

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 26A(1)
of the Buildings Ordinance (Cap. 123) and under section 46
of the Interpretation and General Clauses Ordinance (Cap. 1)**

Order No. INVO00014/K/23/TF

Our Ref. No. EB/5021/56/E09W

To : Owner(s) of
FLAT NO.109 ON 1ST FLOOR
PEONY HOUSE WEST BLOCK
NO.12 FOO KWAI STREET KOWLOON

Date: 5 May 2023

I have, on inspection, found certain dilapidation/defect in the premises at (address) FLAT NO.109 ON 1ST FLOOR PEONY HOUSE WEST BLOCK NO.12 FOO KWAI STREET KOWLOON on (Lot No.) KOWLOON INLAND LOT NO. 8060.

2. In exercise of the powers vested in me by section 26A(1) of the Buildings Ordinance, I HEREBY ORDER you as owner to appoint an Authorized Person and, within a period expiring on 5 August 2023, to carry out the following:-

- (i) Investigate and report on the structural integrity and stability of the cantilevered slab balcony of the premises. The investigation report should include the following information:-
 - (a) The layout of the existing steel reinforcing bars, diameter of the main steel reinforcing bars and the thickness of protective concrete cover;
 - (b) The thickness of structural slab and screeding;
 - (c) Degree of corrosion of steel reinforcing bars and carbonation of concrete;
 - (d) Compressive strength of concrete; and
 - (e) Calculation to justify the factor of safety against failure.
- (ii) Submit proposals for remedial works if the structures are found to be structurally inadequate, or do not possess adequate factor of safety against failure.

(The location of the cantilevered slab balcony described above is shown hatched-black on the plan annexed hereto, for the purpose of identification only.)

All works specified in this Order shall be carried out to such standard acceptable to the Building Authority and in compliance with the rules and regulations made under the Buildings Ordinance.

3. 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 26A(1) of the Building Ordinance (Cap. 123) to make the previous order i.e. Order No. INVO00013/K/22/TF dated 16 August 2022 is also empowered to make this order which substitutes the previous order.

(LI Kwok-leung)
Chief Structural Engineer/F
for Building Authority

Note

1. Subject to the findings of the investigation as stipulated in this Order, you shall carry out any remedial works as required or approved by the Building Authority. Your attention is drawn to section 26A(3) of the Buildings Ordinance that the Building Authority may by order in writing require the carrying out of such remedial works as appropriate within a specified time. Under section 26A(4) of the Buildings Ordinance, all works shall be carried out to such standard acceptable to the Building Authority and in compliance with regulations. Please also note that under sections 26A(5) & (6) of the Buildings Ordinance, the Building Authority may in certain circumstances carry out or cause to be carried out the works or investigation specified in the Order in which case the cost thereof shall be recoverable from you or your successor in title as appropriate.
2. Should you wish to appeal against my Order, you may give notice of appeal to the Secretary to the Appeal Tribunal (Buildings) and 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 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.

5 May 2023

LI Kwok-leung *Chief Structural Engineer/F*
for Building Authority

屋宇署檔號
BD Ref.

EB/5021/56/E09 W

命令編號
Order No.

INVO00014/K/23/TF

處所位於
Premises at

FLAT NO.109 ON 1ST FLOOR PEONY HOUSE WEST BLOCK NO.12 FOO
KWAI STREET KOWLOON
(中文地址只供參考：富貴街12號富貴大廈西座二樓109號室)



命令中所述懸臂式平板露台的位置在此圖則上以黑影線標示，以資識別。本圖則不是按比例繪製。

The location of the cantilevered slab balcony described in the Order is shown hatched-black on this plan, for the purpose of identification only. The plan is not drawn to scale.

