

Co-owners fined over \$100,000 for not complying with removal order

Two co-owners were convicted and fined over \$100,000 at the Fanling Magistrates' Courts last month for failing to comply with a removal order issued under the Buildings Ordinance (Cap 123) (BO).

The order involved several unauthorised structures on the roof and G/F of a village house at Tai Hang Fui Sha Wai, Tai Po, New Territories, occupying a total floor area of about 90 square metres.

As the above unauthorised building works (UBWs) were carried out without prior approval from the Buildings Department (BD), contravening the BO, a removal order was served on the co-owners under section 24(1) of the BO.

As the owners failed to remove the UBWs upon the expiry of the removal order, they were prosecuted by the BD and convicted at the Fanling Magistrates' Courts on June 16. The Court noticed that the owners had three previous conviction records for not complying with removal orders for other premises and heavily fined them \$104,000 in total.

"UBWs may adversely affect the structure and fire safety of a building, leading to serious consequences. Owners should seek professional advice before carrying out any building works in their premises," a spokesman for the BD said today (July 2).

Pursuant to section 40(1BA) of the BO, any person who, without reasonable excuse, fails to comply with an order served on him under section 24(1) of the BO commits an offence and is liable on conviction to a fine of \$200,000 and imprisonment for one year, as well as a further fine of \$20,000 for each day that the offence has continued.