

## **Fire Services (Amendment) Bill 2001**

### **Administration's Response to issues raised at the Bills Committee meeting held on 15 July 2002 (Part II)**

#### **Overseas experience**

***(p) overseas legislation on storage of dangerous goods in domestic premises.***

We have consulted the relevant authorities of several overseas countries on their legislation on refuelling activities in domestic premises. While it appears that these countries generally do not encounter the kind of problem of sale of diesel oil in unauthorised premises in urban residential areas that exists in Hong Kong, they do have proper regulatory control on refuelling stations to address the serious fire risks involved. Generally, there are stringent requirements on the location and fire safety provisions of refuelling facilities. These requirements would, in effect, outlaw the business of refuelling in domestic premises due to the high fire safety standards required of refuelling stations.

2. Many countries base their relevant standards and codes on the "Guidance For the Design, Construction, Modification and Maintenance of Petrol Filling Stations" (IP Code) published by the Association for Petroleum and Explosives Administration and the Institute of Petroleum. The IP Code sets out the technical standards of the planning, design, construction, and maintenance, etc. of petrol filling stations.

3. In Hong Kong, FSD also makes reference to the IP Code for formulating safety requirements on refuelling activities. Factors such as location, storage and dispensing facilities, electrical installation, safety separation from adjoining properties, etc. will all have to be addressed. To fulfil these requirements, it is practically not possible for domestic

premises in Hong Kong to be licensed for use as a refuelling station.

4. In addition to the relevant standards and codes, the overseas countries that have responded to our enquiry have provided the following information on measures to tackle illegal refuelling activities:

(i) Singapore

The use of residential premises as refuelling station is not allowed in Singapore. There are also provisions for fire hazard abatement notices and fire hazard orders like those in Hong Kong. In case there are activities that may increase the likelihood of fire and threat to life and property, the Singapore court can, upon application of the Singapore Fire Brigade, issue a prohibition order to prohibit such activities; or issue a closing order that closes the premises for a maximum period of 72 hours. If the fire hazard is not removed within the stipulated period, the premises will be closed for a period to be determined by the court upon application by the enforcement authority.

(ii) Western Australia

The maximum quantity of petrol and diesel that can be kept in a dwelling place for private use is 5 litres and 50 litres respectively. If it is kept in a garage attached to a dwelling place with fire rated separation (equivalent to fire resistant partition in Hong Kong), the quantity is 25 litres and 100 litres respectively. Severe fine of up to A\$50,000 will be imposed if this restriction is contravened.

(iii) The United Kingdom

The Petroleum (Consolidation) Act requires a licence for keeping more than 15 litres of petrol. This applies to both residential and workplace premises. The London Fire Brigade also indicated that it was very unlikely that the business of supplying fuel to vehicles

operating in domestic premises would be allowed in UK. Besides, under the Fire Precautions Act, the fire authority may issue a Prohibition Notice to prohibit or restrict the use of the premises if such a use will involve a serious risk to persons on the premises in case of fire.

(iv) New Zealand

It is an offence if any person delivers fuel oil for retail sale otherwise than from an underground tank with dispensing facilities duly approved by the relevant authority. Imprisonment for a term not exceeding 3 months or a fine not exceeding NZ\$500,000 and, if the offence is a continuing one, a fine not exceeding NZ\$50,000 for every day or part of a day during which the offence has continued, may be resulted.

Security Bureau  
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