

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. : SDF/04-22/0008/13	Office of the Building Authority Buildings Department Headquarters, North Tower, West Kowloon Government Offices, 11 Hoi Ting Road, Yau Ma Tei, Kowloon.
BD Ref. : (14) in EB/4453/57/9/G01(SDF13) Pt.IV	
To : THE OWNER(S) OF PORTION A ON 1ST FLOOR NO. 95 TAM KUNG ROAD KOWLOON, PORTION B ON 1ST FLOOR NO.95 TAM KUNG ROAD KOWLOON AND PORTION C ON 1ST FLOOR NO.95 TAM KUNG ROAD KOWLOON	Date: 1 March 2024

Owner(s) of the premises at: PORTION A ON 1ST FLOOR NO. 95 TAM KUNG ROAD KOWLOON,
PORTION B ON 1ST FLOOR NO.95 TAM KUNG ROAD KOWLOON AND
PORTION C ON 1ST FLOOR NO.95 TAM KUNG ROAD KOWLOON
on (Lot Number) SUB-SECTION 1 OF SECTION B OF KOWLOON INLAND LOT NO. 4016

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

- (i) Erection of partition walls and doors, obstructing access to the rear exit staircase.

2. For the said building works:

- (a) As a result of item (i), 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 **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.SDF/04-22/0002/13** dated **29 September 2014** is also empowered to make this order which substitutes the previous order.

(HUI Heung-yeung)
Senior Building Surveyor
for Building Authority

Your attention is drawn to the provisions of sections 24(3), 24(4A) and 33 of the Buildings Ordinance.

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.

1 March 2024

LAW Pui-sze *Chief Building Surveyor/E*
for *Building Authority*