

Legislative Council Panel on Security

Regulation of Indoor Pyrotechnic Effects

Purpose

This paper gives a brief account on the regulation of indoor pyrotechnic effects, especially those inside entertainment establishments, in Hong Kong.

Background

2. Members have expressed concern about the recent fatal nightclub blaze in Thailand, which was reported to have been caused by indoor fireworks display, and have requested the following information:

- (a) the regulation of indoor fireworks displays in Hong Kong; and
- (b) the measures to prevent the occurrence of such incidents.

Fireworks Displays versus Pyrotechnic Displays

3. There is a marked difference between fireworks displays and pyrotechnic displays. In Hong Kong, the former is regulated under the Dangerous Goods Ordinance (Cap. 295) whereas the latter is regulated under the Entertainment Special Effects Ordinance (Cap. 560), and by different Government Departments. Due to the higher risk associated with fireworks, fireworks displays are only allowed to be staged outdoor but not indoor. Consequently, this paper will focus on the regulation of indoor pyrotechnic displays.

Regulation of Pyrotechnic Materials

4. The use of pyrotechnic materials for producing special effects (including indoor pyrotechnic displays) is regulated by the Television Entertainment Licensing Authority (TELA) under the Entertainment Special Effects Ordinance (Cap. 560).

5. Under the provisions of Cap. 560, no persons are allowed to convey, store and/or use pyrotechnic materials unless they have obtained the required licences/permits from TELA, and engaged suitably qualified licensed special effects operators for the jobs. All pyrotechnic materials shall be registered or approved by TELA prior to use. TELA will vet each application to check if the proposed pyrotechnic materials are safe for the event, and verify if the applicants have provided sufficient details, including the safety and fire precautionary measures to be adopted.

Pyrotechnic Effects inside Entertainment Establishments

6. The use of pyrotechnic materials inside entertainment establishments will be subject to more stringent requirements. In addition to the compliance with the fire safety requirements stipulated by the Fire Services Department for all entertainment establishments, TELA will impose, for each pyrotechnic event, additional fire and safety requirements which will be commensurate with the type of pyrotechnic effects to be produced. After the issue of the discharge permits, officers from TELA will conduct surprise inspection to monitor the compliance with the regulations and permit conditions.

Licensing of Special Effects Operators

7. With the provision of Cap. 560, there is also a licensing system for special effects operators, which are classified into two streams, i.e. Stream A and Stream B. Stream A is for the production of special effects in films or other similar productions, whereas Stream B is for the production of special effects in theatres or on stage where there is a proximate audience, such as those inside entertainment establishments.

Only applicants with relevant qualification and experience are eligible to apply for the Special Effects Operator (Stream B) licences. Otherwise, they may apply for Special Effects Assistant (Stream B) licences. Only holders of Special Effects Operator (Stream B) licences may be permitted to use pyrotechnic materials but they may be assisted by assistants holding Special Effects Assistant (Stream B) licences. All applicants for special effects operator licences will be subject to a criminal record check by the Police and a competence assessment conducted by TELA.

Conclusion

8. With the regulatory system briefly described above, only venues suitable and safe for staging the proposed pyrotechnic effects may be permitted and that all pyrotechnic materials may only be handled by suitably qualified special effects operators. This will ensure that all pyrotechnic effects are conducted in a safe manner.

Television and Entertainment Licensing Authority
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