

Assistance for the Implementation of the Fire Safety (Buildings) Ordinance

Background

The Fire Safety (Buildings) Ordinance (Cap. 572, “the Ordinance”) commenced operation on 1 July 2007 with the objective of upgrading the fire safety standards of about 12 000 composite and domestic buildings built in or before 1987¹.

2. The Ordinance is being implemented in two phases. The first phase, started from 1 July 2007, deals mainly with about 9 000 composite buildings built in or before 1987, and is expected to be completed by 2016. The second phase will follow, which deals mainly with about 3 000 domestic buildings built in or before 1987.

Flexible and Pragmatic Implementation

3. We are aware of the practical difficulties that may be faced by some building owners in complying with certain fire safety requirements. Therefore, without compromising fire safety, the Fire Services Department (FSD) and the Buildings Department (BD) are adopting a flexible and pragmatic approach in the implementation of the Ordinance. For instance, for owners facing financial difficulties, or those who have difficulties in complying with certain fire safety requirements due to practical or structural constraints of the buildings, FSD and BD will consider extending the deadline for compliance and/or prescribing alternative fire safety measures (e.g. accepting a water tank of smaller capacity, where appropriate) in light of the actual circumstances of the buildings and the owners/occupiers. Owners may also propose viable alternatives to the required fire service installation and improvement works, and discuss them with the relevant departments.

Financial and Technical Assistance

Financial assistance

¹ The buildings constructed on or before 1 March 1987, or with its plans of the building works first submitted to the Building Authority for his approval on or before 1 March 1987.

4. At present, various financial schemes administered by government departments and other organisations are in place to provide pecuniary support for owners –

- (a) The Building Safety Loan Scheme administered by BD provides owners with loans to carry out building maintenance and repair works, including fire safety upgrading works as well as the provision, improvement and repair of fire service installation and equipment in buildings;
- (b) The Home Renovation Loan Scheme administered by the Hong Kong Housing Society (HKHS) provides eligible owners with interest-free loans up to \$50,000 for safety or hygiene related flat interior maintenance works, and fire safety upgrading works in the common parts of the buildings;
- (c) The Building Maintenance Incentive Scheme (BMIS) administered by the HKHS provides eligible owners with subsidies for repair and maintenance works in the common parts of the buildings for purposes of safety, hygiene and environmental protection, as well as those works required under the Ordinance. Under BMIS, owners can obtain grants not exceeding 20% of the total project cost or \$3,000 per residential unit. If the number of residential units is less than 50, the amount of the grant can be raised up to between 20% to 30% of the total project cost or \$150,000 (whichever is lower) ;
- (d) The Building Maintenance Grant Scheme for Elderly Owners, administered by the HKHS on commission of the Administration, offers a maximum grant of \$40,000 to eligible elderly owner-occupiers to carry out maintenance work in their flats and/or the common parts of their buildings. The grant can also be used to repay their outstanding building maintenance loans provided by the BD, the Urban Renewal Authority (URA) or the HKHS;
- (e) The Building Rehabilitation Materials Incentive Scheme under the URA provides free technical support and incentive materials for owners to carry out building rehabilitation works; and

- (f) The HKHS and the URA launched the “Operation Building Bright” in May 2009. The project aims to provide subsidies and one-stop technical assistance to owners of target buildings². Owners are not required to undergo asset or income means tests. A grant amounting to 80% of the cost of repair to the common area of the building, subject to a ceiling of \$16,000 per unit, will be provided. Elderly owner-occupiers aged 60 or above can receive a grant to cover the full cost of repair of the common areas, subject to a ceiling of \$40,000. After deducting the expenditure on repair work, the balance can be used to enhance the fire safety measures of the common areas.

Promotion and Technical Assistance

5. Since 2007, the Administration has also been extensively publicising the fire safety requirements and the implementation plan of the Ordinance through various channels, e.g. television and radio broadcast, advertisements in newspapers, district briefings and seminars. When issuing the Fire Safety Directions, the FSD and BD will enclose information pamphlets and explanatory notes, set out the objectives and specific requirements of the Ordinance, and provide contact information of the case officers concerned. If the owners’ corporations (OCs), management companies, authorised persons, owners or occupiers have any enquiries about the Directions, the case officers concerned would be glad to explain the requirements under the Directions and the proper procedures for complying with them. Information on financing and loan schemes in respect of building maintenance is also enclosed to the Directions so that the persons concerned will be able to seek financial assistance where necessary.

6. Representatives of the FSD and BD attend different meetings/forums at the district level frequently to brief owners of the details of the Ordinance and channels for seeking financial assistance, and to address the technical difficulties owners may encounter in complying with the Fire Safety Directions. In addition, the HKHS also organises seminars

² Target buildings of the Operation have to meet the following criteria –

- (a) the buildings are residential or composite buildings aged 30 years or above;
- (b) the buildings concerned comprise no more than 400 residential units (in terms of occupation permit);
- (c) the average rateable value of the residential units does not exceed \$100,000 for buildings in urban areas or \$76,000 for buildings in other areas; and
- (d) the buildings lack maintenance or are in dilapidated conditions, requiring maintenance or repair works (examples include buildings subject to statutory orders issued by the BD).

for owners who have received the Directions, to explain the general requirements under the Directions and to give advice on the specific concerns of individual owners.

7. The Administration has also been assisting owners in improving building management through the formation of OCs and paving the way for implementing the fire safety improvement works required under the Ordinance. In this connection, the Home Affairs Department, through its liaison networks in various districts, makes proactive efforts to encourage, advise and assist owners in the formation of OCs in accordance with the Building Management Ordinance. The HKHS also provides advice and financial assistance to encourage the formation of OCs by owners in private buildings.

Buildings Department
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