

Property owner fined over \$70,000 for not complying with removal orders

A property owner was convicted and fined over \$70,000 at the Fanling Magistrates' Courts last week for failing to comply with removal orders issued under the Buildings Ordinance (BO) (Cap. 123).

The orders involved an unauthorised structure of about 240 square metres across two sections of a lot in D.D. 51, North District, New Territories. As the above unauthorised building works (UBWs) were carried out without prior approval and consent from the Buildings Department (BD), two removal orders were served on the owner under section 24(1) of the BO.

Having failed to comply with the removal orders, the owner was prosecuted by the BD and was fined \$78,000 in total upon conviction at the Fanling Magistrates' Courts on September 28.

"UBWs may lead to serious consequences. Owners must comply with the removal orders without further delay. The BD will continue to take enforcement action against owners who have failed to comply with the removal orders (including instigation of prosecution) so as to achieve a deterrent effect," a spokesman for the BD said today (October 5).

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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 to imprisonment for one year, as well as a further fine of \$20,000 for each day that the offence has continued.