

Bills Committee on Fire Services (Amendment) Bill 2015

**Response to Matters raised by Members at the
Meeting on 22 February 2016**

This paper sets out the Government's response to some of the matters raised by Members in relation to the Fire Services (Amendment) Bill 2015 at the meeting on 22 February 2016.

Implementation Details of the Registered Fire Engineer Scheme

Registration Mechanism

2. Under the proposed Registered Fire Engineer (RFE) Scheme, a qualified person who wishes to become an RFE should submit to the Fire Services Department (FSD) a completed application form together with proof of his / her relevant professional qualifications and professional experience. FSD will examine the relevant materials before forwarding the application to a proposed **Interview Board**. Upon scrutinizing the application, the Interview Board will conduct a professional interview if it finds that the applicant satisfies the requirements. Should the Interview Board consider the interview result of the applicant satisfactory, it will formally recommend to the Director of Fire Services (DFS) that the applicant can be registered as an RFE. The validity period of the certification of registration of an RFE is proposed to be no more than five years.

3. An RFE may submit an application for renewal to FSD before the certificate of registration expires. FSD will approve the renewal after examining the application and concluding that the applicant possesses the relevant qualifications and practical experience.

4. If an RFE has not submitted the application for renewal prior to the expiry of the certificate of registration, or his / her application for renewal has been refused, FSD will remove the registration of the RFE when his / her certificate of registration expires. In addition, FSD will remove the registration of an RFE prior to the expiration of the certification of registration under the following circumstances:

- (i) the RFE has died;
- (ii) if the RFE has ceased to hold the relevant qualifications (e.g. the qualification as a registered professional engineer);
- (iii) the RFE has applied to discontinue his / her registration; or
- (iv) the registration is removed according to the punishment imposed on the RFE by a Disciplinary Board.

5. An RFE may apply to FSD for restoring a registration within two years from the date of removal of his / her previous registration. To facilitate FSD's scrutiny of his / her application, the applicant will be required to submit an application form together with proof of his relevant professional qualifications and experience, a copy of his / her previous certificate(s) of registration etc.

Regulatory Framework

6. The regulatory framework of RFEs mainly comprises the Registration Committee, the Interview Board Panel and the Interview Boards, the Disciplinary Board Panel and the Disciplinary Boards, as well as the Appeal Board Panel and the Appeal Boards. Their functions and composition are as follows:

Proposed Organizations to be set up	Proposed Functions	Proposed Composition
Registration Committee	To offer professional advice to DFS on the policy and assessment criteria for registration of RFEs	The Committee is proposed to be composed of 9 members, with 2 officers from FSD to be the chairperson and the secretary respectively. Other members are proposed to be persons recommended by the Engineers Registration Board (ERB) as well as persons from other professional or academic bodies as DFS considers appropriate.
Interview Board Panel and Interview Boards	To scrutinize the qualifications of the applicants, enquire about their past experience, conduct professional	Members of the Interview Board Panel are proposed to include persons recommended by the ERB, or persons from other professional or academic bodies as DFS considers appropriate. FSD will establish a number of Interview Boards as necessary to deal with the applications. Each Interview Board is proposed to be composed of 5

Proposed Organizations to be set up	Proposed Functions	Proposed Composition
	interviews in respect of the applications and recommend to DFS if the applications should be approved	members, with 2 FSD officers being the chairperson and the secretary respectively, while the other 3 members being members of the Interview Board Panel.
Disciplinary Board Panel and Disciplinary Boards	To inquire into and deal with cases in which an RFE is suspected to have failed to discharge his / her duties properly	<p>Members of the Disciplinary Board Panel is proposed to be composed of persons recommended by the ERB or persons from other professional or academic bodies as the Secretary for Security (S for S) considers appropriate.</p> <p>The Security Bureau (SB) will establish a number of Disciplinary Boards as necessary to deal with disciplinary cases. Each Disciplinary Board is proposed to be composed of 5 members, with 2 FSD officers being the secretary and a member, while the other 3 members being members of the Disciplinary Board Panel. The chairperson will be elected from among the members.</p>
Appeal Board Panel and Appeal Boards	To handle appeals from any person who is aggrieved by DFS' decision on the registration of RFEs or an order made in a disciplinary proceeding in relation to RFEs	<p>The Appeal Board Panel is proposed to be composed of persons recommended by the ERB or persons from other professional or academic bodies as S for S considers appropriate. It is proposed that public officers cannot be members of the Appeal Board Panel.</p> <p>SB will establish a number of Appeal Boards as necessary to deal with appeal cases. Each Appeal Board is proposed to be composed of 9 members, with the secretary being a public officer, and other members being members of the Appeal Board Panel. The chairperson will be elected from among the members.</p>

Current Manpower for Licence Processing in FSD

7. At present, there are 124 staff (including 80 disciplined staff and 44 civilian staff) for processing licence applications in FSD. They are mainly deployed at the two Regional Offices and the Ventilation Division under the Licensing and Certification Command, as well as seconded to other licensing authorities. A detailed breakdown is as follows:

	Rank	Pay Scale (as at 1 April 2015)	Regional Offices of FSD	Ventilation Division of FSD	Seconded to Home Affairs Department	Seconded to Social Welfare Department
Disciplined Staff	Senior Divisional Officer	\$118,395 – \$127,250	2	0	1	0
	Divisional Officer	\$101,560 – \$113,635	0	0	1	0
	Assistant Divisional Officer	\$79,180 – \$95,165	5	0	3	0
	Senior Station Officer / Station Officer	\$30,925 – \$76,275	24	1	16	4
	Principal Fireman	\$34,550 – \$40,825	4	0	0	0
	Senior Fireman	\$26,915 – \$34,550	19	0	0	0
	Sub-total		54	1	21	4
Total			80			
Civilian Staff	Engineer	\$59,445 – \$95,215	0	1	0	0
	Principal Technical Officer	\$54,220 – \$70,955	0	1	0	0
	Senior Building Services Inspector	\$63,095 – \$70,955	0	2	0	0
	Building Services Inspector	\$41,215 – \$62,235	0	14	0	0
	Assistant Building Services Inspector	\$24,280 – \$39,360	0	1	0	0
	Mechanical Inspector	\$41,215 – \$62,235	0	1	0	0
	Clerical Officer	\$28,140 – \$35,890	2	1	0	0
	Assistant Clerical Officer	\$13,120 – \$26,785	5	2	0	0
	Clerical Assistant	\$11,575 – \$20,305	11	3	0	0
	Sub-total		18	26	0	0
Total			44			
Sub-total		72	27	21	4	
Total			124			

8. FSD staff handle an average of 3 400 licence applications annually, among which applications for food premises licences account for 82% (i.e. about 2 800 cases), and other cases include applications relating to places of public entertainment, hotels, clubhouses, child care centres or schools.

Maintaining FSD's Current Level of Service

9. As regards the concerns raised by Members over FSD's current level of service, the purpose of introducing the RFE Scheme is to offer an additional option for the licence applicants with a view to facilitating business operation. All licence applicants may choose to engage RFEs or FSD to provide fire safety certification services. After the RFE Scheme is rolled out, FSD will maintain its existing services provided to licence applicants, and maintain its level of service.

10. Taking applications for a general **restaurant licence** as an example, FSD will issue fire safety requirements to the licence applicant within 17 working days upon receipt of the referral of a licence application from the licensing authority. When the licence applicant notifies FSD of the completion of the relevant fire services works, FSD will conduct compliance inspection of the fire service installation and equipment within 7 working days, and issue a fire services certificate within 7 working days from the date of inspection. Regarding the applications for a **hotel and guesthouse licence**, at present, FSD officers seconded to the Office of the Licensing Authority (OLA) under the Home Affairs Department will, within 22 working days upon OLA's issue of acknowledgement receipt for the application concerned, conduct site inspection to the premises concerned and inform the licence applicant of the fire safety requirements to be complied with. Upon being notified of the completion of works by the licence applicant, FSD officers at OLA will typically conduct compliance inspection within 20 working days. After the introduction of the RFE Scheme, the aforesaid level of service will be maintained.

11. FSD expects that at the initial stage of implementation of the RFE Scheme, a larger number of people may apply for registering as RFEs simultaneously, thereby potentially increasing FSD's workload. FSD will suitably deploy its resources according to actual needs, and consider engaging

contract staff to assist in handling applications and other related tasks. After running the Scheme for some time, FSD expects that some licence applicants will engage RFEs in conducting risk assessment and compliance inspection for prescribed premises, thus reducing the demand for FSD's fire safety certification services. In the long run, FSD considers that there will be room for redeployment of resources to enhance FSD's level of service.

Security Bureau
Fire Services Department
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