

For information
on 2 November 2004

Legislative Council Panel on Security

Progress of introducing amendments to the Building Management Ordinance and commencement of the Fire Safety (Buildings) Ordinance

Purpose

This note informs Members of the progress of introducing amendments to the Building Management Ordinance (BMO) to empower owners' corporations (OCs) to borrow from the Government and the timetable for bringing the Fire Safety (Buildings) Ordinance into force.

Background

2. The Fire Safety (Buildings) Bill, which sought to upgrade the fire and building safety of pre-1987 composite and domestic buildings, was passed by the Legislative Council on 3 July 2002 but has not yet entered into force.

3. In the course of examining the Bill, Members of the Bills Committee expressed concern about the ways to ensure compliance by all owners in multi-storey buildings with the relevant statutory directions or orders under the Bill. They were concerned that even if a building had an OC, some missing or irresponsible owners might fail to pay their shares of the costs of the fire and safety improvement works in the common parts of buildings. The Administration informed Members that, in a separate legislative exercise conducted by the Home Affairs Bureau in consultation with the Panel on Home Affairs, amendments would be made to the BMO to empower OCs to borrow from the Government on behalf of the missing or irresponsible owners. The Bill was eventually passed on the understanding that the Administration would not bring the Ordinance into force until relevant amendments had been made to the BMO and the Administration had subsequently obtained the support of a majority of Members of the Panel on Security for doing so.

Progress of introducing amendments to the BMO

4. The legislative exercise to amend the BMO is underway. The Building Management (Amendment) Bill has been included in the 2004-05 Legislative Programme. Having consulted the Panel on Home Affairs, the Home Affairs Bureau expects that the Bill will be introduced into the Legislative Council in April 2005.

Commencement of the Fire Safety (Buildings) Ordinance

5. Subject to the passage of the Building Management (Amendment) Bill and related subsidiary legislation, the Administration will in due course prepare a paper to consult the Panel on timing for bringing the Fire Safety (Buildings) Ordinance into force.

Security Bureau
October 2004