

DOJ's response to Lisa Kuo's case

In response to media enquiries concerning the case of Lisa Kuo, the Prosecutions Division provides the following information in relation to today's (July 11) hearing. Ms Kuo has pleaded guilty to the first summons. Two summonses were laid against her with respect to the one matter because of an amendment to the offence provision with an additional element of knowledge. The first summons covered the period from August 26, 2005 to December 30, 2010 and the second summons covered the period from December 31, 2010 to February 16, 2012, being after the amendment.

It was alleged that Ms Kuo committed one offence of commencing or carrying out building works, namely, the construction of a basement with two skylight openings at 7 York Road, Kowloon, without first having obtained from the Buildings Department approval and consent in writing.

The evidence established that the building works were commenced and carried out after August 26, 2005 but before December 30, 2010. Hence, the plea of guilty to the first summons for the period between August 26, 2005 and December 30, 2010 and why the other summons will not be proceeded with. The penalty is the same for each of the two summonses even though the offence provision was amended on December 31, 2010. Upon conviction a person is liable to a fine of \$400,000 and a term of imprisonment of two years and a fine of \$20,000 each day the proven offence has continued. The plea of guilty to the first summons covered the criminality of the unauthorised works.

It is wrong to say that the second summons is more serious and it should be noted that the offence only relates to the single unauthorised works of a basement with two skylight openings at 7 York Road, Kowloon which commenced and were carried out at a time after August 26, 2005 and before December 30, 2010.

Ends/Thursday, July 11, 2013