

**Information requested by the Bills Committee  
at its meeting held on 14 May 2001 regarding  
the Karaoke Establishments Bill**

The information requested by the Bills Committee is set out in the following paragraphs –

- 1. A comparison between Hong Kong and other countries in the following aspects –**
  - (a) standard of fire and building safety requirements for operating karaoke establishments (KE);**
  - (b) whether factors such as “suitable place”, “suitable area”, “views of persons in the immediate vicinity of the place of the proposed operation” will be considered in an application for licence/permit;**
  - (c) whether a grantee/licensee is required to be an individual person.**

Whilst the Consultants have taken their own initiative to review the *general approach* to karaoke licensing in four countries/places (UK, Singapore, Japan and Taiwan) in the study, a comprehensive review of karaoke requirements in these and other countries is beyond the scope of the study brief. Therefore we regret that we are unable to provide specific answers to the above questions unless another detailed review is to be undertaken.

From Chapter 6 of Regulatory Impact Assessment (RIA) Report, it can be seen that karaoke establishments are not regulated in their own right in all the four places mentioned at the moment. Instead, they are regulated by licensing requirements applicable to other forms of places of public entertainment and/or premises for the consumption of liquor/tobacco. In other words, the licensing conditions are general and relate to all entertainment venues rather than specific activities.

**2. To elaborate on the meaning of the conclusions in para. 6.5 of the RIA Report.**

The Consultants advised that the Hong Kong licensing system and administration of the same has been developed over a number of years to meet the identified needs of various sectors. As such, establishing a new approach to licensing and administration solely of karaoke establishments is likely to be both very complex and time consuming. It will also put karaoke licensing out of step with other forms of licensing in Hong Kong.

On the other hand, whilst the existing licensing control processes in Hong Kong are already securing high standards of safety and hygiene, they are not developed to control the unique fire and building safety aspects of karaoke activities. Hence it is prudent to introduce the proposed licensing arrangements in order to enhance the fire and public safety of karaoke establishments.

**3. To provide relevant extracts of the Coroner's report and court judgement relating to the major fire occurred at Top One Karaoke in 1997.**

Extracts of the Coroner's report relevant to the Karaoke Establishments Bill (KE Bill) are provided at Appendix.

As regards the murder case of the Top One Karaoke Fire (Case No. HCCC 249 of 1997), the 54-page transcript covering the summing-up, verdict, mitigation and sentence has been reviewed. None of the contents is considered relevant to the KE Bill under consideration by the Bills Committee, and is therefore not enclosed.

**4. In respect of consultation with the trade conducted by the Consultants –**

**(a) The number of respondents to the questionnaires sent out by the Consultants**

Out of the 100 odd questionnaires sent out by the Consultants, responses providing data for some 40 karaoke establishments were received. All of

them were partially completed and did not supply enough information for detailed analysis. Nevertheless it did assist the study by confirming the assumptions made by the Consultants in developing the model of the karaoke industry in Hong Kong.

The Consultants do not have an exact record of the number of Chinese translations of questionnaire issued. They were sent to companies who requested them after the Consultants telephoned to confirm the attendance of the companies at the seminars.

**(b) The number of persons/parties attending the seminars organized by the Consultants**

The Consultants were available on all three seminars scheduled for 20.9.00, 21.9.00 and 22.9.00. Representatives from five karaokes and a representative from the Hong Kong Federation of Restaurants and Related Trade had attended.

On 7.11.00, about fifteen people attended the meeting which was organised by the Consultants in response to queries by representatives from California Red. The Karaoke Requirements Concern Group (KRCG) and the Hong Kong Federation of Restaurants and Related Trades were also represented at the meeting.

**(c) Apart from the information sought in the questionnaire, what other issues were raised by the trade?**

The issues raised by the trade have been summarised in para. 3.3.2 of the RIA Report (on page 7) viz. re-decoration, further changes in the licensing regime, permit/licence renewal, “unavoidable” dead-end situations, number of occupants, consultation with neighbours over issuing of a licence and hours of business.

**(d) Why the consultants did not send a copy of the questionnaire to the Karaoke Requirements Concern Group?**

The Consultants did send the KRCG the initial request for information and invitation to the seminars. Correspondence from Mr L H KWAN of the KRCG in relation to the study and questionnaire was received by the Consultants on at least two occasions.

**5. What general conditions would be imposed by the Fire Services Department before giving approval for alteration works to be carried out while a KE is in operation; in particular on handling combustible materials; and the estimated cost for complying with these conditions.**

The general conditions are –

- (a) The operator shall apply to the relevant licensing authority for permission prior to conducting any works.
- (b) Fire separation of not less than 1 hour with self-closing doors of ½ hour fire resisting period shall be maintained between the works and business areas. Relaxation of the requirement may be considered if the works do not involve the use of naked flame/hot works and dangerous goods.
- (c) Adequate means of escape and means of access for fire fighting shall be provided for the entire karaoke establishment including the works area and business area.
- (d) The contractor shall observe good house-keeping and take necessary precautionary measures to ensure the hygiene and safety of the premises.
- (e) There shall be no excessive storage of dangerous goods within the works area and the karaoke establishment.
- (f) Inflammable substances should be stored in a metal cupboard with self-closing doors.
- (g) When inflammable substances are in use, good ventilation is required and smoking is prohibited.
- (h) Naked flame and hot work such as welding should not be conducted in the vicinity of inflammable substances.

- (i) Downtime of fire service installation system shall be kept to the minimum.
- (j) The fire service installation system shall as far as practicable remain functional to protect the business area.
- (k) Alternative means such as fire extinguishers shall be provided in the affected area where the fire service installation is temporarily suspended.
- (l) The person responsible for a karaoke is obligated under the Occupational Safety and Health Ordinance (Cap. 509) administered by the Labour Department to ensure the safety and health at work of all his employees. He has the general duties to provide, among other things, (i) a safe system of work and (ii) information, instruction and training to employees. He is also specifically required under the law to ensure that –
  - all doors that provide egress from the workplace are kept unlocked or are otherwise fastened in such a manner that they can easily be opened from inside the workplace;
  - an illuminated exit sign is installed at each exit from the workplace; and
  - all means of escape from the workplace are maintained in a safe condition and kept free from obstruction.
- (m) The contractor responsible for the renovation work is required under the Factories & Industrial Undertakings Ordinance (Cap. 59) to provide a safe system of work as well as information, instruction and training to his employees. He should not employ a worker who has not attended a recognised safety training course. In addition, he has to comply with the requirements of the various safety regulations made under the Factories & Industrial Undertakings Ordinance.

Most of the fire safety measures are basically good management practices which do not incur any additional cost. The fire resisting separation between

the works area and the business area may entail some extra cost. The estimated cost will depend on the actual layout of the establishment and the demarcation of the areas. As a general reference, the unit cost per square foot of fire resisting panel is about HK\$30.

**6. When a section of an automatic sprinkler system is under repair, will the entire system be rendered inoperative?**

According to the Loss Prevention Council's Rules on Automatic Sprinkler Systems, the maintenance, alteration and repair of an automatic sprinkler system shall be carried out in a way that will minimize the *time and extent* of non-operability. As much as possible of the installation shall be retained in an operative condition. This can be achieved either by blanking off pipework feeding the inoperative part or parts where repair/maintenance work is taking place; or by shutting off the subsidiary stop valve to control the water supply to the affected section or zone.

When a system is rendered inoperative, the owner/management should implement the following compensatory measures to minimize the effects –

- (a) before a system is wholly or partly shut down, every part of the premises shall be checked to ensure that there is no indication of fire;
- (b) where premises are subdivided into separate occupancies protected by a common sprinkler system, the various occupiers shall also be advised that the water is to be turned off;
- (c) make use of portable extinguishers in case of fire in the affected areas;
- (d) the area affected should be patrolled continuously;
- (e) any hot work should be subject to a permit system;
- (f) smoking and naked lights should be prohibited in affected areas;

- (g) when an installation remains inoperative outside working hours, all fire doors and fire shutters should be closed for the period concerned; and
- (h) if the entire system has to be suspended, the registered fire service installation contractor should notify the Fire Services Department.

Security Bureau  
June 2001

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**Appendix****Extract from Coroner's Court Case No. DI 60-76/98K**

## CHAPTER 3.

## THE LAYOUT OF THE BUILDING AND OF THE PREMISES IN QUESTION.

3.1 I have drawn in particular from the description of the building and premises given in the statement of Mr. Bobbie CHEUNG Kwok-keung, of the Government Laboratory.

3.2 The building is a number of years old. It is an 18-storey commercial building with one basement. The accommodation in the basement and on the first four floors had been designed and used as a shopping arcade and a restaurant. The floors above the 4th floor were given over to office accommodation. In October 1994 the premises on the 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> floors, previously used as a restaurant named the Fortana Restaurant, were leased to a company named Sambo International Limited ('Sambo'). This company ran the premises as a karaoke establishment under the title of the Top One Karaoke Box. Individual karaoke rooms were situated mainly on the 2<sup>nd</sup> and 3<sup>rd</sup> floors. There were 29 such rooms on the 2<sup>nd</sup> floor and 31 on the 3<sup>rd</sup> floor. The lift lobby of the 1<sup>st</sup> floor had been turned into a karaoke room and the lift no longer stopped at that floor. The 4<sup>th</sup> floor was mainly given over to a food and beverage preparation area and to the music control room. Two karaoke rooms were to be found on this floor. Part of the 4<sup>th</sup> floor was a flat roof whereon were installed the lift machinery, air-conditioning plant and a cooling tower. Mr. CHEUNG Sing-choi, a major shareholder in Sambo, produced the lease for the premises which appeared to show that the staircase linking the ground floor to the 4<sup>th</sup> floor was a common part of the building. It is noteworthy that Mr. Bobbie CHEUNG Kwok-keung described the staircase as being the internal staircase of the karaoke lounge leading from the ground floor to the flat



roof of the 4<sup>th</sup> floor. Access to the floors above the karaoke premises was by way of a separate entrance.

3.3 The corridors in the premises were something of the order of 1.2 metres wide and served the rooms both on the perimeter of each floor as well as blocks of rooms more towards the centre of each floor.

3.4 Each staircase lobby on each of the 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> floors of the karaoke premises was separated from the premises by smoke doors. The reception counter was situated on the 2<sup>nd</sup> floor, as was the cashier's desk. The hours of operation of the karaoke lounge were from 12 noon to 6:00 a.m.

3.5 Each of the karaoke rooms was fitted with a karaoke television set but no alarm bells and no way of automatically interrupting the music supplied to each room.

## CHAPTER 4.

## THE CRIMINAL ACTIVITY AND THE DAMAGE RESULTING THEREFROM.

4.1 On the night of 19<sup>th</sup> January 1997 a group of patrons with triad affiliations went to the premises. They entered into an argument with bouncers at the premises. Four patrons were seriously assaulted by the bouncers. The bouncers had affiliation to a different triad society, a fact admitted by the manager of the karaoke, Mr. HO Tung-yuen (CW19). The triad society to which the group of patrons belonged planned a revenge attack. There were abortive attempts to carry out such an attack on 22<sup>nd</sup> January and on 23<sup>rd</sup> January. Finally, in the early hours of the day in question, a group of about ten or so members of the triad society in question went to the karaoke. The group included the three men convicted of murder. The members of the group communicated with each other by means of walkie-talkie radios and some were armed with petrol bombs. These may well have been made from beer bottles filled with petrol. These bombs were thrown in sequence onto the upper part of the flight of stairs leading to the 2<sup>nd</sup> floor, then onto the half-landing between the 1<sup>st</sup> floor and the 2<sup>nd</sup> floor and finally into the 1<sup>st</sup> floor lobby.

4.2 The fire spread rapidly up the staircases, igniting easily combustible material such as wall paper, wooden panelling and false ceilings. Rows of polyurethane ('PU') foam-filled sofas were placed on the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> floors in the lobbies. These caught fire producing thick dense choking smoke. The sofas on the 1<sup>st</sup> and 2<sup>nd</sup> floors in particular were almost totally consumed in the fire. The smoke was able to spread easily into the interior of the premises on the 2<sup>nd</sup> floor because the smoke doors on that floor were open at the time the fire started.

4.3 As the fire took hold the temperature in the lobbies increased and there came a time when the windows in the lobbies broke because of this rise in temperature. The resulting inrush of air served to feed the fire further and to increase its ferocity. As may be seen from the photographs taken after the fire had been put out, the rise in temperature caused the smoke to rise and to flow along the corridors initially at ceiling height. Some of the more dramatic photographs produced in evidence show considerable soot deposits on the ceilings of corridors and on the upper parts of the walls, particularly on the 2<sup>nd</sup> floor. The floors and the lower parts of the walls at the same locations, however, show almost no smoke deposits whatsoever.

4.4 Officers and appliances of the Fire Services Department were soon at the scene and brought the fire under control. Officers equipped with breathing apparatus entered the premises and found the bodies of the deceased who had been overcome by the smoke.

4.5 Damage as a direct result of the fire was confined to the staircases and to the lobbies although there was an area of high-level damage in the reception area on the 2<sup>nd</sup> floor. Within the premises, however, there was considerable evidence of the presence of smoke, particularly, as I have indicated, at high level.

## CHAPTER 6.

## THE STATE OF THE FIRE SERVICES INSTALLATIONS.

6.1           Once the fire had started certain safety equipment should have come into operation. Even though at present there is in existence no legislation which specifically applies to the establishment and operation of karaoke establishments, these premises were the subject of the legislative framework relating to restaurants and to establishments serving alcohol. Both a liquor licence and a general restaurant licence had been issued in respect of the premises. Furthermore, under the *Fire Services Ordinance*, each year the owner of the premises had to engage the services of a registered fire services installation contractor ('FSIC'). The task of the FSIC is to inspect the fire services installations ('FSI') and either to issue an unconditional certificate of satisfaction and compliance with the regulations applicable to such installations or to list the faults which he finds. A copy of the inspection certificate is sent to the Fire Services Department. Of course, when FSI are installed they must be installed by a FSIC and installed in accordance with such regulations which apply thereto.

6.2           In 1995 a FSIC named Winning Company ('Winning'), on the instructions of Sambo, removed the existing sprinkler system and installed a new system. Such a system should have complied with the detailed requirements of the *Fire Office Committee Rules* for the installation of automatic sprinkler systems. These rules originate in the United Kingdom. Under such rules, if a valve is installed in the subsidiary branch of the fire main supplying water to such automatic system an alarm shall be fitted giving audible and visible warning at a continuously manned position of the closure of such a valve. This was not done. After the fire the Fire Services Department inspected the automatic sprinkler system and found that a gate

valve installed in the branch piping on the 3<sup>rd</sup> floor was completely closed and a gate valve installed in branch piping on the 2<sup>nd</sup> floor only needed 2/3 of a turn completely to close it. This meant that when the automatic sprinkler system came into operation the sprinkler heads actuated on the 3<sup>rd</sup> floor but no water was discharged. On the 2<sup>nd</sup> floor 8 sprinkler heads had actuated but had, in the words of the Fire Services Department report ‘poor water discharge’. 37 sprinkler heads had actuated but no water had been discharged.

6.3           It has not been entirely clear what effect the lack of a properly-operating sprinkler system had on the incident. Certainly the water discharged would have had a cooling effect but the effect on the smoke produced is moot.

6.4           Other defects in the FSI were noted. The signs for the emergency exits were undersized, being some 125 mm high rather than the 175 mm in the approved plan for the building. In addition, the automatic starting device for the sprinkler pumps was found to be defective in a test undertaken some two days after the fire. It appears that this had not occurred during the fire and did not contribute to the disaster on the day in question.

## CHAPTER 7.

## THE EFFECTS OF THE BURNING FURNITURE.

7.1           Once again, the dreadful effects of burning PU foam-filled furniture have been demonstrated in this incident. Once the fire had started it burned extremely fiercely. This was due to the property of the polyurethane foam filling to reach a very high temperature very quickly aided by the route provided by the staircase, the presence of other combustible material and, after the destruction of the windows in the lobbies, of a plentiful supply of air. I am indebted to the officers of the Fire Services Department for presenting to this inquest a copy of an article written by Mr. D.B.V. Thomas B.Sc. and published in the December 1984 issue of the *Fire Engineers Journal*, a learned journal published in the United Kingdom. This article quoted the findings of a report published by the United Kingdom Home Office Fire Department in May 1980 into a disastrous fire in a department store in Manchester in England in May 1979. Many items of furniture involved in the fire had a filling of polyurethane foam. A reconstruction of the way in which the fire started was conducted, and the authors of the report set out some of the results of such reconstruction as follows.

7.2           ‘The two-seater settee and the bed-settee were both ignited with a match. The two-seater settee burned rapidly, and in less than half a minute the temperature in the room had increased by 800°C. The bed-settee also burned rapidly and gave a maximum temperature of 1025°C with a rise in temperature of 800°C within about one minute. In both cases the flames, at the height of the burning, were approximately 12.6 metres long. The settees had polypropylene fabric covers and polyurethane filling.’

7.3 It is clear, and again I am indebted to Mr. Bobbie CHEUNG' Kwok-keung for his assistance and to Doctor LAU Chau-ming, his superior, who presented Mr. Cheung's report at the hearing in the absence of Mr. Cheung our of Hong Kong, that the fire burnt so fiercely that it quickly exhausted the oxygen in the immediate vicinity of the furniture, despite the replenishment of the oxygen from the air admitted to the locations after the breaking of the windows. This meant that the smoke from the furniture and surrounding areas subsequently became thicker because of incomplete combustion of the burning materials. As I have indicated, the smoke then moved with great velocity up the staircase, entering the premises where it was able to, such as on the 2<sup>nd</sup> floor where the smoke doors were open at the time.

7.4 As was made clear to me from the evidence of Mr. Bobbie CHEUNG Kwok —keung and from the article by Mr. D.B.V. Thomas, the smoke produced from burning polyurethane foam as well as being dense and dark is also highly toxic. The main toxic constituents of such smoke are carbon monoxide and hydrogen cyanide. The article by Mr. Thomas quoted the results of a report published in 1982 in the journal of the respected Buildings Research Establishment in the United Kingdom into a widely publicised fire in a Dublin, Eire, disco in which burning polyurethane foam was again a factor. The quoted report described that, in a simulated fire, fumes presented an immediate danger to life after only two to five minutes. Mr. Thomas also referred to the previously quoted report into the Manchester department store fire which reported smoke and toxic gases being evolved at the rate of 1700 square metres per minute at a temperature of 800°C and restricting visibility to 0 - 6 metres two minutes after ignition.

## CHAPTER 8.

### THE WAY FORWARD.

8.1 I would repeat that it must be borne in mind that the cause of this tragedy is, I am entirely satisfied, the deliberate use of incendiary devices by those possessed of criminal intentions. Nonetheless, there has been an acceptance by various government agencies and departments of certain inadequacies and deficiencies which have been cruelly exposed by this case.

8.2 I have heard, in particular from the Fire Services Department, from the Security Bureau and from the Trade and Industry Bureau. I am grateful to the witnesses from those departments and agencies who have attended and explained the positions of the departments and agencies which they have represented. I would also acknowledge that there has been a willingness on the part of those departments and agencies to acknowledge that there are matters which need to be put right as a matter of urgency. Perhaps I can deal with the areas of concern as amounting to three broad topics and to deal with each of them in turn, making recommendations as I proceed.



## CHAPTER 9.

## THE PROVISION AND INSPECTION OF FIRE SERVICES INSTALLATIONS.

9.1 The responsibilities of the Fire Services Department in Hong Kong are wide-ranging and burdensome. The Department's main responsibility is to fight fires whenever and wherever they occur. In this instance, the officers of the Department again demonstrated considerable individual and collective bravery and skill in fighting the fire and rescuing a considerable number of persons. I am happy to place on record the fact that Hong Kong is fortunate to have the services of fire officers who are highly trained and dedicated and who are willing to risk their own lives for the sake of saving the lives of others.

9.2 It is also the case that the Fire Services Department has other, perhaps more mundane but equally important tasks to perform. The regulation of the installation and maintenance of FSI is one such task. I am grateful to Deputy Chief Fire Officer Charles CHU Man-chun, who attended the inquest at short notice to assist me. From the evidence of Mr. Chu and his subordinate officers it is clear that the number of buildings used for commercial purposes is so great in relation to the number of fire officers available that the Fire Services Department has to rely upon independent FSIC to ensure that proper regulation is carried out. This is of course a system that therefore relies greatly upon self-regulation. In this particular case it is clear that there existed proper regulations to cover the installation and maintenance of sprinkler systems. However, for some reason these regulations were not observed. Indeed, on 29<sup>th</sup> May 1996, Winning issued a fire certification showing that the regulations relating to the sprinkler system had been complied with. This was clearly not the case. Indeed, it will be recalled that it was Winning that installed the new sprinkler system the previous year. I did not have the

benefit of hearing from anyone from Winning. I issued an invitation to that company or firm to attend to give evidence but that invitation was not taken up. I did not issue summonses for the attendance of representatives of Winning because, it seemed to me, the inquest would become embroiled in matters of civil liability. Such matters, as I have explained, are outwith the scope of any inquest. In any event, the factual situation is, it appears to me, entirely clear.

9.3            Thus, the fact that gate valves were installed without alarms being connected thereto is apparent. So is the fact that such matters as the existence of undersized lettering on emergency exits.

9.4            However, these matters were either ignored or overlooked and a false sense of security was engendered by the issue of the unconditional fire certificate. The Fire Services Department did take legal advice from the Department of Justice as to whether criminal proceedings should have been taken against the FSIC concerned. I understand that the advice was to the effect that criminal proceedings should not be commenced. That is, of course, a matter for the departments concerned. Of some considerable concern, however, is the fact that Mr. Chu told me that the Director of Fire Services considers that he cannot bring disciplinary proceedings against any particular registered FSIC in the absence of a prior criminal conviction. I am grateful to Mr. Peter WONG Ting-kwong of counsel, who has appeared to represent the owners and managers of Top One Karaoke, for putting the actual regulations to the various witnesses from the Fire Services Department. It seems clear to me that such a self-imposed restriction has no basis in law. Indeed, it would be surprising if disciplinary action could only be taken following the rigours of a criminal trial. If the view of the Director is correct

then there seems little point in maintaining a register of FSIC. I would therefore urge the Director to reconsider his policy in this regard.

9.5 I acknowledge that the task of dealing with inspections of all commercial buildings in Hong Kong is beyond the resources of the existing body of trained fire officers, if only because of the numbers involved. However, it also clear that the policy of self-regulation of the industry may not be as effective as it should be in protecting the public of Hong Kong. It seems to me that may be merit in considering the appointment of a body of civilian inspectors within the Fire Services Department which would not be subject to the disciplinary career structure but which would need to receive specialist training and instruction in one sphere only. In other words, fire inspectors would not necessarily need to be able to fight fires if inspection and only inspection was the only task for which they were employed. Of course disciplined service fire office would still need to be part of the inspection service to ensure that standards are maintained and, wherever possible, improved. I hesitate to trespass on matters of structure, manpower and policy of a disciplined force where I possess no relevant expertise. However, it does seem to me that the formation of a civilian body of inspectors to augment trained fire officers engaged in such tasks would be a useful way of increasing the number of inspectors without incurring the cost of specialist training for tasks other than inspections. I must emphasise that this recommendation is made on the basis that the present structure of industry self-regulation is retained. I would repeat that it would seem imperative, however, for the Director to tighten the disciplinary aspect of the maintenance of the register of FSIC. Afer all, the prospect of losing his livelihood is far more likely to result in a contractor maintaining the standards required compared to the payment of fine, no matter how heavy. It certainly seems to me that very few

disciplinary hearings have been held in respect of those on register in the recent past.

9.6 For the avoidance of doubt let me say that I am not, by this recommendation as to the tightening of the disciplinary framework in respect of registered FSIC, implying that the FSIC in this particular case should or should not have faced disciplinary proceedings. What is clear is that the Director denied himself the discretion which has been vested in him to regulate the register and those on it. In my view, such a self-imposed denial should no longer apply.

9.7 I am also pleased to note that, with the support of the karaoke trade, the Fire Services Department is making provision at its training school for courses for employees of karaoke establishments and I hope that such courses become an established feature of the annual training programme.

## CHAPTER 10

## THE REGULATION OF KARAOKE ESTABLISHMENTS.

10.1 In the period between the incident in January 1997 and now, the Security Bureau and the Urban and Regional Services Departments have been proactive in reviewing the whole question of the regulation of karaoke establishments. Indeed, such a review was occasioned by this very case. I am grateful to Ms. Sarah KWOK Tam Pui-yie of the Security Bureau who attended the hearing to give evidence on the issue.

10.2 In February 1998 the two municipal bodies issued a consultation paper on this subject. The consultation period ended at the end of May and legislation is proposed within the current legislative session. As the paper pointed out many people in Hong Kong enjoy themselves at karaoke establishments and it is a completely legitimate entertainment. However, there are obvious dangers in such establishments such as the provision of a multiplicity of closed karaoke rooms, narrow and ill-lit corridors, the ready availability of alcohol and the difficulty in providing adequate fire safety measures and equipment. I am pleased to note that all establishments will have to be licensed under the proposed legislation and that the space allotted to closed rooms will be fixed at a maximum of 30% of the total seating area of the restaurant. The paper also sets out detailed requirements for the structural requirements to be observed in the construction of such establishments together with provisions for adequate means of escape, including a minimum width for corridors and the provision of low-level illuminated escape pathways, and adequate fire safety measures.

10.3 I have only two matters to raise as to the measures proposed. There are transitional arrangements set out for existing establishments. I understand

that such arrangements are intended to be temporary only and not permanent. I would hope that this is incorporated into the legislation as it is clear that the safety of the public should have a higher priority than any acceptance that existing layouts of establishments preclude compliance with the new standards. I would also respectfully draw the attention of those who have the responsibility for drafting the legislation to the fact that the Fire Services Department is now providing training for those who work in karaoke establishments and that it may well be considered appropriate for such employees to be required to attend such a course every year or at such intervals as may be practical.

10.4 I wish the legislation fortune in passing its various stages and I would hope that it will have a high priority in the draft legislative programme. I would also wish to express my appreciation of the fact that the various bodies involved have reacted in so positive a fashion following this particular disaster.

## CHAPTER 11.

## POLYURETHANE FOAM IN HONG KONG

11.1 Mr. Eddie POON Tai-ping appeared to give evidence on behalf of the Trade and Industry Bureau. I am pleased to note that, following the tragedies of other equally horrific fire incidents legislation is now being drafted and will be put before the legislature by way of the passage of regulatory legislation in the current session. The standards offered will provide a choice to manufacturers, importers and sellers of products containing PU foam. These standards are those which are presently available in various other jurisdictions. Such standards deal with such matters as flammability and flame resistance. It seems to me that such legislation is long overdue and is to be welcomed.

11.2 However, the legislation is intended to deal only with transactions which will put mattresses and furniture containing PU foam in the hands of private consumers. Incidents such as the present one will not come within such a legislative framework. Thus, as I put to Mr. Poon during the course of the hearing, a family of four buying a mattress for use at home will be protected by such legislation. A businessman, however, buying furniture for his cinema, theatre or karaoke establishment will not. It seems to me that there is the prospect of responsibility for such a situation being considered outwith the field of responsibility of each of the various departments and agencies concerned. I would therefore urge that situations such as the present be looked at again, particularly as the potential for a higher loss of life is clearly greater.

11.3 I am however, gratified to see that there is movement in the field of consumer protection. I would merely observe that businesses are consumers also.