

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. : CMS/TD/000238/08/K
BD Ref. : EB/4698/62/F03N Pt VII
To : The Owners of
FLAT C ON 5TH FLOOR
NO.104 FUK WING STREET
KOWLOON

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

Date: 12 May 2023

Owner(s) of the premises at: FLAT C ON 5TH FLOOR NO.104 FUK WING STREET KOWLOON
on (Lot Number) THE REMAINING PORTION OF SECTION A OF NEW KOWLOON INLAND
LOT NO. 2094, THE REMAINING PORTION OF NEW KOWLOON INLAND LOT
NO. 2094

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

- (i) A metal frame attached to the external wall facing rear lane; and
- (ii) A canopy attached to the external wall facing No. 108 Fuk Wing Street.

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

2. For the said building works:

- (a) The building works at items (i) and (ii) 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 said building works described under items (i) & (ii) above; and
- (b) reinstate the parts of the building so affected by the building works under items (i) and (ii) 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 30 days and complete such works within 60 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. CMS/TD/014346/08/K dated 30 April 2009 is also empowered to make this order which substitutes the previous order.

(AU Fung-ming)

Principal Survey Officer/D3-3

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.

12 May 2023

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

Plan Annexed to Order No. : CMS/TD/000238/08/K
 此圖則附連於命令編號
 BD Ref. : EB/4698/62/F03N Pt VII
 檔案編號

Premises at : FLAT C ON 5TH FLOOR NO.104 FUK WING STREET KOWLOON
 處所即位於 : (中文地址只供參考：九龍福榮街104號5樓C室)
 on (Lot Number) : THE REMAINING PORTION OF SECTION A OF NEW KOWLOON INLAND LOT
 (地段號碼) : NO. 2094, THE REMAINING PORTION OF NEW KOWLOON INLAND LOT NO.
 2094
 新九龍內地段第2094號A分段餘段，新九龍內地段第2094號餘段

