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Legislative Council Panel on Home Affairs

Regulation of Internet Cafes

Introduction

This paper introduces to Members the current regulation on Internet Computer Services Centres (ICSCs).

Background

2. Generally speaking, ICSCs or internet cafes refer to premises providing computers and related facilities for customers' access to the internet. The mode of operation and the types of services provided by these establishments are very diverse. Some provide communication facilities, some provide network games while some allow browsing of magazine/news on the Internet. There is also a growing trend for food premises to also provide computers and wireless connection for customers' access to the internet. As a result, while ICSCs are loosely known as Internet cafés, there is no definition yet of what constitutes an ICSC. Nonetheless, we have since 2003 requested the Police Department to identify in the course of their normal patrol premises that may be commonly perceived as ICSCs. According to the Police's latest report, there were about 219 ICSCs in Hong Kong as at December 2009.

Current regulation on ICSCs

3. There is at present no specific regulatory regime for ICSCs. Nonetheless, ICSC operators should comply with relevant ordinances such as the Fire Services Ordinance (Cap. 95), Buildings Ordinance (Cap.

123), Noise Control Ordinance (Cap. 400), Control of Obscene & Indecent Articles Ordinance (Cap. 390), Copyright Ordinance (Cap. 528), etc.

4. To address the main concerns of the public and the trade that have been expressed in the past and to facilitate ICSC operators in complying with the relevant laws, HAB has issued the “Code of Practice for Internet Computer Services Centres Operators” (the Code of Practice) (*Annex A*) containing the essential regulatory elements for voluntary compliance by ICSC operators. The Code of Practice has set out guidelines on fire and building safety, noise control, public order and crime prevention, youth patronage, Internet content, smoking, ventilation and hygiene. The main provisions of the Code of Practice are summarized as follows –

- (a) operators should notify Television and Entertainment Licensing Authority (TELA) upon commencement of their operation and closing down of business;
- (b) children under 16 should generally be restricted from patronizing ICSCs after midnight;
- (c) operators should install up-to-date device to filter pornographic, violent or gambling content on the Internet;
- (d) building and fire safety requirements are generally on par with other licensed premises taking into account the usage and mode of operation of ICSCs; and
- (e) other desirable practices regarding noise control, smoking, ventilation, provision of sanitary fitments, etc are also recommended.

5. In the past three years, relevant government departments have received a total of 122 complaints involving ICSCs, which were mainly related to noise, fire and building safety and suspected indecent website/computer games. Upon the receipt of complaints concerning ICSCs, relevant departments would follow up according to existing legislations.

Review and Inspection

6. Subsequent to the issue of the Code of Practice in 2003, two review exercises were conducted in late 2005 and April 2009 respectively to make necessary updates to the Code of Practice. Inspections were conducted by relevant departments including TELA, Fire Services Department, Environmental Protection Department, Police Department and Buildings Department. ICSCs were found to be in compliance with the requirements set out in the Code of Practice in general and no serious problems were detected.

Conclusion

7. In view of the diverse mode of operation, it is difficult, if not impossible to define ICSCs for the purpose of introducing new regulations for ICSCs. The fast growing telecommunication technologies has added on-going complexity to the issue, making it even more difficult to define ICSCs. On the one hand, if a narrow type of definition is contemplated, the effectiveness of any new regulations would be in doubt. On the other hand, introducing a broad definition for ICSCs might also run the risk of catching too many businesses inadvertently, thus restricting business development. In the absence of a clear definition of ICSCs, it is not possible to introduce regulatory measures more stringent than the existing Code of Practice. The current system has allowed a more business-friendly notification system rather than a full-fledged licensing system.

8. As different departments would regulate the different aspects of operation of ICSCs under different legislation, the Government currently has no plan to revise the regulation of ICSCs by introducing legislation or a licensing system. We will continue to adopt the Code of Practice as an administrative measure to regulate ICSCs and monitor the situation.

Home Affairs Bureau
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互聯網電腦服務中心 經營者守則

Code of Practice for Internet Computer Services Centres Operators

民政事務局
Home Affairs Bureau

二〇〇九年四月
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**Code of Practice for
Internet Computer Services Centres
Operators**

Code of Practice for Internet Computer Services Centres Operators

Preamble

- This Code of Practice is designed for Internet Computer Services Centre (ICSC) operators to follow in order to provide safe and crime-free venues. The emphasis of this Code is to encourage responsible management and lawful conduct in ICSC.

- This Code of Practice does not exempt any person or premise from complying with any statutory provision and does not affect any statutory power or duty.

DOs & DON'Ts for ICSC Operators

DOs

- **DO** choose premises in which there are no unauthorized building works by cross reference to the approved records in Buildings Department and Building Authority's acknowledgement of completion of approved alterations and additions works.
- **DO** choose premises on floors with adequate loading capacity.
- **DO** choose premises with adequate means of escape.
- **DO** note the relevant requirements in respect of drainage, air pollution and noise control as stipulated in the relevant ordinances.
- **DO** appoint an authorized person (AP) or registered structural engineer (RSE) where alterations and additions works are to be carried out or if you are unfamiliar with any of the building safety requirements.

DON'Ts

- **DON'T** choose premises at industrial buildings.
- **DON'T** choose premises in industrial portions of industrial/office buildings.
- **DON'T** choose upper floors of any premises which are designed for domestic use.
- **DON'T** choose premises at level four of a basement or below.
- **DON'T** choose premises in areas designated for emergency use, such as buffer or refuge floor.
- **DON'T** choose premises on the upper floors of single staircase buildings.

Useful Information

- The lists of Authorized Persons and Registered Structural Engineers can be obtained from the Information Centre of Buildings Department at 12/F, Pioneer Centre, 750 Nathan Road, Kowloon or the website <http://www.bd.gov.hk> for reference.
- Requests for viewing approved plans and documents can be made in a standard application form available at the Building Information Centre of the Buildings Department at 13/F, Pioneer Centre, 750 Nathan Road, Kowloon or from the web site <http://www.bd.gov.hk>. Prior appointment for viewing is necessary to allow for the records to be retrieved.
- Copies of “Guidelines for the Removal of Typical Unauthorized Building Works” and its amendments can be obtained from the Information Centre of Buildings Department at 12/F, Pioneer Centre, 750 Nathan Road, Kowloon or the website <http://www.bd.gov.hk> for reference.
- The Codes of Practice on Fire Resisting Construction, Means of Escape and Access for Firefighting and Rescue can be obtained from the website <http://www.bd.gov.hk> for reference.
- Fire safety related materials can be obtained from the following websites :
 - The Code of Practice for Minimum Fire Service Installations and Equipment (FSI) -
<http://www.hkfsd.gov.hk/home/eng/code.html>
 - Fire Services Department Circular Letters –
<http://www.hkfsd.gov.hk/home/eng/circular.html>
 - List of FSI Contractors –
<http://www.hkfsd.gov.hk/home/eng/cert.html>
 - List of Accredited Laboratories for PU Foam –
<http://www.itc.gov.hk/en/quality/hkas/hoklas/agreement.htm>
- Copies of “Good Practice on Ventilation/Pumping System Noise Control” can be obtained from Environmental Protection Department at 6/F, Chinachem Tsuen Wan Plaza, 455-457 Castle Peak Road, Tsuen Wan, New Territories or the website:
http://www.epd.gov.hk/epd/english/environmentinhk/noise/guide_ref/vent_sys.html

- Telephone numbers of relevant departments :-
 - Television and Entertainment Licensing Authority
 - for enquiry on notification upon commencement of operation of centre and closing down of business 2594 5824
 - for enquiry on control of obscene and indecent articles 2676 7676
 - Police Licensing Office 2866 0300
 - Organized Crime and Triad Hotline 2527 7887
 - Buildings Department
 - for general enquiries on building safety requirements 2626 1085
 - for general enquiries on building matters 2626 1616
 - for viewing building records 2626 1207
 - Fire Services Department
 - Licensing and Certification Command
 - Hong Kong Regional Office 2549 8104
 - Kowloon West Sub-Regional Office and Kowloon East Sub-Regional Office 2302 5300
 - New Territories Regional Office 2302 5341
 - Ventilation Division 2718 7567/
2251 4143
 - Food and Environmental Hygiene Department
 - Licensing Section 2867 5250
(on the provision of fresh air)
 - Environmental Protection Department 2411 9777
 - Customs and Excise Department 2545 6182
(against Intellectual Properties Rights infringement activities)

Public Order and Crime Prevention

- Operators should maintain peace and good order on the premises.
- Operators should provide written notification to the Television and Entertainment Licensing Authority upon commencement of their operation and closing down of business. Details of the person-in-charge and contact telephone number should be provided as far as possible.
- Operators should ensure that no criminal activities such as vice, gambling or triad related activities are allowed on the premises. Staff and customers should not be allowed to use the computing devices on the premises to engage in illegal cyber activities such as downloading unauthorized software, computer hacking etc. Operators should report to the Police should such activities be detected on their premises.
- No alcohol is allowed to be sold or consumed on the premises.
- CCTV should be installed inside the premises with recording tape activated whilst the ICSC is in operation.
- Business Registration Certificate and other licenses should be displayed conspicuously inside the premises.
- Children under 16 should not remain in the centre during the following hours –
 - (a) From Monday to Friday
From midnight to 8 a.m.; and
 - (b) On Saturday and Public Holidays
From 2 a.m. to 8 a.m.

Indecent and Obscene Article

- Operators should ensure there are up-to-date devices filtering pornographic, violent or gambling content on the Internet and such devices should be activated at all times during business hours of the centres.

- Operators should ensure that customers below the age of 18 are not permitted access to any articles which have been classified/are likely to be classified as Class II(Indecent) under the Control of Obscene and Indecent Articles Ordinance (COIAO). Besides, all operators should not publish any articles which have been classified/are likely to be classified as Class III(Obscene) under the COIAO.

Building Safety (Annex A)

- Operators should ensure that the premises are structurally safe and suitable (see **Part I** of **Annex A**).
- The premises should be provided with adequate means of escape and means of access for firefighting and rescue (see **Part II** of **Annex A**).
- The premises should be designed and constructed of fire resisting materials (see **Part III** of **Annex A**).
- The premises should be free from unauthorized building works affecting public safety (see **Part IV** of **Annex A** and **Annex A1**).

Fire Safety (Annex B)

- The premises should not have more than 50% of the total surface area of the openable or breakable windows being sealed up (see **Part I** of **Annex B**).
- Decoration and furniture inside the premises should conform to the approved standards (see **Part II** of **Annex B**).
- Ventilating System of the premises should comply with extant legislation (see **Part III** of **Annex B**).
- Only permitted fuel for cooking or water boiling is allowed in the premises (see **Part IV** of **Annex B**).
- Appropriate Fire Service Installations and Equipment (FSI) should be provided inside the premises where necessary. They should be maintained in good efficient working order (see **Part V** of **Annex B**).

- All exits and exit routes should be kept free from obstruction at all times and all staircases should be adequately illuminated during the hours of darkness (see **Part VI of Annex B**).
- Operators should observe the fire safety advice at all times (see **Part VII of Annex B**).

Noise Control (Annex C)

- The operator shall ensure that the noise generated by the operation of the centre does not cause annoyance to any noise sensitive receivers, e.g. residential dwellings. When no one is entering or leaving the centre, the door(s) of the centre must be kept closed at all times when the centre is in operation.
- Noise from public address system or loudspeaker shall not be audible at the nearest residential dwellings between the hours 2300 and 0700 of the following day. Operators should ensure that the ICSC operation shall not constitute noise annoyance to nearby residential dwellings, otherwise appropriate legal action may be initiated.
- The operator shall also ensure that the centre is operated in accordance with all the requirements listed in “Standard Requirements for Noise Control” (**Annex C**).

Others

- Premises must be brightly lit (not less than 50 lux measured at one metre above floor level and at any point at least one metre from walls).
- No partitions higher than 1.5 m shall be erected in areas accessible to the public for the use of computing devices.
- No computing device for customer use should be placed within 1.0 m from any entrance, exit or staircase landings.
- Smoking should be generally prohibited on the premises. A sufficient number of no smoking signs should be placed in prominent positions inside the premises. For premises with gross floor area over 100 m², a minimum of one third of the total area accessible by customers must be designated as “non-smoking area”.
- No bet shall be wagered or paid at the premises, nor shall any person

offer or receive any advantage to be determined by the result of any activities performed in the computing devices.

- No prizes or cash refund shall be offered or given to any person in consequence of the result of any activities performed in the computing devices.
- Operators should ensure that the use of software provided by them does not infringe intellectual property rights.
- Where natural ventilation is insufficient (i.e. where openings or windows which can be opened to the open air are less than 1/10 of the floor area), a ventilating system must be provided to give not less than 17 cubic metres of outside air per hour for each person that the premises are designed to accommodate.
- Adequate sanitary fitments should be provided for the use of customers in the premises, either in the form of written confirmation from the management/owner of the availability or with reference to the prevailing requirements (as stipulated in the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulation, Chapter 123 I).
- The operator should obtain copies of work completion certificates and latest periodic test certificates for the purpose of regulations 19 and 20 of the Electricity (Wiring) Regulations (Cap. 406 sub.leg) for fixed electrical installations installed in the premise.
- Operators should permit authorized persons, including police officers, registered social workers, officers from Fire Services Department, Buildings Department, Environmental Protection Department, Television and Entertainment Licensing Authority and Electrical and Mechanical Services Department to enter and inspect the premises for the purpose of ensuring that ICSCs are operating in an orderly manner in accordance with the prevailing laws and the Code of Practice.

Standard Requirements on Building Safety

1. Nothing contained herein shall be taken as in any way derogating from the statutory power of the Director of Buildings.
2. Operators are advised to enlist the service of an Authorized Person (AP) and/or Registered Structural Engineer (RSE) (an architect, engineer and surveyor registered under the Buildings Ordinance) at an early stage to ensure all building safety requirements are complied with.
3. Where alternations and additions works involving the structure and/or means of escape of a building are to be carried out, formal submission of plans of the proposed works to Buildings Department by an AP and/or RSE may be required.

Part I - Structural Safety

4. The premises should be in sound structural condition.
5. No part of the premises should be located in, under or over any structures built without the approval and consent of the Buildings Department.
6. The space used by the customers to obtain Internet services including playing of computer games downloaded from the Internet should be structurally capable of withstanding an imposed load of not less than 3 kPa. Ancillary portions used for waiting/dining subject to crowd loading or reading should be structurally capable of withstanding an imposed load of not less than 5 kPa.
7. In case where there are non-structural screeding on slabs to raise floor levels, heavy equipment such as cooling tower and large A/C units, addition of partition wall, stack of books in reading area, etc., justification with supporting calculations in respect of the adequacy of the existing structure to cater for such superimposed loading should be verified by an AP/RSE.

Part II - Means of Escape and Means of Access for Firefighting and Rescue

8. The premises should be provided with adequate means of escape and means of access for firefighting and rescue in accordance with Part V of the Building (Planning) Regulations and the Code of Practice for the Provision on Means of Escape in case of Fire (MOE Code) and Code of Practice for Means of Access for Firefighting and Rescue issued from time to time by the Buildings Department.

The provision of means of escape in any particular floor of a building or in the building as a whole can only accommodate a specified maximum number of persons at any one time. Table 2 of the current MOE Code sets out such limits and relates them to the width and number of exit routes provided for each floor and for the whole building. It follows that if, as a result of the operation of ICSC, the existing population figure for a floor or for the building as assessed under Table 1 of the MOE Code exceeds these limits, the existing means of escape will be inadequate.

Some key requirements are listed below:-

- The population of the premises should not exceed the designed capacity for that particular floor and the building as a whole.
- The width and number of exit routes and exit doors for the premises should be sufficient.
- The ICSC should not be located in a single staircase building other than the ground floor or in any premises not accessible to two exit staircases.
- Any premises/room with a capacity exceeding 30 persons should be provided with at least two exits. The exit doors should open in the direction of exit and should not obstruct any part of the exit route by swing of the doors. The lines of direct distance between the two exit doors from any point in the room should form an angle of not less than 30°.
- Normally, the minimum width of an exit route should not be less than 1050 mm and greater width would be required depending on the total capacity of the storey/premises/room.
- The exit doors should have a minimum width of not less than 750 mm for capacity of 30 persons or less; and at least 2 exit doors of 850 mm each for capacity between 31-200 persons with the total width of all exit doors of not less than 1750 mm. Reference should be made to MOE Code for the detailed requirements.
- All exit routes should have a clear height of not less than 2 m and be kept free from obstruction.
- Every part of each exit route should be provided with adequate artificial lighting and backed up by an emergency lighting system providing a horizontal illuminance at floor level of not less than 2 lux.
- All exit doors should be capable of being readily opened from the inside without the use of a key.
- Security shutters across exits must be kept open during business hours.
- Where the direction of travel from an exit door of a room to a staircase is possible in one direction only (i.e. dead-end), the distance from any part of a room to an exit or a point, from which travel in different directions to two or more exits are available, should not exceed 18 m. In other cases, where alternative exit routes are available in more than one direction, the distance from any part of a room to an exit may vary from 30 m to 45 m depending on the fire resisting construction of the exit routes.
- The maximum population intended to be accommodated should be used to assess the adequacy of means of escape. For assessing the population for

other portions of the building, reference should be made to Table 1 of the MOE Code, the existing use and the approved building plans.

Part III - Fire Resisting Constructions

9. The premises should be designed and constructed of fire resisting constructions which satisfy the provisions of the Building (Construction) Regulations and the Code of Practice for Fire Resisting Construction issued from time to time by the Buildings Department. **Some** key requirements are listed for reference:-
 - The premises should be separated from the adjoining occupancy by walls and floors having adequate fire resistance period.
 - The common corridor serving the premises and other occupancies should be provided with walls and self-closing doors having a fire resisting period of not less than 1 hour and 1/2 hour respectively. For premises situated in a shopping arcade, such separation is normally not required between the premises and the arcade.
 - In case where new or modified fire resisting walls, doors and other fire resisting components are involved, an AP/RSE should certify the fire resistance performance of the components with supporting test/assessment reports.
 - All fire resisting doors for the exit staircases and protected lobbies should be self-closing and kept in a closed position.

Part IV - Unauthorized Building Works

10. The existence of unauthorized building works on or affecting the ICSC may pose a risk to the safety of the staff and customers. If the premises contain unauthorized building works listed at **Annex A1**, the operators should remove such works or appoint an AP/RSE to justify the structural integrity as required.
11. Unauthorized removal or alteration of existing approved access and facilities (such as ramps and toilets) for persons with a disability may be subject to enforcement and prosecution actions under the Buildings Ordinance.

Unauthorized Building Works affecting Public Safety

1. The following unauthorized building works in the ICSC may constitute a risk to the safety of employees and customers. The operators should remove such works unless stated otherwise :

- (a) Unauthorized rooftop/flat roof/yard structures forming part of the ICSC.

[Exception : lightweight covers over yard in good and structurally sound condition, e.g. open shelters with wire-mesh, plastic or thin metal sheet covers]

- (b) Structures on or suspended from approved canopies including air-conditioning/mechanical plants and advertising signs.

[Exception : single split-type air-conditioning unit or cooling tower not exceeding 1 m in diameter on approved canopies subject to justification by AP/RSE with supporting calculations that such canopies are in structurally sound condition and that the air-conditioning plants would not cause overloading or overstressing and affecting the structural integrity of such canopies]

- (c) Unauthorized canopies/projections over pavements or common areas.

[Exception (1) : lightweight decorative shopfront projections/extensions projecting not more than 300 mm beyond the building line; lightweight overhead projections of not more than 600 mm beyond the building line, having a minimum vertical clearance of 2.5 m and not accommodating any air-conditioning plants]

[Exception (2) : lightweight covers in good condition projecting not more than 600 mm beyond the building line or retractable canopies projecting not more than 2.0 m beyond the building line and having a minimum vertical clearance of 2.5 m and a minimum horizontal clearance of 600 mm from the curb of a pavement]

[Exception (3) : advertising signs which are not in a dangerous condition]

- (d) Air-conditioning plant and its accessories (e.g. cooling towers and associated supporting structures) projecting over pavement/service lane or suspended from approved canopy and balcony.

[Exception : split-type air-conditioning units attached to external wall which are not in dangerous condition, do not obstruct pedestrian or vehicular traffic and do not project more than 600 mm from external wall]

- (e) Overhead air-conditioning plants and associated supporting structures installed within the ICSC.
[Exception : unless otherwise justified by AP/RSE as being structurally safe with supporting calculations]
 - (f) Unauthorized obstruction to smoke vents.
 - (g) Unauthorized alteration or removal of compartment walls or fire resisting walls and doors.
 - (h) Unauthorized openings or slabs over existing floors for food hoists and pipe ducts.
[Exception : unless otherwise justified by AP/RSE as being structurally safe with supporting calculations]
 - (i) Unauthorized reinforced concrete slabs filling up approved cockloft and staircase voids.
 - (j) Unauthorized cockloft, immediate floors and floor extensions.
 - (k) Unauthorized staircases; unauthorized openings through existing slabs for staircases.
 - (l) Unauthorized removal, partial removal or major alteration of structural members.
 - (m) Unauthorized building works in common areas resulting in obstruction of the means of escape from the ICSC or the building.
 - (n) Unauthorized sub-division of a floor into separate units without the provision of common corridors protected by fire resisting walls and doors.
 - (o) A material and unacceptable change of use (e.g. conversion of plant room to usable floor area).
2. If the removal or rectification of the unauthorized building works involves the carrying out of building works not exempted under section 41 of the Buildings Ordinance, it will be necessary for the operators to appoint an AP and/or RSE and to obtain the prior approval and consent of the Building Authority for such works.
 3. The existence of the unauthorized building works, which do not pose a risk to public safety, is treated as a separate issue. Future action may be taken under Sections 24 and 40 of the Buildings Ordinance to secure removal or rectification of the unauthorized building works. In the meantime, the operators are strongly advised to remove or rectify the unauthorized building works voluntarily.

Standard Requirements for Fire Safety

1. All the below requirements shall only be referred for the operation of internet computer services centres. For avoidance of doubt, compliance with these requirements SHALL NOT exempt any premises from any fire safety direction imposed under the provisions of the Fire Safety (Buildings) Ordinance, Cap 572 or the Fire Safety (Commercial Premises) Ordinance, Cap 502 for upgrading of fire service installation or equipment in any composite or commercial building which was constructed on or before 1 March 1987. Operators of internet computer services centres in these composite or commercial buildings are strongly advised to negotiate with the respective building management for mutual arrangements before the actual commencement of work.

Part I - Premises

2. If more than 50% of the total surface area of the openable or breakable windows provided for the premises are rendered not openable or unbreakable, a smoke extraction system that conforms to the standard set out in the Code of Practice for Minimum Fire Service Installations and Equipment as published from time to time by the Director of Fire Services shall be provided.

Part II - Decoration and Furniture

3. All combustible materials used as false ceilings, partitions or wall furnishings shall -
 - (a) conform to British Standard 476: Part 7 Class 1 or 2 Rate of Surface Spread of Flame; or
 - (b) conform to another standard acceptable to the Director of Fire Services; or
 - (c) be brought up to any of those standards by treating with a fire retardant paint or solution acceptable to the Director of Fire Services. The work shall be carried out by a Class II Registered Fire Service Installation Contractor and a certificate (FS 251) to this effect from the Contractor shall be forwarded to the Director of Fire Services as documentary proof of compliance.
4. All draperies and curtains, if installed, shall be made of fire resistant material and -
 - (a) conform to British Standard BS 5867: Part 2 fabric type B when tested in accordance with British Standard 5438; or
 - (b) conform to another standard acceptable to the Director of Fire Services; or

- (c) shall be brought up to any of those standards by treating with a fire retardant paint or solution acceptable to the Director of Fire Services. The work shall be carried out by a Class II Registered Fire Service Installation Contractor and a certificate (FS 251) to this effect from the Contractor shall be forwarded to the Director of Fire Services as documentary proof of compliance.
- 5.
- (a) All PU foam filled mattresses shall conform to British Standard 7177:1996 (for use in medium hazards premises/building) or to another standard acceptable to the Director of Fire Services.
 - (b) All PU foam filled upholstered furniture shall conform to British Standard 7176:1995 (for use in medium hazards premises/building) or to another standard acceptable to the Director of Fire Services.
 - (c) The PU foam filled mattress and upholstered furniture meeting the specified standards shall bear an appropriate label as stipulated in FSD Circular Letter No. 1/2000. Invoices from manufacturers/suppliers and test certificates from a testing laboratory both indicating that the PU foam filled mattress and/or furniture items comply with the specified standards shall be produced for verification. The test certificates shall be issued by a testing laboratory accredited to conduct tests according to the specified standards, and be authenticated by the company's stamp of manufacturers/suppliers.

Part III - Fittings and Ductings

6. All ventilation systems shall comply with Ventilation of Scheduled Premises Regulation, Chapter 132CE or Building (Ventilating Systems) Regulations, Chapter 123J, as appropriate.

Part IV - Fuel

7. Only town gas or electricity should be used as fuel for cooking or water boiling.
8. No cooking / food warming activities outside kitchen is permitted.
9. No naked light shall be allowed on the premises.

Part V - Fire Service Installations and Equipment

10. All fire service installations (FSI) and equipment provided for the premises in accordance with the latest approved building plans shall be maintained in efficient working order. Where alterations and additions are required, such works shall be carried out by a registered FSI contractor and a copy of the Certificate (Form FS 251) shall be submitted to the Director of Fire Services upon completion.

11. An emergency lighting system/unit shall be provided throughout the entire premises. It shall be installed in accordance with the Code of Practice for Minimum Fire Service Installations and Equipment or comply with the attached requirements for Self-contained Luminaires Emergency Lighting System (PPA/104(A)) (enclosed at **Annex B1**).
12. All exits shall be indicated by illuminated signs, bearing the word and characters "EXIT 出口", installed in accordance with the requirements set out in FSD Circular Letter No. 5/2008 (enclosed at **Annex B2**) and the Code of Practice for Minimum Fire Service Installations and Equipment as published from time to time by the Director of Fire Services. Adequate directional signs indicating the route to an exit shall be provided at locations where exit signs are not readily visible.
13. Unless the following locations are within 30 m of hose-reel point, a manual fire alarm system is to be installed:-
 - (a) near each exit leading away from the premises;
 - (b) at the main entrance;
 - (c) at the cashier's counter;
 - (d) at the reception area.
14. At least two 5 kg CO₂ fire extinguishers shall be provided (near the cashier and the electrical main switch of the premises).
15. Unless an automatic sprinkler system has already been provided, an automatic fire detection system shall be installed if the premises occupy an area exceeding 126 m² but less than 230 m².
16. If the premises exceeds 230 m² in area on any floor, or its aggregate area of different floors exceeds 230 m² without proper fire separation, the following FSI shall be provided :-
 - (a) a hose reel system; and
 - (b) an automatic sprinkler installation.

Part VI - Exits and Exit Routes

17. All exits and exit routes shall be kept free from obstruction at all times.
18. All exit doors must remain unlocked while the venue is in business. They shall be readily and conveniently openable from inside and shall be open in the direction of egress in such a way that they will not obstruct the staircase or corridor when open.
19. All staircases should be adequately illuminated during the hours of darkness and to be provided with handrails on both sides.

Part VII - Fire Safety Advice

20. An exit plan drawn to a ratio of not less than 1:200 showing the floor layout of the premises and the directions of egress to escape staircases and means of escape shall be displayed. The size of the exit plan shall not be less than 250 mm x 250 mm and shall be affixed at 1 500 mm above floor level.
21. The premises should not be used for domestic purposes but a night watchman may be permitted to remain on the premises overnight for security purposes.



Requirements for Self-contained Luminaires
Emergency Lighting Systems

A. Definition

1. Luminaire means an apparatus which distributes, filters and transforms the light given by a lamp or lamps and which includes all the items necessary for fixing and protecting these lamps and for connecting them to the supply circuit.
2. Self-contained emergency lighting luminaire means a luminaire providing maintained or non-maintained emergency lighting in which all the elements, such as battery, the lamp, the control unit and the test and monitoring facilities, where provided, are contained within the luminaire or adjacent to it (that is, within 1 metre).

B. Specification

3. Emergency lighting luminaires shall comply with the non-flammability (resistance to flame and ignition) provisions specified in BS EN 60598-2-22:1999 and external parts shall also be subjected to the 850°C glowing/hot wire test; any burning parts should self-extinguish within 30 seconds.
4. All power cables extended outside the enclosure of a self-contained emergency lighting luminaire, other than the wiring connecting the luminaire to normal supply, shall conform to BS EN 60702-1:2002, BS EN 60702-2:2002 and BS 6207-3:2001 as appropriate or to BS 6387:1994 Cat. CWZ or other international standards acceptable to the Director of Fire Services.
5. An automatic trickle charger with a 220-volt input and suitable output and fitted with pilot lights or other indicating device shall be provided for the batteries. The charger shall be capable of re-charging the battery to 100% of the rated capacity in not more than 12 hours.
6. The self-contained luminaires emergency lighting systems shall be capable of maintaining the stipulated lighting levels for a period of not less than one hour (rated duration).
7. Upon failure of the main lighting system or in the event of power failure, the emergency lighting shall automatically light up to at least 90% of the stipulated illumination level within 5 seconds.

8. Each unit shall be provided with a properly labelled 'TEST' switch and charge monitor light. A low voltage cut out shall also be provided to disconnect the batteries when fully discharged.

C. Other Requirements

9. Each luminaire shall be so designed as to provide a broad non-glare illumination when in use. At least two sets of emergency lighting luminaire shall be provided in the premises so that the premises will not be plunged into total darkness in the event of a luminaire failure. (If the area of the premise is less than 16m², only one set of emergency lighting will be required.)
10. The minimum illumination provided at floor level by the emergency lighting systems shall be:-

Staircase/exit route	not less than 2 lux.
Night club, restaurant, dance hall, or premises where people have freedom of movement and there are loose fixtures and fittings.	not less than 1 lux.

The measurements shall be taken at the mid-point between any two emergency lighting luminaires. All readings shall be taken by an illuminance meter and a discretionary tolerance of minus 10% is permitted.

11. Facilities exceeding 8m² gross area and facilities of less than 8m² without borrowed light should be provided with escape lighting complying as if they were part of an escape route. (For clarity, escape route means a route forming part of the means of escape from a point in a building to a final exit. Borrowed light means the light from other emergency lighting source. Escape lighting means that part of emergency lighting which is provided to ensure that the escape route is illuminated at all material times).
12. The emergency lighting system shall be installed and certified by a Registered Fire Service Installation Contractor.
13. Relevant test report(s)/certificate(s) issued by a testing organization recognized by the Fire Services Department or a local university laboratory competent to certify the properties regarding resistance to flame and ignition and performance of the emergency lighting shall be submitted to the Fire Services Department.
14. Periodical tests shall be carried out to each luminaire according to the following procedures :-

i)	Each luminaire shall be energized from its battery by simulation of a failure of the supply to normal lighting for the period as specified below :-		
	Monthly	-	not exceeding one quarter of the rated duration as required in clause 6 above.
	Six-monthly	-	one quarter of the rated duration.

	Three-yearly	-	full duration.
ii)	The luminaire shall be functioning properly to maintain the stipulated lighting level and the normal power supply shall be restored after the test.		
iii)	The test results shall be recorded in a register.		

Fire Services Department
May 2006

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13 May 2008

To: Recipients of FSD Circular Letters

Dear Sirs/Madams,

FSD Circular Letter No. 5/2008
Graphical Symbol Exit Signs

Following the international trend of moving from character design towards graphic design for emergency exit signs, a Working Group (WG) under Fire Safety Standards Advisory Group (FSSAG) has been set up and tasked to conduct a study on the implementation of graphic exit signs in Hong Kong. After comprehensive research and extensive consultations with the building industry and interested parties, it was decided that the following designs of exit signs would be acceptable:-

- (a) Current Exit Sign (Figure 1)
➤ It is the same as the current design.



Figure 1 – Current Exit Sign

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FSD Circular Letter No. 5/2008

(b) Combined Graphical Symbol and Characters Exit Sign (Figure 2)

- A graphical symbol with dimension of not less than 125mm x 125mm shall be incorporated between the Chinese and English characters. Detailed scale of symbol is illustrated in Figure 4.



Figure 2 – Combined Graphical Symbol and Characters Exit Sign

(c) Graphical Symbol Exit Sign (Figure 3)

- In this design, it is only a graphical symbol of not less than 125mm x 125mm. Figure 4 shows the details of the symbol.

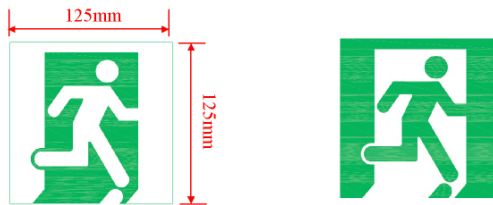
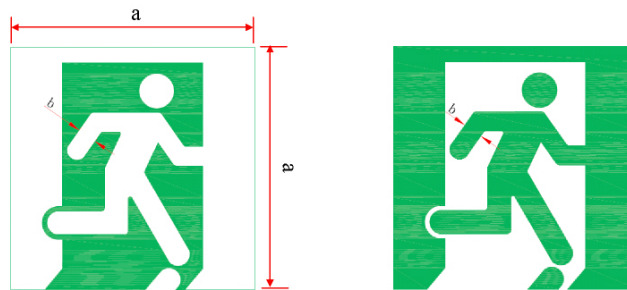


Figure 3 – Graphical Symbol Exit Sign



(Dimension: $a \geq 125\text{mm}$ and $b \geq 10\text{mm}$)

Figure 4 – Detailed Scale of the Graphical Symbol

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Apart from the foregoing changes, other specifications for exit signs as stipulated in Section 5.10, Part V of the Code of Practice for Minimum Fire Service Installations and Equipment shall be followed.

For new buildings, single type of exit sign shall be installed within the same development in order to maintain uniformity. For existing buildings, the adoption of mixed designs of exit signs is acceptable. Nevertheless, owners/occupiers of buildings are encouraged to use single type of exit sign should there be any major replacement programme of exit signs.

This letter serves to announce that the aforesaid new exit signs can be installed with effect from 1 September 2008.

Yours faithfully,

(NG Kuen-chi)
for Director of Fire Services

Encl.

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FSD Circular Letter No. 5/2008

Standard Requirements for Noise Control

1. Good Practices on Ventilation/Pumping System Noise Control as published from time to time by the Director of Environmental Protection shall be followed.
2. The main door of the premises should open to the interior of the building structure. If the main door needs to be opened towards the street, appropriate design of the premises entrance (e.g. the use of 2 separate self-closing doors with a buffer space in between) is recommended. In any event, the door(s) shall be self-closing from all positions and must, at all times when the premises are open to the public, be kept closed.
3. The door(s), when closed, shall not leave any gap or opening.
4. The other sound pathways (e.g. ventilator, windows etc.) are suitably treated so that the post-treatment ability to prevent sound transmission is compatible with that of the door.

(Note: There are many ways of treatment and it is impossible to specify all. This requirement is usually already complied with if the premises are centrally air-conditioned and windows are kept closed. In case window-type ventilators are used, a simple treatment would be to have silencers fitted to these ventilators.)

5. No public address system/loudspeaker and other sound sources from computing devices shall be installed at outdoor for operation.
6. All the noise sources operated in connection with ICSC shall comply with the requirements set out in the Noise Control Ordinance (Cap. 400).