

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)**

<b>Order No.</b> : <u>C/TF/000361/16/K</u> <b>BD Ref.</b> : <u>EB/4534/61/T05E</u> <b>To</b> : <u>The owner of Flat R on 14th Floor, Cherry Mansion, Nos.17-39, 19A, 23A-35A &amp; 39A Oak Street &amp; Nos.22 &amp; 22A Cherry Street, Kowloon</u>	<b>Office of the Building Authority</b> 12/F - 18/F, Pioneer Centre, 750 Nathan Road, Mongkok, Kowloon.
	<b>Date</b> : <u>18<sup>th</sup> March, 2016</u>

Owner(s) of the premises at : Flat R on 14th Floor, Cherry Mansion, Nos.17-39, 19A, 23A-35A & 39A Oak Street  
& Nos.22 & 22A Cherry Street, Kowloon

on (Lot Number) K.L.L. 9327

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 in the staircase enclosure wall ; and
- (ii) A metal gate at the formed door opening swinging out on to the common staircase.

2. For the said building works:

- (a) As a result of the building works at item (ii) 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 (i) above, Regulation 90 of the Building (Construction) Regulations, 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 (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 90 days and complete such works within 180 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/004522/06/K dated 28<sup>th</sup> July 2006 is also empowered to make this order which substitutes the previous order.

(LAM Chun-wai)  
Senior Structural Engineer  
for Building Authority

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

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

18 March 2016

TANG Kwok-kuen *Chief Structural Engineer*  
for Building Authority