

Two co-owners fined about \$70,000 in total for not complying with removal order

Two co-owners were convicted and fined about \$70,000 in total at the Kowloon City Magistrates' Courts last month for failing to comply with a removal order issued under the Buildings Ordinance (BO) (Cap. 123).

The case involved some unauthorised structures with a total area of about 40 square metres on the roof of a composite building on Boundary Street, Kowloon. The roof is co-owned by two owners. As the unauthorised building works (UBWs) were carried out without the prior approval and consent from the Buildings Department (BD), a removal order was served on the owners under section 24(1) of the BO.

Failing to comply with the removal order, the two owners were prosecuted by the BD and were fined a total of \$69,680, of which \$61,680 was the fine for the number of days that the offence continued, upon conviction at the Kowloon City Magistrates' Courts on May 22.

A spokesman for the BD said today (June 4), "UBWs may lead to serious consequences. Owners must comply with the removal orders without delay. The BD will continue to take enforcement action against owners who have failed to comply with removal orders, including instigation of prosecution, to ensure building and public safety."

Failure to comply with a removal order without reasonable excuse is a serious offence under the BO. The maximum penalty upon conviction is a fine of \$200,000 and one year's imprisonment, and a further fine of \$20,000 for each day that the offence continues.