

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 25 August 2022 and was satisfied that HO Chun-kit ('Mr. HO') trading as Chuen On Engineering Company ('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 also being a person appointed by the Contractor to act for it with his name entered in the register pursuant to section 12(7)(a)(ii) of Building (Minor Works) Regulation (Chapter 123N), was appointed in the capacity of a qualified person ('QP') in respect of the prescribed inspection of the windows at Unit B, 4/F, Jing Ho Industrial Building, Nos. 78-84 Wang Lung Street, Tsuen Wan, New Territories ('the Premises') on or about 19 July 2018 ('the Prescribed Inspection') had failed to discharge the duties, or abide by the requirements, imposed on a QP under the Ordinance in respect of the Prescribed Inspection in that:—

at all material times, some of the windows of the Premises were covered by stainless steel finishes internally ('the Covered Windows'). Moreover, the exterior of the Covered Windows was obstructed by 5 outdoor units of split-type air-conditioner. During the inspection, Mr. HO has failed to examine or assess the components of the Covered Windows. Thus, Mr. HO has failed to discharge the duties, or abide by the requirements, imposed on a QP under the Ordinance in respect of the Prescribed Inspection with respect to the Covered Windows. Furthermore, on 23 July 2018, Mr. HO submitted to the BA a specified Form W11 dated 19 July 2018 to, inter alia, certify that he has carried out the Prescribed Inspection in accordance with the Ordinance. The certification was false in that Mr. HO has failed to carry out the Prescribed Inspection of the Covered Windows.

On 21 August 2019, Mr. HO pleaded guilty to and was convicted of, an offence under section 40(2A)(c) of the Ordinance for knowingly misrepresenting a material fact in the Form W11 dated 19 July 2018 in the West Kowloon Magistrates' Courts.

The Board ordered that:—

- (a) Mr. HO be prohibited from certifying any prescribed inspection, or certifying or supervising any prescribed repair, in respect of a window in a building for 6 months, with effect from the Gazette date of these findings and orders;
- (b) Mr. HO shall pay the costs of inquiry of the Board in the sum of HK\$24,494; and
- (c) Mr. HO shall pay the costs of the Building Authority in the sum of HK\$20,254.

23 June 2023

LAU Yuen-ping, *Monika* *Chairman,*  
*Registered Contractors' Disciplinary Board*