

政府總部  
發展局  
規劃地政科  
香港花園道美利大廈



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9 February 2011

Prof Hon Patrick Lau Sau-shing, SBS, JP  
Chairman of the Subcommittee on Building Safety and Related Issues  
Panel on Development  
Legislative Council  
Legislative Council Building,  
8 Jackson Road  
Central, Hong Kong

Dear Prof Hon Lau,

**Panel on Development  
Subcommittee on Building Safety and Related Issues**

You may wish to note that the Buildings Department has instigated prosecution proceedings under section 40(2B)(a) of the Buildings Ordinance (Cap 123) against the building contractor involved in the building collapse incident at No. 45J Ma Tau Wai Road, To Kwa Wan, Kowloon on 29 January 2010. A copy of the press release is attached to this letter for Members' reference.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'C H Ho', written over a circular stamp or mark.

( C H Ho )

for Secretary for Development

Encl: Press release dated 20 January 2011  
c.c. Director of Buildings (Attn: Mr S.W. Hui)

## Press Release

### **Buildings Department prosecutes building contractor of building collapse incident in Ma Tau Wai Road**

The Buildings Department has instigated prosecution proceedings under section 40(2B)(a) of the Buildings Ordinance (Cap 123) against the building contractor involved in the building collapse incident at No. 45J Ma Tau Wai Road, To Kwa Wan, Kowloon on January 29, 2010. A summons was issued by the Magistrates' Courts today (January 20).

The Buildings Department issued a report on the cause of the collapse in April 2010, and has subsequently completed further investigations. The full report following the investigation, together with relevant information, including testing results, forensic analysis results, witness statements, statement analysis, etc, were submitted to the Department of Justice in consideration of taking legal action under the Buildings Ordinance. After thorough examination and consideration of the relevant information regarding the case, the Department of Justice decided that prosecution under the Buildings Ordinance should be instigated against the contractor concerned.

According to section 40(2B)(a) of the Buildings Ordinance, any person who has carried out building works in such manner that it causes injury to any person or damage to any property is liable on conviction to a maximum fine of \$1,000,000 and imprisonment for three years.

The hearing of the case is scheduled for February 16.

Ends/Thursday, January 20, 2011