF) and 40(2B)(b) of the Ordinance; and/or
 - (2) contravened section 40(2A)(c) of the Ordinance and hence failed to discharge the duties, or abide by the requirements, imposed on a QP or RMWC under the Ordinance in respect of the Prescribed Inspection and/or Prescribed Repair; and
- (B) LAU Yeung-fuk, being the Contractor's director and the authorized signatory (i.e. the person appointed to act on behalf of the Contractor in relation to the Prescribed Inspection and Prescribed Repair) with his name entered in the register pursuant to section 12(7)(a)(ii) of Building (Minor Works) Regulation (Chapter 123N),
- (1) was convicted on 25 October 2017 at the West Kowloon Magistrates' Courts of offences relating to building works under sections 40(2AF), 40(2B)(b) and 40(6) of the Ordinance; and/or
 - (2) contravened sections 40(2A)(c) and 40(6) of the Ordinance and hence failed to discharge the duties, or abide by the requirements, imposed on a QP or RMWC under the Ordinance in respect of the Prescribed Inspection and/or Prescribed Repair.

The Board ordered that:—

- (a) the Contractor and LAU Yeung-fuk be prohibited from certifying any prescribed inspection, or certifying or supervising any prescribed repair, in respect of a window in a building for 9 months, with effect from the Gazette date of these findings and orders;
- (b) the Contractor and LAU Yeung-fuk do jointly and severally pay the costs of inquiry of the Board assessed at the amount of HK\$48,796; and
- (c) the Contractor and LAU Yeung-fuk do jointly and severally pay the costs of the Building Authority assessed at the amount of HK\$21,538.

12 August 2022

YAU Hoi-ngan, Alan *Chairman Registered Contractors' Disciplinary Board*