

立法會
Legislative Council

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**Subcommittee on Karaoke Establishments (Licensing) Regulation
and Karaoke Establishments (Fees) Regulation**

Background paper prepared by Legislative Council Secretariat

**Karaoke Establishments (Licensing) Regulation
Karaoke Establishments (Fees) Regulation**

Background and purpose of the paper

At the House Committee meeting on 1 November 2002, Members decided to form a subcommittee to study the Karaoke Establishments (Licensing) Regulation and the Karaoke Establishments (Fees) Regulation.

2. The Bills Committee formed to study the Karaoke Establishments Bill (the Bills Committee) had discussed the draft Karaoke Establishments (Licensing) Regulation provided by the Administration, in particular, the concerns of the Karaoke Requirements Concern Group (the Concern Group) about the financial implications of the proposed fire safety and building safety requirements for karaoke establishments (KEs). The Concern Group represents 56 KEs of seven major operators and the International Federation of the Phonographic Industry (Hong Kong Group) Ltd, and is the only deputation which has given views on the draft Regulation.

3. No draft Karaoke Establishments (Fees) Regulation was provided by the Administration for consideration by the Bills Committee.

4. This paper sets out the major concerns expressed by the Bills Committee and the Concern Group on the draft Karaoke Establishments (Licensing) Regulation, and the responses of the Administration.

Karaoke Establishments (Licensing) Regulation

5. The Karaoke Establishments (Licensing) Regulation, made under section 21 of the Karaoke Establishments Ordinance (the Ordinance), provides for the detailed requirements on fire safety and building safety, and the factors that the licensing authority may take into account when deciding certain premises are suitable for the operation of a KE. The Licensing Regulation also sets out the general conditions applicable to KE in respect of which permits or licences have been granted or issued. Both the Licensing Regulation and the Karaoke Establishments (Fees) Regulation will come into operation on the day appointed for the commencement of the Ordinance. The Ordinance was passed by the Legislative Council on 3 July 2002 and published in the Gazette on 12 July 2002.

Major concerns of the Bills Committee and the Concern Group on the draft Karaoke Establishments (Licensing) Regulation and the responses of the Administration

One-hour fire resistance internal corridors

6. The draft Regulation stipulates that the internal corridors within a KE must be separated from the remaining areas by walls having a fire resistance period (FRP) of not less than one hour, and the doors therein should be self-closing, having a FRP of not less than half an hour. However, the partition or separation walls between KE cubicles are not required to be fire-rated.

7. The Administration has explained that the requirement to upgrade exit corridors to protected corridors having a FRP of one hour may be carried out in phases. For a KE installed with sprinklers, the upgrading works can be carried out within 36 months from the date on which the Ordinance comes into operation. For a KE without sprinklers, the upgrading works can be carried out within 18 months from date of operation of the Ordinance. In both situations, an existing KE should be provided with audible and visual alarm signals in every room and at suitable location of corridor.

Minimum width of 1.2m of corridor

8. Under the draft Regulation, the width of exit route including internal corridors within a KE is proposed to be at least 1.2m. The Administration has made reference to the requirement of the means of escape in places of entertainment in setting the standard on the width of internal corridor for a KE.

9. In response to the concerns expressed by the Concern Group, the Administration has advised the Bills Committee that it is prepared to accept the reduction of the width of the corridor to not less than 1.05m to facilitate the

installation of fire resisting partitions along the corridors of existing KEs subject to the following conditions -

- (a) the total capacity of the KE within the floor is not more than 500 persons; and
- (b) the width of the corridor shall be widened upon the carrying out of major alteration works.

Dead-end corridor

10. The draft Regulation proposes that the exit from every entertainment room of a KE must have and must enable at least two directions of travel to a staircase or a point of discharge to a street. A dead-end situation is only permitted in circumstances where it is unavoidable due to building design, subject to the provision of additional safety measures to the satisfaction of the licensing authority. For the purpose of this requirement, a "dead-end situation" means a position where the direction of travel to a staircase or a point of discharge to a street, is possible only in one direction.

11. The Administration has clarified that for both new and existing KEs, unavoidable dead-end due to building design is acceptable if the KEs is protected by an automatic sprinkler system and a portable fire extinguisher and additional manual fire alarm are provided in each entertainment room open off the dead-end corridor. For existing KE rooms in dead-end corridors not due to building design, an acceptable option is the provision of an access panel giving access to the adjacent room where its exit discharges to another corridor. In order to facilitate the trade to address the problem on dead-end, the Administration has drawn up two additional alternative emergency escape route arrangements -

- (a) Creation of a second emergency exit route in event of fire - the proposal is to link up two adjoining dead-end corridors with additional protection by transforming the two KE rooms at the end of two dead-end corridors into an exit corridor in the event of an emergency; or
- (b) Utilizing access panel in other KEs rooms for emergency escape - the proposal is to provide additional protection to a dead-end corridor to enable patrons in a KE room not provided with emergency access panel to escape through another KE room fitted with an access panel.

12. In the light of the Administration's responses, the Concern Group has agreed to accept the proposed requirements. The relevant written responses of the Administration to the Bills Committee are in the **Appendix**.

13. Members are invited to note the following -
- (a) the minimum width of exit route including internal corridors within a KE specified in the Licensing Regulation remains to be 1.2m, despite the pledge made by the Administration to the Bills Committee mentioned in paragraph 9 above; and
 - (b) there is no mention of the additional two alternative emergency escape route arrangements set out in paragraph 11 above in the Licensing Regulation.

Council Business Division 2
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Administration's Response to Requests relating to Building Safety Requirements made by the Karaoke Requirements Concern Group and Alternative Options for Building Safety Provisions in Existing Karaoke Establishments

Requests Made by the Concern Group

In a recent meeting with Buildings Department (BD), the Karaoke Requirements Concern Group (Concern Group), among other things, has asked whether BD would allow the width of the corridor of existing Karaoke Establishments (KE) to be reduced to less than 1.2m as a result of the erection of new fire resistance walls in the corridor. Alleging the acceptance of dead-end corridor with a fire resistance door across the corridor in the British Standards, the Concern Group has suggested that similar arrangement be accepted for dead-end corridors in existing KE.

Response

2. The views of the Administration on the above requests made by the Concern Group are as follows:

(a) Width of Corridor of Existing KE

In line with the policy on tolerating existing KE to have a corridor less than 1.2m wide, the Administration is prepared to accept the reduction of the width of the corridor to not less than 1.05m to facilitate the installation of fire resistance partitions along the corridors of the existing KE subject to the following conditions:

- the total capacity of the KE within the floor is not more than 500 persons; and
- the width of the corridor shall be widened upon the carrying out of major alteration works

(b) Dead-end Corridor

The relevant British Standards have been studied and the Administration is not convinced that the scenario set out in the British Standards is comparable to the situation in KE.

Alternative Options for Existing KE

3. For KE rooms in dead-end corridors not due to building design, an acceptable option is the provision of an access panel giving access to the adjacent room where its exit discharges to another corridor. In order to facilitate the trade to address the problem on dead-ends, the Administration has drawn up two additional alternative emergency escape route arrangements (see Annexes A and B). In this connection, the fire safety video to be shown to the

customers before music videos are started should include such special exit arrangements if adopted. Adequate illuminated directional signs and notices should also be prominently displayed to show the escape arrangement.

Option A – Creation of a second emergency exit route in event of fire

4. The proposal is to link up two adjoining dead-end corridors by transforming the two KE rooms at the end of two dead-end corridors into an exit corridor in the event of an emergency. To provide additional protection to the secondary exit, fire resistance doors are provided across two adjoining dead-ends. A door would be formed in the common partition wall of the KE rooms at the end of the dead-end corridors such that the two dead-end corridors can be linked up through this door opening in case of an emergency.

5. The doors across the dead-ends may be fitted with a hold-open device that would be automatically released upon activation of fire alarm. The door connecting the dead-ends may also be fitted with a door lock provided that such lock would also be released automatically in response to fire alarm.

6. To ensure that the emergency escape route would not be blocked, all furniture in these two rooms shall be fixed (i.e. without movable furniture). The furniture should not of course block the exit door between the two rooms.

Option B – Utilizing access panel in other KE rooms for emergency escape

7. The proposal is to provide additional protection to a dead-end corridor to enable patrons in a KE room not provided with emergency access panel to escape through another KE room fitted with an access panel.

8. Similar to the arrangement mentioned in paragraph 5 above, a fire resistance door is installed across the dead-end corridor to provide additional protection to patrons within the protected dead-end corridor. Patrons in the KE rooms without alternative escape route will use the access panels in the other KE rooms located within the same corridor to reach an alternative exit route, if required, in case of an emergency.

9. Under this arrangement, we will accept an access panel in one room to serve occupants in one other KE room. Depending on the length of the dead-end corridor, additional portable fire extinguisher may be required to be provided.