

Fire Safety (Buildings) Bill

**Administration's Response (2nd part) to issues raised by Members
at the Bills Committee meeting on 25 April 2001**

Regarding Members' suggestion that the Fire Safety (Buildings) Bill should specify that Registered Professional Engineers (Building Services) can coordinate and undertake the improvement measures required by the Bill, we would like to respond as follows.

2. The improvement works required by the Bill fall into two categories. The first is fire service installation works and the second is fire safety construction works. According to regulation 6 of the Fire Safety (Installations and Equipment Regulations) (Cap. 95 sub. leg.), only registered contractors can undertake statutory fire service installation works. A registered contractor is a contractor registered according to the Fire Service (Installation Contractors) Regulations (Cap. 95 sub. leg.). These Regulations provide for three classes of registered contractors according to their respective appropriate areas of work. Any persons who meet the minimum qualifications as specified in regulation 4 of the Regulations may apply to the Director of Fire Services for registration. Please refer to the attached copy of regulation 4 for the classification and required qualifications.

3. The Fire Services Department is reviewing the present registration scheme for the fire service installation contractors. A working group was established in 2000 and has started consultation work. In the preliminary proposal of the working group, except for the class concerning portable equipment, the qualification of Registered Professional Engineers (Building Services) will satisfy the registration requirements of all classes of registered contractors.

4. If the implementation of fire service installation works or fire safety construction works required by the Bill affect building structures (e.g. installation of a water tank) and building works as regulated by the Buildings Ordinance (Cap. 123) must be carried out, then under the Buildings Ordinance, only an Authorised Person can act as a co-ordinator to submit the requisite plans to the Building Authority for

approval and consent for commencement of works. An Authorised Person may be a Registered Architect, Registered Professional Engineer (Civil or Structural) or Registered Professional Surveyor, but does not include Registered Professional Engineers (Building Services).

5. The Buildings Department is drawing up a new category of “minor works” under the Buildings Ordinance, and is setting up a new register of “minor works contractors”, in order to delegate responsibilities to appropriate persons in the building industry. The idea is to let different categories of professionals or contractors in the building industry, depending on the circumstances, certify the safety of some building works, including fire safety improvement works.

6. Other than the above, we consider that there is no need to specify the qualifications of persons eligible for carrying out the improvement works required by the Bill. Should such qualifications be specified, they should be set out in the Fire Services Ordinance (Cap. 95) or the Buildings Ordinance (Cap 123) accordingly. We are therefore of the view that there is no need to amend the Bill.

Security Bureau
May 2001

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Section of Enactment

Chapter: 95A	Title: FIRE SERVICE (INSTALLATION CONTRACTORS) REGULATIONS	Gazette Number:
Regulation: 4	Heading: Classes of registered contractors and minimum qualifications for registration	Version Date: 30/06/1997

(1) The classes of registered contractors shall be-

Class 1: Registered contractors who are fit to install, maintain, repair and inspect any fire service installation or equipment (other than portable equipment) which contains an electrical circuit or other apparatus for the detection and warning, by alarm or otherwise, of smoke or fire.

Class 2: Registered contractors who are fit to install, maintain, repair and inspect any fire service installation or equipment (other than portable equipment) which contains-

(a) pipes and fittings designed or adapted to carry water or some other fire extinguishing medium; or

(b) any type of electrical apparatus other than those specified in class 1.

Class 3: Registered contractors who are fit to maintain, repair and inspect portable equipment.

(2) An applicant for registration in class 1 shall produce evidence to the Director that-

(a) the applicant or at least one of the applicant's directors, employees or partners holds a degree in electrical engineering satisfying the examination requirements (Parts I and II) of the Council of Engineering Institutions for corporate membership of the Institution of Electrical Engineers; and

(b) the applicant or at least one of the applicant's directors, employees or partners-

(i) is the manufacturer or designer of an electrical circuit or other apparatus, recognized by the Director, for the detection by alarm or otherwise of smoke or fire; or

(ii) is an authorized agent for a manufacturer of the type of apparatus specified in subparagraph (b)(i).

(3) An applicant for registration in class 2 shall produce evidence to the Director that-

(a) the applicant or at least one of the applicant's directors, employees or partners holds a Grade I plumber's licence issued under the Waterworks Ordinance (Cap 102); and

(b) the applicant or at least one of the applicant's directors, employees or partners holds a diploma from the Hong Kong Polytechnic or a Technical Institute or a higher certificate in electrical engineering or a qualification recognized as equivalent to such a diploma or certificate by the Director.

(4) An applicant for registration in class 3 shall satisfy the Director at a written examination and at an interview that his knowledge of the function and maintenance of portable equipment and the regulations relating thereto made under the Ordinance is adequate.

(L.N. 268 of 1978; L.N. 263 of 1986)
