

BUILDINGS ORDINANCE (Chapter 123)
(Section 35)

SERVICE OF ORDER

In accordance with the proviso to section 35 of the Buildings Ordinance, I append a copy of an order together with the available particulars of the person to whom it is addressed as detailed below:—

**Superseding Order by the Building Authority under section 24(1)
of the Buildings Ordinance (Cap. 123) and under section 46
of the Interpretation and General Clauses Ordinance (Cap. 1)**

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|---------------------------------|---|--|
| Order No. : | C/TB/001427/24/HK | Office of the Building Authority North Tower, West Kowloon Government Offices, 11 Hoi Ting Road, Yau Ma Tei, Kowloon. |
| BD Ref. : | EB/3169/74/N05(WIP) | |
| To : | The Owner(s) of FLAT C ON 22ND FLOOR INCLUDING CORRESPONDING ROOF NEWMAN HOUSE NOS.35-45 JOHNSTON ROAD HONG KONG | Date: 26 April 2024 |
| Owner(s) of the premises at: | FLAT C ON 22ND FLOOR INCLUDING CORRESPONDING ROOF NEWMAN HOUSE NOS.35-45 JOHNSTON ROAD HONG KONG | |
| on (Lot Number) | <u>I.L. 2830 s.E, I.L. 5077 R.P., I.L. 5078 R.P., I.L. 5079 R.P. & I.L. 5080 R.P.</u> | |

It has been brought to my attention that the following building works have been carried out in or at the above premises:

- (i) Erection of fence walls on and over the roof.

(The location of the building works described above is shown by hatched-black on the plan annexed hereto, for the purpose of identification only)

2. For the said building works:

- (a) Item (i) have been carried out without having first obtained from me the approval of building plans and consent for the commencement of such building works required by section 14 of the Buildings Ordinance.

3. In exercise of the powers vested in me under section 24(1) of the Buildings Ordinance, I hereby order you to :-

- (a) Demolish the building works described under item (i) above; and
(b) Reinstatement of the parts of the building so affected by the building works under item (i) above in accordance with the Plans approved by the Building Authority / minor works completion record submitted to the Building Authority.

Adequate precautionary measures to ensure public safety should be provided prior to and during the course of works.

4. You are required to complete the works ordered by me in paragraph 3 above within 30 days, all to the satisfaction of the Building Authority.

5. Section 46 of the Interpretation and General Clauses Ordinance (Cap. 1) provides, inter alia, that where any Ordinance confers power upon any person to make any order, such power shall include power to substitute another order for the one already made. Pursuant to that section, the Building Authority who is empowered under section 24(1) of the Buildings Ordinance (Cap. 123) to make the previous order i.e. Order No. **C/TB/002218/16/HK** dated **18 August 2016** is also empowered to make this order which substitutes the previous order.

(CHU Kwan)
Senior Building Surveyor

for Building Authority
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Note

- (1) Your attention is drawn to the provisions of sections 24(3), 24(4A) and 33 of the Buildings Ordinance.
- (2) Should you wish to appeal against my Order, you may give notice of appeal to the Secretary to the Appeal Tribunal (Buildings) and the notice should be received by the Secretary not later than 21 days after the date of this Order (Address: Rooms 1005-06, 10F, Wing On Kowloon Centre, 345 Nathan Road, Kowloon, Hong Kong and the fax number is (852) 3579 4971). If you need further information, please refer to the covering letter together with a copy of this Order sent to you by registered mail or visit the Buildings Department's website (www.bd.gov.hk).

The original copy of this order was posted upon a conspicuous part of the identified premises on its date of issue.

26 April 2024

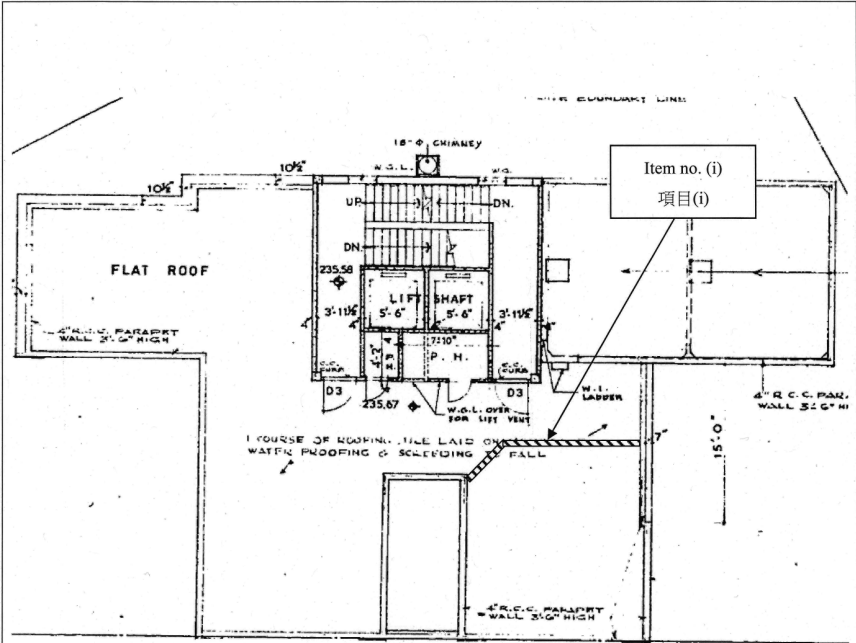
WONG Kin-yip *Chief Building Surveyor*
for *Building Authority*

Plan Annexed to Order No. : C/TB/001427/24/HK
 此圖則附連於命令編號
 BD Ref. : EB/3169/74/N05(WIP)
 檔案編號

Premises at
 處所即位於
 on (Lot Number)
 (地段號碼)

FLAT C ON 22ND FLOOR INCLUDING CORRESPONDING ROOF NEWMAN
 HOUSE
 NOS.35-45 JOHNSTON ROAD HONG KONG
 (中文地址只供參考: 香港莊士敦道35-45號利文樓22字樓C室)

I.L. 2830 s.E, I.L. 5077 R.P., I.L. 5078 R.P., I.L. 5079 R.P. & I.L. 5080 R.P.



ROOF FLOOR PLAN

天台平面圖

黑影線
 Hatched black

或
 or

命令中所述建築工程的位置在此圖則上以黑影線及項目編號標示，以資識別。本圖則不是按比例繪製。
 The location(s) of the building works described in the Order is shown hatched-black on this plan with item number(s), for the purpose of identification only. The plan is not drawn to scale.