

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)

Order No. : C/TD/001304/23/K

Office of the Building Authority
Buildings Department Headquarters,
North Tower,
West Kowloon Government Offices,
11 Hoi Ting Road,
Yau Ma Tei, Kowloon.

BD Ref. : D521/87/K Pt.III

To : The owners of
4TH FLOOR OF NO. 164 YU CHAU STREET
NOS. 112, 114 AND 116 NAM CHEONG STREET
NO. 164 YU CHAU STREET KOWLOON

Date: 28 April 2023

Owner(s) of the premises at: 4TH FLOOR OF NO. 164 YU CHAU STREET
NOS. 112, 114 AND 116 NAM CHEONG STREET
NO. 164 YU CHAU STREET KOWLOON

on (Lot Number) N.K.I.L. 376 R.P. & N.K.I.L. 376 s.A. R.P.

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

- (i) A swing-out metal gate installed at the unit entrance/exit.
2. For the said building works:
 - (a) as a result of the building works at item (i) above, Regulation 41(1) of the Building (Planning) Regulations, which requires the building to be provided with such means of escape in case of emergency as required by the intended use of the building, has been contravened.
 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 said building works described under item (i) above; and
 - (b) reinstate 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.

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

4. You are required to commence the works ordered by me in paragraph 3 above within 15 days and complete such works within 30 days of the date of this order, 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/S2/003469/07/K dated 28 June 2007 is also empowered to make this order which substitutes the previous order.

(TANG Tai-yuen)
Senior Building Surveyor/D1
for Building Authority

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, 10/F, 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).

BD 109as (Rev. 03/2019)

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

28 April 2023

CHAN Wai-ming *Chief Building Surveyor/D*
for Building Authority