

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 persons to whom they are addressed as detailed below:—

BUILDINGS ORDINANCE
(CHAPTER 123)

Superseding Order by the Building Authority under section 27A of the Buildings Ordinance (Cap.123) and under section 46 of the Interpretation and General Clauses Ordinance (Cap.1)

Order No.: DH0007/NT/16/C

BD Reference No.: BD DH 5/15/NT

Date: 20 May 2016

To: Owners of Nos. 23A & 23B Lung Tsai Tsuen, Cheung Chau, New Territories

I am of the opinion that the earth-retaining structure (Sub-division 2 of Feature No. 14NW-D/R212 as shown coloured red on the attached plan) at Nos. 23A & 23B Lung Tsai Tsuen, Cheung Chau, New Territories on Cheung Chau Lot No. 954 is liable to become so dangerous that it will collapse or be likely to collapse, either totally or partially, and thereby cause or be likely to cause a risk of injury to persons or damage to property.

2. In exercise of the powers vested in me under section 27A of the Buildings Ordinance, I hereby declare that such earth-retaining structure is liable to become dangerous and I HEREBY ORDER you as the owners of the structure, to carry out the following works :-

- a) appoint an authorized person and a registered geotechnical engineer within 2 months of the date of this Order to undertake the investigation required below; and
- b) investigate, analyse, and report on the above earth-retaining structure, and submit remedial/preventive works proposals for approval by the Building Authority based on the findings of the investigation within 7 months of the date of this Order.

3. All work as stipulated above in this Order shall be carried out to such standard acceptable to the Building Authority and in compliance with regulations.

4. This order supersedes the previous Order No. DH0087/NT/15/C dated 22 May 2015.

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 27A Buildings Ordinance (Cap.123) to make the said previous order is also empowered to make this order which substitutes the previous order.



(KWOK Che-on Angus)

Senior Building Surveyor/Slope Safety
for Building Authority

Note

Subject to the findings of the investigation work as stipulated in this Order, you shall carry out any remedial/preventive works as required or approved by the Building Authority. Your attention is drawn to section 27A(2B) of the Buildings Ordinance that the Building Authority may by order in writing require the carrying out of such remedial/preventive works as appropriate within the specified time to make the land and structure safe. Under section 27A(2C), all works shall be carried out to such standard acceptable to the Building Authority and in compliance with regulations. Please also note that under section 27A(3) and (3A) of the Buildings Ordinance, the Building Authority may in certain circumstances carry out or cause to be carried out the works or investigation specified in the Order in which the cost thereof shall be recoverable from you or your successor in title as appropriate.

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

20 May 2016

YEUNG Kar-kui *Chief Building Surveyor/SS*
for Building Authority

