

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 17 March 2025 and was satisfied that Hip Hing Construction Company Limited ('the Contractor'), being a registered general building contractor on the register of general building contractors under section 8A(1)(a) of the Ordinance, and appointed in the capacity of registered general building contractor in respect of the excavation and lateral support works for Two Taikoo Place at Taikoo Place, 979 King's Road, Quarry Bay, Hong Kong ('the subject Site') on 7 May 2019, was convicted on 11 December 2020 at the Eastern Magistrates' Courts of the following offences relating to building works in respect of lifting a drilling machine by a lifting appliance having a slewing motion from the basement to the ground at the subject Site on 13 January 2020, in that:—

- (1) the Contractor failed to take precautions where lifting appliance had travelling or slewing motion, contrary to regulations 8(2) and 19 of the Factories and Industrial Undertakings (Lifting Appliances and Lifting Gear) Regulations, Chapter 59J ('Regulations') made under the Factories and Industrial Undertakings Ordinance, Chapter 59 ('FIUO') (Charge 1);
- (2) the Contractor failed to connect upper ends of sling legs by shackle/ring/link of adequate strength, contrary to regulations 18A(a) and 19 of the Regulations (Charge 2);
- (3) the Contractor failed to provide and maintain safe plant and system of works, contrary to sections 6A(1), 6A(2)(a), 6A(3) and 13(1) of the FIUO (Charge 3);
- (4) the Contractor failed to provide necessary information, instruction, training and supervision for safety at work of persons employed by Tysan Foundation Limited at the industrial undertaking, contrary to sections 6A(1), 6A(2)(c), 6A(3) and 13(1) of the FIUO (Charge 4); and
- (5) the Contractor failed to provide necessary information, instruction, training and supervision for safety at work of persons employed by Kit Kee Engineering Limited at the industrial undertaking, contrary to sections 6A(1), 6A(2)(c), 6A(3) and 13(1) of the FIUO (Charge 5).

The Board ordered that:—

- (a) in relation to Charge 1, the Contractor be fined HK\$33,000;
- (b) in relation to Charge 2, the Contractor be fined HK\$33,000;
- (c) in relation to Charge 3, the Contractor be fined HK\$83,000;
- (d) in relation to Charge 4, the Contractor be fined HK\$83,000;
- (e) in relation to Charge 5, the Contractor be fined HK\$83,000;
- (f) the Contractor shall pay the costs of the inquiry of the Board assessed at the amount of HK\$41,400; and
- (g) the Contractor shall pay the costs of the Building Authority assessed at the amount of HK\$14,900.

23 May 2025

CHAN Hon-wan, Edwin *Chairman,*
Registered Contractors' Disciplinary Board