

Two co-owners given suspended jail sentence for not complying with removal order

Two co-owners were sentenced to four weeks' imprisonment suspended for 24 months at Kowloon City Magistrates' Courts last week for failing to comply with a removal order issued under the Buildings Ordinance (BO) (Cap. 123).

The order involved an unauthorised rooftop structure of about 57 square metres at a composite building on Pei Ho Street, Sham Shui Po. 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.

Since the owners failed to comply with the removal order, they were prosecuted by the BD and were sentenced to four weeks' imprisonment suspended for 24 months upon conviction by the court on December 22.

A spokesman for the BD said today (December 29), "UBWs may adversely affect the structural and fire safety of a building, leading 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 the removal orders (including instigation of prosecution) so as to ensure building safety."

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