

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:—

BUILDINGS ORDINANCE (CAP. 123)

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/TF/003679/21/K	Office of the Building Authority Buildings Department Headquarters, North Tower, West Kowloon Government Offices, 11 Hoi Ting Road, You Ma Tei, Kowloon.
BD Ref. :	EB/4219/61/W03S Pt. 8	
To :	The owner(s) of 4TH FLOOR NO.132 SHANGHAI STREET KOWLOON	

Date : 12 November 2021

Owner(s) of the premises at: 4TH FLOOR NO.132 SHANGHAI STREET KOWLOON

on (Lot Number) KOWLOON INLAND LOT NO. 6745, KOWLOON INLAND LOT NO 7385, KOWLOON INLAND LOT NO.6641

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

- (i) A door opening formed and a metal gate opening outwards erected on the enclosure wall of the premises facing the front staircase; and
- (ii) A drying rack attached to the external wall facing rear lane.
(The location of the building works described above is shown hatched-black on the plans annexed hereto, for the purpose of identification only.)

2. For the said building works:

- (a) As a result of the building works at item (i) above, Section 35 of the Building (Construction) Regulation, which requires the building to be designed and constructed so as to, in case of fire, inhibit or provide adequate resistance to the spread of fire and smoke, and to maintain the stability of the building, has been contravened.
- (b) 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.
- (c) The building works at item (ii) has 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) to (ii) above; and
- (b) reinstate the parts of the building so affected by the building works under items (i) to (ii) above 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 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. C/TF/003121/12/K dated 17 August 2012 is also empowered to make this order which substitutes the previous order.

Signed

(CHOW Pui-ling)
Senior Structural Engineer/F2
for Building Authority

(* delete whichever is inappropriate)

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) 3379 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 109a (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 November 2021

TANG Hung-wai *Chief Structural Engineer*
for Building Authority

夾附圖則
(Annexed Plan)

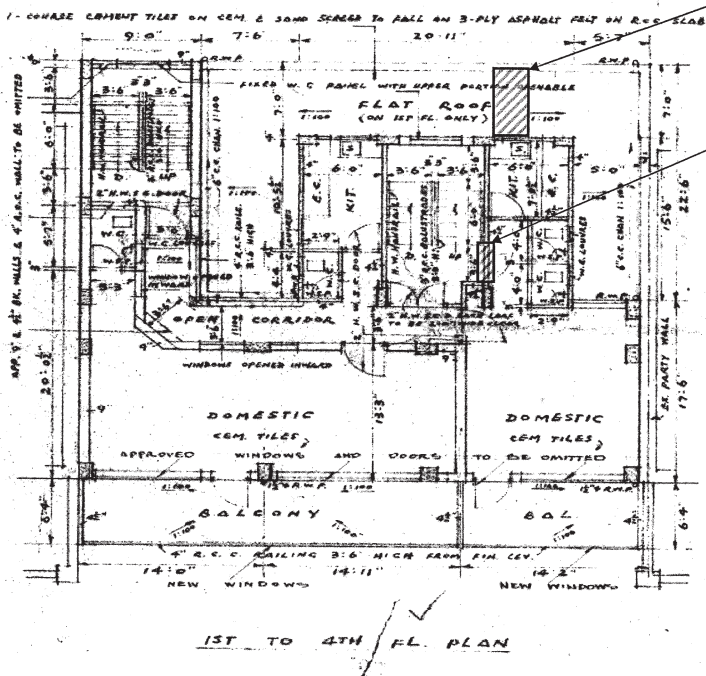
地址 (Address) : 4TH FLOOR NO.132 SHANGHAI STREET KOWLOON

檔案編號 (File Ref) : EB/4219/61/W03S Pt.8

命令編號 Order No. : C/TF/003679/21/K

Item (ii)
第(ii)項

Item (i)
第(i)項



Fourth Floor Plan

五樓平面圖

圖例 Legend



命令第一段所述的建築工程的位置
Location of the building works described
in paragraph 1 of the Order

*This plan is for identification only.
此圖只作參考用途