

BD continues to follow up on incident of fallen canopy at Po On Building

Upon notification by the Police yesterday (July 2) of fallen concrete from Po On Building on 30-36 Mong Kok Road, the Buildings Department (BD) officers were immediately deployed to carry out a site inspection in the afternoon of the same day. Officers at the scene found that a canopy had fallen from the external wall on the 16th floor of the building. Some individual canopies and projections on the external wall were also found to be loose. No obvious danger to the overall building structure was noted. With the assistance from the Fire Services Department, the loose items on the external walls were removed. After checking the records, the BD confirmed today (July 3) that the subject canopy was unauthorised building works (UBWs) belonging to a domestic unit on the 16th floor of the building.

The subject building is 57 years old. The BD issued a statutory notice under the Mandatory Building Inspection Scheme (MBIS) to the owners' corporation (OC) in respect of the common parts of the building in 2014. The BD learnt that the OC had applied for the building maintenance subsidy schemes from the Urban Renewal Authority (URA) and the applications were approved by the URA in March 2021. The registered inspector appointed by the OC submitted a prescribed inspection report to the BD in March 2023, which recommended that prescribed repair works would be required. The consultant concerned is now preparing tender documents for the repair works and is expected to discuss with the OC on the tendering for a contractor in late July.

Although the concerned building has been inspected, the statutory notice under the MBIS will not be considered as complied with until the repair works have been completed. Pursuant to section 40(1BC) of the Buildings Ordinance, any person who, without reasonable excuse, fails to comply with a statutory notice served on him or her, commits an offence and is liable on conviction to a fine at level 5 (\$50,000 at present) and to imprisonment for one year, as well as a further fine of \$5,000 for each day that the offence has continued. The BD will continue to follow up with the OC and urge for their commencement of repair works as soon as possible. The BD will also consider taking enforcement action if necessary so as to ensure due compliance with the statutory notice and the safety of the occupants and the public.

The BD emphasised that it is the responsibility of owners to ensure their buildings are free of UBWs and no UBWs will be carried out. Timely repair and maintenance of private buildings is the basic responsibility of owners and building safety problems could not be sustainably and effectively resolved by the BD's enforcement action alone. Without receiving statutory notices under the MBIS, owners may also arrange prescribed inspections and repair as well as removal of UBWs for their buildings/premises at any time on voluntary basis in accordance with the standards and procedures of the MBIS. The Government will offer assistance and support to responsible owners and take enforcement actions to tackle dilapidation of buildings.