

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. : C/TD/001934/19/K	Office of the Building Authority
Our Ref. No : EB/4726/58/U11(FS 6500)	Buildings Department Headquarters, North Tower, West Kowloon Government Offices, 11 Hoi Ting Road, Yau Ma Tei, Kowloon.
To : Co-owners of Nos. 367 & 369 Ki Lung Street, Kowloon	

Date : 14 June 2019

Owner of the premises at: **Nos. 367 & 369 Ki Lung Street, Kowloon** on ( Lot Number )  
**N.K.I.L. 105 R.P. & N.K.I.L. 105 s.C R.P.**

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

- (i) Staircase shop at the staircase entrance facing Ki Lung Street on Ground Floor;
  - (ii) A projecting structure attached to the external wall of staircase entrance facing Ki Lung Street and extending onto the staircase entrance;
  - (iii) A structure erected at the staircase enclosure wall facing rear lane on Ground Floor; and
  - (iv) A structure at the top of the staircase enclosure wall at roof floor facing rear lane.
- <The location of the building works described above is shown hatched-black on the plan annexed hereto, for the purpose of identification only.>

2. For the said building works:

- (a) The building works at item (ii) above have 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.
- (b) As a result of the building works at items (i) - (iii) 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) As a result of the building works at items (i) - (iv) above, Regulations 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 items (i) - (iv) above; and
- (b) reinstate the parts of the building so affected by the building works under items (i) - (iv) above in accordance 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/TD/001445/14/K dated 17th July 2014 is also empowered to make this order which substitutes the previous order.

(WONG Wai-chung)  
Principal Survey Officer (Building)  
for Building Authority

Note: Your attention is drawn to the provisions of sections 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.

14 June 2019

TSE Kai-lun *Senior Building Surveyor*  
for *Building Authority*