

立法會
Legislative Council

LC Paper No. CB(2)649/17-18(03)

Ref : CB2/PL/SE

Panel on Security

**Background brief prepared by the Legislative Council Secretariat for the
meeting on 9 January 2018**

Implementation of the Fire Safety (Buildings) Ordinance

Purpose

This paper gives a brief account of the past discussions by the Panel on Security ("the Panel") on the implementation of the Fire Safety (Buildings) Ordinance (Cap. 572) ("the Ordinance") and fire safety improvement works for old buildings.

Background

2. The Ordinance came into operation on 1 July 2007. It stipulates that fire safety measures of composite (commercial-cum-domestic) buildings or domestic buildings which were constructed on or before 1 March 1987, or with their plans of the building works first submitted for approval on or before that day, should be enhanced to conform to modern fire safety standards. For instance, the commercial portions of the composite buildings were not required by law at that time to install automatic sprinkler systems, and therefore enhancements are necessary.

3. Under the Ordinance, the enforcement authority on fire safety measures in relation to planning, design and construction of buildings is the Director of Buildings, while the enforcement authority in relation to fire service installations and equipment is the Director of Fire Services. The Fire Services Department ("FSD") and the Buildings Department ("BD") will issue Fire Safety Directions ("FS Directions") to owners and/or occupiers with regard to fire safety measures of the relevant buildings and specify the required fire safety improvement works.

Deliberations of the Panel

Technical support for owners of old buildings

4. Members expressed concern that some old building owners could not be able to fully comply with the requirements set out in the FS Directions due to structural or spatial constraints of their buildings. Furthermore, old buildings of three storeys or less might particularly encounter technical difficulties in carrying out fire safety improvement works, as these aged buildings would be subject to greater structural or spatial constraints in the installation of fire service water tanks and pumping stations.

5. According to the Administration, it was aware of the difficulties faced by some owners in complying with the FS Directions. As such, FSD had, as allowed under the Ordinance, extended the compliance period of FS Directions in the light of the justifications provided and/or the scale of works involved. Having regard to the circumstances of individual buildings, the enforcement authorities had, where basic fire safety would not be compromised, adopted a flexible and pragmatic approach in handling individual cases and allowed owners more time and flexibility in complying with the FS Directions. Besides, FSD had introduced a series of improvised measures, including the "improvised hose reel system" and lowering of the capacity requirements for supply tanks of the fire service systems, with a view to assisting owners in overcoming technical difficulties associated with the works. As for old buildings of three storeys or less, FSD and the Water Supplies Department had rolled out a Pilot Scheme on Improvised Hose Reel System in May 2015. The owners of these buildings could install improvised hose reel systems with direct water supply from the government town mains on the ground floor of the buildings, thus be spared the installation of fire service water tanks and pumps. If the Pilot Scheme was proved to be successful, the departments would consider extending the measures to other suitable old buildings.

6. Some members pointed out that a number of owners of pre-1987 composite buildings and domestic buildings, especially "three-nil" buildings (i.e. buildings without owners' corporations ("OCs"), residents' organizations or property management companies), had encountered difficulties in coordinating fire safety improvement works. Specifically, these owners were unable to apply under the name of an OC for the relevant building maintenance loans and grants.

7. The Administration advised that noting the difficulties encountered by "three-nil" buildings, FSD had extended the compliance period of FS Directions

in the light of the justifications provided and/or the scale of works involved. To strengthen the provision of free professional advice and support services to "three-nil" buildings and enhance building management and maintenance works on all fronts, members were further advised that the Home Affairs Department ("HAD") had introduced the Building Management Professional Advisory Service Scheme since 2011. In addition, FSD and BD would refer a list of target buildings without OCs to HAD so that the latter could assist the owners in establishing OCs.

8. Members were assured that that the Administration had been, and would continue adopting a flexible and pragmatic approach in handling individual cases. The relevant departments would also continue to review the measures implemented from time to time and explore various works options so as to assist the old building owners in complying with the FS Directions.

Financial support for owners of old buildings

9. Members were advised that to assist owners of private buildings in conducting maintenance and repair of their buildings, the Government, the Hong Kong Housing Society and the Urban Renewal Authority ("URA") had been operating various financial assistance schemes, including the Building Safety Loan Scheme, the Integrated Building Maintenance Assistance Scheme and the Building Maintenance Grant Scheme for Elderly Owners to cover the fire safety improvement works under the Ordinance.

10. At the policy briefing cum meeting of the Panel on 3 November 2017, members were advised that to further support owners of old buildings, the Administration planned to devote about \$2 billion to launch the Fire Safety Improvement Works Subsidy Scheme to subsidize owners of old composite buildings to take fire safety improvement measures as required by the Ordinance. The scheme would be administered by URA. Subsidized buildings might be granted up to 60% of the works costs. It was roughly estimated that the subsidy to the owners of an old target building under the scheme would be in the range of \$400,000 to \$1 million per building. The Administration anticipated that for relatively simple cases, the fire safety improvement works could be completed in about one year's time. It was hoped that the scheme would encourage owners to commence and complete works as soon as possible to comply with the requirements under the Ordinance and enhance the fire safety standards of these old buildings.

11. The Administration will brief the Panel on the proposed subsidy scheme at the meeting on 9 January 2018.

Relevant papers

12. A list of the relevant papers on the Legislative Council website is in the **Appendix**.

Council Business Division 2
Legislative Council Secretariat
5 January 2018

Relevant papers on Fire Safety (Buildings) Ordinance

Committee	Date of meeting	Paper
Panel on Security	25.1.2007 (Item IV)	Agenda Minutes
	5.1.2016 (Item VIII)	Agenda Minutes
	3 November 2017 (Item IV)	Agenda Minutes
Legislative Council	2.3.2016	Official Record of Proceedings (Question 6)
	2.11.2016	Official Record of Proceedings (Question 10)
	14.6.2017	Official Record of Proceedings (Question 5)
	5.7.2017	Official Record of Proceedings (Question 10)

Council Business Division 2
Legislative Council Secretariat
 5 January 2018