

Unauthorized Alterations and Additions
Buildings Ordinance section 14

There may be occasions when a client will approach an authorized person or a registered structural engineer regarding the submission of plans for building works which have already been completed. This practice note is intended as an announcement for general information of the course of action that would be taken by the Building Authority when such plans are submitted.

2. Buildings Ordinance section 14(1) provides that no person shall commence or carry out any building works without having first obtained the approval and consent of the Building Authority. In this connection, section 42(5) further provides that the powers of exemption are not applicable to section 14. It is therefore abundantly clear that no powers are available to the Building Authority 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 with a note referring to the limitations of the Building Authority's powers as described herein.

3. Should a client contemplate pursuing building works without first obtaining approval and consent, the opportunity should be taken to bring the contents of this practice note to his attention. The client should be firmly advised that the commencement or carrying out of any building works without having first obtained the approval and consent of the Building Authority 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 Buildings Ordinance section 24, or other relevant section, requiring, inter alia, the demolition of such building works.



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Building Authority

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