

By Invitation

ASIAN INSTITUTE OF INTERNATIONAL FINANCIAL LAW
FACULTY OF LAW, THE UNIVERSITY OF HONG KONG

Land Conversations

An Occasional Series of Discussions on Topics Concerning Hong Kong Land Law

Illegal Structures

Friday, 20 November 2015 at 1:00 pm
Room 901, 9/F Cheng Yu Tung Tower
Centennial Campus, The University of Hong Kong

The longstanding provisions of the Buildings Ordinance which forbid the carrying out of construction work without advance permission from the Building Authority are on their face wide and strict. With very limited exceptions, all building works require prior written consent. Building works are broadly defined. Retroactive approval is not allowed. Failure to comply can lead to enforcement action by the Authority: warning letters, removal notices, removal orders, and rectification work at owners' expense. Even without such action, the very presence of unauthorised alterations blights title and gives a purchaser an option to withdraw from a sale.

Yet unauthorized building works are rife, suggesting that the rules do not command respect, and disputes about them are legion. The law is unevenly enforced, leading to public perplexity and resentment. Is the Buildings Ordinance, devised in an earlier era, outdated? Does government practice need revision? Is there a role for the courts in changing the law?

Henry Litton, Honorary Professor at HKU, recently retired judge of the Court of Final Appeal, who decided many of the prominent cases concerning illegal structures both in that court and the Court of Appeal, will lead the discussion.

Light refreshments will be available.

If you would like to attend, please notify [Flora Leung](mailto:Flora.Leung@hku.hk) at fkleung@hku.hk on or before Monday, 16 November 2015.