

立法會
Legislative Council

LC Paper No. CB(2) 1074/01-02
(These minutes have been seen
by the Administration)

Ref : CB2/BC/10/00

Bills Committee on Fire Safety (Buildings) Bill

Minutes of the meeting
held on Tuesday, 18 December 2001 at 9:00 am
in Conference Room A of the Legislative Council Building

- Members Present** : Hon IP Kwok-him (Chairman)
Ir Dr Hon Raymond HO Chung-tai, JP
Hon James TO Kun-sun
Hon CHAN Yuen-han, JP
Hon CHOY So-yuk
Hon Abraham SHEK, JP
Hon Frederick FUNG Kin-kee
Hon Audrey EU Yuet-mee, SC, JP
- Members Absent** : Hon Cyd HO Sau-lan
Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP
Hon LAU Ping-cheung
- Public Officers Attending** : Mrs J CHOK
Deputy Secretary for Security
- Mr David WONG
Principal Assistant Secretary for Security
- Mr LEE Chee-chung
Chief Fire Officer (Fire Safety)
- Mr LAM Tat-wah
Acting Senior Divisional Officer
(Building Improvement & Support)

Mr C C TSANG
Assistant Director
Existing Building 2

Mr HO Cham
Chief Building Surveyor
Fire Safety

Mrs Kenny WONG
Assistant Director of Home Affairs(4)

Mr W B MADDAFORD
Senior Assistant Law Draftsman

Ms Stella CHAN
Government Counsel

Mr Damian CHAN
Assistant Secretary for Security

Clerk in Attendance : Mrs Sharon TONG
Chief Assistant Secretary (2) 1

Staff in Attendance : Miss Connie FUNG
Assistant Legal Adviser 3

Miss Mary SO
Senior Assistant Secretary (2) 8

The Bills Committee deliberated (Index of proceedings attached at **Annex**).

2. The Administration undertook to convey to the working group, established under the Fire Services Department to review the Fire Service (Installation Contractors) Regulations and the Fire Service (Installations and Equipment) Regulations, Ir Dr Raymond HO's views that it should be made compulsory that fire services installation works required of the owners or occupiers under the Bill be supervised and certified by registered professional engineers (building services).

3. The Bills Committee agreed to hold the next meeting on 14 January 2002 at 2:30 pm to continue discussion on the Bill.

4. There being no other business, the meeting ended at 10:57 am.

Council Business Division 2
Legislative Council Secretariat
6 February 2002

**Proceedings of the meeting of the
Bills Committee on Fire Safety (Buildings) Bill
on Tuesday, 18 December 2001, at 9:00 am
in Conference Room A of the Legislative Council Building**

| Time | Speaker | Subject(s) | Action required |
|-------------|-----------------|--|------------------------|
| 0000 – 0022 | Chairman | Welcoming remarks and suggestion of item for discussion at the meeting. | |
| 0023 - 0030 | Mr Abraham SHEK | Ditto | |
| 0031 - 0520 | Chairman | Ditto | |
| 0521 - 1007 | Admin | Administration's response to the issue raised by members at previous meetings that the fire services installation works required of the owners or occupiers under the Bill be supervised and certified by registered professional engineers (building services) should be made compulsory, as detailed in paragraphs 2 to 6 of its paper (LC Paper No. CB(2) 729/01-02(01)). | |
| 1008 - 1243 | Dr Raymond HO | Expressed dissatisfaction that the Administration's response failed to give an undertaking that it would make it compulsory that fire services installation works required of the owners or occupiers under the Bill be supervised and certified by registered professional engineers (building services). | |
| 1244 - 2313 | Admin | Progress of the review to strengthen the legal framework of the registration and regulation of fire service installation contractors. | |
| 2314 - 2335 | Chairman | Ditto | |
| 2336 - 2658 | Dr Raymond HO | Ditto | |
| 2701 - 2719 | Admin | Ditto | |
| 2720 - 2724 | Dr Raymond HO | Ditto | |
| 2725 - 3006 | Admin | Ditto | |
| 3007 - 3051 | Dr Raymond HO | Proposed not to scrutinise the Bill until the review, in particular on the types of persons who might undertake or certify fire services installation works to be required, had been completed. | |
| 3052 - 3121 | Admin | Ditto | |
| 3122 - 3134 | Chairman | Timetable for completing the review. | |
| 3135 - 3138 | Dr Raymond HO | Ditto | |
| 3139 - 3145 | Admin | Ditto | |

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| 3146 - 3202 | Dr Raymond HO | Not appropriate to scrutinise the Bill when the outcome of the review on the types of persons who might undertake or certify fire services installation works to be required was not yet available. | |
| 3203 - 3225 | Admin | It was beyond the scope of the Bill to prescribe the control on the types of persons who might undertake or certify fire services installation works to be required. | |
| 3226 - 3234 | Dr Raymond HO | Not appropriate to scrutinise the Bill when the outcome of the review on the types of persons who might undertake or certify fire services installation works to be required was not yet available. | |
| 3235 - 3253 | Admin | Scrutiny of the Bill should continue. | |
| 3254 - 3342 | Chairman | Arguments for and against continued scrutiny of the Bill. | |
| 3343 - 3609 | Dr Raymond HO | Urged for suspending scrutiny of the Bill. | |
| 3610 - 3653 | Admin | Reiterated that it was beyond the scope of the Bill to prescribe the control on the types of persons who might undertake or certify fire services installation works to be required. Referred to the 2001 Policy Address that it was the Administration's objective to complete the review and to consider amendments to the legislation concerned in 2002. | |
| 3654 - 3909 | Dr Raymond HO | Reiterated arguments for suspending scrutiny of the Bill. | |
| 3910 - 3944 | Admin | Reiterated that it was beyond the scope of the Bill to prescribe the control on the types of persons who might undertake or certify fire services installation works to be required. | |
| 3945 - 4007 | Dr Raymond HO | No need to wait for the outcome of review, but to state in the Bill that fire services installation works required of the owners or occupiers under the Bill must be supervised and certified by registered professional engineers. | |
| 4008 - 4028 | Chairman | Enquiry on whether Dr HO's suggestion was workable. | |
| 4029 - 4105 | ALA3 | Adding a new provision to the Bill to the effect that fire safety improvement works required of the owners or occupiers under the Bill must be supervised and certified by registered professional engineers was possible. | |

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| 4106 - 4118 | Mr Abraham SHEK | Enquiry on whether the fire service installation contractors had been consulted on the proposal to make it compulsory that the fire safety improvement works required of the owners or occupiers under the Bill be supervised and certified by registered professional engineers (building services). | |
| 4119 - 4344 | Admin | The working group formed to conduct the review comprised representatives of professional bodies, associations/unions of related trades, and relevant government departments, including a representative of the Hong Kong Institution of Engineers coming from its Building Services Division. | |
| 4345 - 4415 | Mr Abraham SHEK | Suggestion on inviting fire service installation contractors to give views on the supervision and certification of fire safety improvement works and related matters. | |
| 4416 - 4714 | Dr Raymond HO | Ditto | |
| 4715 - 4730 | Chairman | The Administration's stance on the proposal of making it compulsory that the fire safety improvement works required of the owners or occupiers under the Bill be supervised and certified by registered professional engineers (building services). | |
| 4731 - 4825 | Admin | Ditto | |
| 4826 - 4920 | Mr Abraham SHEK | Considered it necessary to invite fire service installation contractors to give views on the supervision and certification of fire safety improvement works and related matters. | |
| 4922 - 4934 | Admin | Ditto | |
| 4935 - 5006 | Dr Raymond HO | Insisted on suspending scrutiny of the Bill if no undertaking was given by the Administration to make it compulsory that the fire safety improvement works required of the owners or occupiers under the Bill be supervised and certified by registered professional engineers (building services). | |
| 5007 - 5133 | Miss CHAN Yuen-han | Shared Dr HO's views, and also supported Mr SHEK's suggestion of inviting fire service installation contractors to give views on the supervision and certification of fire safety improvement works and related matters. | |
| 5134 - 5658 | Admin | It was beyond the scope of the Bill to prescribe the control on the types of persons who might undertake or certify fire services installation works to be required. | |

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| 5659 - 5946 | Dr Raymond HO | Insisted on suspending scrutiny of the Bill if no undertaking was given by the Administration to make it compulsory that the fire safety improvement works required of the owners or occupiers under the Bill be supervised and certified by registered professional engineers (building services). | |
| 5947 - 010013 | Mr Abraham SHEK | Suggestion on inviting fire service installation contractors to give views on the supervision and certification of fire safety improvement works and related matters. | |
| 010014 - 010029 | Chairman | Ditto | |
| 010030 - 010101 | Dr Raymond HO | Ditto | |
| 010102 - 010205 | Chairman | Ditto | |
| 010206 - 010217 | Dr Raymond HO | Ditto | |
| 010218 - 010220 | Chairman | Ditto | |
| 010221 - 010241 | ALA3 | Desirability of adding a new provision to the Bill to the effect that fire services installation works required of the owners or occupiers under the Bill must be supervised and certified by registered professional engineers. | |
| 010242 - 010600 | Ms Audrey EU | <p>Raised the following questions -</p> <p>a) Whether the Fire Services Department (FSD) had the expertise to check on the fire safety improvement works completed by the registered fire installation contractors;</p> <p>b) Whether the Administration accepted the principle that the fire services installation works undertaken by registered fire installation contractors should still need to be certified by an independent registered professional engineer (building services);</p> <p>c) If (b) was accepted, whether FSD would hire a team of registered professional engineers (building services); if so, the number to be hired and what to do with them after all buildings covered by the Bill had completed their fire safety upgrading works; and</p> <p>(d) Estimated cost of engaging the service of registered professional engineer (building services) to supervise and certify fire safety improvement works stipulated by the Bill.</p> | |
| 010601 - 011216 | Admin | Response to questions (a) to (c) raised by Ms EU. | |
| 011217 - 011320 | Ms Audrey EU | Follow-up questions to the Administration's response. | |
| 011321 - 011523 | Admin | Response to the follow-up questions raised by Ms EU. | |

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| 011524 - 011829 | Dr Raymond HO | Response to the Administration's replies to Ms EU's questions. | |
| 011830 - 012025 | Ms CHOY So-yuk | Suggested to discuss the issue of insurance. | |
| 012026 - 012104 | Ms Audrey EU | Enquiry on whether the legislative amendments to the Fire Service (Installation Contractors) Regulations and the Fire Service (Installations and Equipment) Regulations would result in consequential amendments to the Bill. | |
| 012105 - 012145 | ALA3 | Ditto | |
| 012146 - 012224 | Ms Audrey EU | Enquiry on the timetable for owners or occupiers to implement the fire safety requirements under the Bill. | |
| 012225 - 012456 | Chairman | There might be no need to suspend the scrutiny of the Bill, as the commencement date of the Bill would be subject to the approval of the Legislative Council. | |
| 012457 - 012547 | Mr James TO | Scrutiny of the Bill should continue. | |
| 012548 - 012758 | Dr Raymond HO | Reiterated his views mentioned earlier at the meeting. | |
| 012759 - 012939 | Admin | Timetable for owners and occupiers to implement the fire safety requirements under the Bill : 10 years for old composite buildings. | |
| 012940 - 013045 | Mr James TO | Scrutiny of the Bill should continue. | |
| 013046 - 013157 | Ms CHOY So-yuk | Concerned that requiring fire services installation works required of the owners or occupiers under the Bill to be supervised and certified by registered professional engineers (building services) would increase financial burden on owners and occupiers. | |
| 013158 - 013207 | Mr Frederick FUNG | Suggested to discuss Part 2 of the Administration's response to the issues raised by members at the meeting on 12 October 2001 (LC paper CB(2) 709/01-02). | |
| 013208 - 013355 | Chairman | There might be no need to suspend the scrutiny of the Bill, as the commencement date of the Bill would be subject to the approval of the Legislative Council. | |
| 013356 - 013451 | Dr Raymond HO | Ditto | |
| 013452 - 013536 | Mr Abraham SHEK | Inviting the trades concerned to give views on the supervision and certification of fire services installation works. | |
| 013537 - 013607 | Chairman | Ditto | |
| 013608 - 013610 | Mr Abraham SHEK | Ditto | |
| 013611 - 013612 | Chairman | Ditto | |
| 013613 - 013632 | Mr Abraham SHEK | Ditto | |
| 013633 - 013655 | Chairman | Ditto | |

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| 013656 - 013709 | Mr Abraham SHEK | Ditto | |
| 013710 - 013723 | Chairman | Ditto | |
| 013724- 014145 | Admin | Undertook to convey members' views to the working group that fire services installation works required of the owners or occupiers under the Bill must be supervised and certified by registered professional engineers (building services). | ✓ |
| 014146- 014302 | Dr Raymond HO | The Bill should not be passed, if it was not made compulsory that the fire services installation works required of the owners or occupiers under the Bill must be supervised and certified by registered professional engineers (building services). | |
| 014303 - 014319 | Chairman | Timetable for completion of the review. | |
| 014320 - 014323 | Dr Raymond HO | Ditto | |
| 014324 - 014355 | Admin | Ditto | |
| 014356 - 014357 | Chairman | Ditto | |
| 014358 - 014425 | Admin | Ditto | |
| 014426 - 014445 | Chairman | Ditto | |
| 014446 - 014505 | Mr Abraham SHEK | Withdrew his suggestion to invite deputations. | |
| 014506 - 014739 | Chairman | Date of next meeting | |
| 014740 - 014741 | Dr Raymond HO | Ditto | |
| 014742 - 014837 | Chairman | Ditto | |
| 014838 - 014839 | Dr Raymond HO | Ditto | |
| 014840 - 014921 | Chairman | Ditto | |

Note : The audio records of the above proceedings are kept at the LegCo Library

Council Business Division 2
Legislative Council Secretariat
 6 February 2002