

Unauthorized Alterations and AdditionsBuildings Ordinance section 14

There may be occasions when a client will approach you regarding the submission of plans for building works which have already been completed. This Practice Note is intended to enable you to advise your clients on the course of action I would take when such plans are submitted.

2. Section 14(1) of the Buildings Ordinance provides that no person shall commence or carry out any building works without having **first obtained** my approval and consent. In this connection, section 42(5) further provides that my powers of exemption are not applicable to section 14. It is therefore abundantly clear that I have no powers to give retrospective approval or consent in respect of building works which have already been commenced, carried out or completed. In the circumstances, applications for approval of any plan or consent for the commencement of building works for works which have been commenced, carried out or completed would not therefore be processed but would be returned to you with a note referring to the limitations of my powers as described herein.

3. Should a client contemplate pursuing building works without first obtaining my approval and consent, the opportunity should be taken to bring the contents of this Practice Note to his attention. Your client should be firmly advised that the commencement or carrying out of any building works without having first obtained my approval and consent may result in prosecution proceedings being instituted under Part IV of the Buildings Ordinance and if found guilty, the offender could face a heavy fine or even a custodial sentence. Furthermore, an order may be served under section 24, or other relevant section, of the Buildings Ordinance requiring, inter alia, the demolition of such building works.

4. This revised Practice Note replaces the one on the same subject issued in July 1987.



(CHAU Cham-son)
Building Authority

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Index under : BOs 14 - Unauthorized Alterations & Additions
Unauthorized Alterations & Additions - BOs 14