

Two co-owners fined over \$140,000 for not complying with removal order

Two co-owners were convicted and fined over \$140,000 at the Tuen Mun Magistrates' Courts last week for failing to comply with a removal order issued under the Buildings Ordinance (BO) (Cap. 123).

The case involved an unauthorised structure with an area of about 30 square metres on the roof of a residential building at Yuen Long On Ning Road. As the unauthorised building works (UBWs) were carried out without 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 \$140,430 in total by the Court, of which \$110,430 was the fine for the number of days that the offence continued, upon conviction at the Tuen Mun Magistrates' Courts on November 22.

A spokesman for the BD said today (November 28), "UBWs may lead to serious consequences. Owners must comply with 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, so as to ensure building safety."

Failing to comply with a removal order without a 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.