

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. : CBZ/TB/021889/09/K

BD Ref. : EB/4641/55/U03(BUC/09)

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

To The owner of  
6/F, No. 176 Hai Tan Street, Kowloon

Date : 18 November 2022

Owner(s) of the premises at: 6/F, No. 176 Hai Tan Street, Kowloon

on (Lot Number) SECTION A OF NEW KOWLOON INLAND LOT NO. 142

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 gate at the entrance opening out on to the common staircase; and
  - (ii) A door opening formed in the staircase enclosure wall leading to Hai Tan Street.
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.
  - (b) As a result of the building works at item (ii) above, Regulation 35 of the Building (Construction) Regulation, which requires the building to be designed and constructed so as to inhibit or provide adequate resistance to the spread of fire and smoke; and to maintain stability of the building in case of fire, 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 items (i) & (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. UBZ/U22-51/0010/09 dated 15 December 2010 is also empowered to make this order which substitutes the previous order.

(LEE Tsz-ho)  
Building Surveyor  
for Building Authority

Note

- (1) Your attention is drawn to the provisions of sections 24(3), 24(4) 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](http://www.bd.gov.hk)).

BD 109as (Rev. 03/2019)

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

18 November 2022

TSANG Po-king *Chief Building Surveyor*  
for Building Authority