

**立法會**  
***Legislative Council***

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**Panel on Security and Panel on Development**

**Information note prepared by the Legislative Council Secretariat  
for the joint meeting on 5 July 2016**

**Issues relating to mini-storages**

According to the Administration, there is no specific legislation for regulating mini-storages in Hong Kong and no requirement on the locations of such storages. The Panel on Security and Panel on Development have not discussed issues relating to mini-storages. The relevant press releases issued by the Administration in connection with a recent No. 4 Alarm Fire at mini-storages in an industrial building on Ngau Tau Kok Road are in **Appendices I to VII**. Members have raised questions relating to mini-storages at the Council meetings of 29 April and 18 November 2015. The questions raised by Members and the Administration's replies are in **Appendices VIII and IX**.

2. The Administration will brief the Panel on Security and Panel on Development on the follow-up work in respect of the abovementioned No. 4 Alarm Fire at the joint meeting on 5 July 2016.

Council Business Division 2  
Legislative Council Secretariat  
30 June 2016

## Appendix I

### Press Releases

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Transcript of remarks by S for S  
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Following is the transcript of remarks by the Secretary for Security, Mr Lai Tung-kwok, on a No. 4 alarm fire in Ngau Chi Wan at a media session after attending the Legislative Council meeting today (June 22):

Reporter: It is suggested that the blower may have escalated the fire. How do you respond to this? Will the Government conduct an investigation into the incident?

Secretary for Security: I think I have already answered quite a number of the questions you raised while I read out the statement in Chinese. First of all, concerning the blower (positive pressure blower), this is standard equipment used internationally by various fire services in the firefighting process. The floor area of that building is very, very large. With this blower, it is, to my knowledge, quite impossible to create such an effect as you have mentioned. As regards the rest of your questions, perhaps I can, to save time, give you a speech in English that you can make reference to.

Reporter: Can you give a timetable of the review?

Secretary for Security: Of course, we are going to start to work. But it'll much depend on the process.

(Please also refer to the Chinese portion of the transcript.)

Ends/Wednesday, June 22, 2016  
Issued at HKT 17:07

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**Appendix II****Press Releases**

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CE chairs high-level meeting to follow up on No. 4 alarm fire in Ngau Chi Wan

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The Chief Executive, Mr C Y Leung, this morning (June 23) chaired an inter-departmental meeting on the No. 4 alarm fire in Ngau Chi Wan to receive from various departments and bureaux the latest updates and give directives to relevant officers to follow up on the incident at full strength.

Also attending the meeting were the Acting Chief Secretary for Administration, Mr Matthew Cheung Kin-chung, and senior officials from the Security Bureau (SB), the Development Bureau, the Food and Health Bureau, the Home Affairs Bureau, the Fire Services Department (FSD), the Buildings Department (BD), the Home Affairs Department and the Hospital Authority.

The Government will take follow-up actions on three fronts. First, the FSD will, in co-operation with relevant departments including the BD, the Lands Department and the Labour Department, inspect mini-storages and similar premises in Hong Kong to ascertain if there has been any breach of the existing law. The relevant departments will take appropriate action where appropriate, including initiating prosecutions, and issuing advice or fire hazard abatement notices.

Second, the SB will lead an inter-departmental working group to study how to enhance the fire safety of mini-storages and similar premises.

Third, the Government will be in touch with members of the trade to better understand the operation of such premises, and to discuss with them short-term and medium-term measures to enhance fire safety. The Government does not rule out the possibility of amending the law as a longer-term measure to further improve fire safety.

As fire fighting is ongoing, BD officers cannot enter the building to inspect the interior condition. During inspection of to the exteriors of the building, cracks were found at certain isolated parts of the external walls. To ensure public safety, the FSD and the BD have cordoned off the areas nearby to prevent members of the public from approaching.

The BD has set up a task force at the scene to monitor the conditions of the building structure around the clock for ensuring public safety.

The BD will closely monitor the situation and liaise with the FSD, providing advice in respect of building safety to assist the FSD in its work. When the fire is put out and the temperature at the scene drops to an acceptable level, the BD will deploy staff to enter the building for detailed inspection of the building structure.

The relocation of more than 290 residents of two elderly homes at Tak Bo Garden has been arranged. Of them, more than 230 residents has been sent to about 10 elderly homes for temporary residential care services, while the remaining 60 or so residents have been picked up by their families to return home for

temporary stay or sent to hospital for medical treatment due to discomfort.

A government spokesman said that family members of the affected residents who wish to enquire about the relocation arrangements may contact Tak Bo Nursing Center Limited (Tel: 2318 1328/2318 1116/5409 0856) or New Kiu Nursing Home Limited (Tel: 9623 6070/2796 9238).

The Social Welfare Department (SWD) will continue to maintain close communication with the elderly homes to receive updates on developments, and to provide appropriate arrangements and support based on the latest situation. Relatives of the residents who wish to enquire about care arrangements or have difficulties may call the SWD hotline at 2343 2255.

The Kwun Tong District Office (KTDO) has set up an inter-departmental help desk near the fire scene in the past two days and has all along co-ordinated with the departments concerned including the FSD, the Police and the SWD to offer assistance to the affected residents.

The KTDO has opened the temporary shelters at Lok Wah Estate Community Centre and Lam Tin (West) Estate Community Centre to people in need and has been providing meals, blankets and mattresses where necessary. In view of the developments, the KTDO will tonight relocate the help desk to Lok Wah Estate Community Centre at 80 Chun Wah Road, Lok Wah Estate to continue to render support to residents in need. For enquiries, please contact 2171 7426 or 2759 5815.

The Hospital Authority Major Incident Control Centre has been closely liaising with the FSD on the provision of medical treatment for the casualties of the fire, while the Accident and Emergency Departments of nearby public hospitals are staying vigilant towards patients affected by the fire and smoke. So far as at 5pm today, United Christian Hospital (UCH), Tseung Kwan O Hospital and Queen Elizabeth Hospital have received a total of 33 patients. Among them, 23 are residents in the vicinity. One resident and nine firemen have been discharged. Twenty-two residents are in stable condition.

In addition, the Community Nursing Service of UCH paid a special visit to a nearby elderly home which is further away from the fire scene today to assess the conditions of residents, especially those with chronic respiratory and cardiac conditions.

Ends/Thursday, June 23, 2016  
Issued at HKT 21:12

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## Press Releases

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Statement by ExCo Non-official Members on No.4 alarm fire in industrial building at Ngau Tau Kok Road  
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The following is issued on behalf of the Executive Council Secretariat:

The Non-official Members of the Executive Council (ExCo) is deeply saddened and shocked by the death of another fire officer last night (June 23) in a No.4 alarm fire in an industrial building at Ngau Tau Kok Road. ExCo Non-official Members expressed their deepest condolences to the bereaved families of the two fire officers who passed away and hoped for the speedy recovery of the other injured officers. ExCo Non-official Members also believed that the Hong Kong Special Administrative Region Government would render all possible assistance to their families.

ExCo Non-official Members understood that the Fire Services Department has been doing their utmost to control and put out the fire in a professional, safe and practicable manner. All relevant government departments have also been offering assistance according to their respective professions.

ExCo Non-official Members hoped that the relevant government departments would take forward all follow-up actions as soon as possible to avoid the recurrence of similar incidents.

Ends/Friday, June 24, 2016  
Issued at HKT 02:37

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**Appendix IV****Press Releases**

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Transcript of remarks by CE (with video)  
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Following is the transcript of remarks by the Chief Executive, Mr C Y Leung, the Acting Chief Secretary for Administration, Mr Matthew Cheung Kin-chung; the Secretary for Security, Mr Lai Tung-kwok, the Director of Fire Services, Mr Lai Man-hin, the Director of Buildings, Mr Hui Siu-wai, and the Director of Home Affairs, Miss Janice Tse at a media session on the No. 4 alarm fire on Ngau Tau Kok Road at the Central Government Offices last night (June 23):

Reporter: Chief Executive, why nothing has been done for so long to improve the fire safety of old industrial buildings, and now as a result there are two fire fighters who lost their lives. And whether it is too risky to send third more fire fighters into the building now?

Chief Executive: This building stands in between high-rise residential buildings in a residential neighbourhood. The Fire Services Department sends firemen, our firemen colleagues, into this industrial building to put out the fire, to protect the life and the property of residents in their neighbourhood. I am saddened to see the loss of lives and injuries suffered on the part of our Fire Services colleagues. And it is our duty, the duty of government collectively and, in particular, the duty of our Fire Services colleagues to safeguard their lives, their safety and their property.

(Please also refer to the Chinese portion of the transcript.)

Ends/Friday, June 24, 2016  
Issued at HKT 02:52

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## Appendix V

### Press Releases

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Transcript of remarks by S for S on No. 4 alarm fire on Ngau Tau Kok Road

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Following is the transcript of remarks by the Secretary for Security, Mr Lai Tung-kwok, on a No. 4 alarm fire on Ngau Tau Kok Road at a media session today (June 24):

Reporter: Can you tell me is there any evacuation planning from the Fire Services Department? What is their plan to put out the fire?

Secretary for Security: The Fire Services Department is now and has always been assessing the situation. And with that information in mind, they use their professional knowledge to consider and decide an appropriate action at that particular point of time.

(Please also refer to the Chinese portion of the transcript.)

Ends/Friday, June 24, 2016  
Issued at HKT 18:52

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## **Press Releases**

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No. 4 alarm fire at Ngau Tau Kok Road roundup  
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A fire broke out at an industrial building at 7 Ngau Tau Kok Road at 10.59am on June 21. The fire was upgraded to No. 3 alarm and No. 4 alarm at 12.14pm and at 7.46pm on June 21 respectively. It was put under control at 7.38pm on June 24, and was largely put out at 11.15pm last night (June 25).

The third and fourth floors of the building were severely damaged by fire and the fifth floor was slightly damaged by fire.

Firemen used a total of ten jets, four turntable ladder monitors, one aerial ladder platform monitor, five ground monitors, 12 breathing apparatus teams, six thermal imaging cameras and two positive pressure ventilating blowers to fight the blaze.

Twelve fire services personnel had been sent to United Christian Hospital and Tseung Kwan O Hospital for treatment, among whom a senior station officer and a senior fireman passed away. The rest of them have been discharged.

Ends/Sunday, June 26, 2016  
Issued at HKT 19:06

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**Appendix VII****Press Releases**

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Inter-departmental follow-up on No. 4 alarm fire at Ngau Tau Kok Road

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A Government spokesman said today (June 27) that the government is very concerned about the No. 4 alarm fire which broke out at Ngau Tau Kok Road on June 21. Two fire officers died when attending the fire. An inter-departmental working group was formed to enhance the fire safety of mini-storages. It convened the first meeting today to discuss short, medium and long-term measures to enhance the fire safety of mini-storages and similar premises.

The Fire Services Department, the Buildings Department, the Lands Department and the Labour Department will, starting from tomorrow, inspect all mini-storages and similar premises for any breach of the existing law. Inspections will first target mini-storages located in industrial buildings without automatic sprinkler systems, followed by other mini-storages. The relevant departments will take enforcement actions as soon as possible if there is any non-compliance. For example, where fire hazards are identified in mini-storages, the Fire Services Department will issue fire hazard abatement notices in accordance with the Fire Services Ordinance (Cap. 95), and will even consider requesting operators to carry out works to remove fire hazards. The Buildings Department will issue order for removal of unauthorised building works under the Buildings Ordinance (Cap. 123).

The Fire Services Department and relevant government departments will request the major operators of mini-storages in Hong Kong to take all possible management measures to improve fire safety, including increasing the number of security personnel, preventing storage of dangerous goods and strengthening fire prevention training for their employees, etc.

The working group will next discuss how to amend the law in order to strengthen the regulation of mini-storages.

The inter-departmental working group was led by the Security Bureau and its members included representatives from the Development Bureau, the Fire Services Department, the Buildings Department, the Lands Department, the Planning Department and the Labour Department.

Ends/Monday, June 27, 2016

Issued at HKT 21:15

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## Appendix VIII

**Press Releases**

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LCQ13: Mini-storages in industrial buildings  
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Following is a question by the Hon Paul Tse and a written reply by the Secretary for Development, Mr Paul Chan, in the Legislative Council today (April 29):

Question:

It has been reported that the Lands Department earlier issued warning letters to the owners of two industrial building units, alleging that they had breached the land lease conditions by operating mini-storages in their units, and requiring them to make rectification before the deadlines. Subsequently, as the owners concerned had not made rectification, the Lands Department registered the warning letters at the Land Registry (commonly known as "imposing an encumbrance"). Regarding the operation of mini-storages, will the Government inform this Council:

(1) whether it has conducted any investigation into or compiled statistics on the respective numbers of industrial building units in various traditional industrial areas (e.g. Kowloon Bay, Kwun Tong, Yau Tong, San Po Kong and Wong Chuk Hang) which have been converted into mini-storages; if so, of the breakdown of (i) the number of mini-storages and (ii) the number of tenants, by whether or not the use of the units concerned for such a purpose is in breach of the land lease conditions;

(2) of the channels for members of the public to enquire whether individual mini-storages are operating in breach of the land lease conditions; whether there is any policy on or plan for the eradication of all those mini-storages operating in breach of the relevant land lease conditions and prosecution of the owners concerned; if so, of the details, and how the authorities will mitigate the impact of the eradication on the users of mini-storages; and

(3) as there are comments that with the newly-built residential units getting smaller and housing units with an area of 200 to 300 square feet are very common, members of the public have an increasingly keen demand for mini-storages, of the Government's policies on or plans for meeting such a demand of the residents in various districts?

Reply:

President,

In general, when the Lands Department (LandsD) receives a complaint or referral of a suspected breach of land lease, it will conduct site inspections and, depending on the facts and circumstances of the case and the conditions of the relevant land lease, determine whether there is any breach of the land lease. If a breach is found, LandsD will take appropriate actions to rectify the breach of land lease. This same approach is applied in handling cases relating to "mini-storages"; LandsD has not initiated any special actions targeted at "mini-storages".

My reply to the three parts of the question is as follows:

(1) LandsD does not have statistics on the number of units in industrial buildings being used and rented out for "mini-storages".

(2) Whether a "mini-storage" is in breach of the land lease cannot be generalised and depends on the actual operation of the "mini-storage" concerned and the terms and conditions of the relevant lease of the lot. Taking a "mini-storage" in an industrial building as an example, if the relevant land lease specifies or permits "industrial" use only, the operation of any godown, including "mini-storage", is in general in breach of the land lease. For industrial buildings whose land leases specify "industrial and/or godown" use or "godown" use, LandsD has recently sought legal advice again and is of the view that a "mini-storage", which generally stores personal belongings or domestic items for customers, will not be considered to be in breach of the "godown" use stipulated in a land lease, even though goods stored in such a "mini-storage" are not the same as those stored in conventional godowns. Nonetheless, if an industrial building unit were to operate as a "mini-storage" in name but in fact was used not for godown but for other purposes such as office or retail purposes, it would not be in compliance with the "godown" use stipulated in the land lease.

We believe the above can help the industry understand our position and alleviate any unnecessary concerns. Nonetheless, we would like to reiterate that whether a "mini-storage" is in breach of land lease will depend on the operation of that "mini-storage" and the lease conditions of the lot concerned and cannot be over-generalised.

So far, there are only a handful of cases where the operations of "mini-storages" in industrial buildings are considered to be in breach of the land lease. LandsD will take into account the above overall considerations and assess each case based on the actual operations. If there is a breach of the lease conditions, LandsD, as the landlord, will take lease enforcement actions; such actions do not involve prosecution. LandsD will issue a warning letter to the owner concerned, requesting rectification of the breach. If the owner does not rectify the breach by the deadline, LandsD will register the warning letter at the Land Registry, commonly known as "imposing an encumbrance". In such a case, the public will know about the breach relating to the property concerned by obtaining information from the Land Registry.

In general, even if a particular use is not in compliance with the lease conditions, there is an established avenue for an owner to apply for a short term waiver to have the restriction temporarily waived upon payment of a waiver fee, or the owner may even apply for a lease modification upon payment of land premium. LandsD will process such applications according to the established mechanism.

(3) According to the Definition of Terms agreed by the Town Planning Board, "mini-storage" use is categorised as a type of "non-polluting industrial use" which is always permitted within "Industrial" zone or "Other Specified Uses" annotated "Business" ("OU(B)") zone from the planning perspective. In other words, industrial buildings located at "Industrial" or "OU(B)" zones are eligible to be used for "mini-storage" use, so long as they are in compliance with the lease terms and conditions or their owners have obtained the relevant waiver (including the special waiver for wholesale conversion of industrial buildings).

Whether or not individual owners would use their industrial buildings for "mini-storages" is a commercial decision driven by the market.

Ends/Wednesday, April 29, 2015  
Issued at HKT 14:30

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## Appendix IX

## Press Releases

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LCQ7: Storage of dangerous goods  
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Following is a question by the Dr Hon Lau Wong-fat and a written reply by the Secretary for Security, Mr Lai Tung-kwok, in the Legislative Council today (November 18):

Question:

It has been reported that as quite a number of mini-storages currently available for rent by members of the public boast about their respect for customers' privacy, their staff will not inspect the articles stored by hirers and allow hirers to store and retrieve their articles by themselves. In this connection, will the Government inform this Council:

- (1) whether the setting up (including the locations) of mini-storages is subject to the regulation of any existing legislation;
- (2) whether it knows the current total number of mini-storages in Hong Kong as well as their geographical distribution;
- (3) how the Government prevents such storages from being used for storing dangerous, inflammable or prohibited articles; and
- (4) of the means through which the Government knows at present whether dangerous/inflammable articles are being stored in mini-storages and the types of such articles, so that appropriate fire-fighting methods can be adopted in case of fire in such mini-storages?

Reply:

President,

Having consulted relevant policy bureaux and department, my reply to the various parts of Dr Hon Lau's question is as follows:

- (1) and (2) At present, there is no specific legislation for regulating mini-storages in Hong Kong and no requirement on the locations of such storages. The Government does not have statistics on mini-storages.
- (3) The Fire Services Department (FSD) has approached certain operators of mini-storages to understand their operations. In general, mini-storages mainly provide tenants with smaller-scale storage services. Tenants of mini-storages are generally required to sign an agreement with the operators and these agreements typically contain conditions restricting the keeping or storage of explosives, dangerous goods, chemicals, flammable substances and compressed gases etc.

Besides, in order to enhance public awareness of safe storage of dangerous goods, FSD will from time to time remind operators of different industries about the importance of safety management of dangerous goods. For example, FSD issued letters to logistics and freight forwarding companies in September 2015 to remind them of safety measures requiring their attention during

daily operations, and the statutory requirements set out in the Dangerous Goods Ordinance (Cap 295) that no person shall store, convey or use any dangerous goods exceeding exempt quantity.

FSD will continue to combat illegal activities regarding over-storage of dangerous goods through enforcement actions. The Department has set up a Fire Protection Task Force which carries out investigation within 24 hours into complaints relating to over-storage of dangerous goods in order to ensure public safety.

(4) Upon arrival at the fire scene after receiving fire calls, fire personnel will immediately conduct multi-faceted risk assessments and develop a fire-fighting strategy. During fire-fighting, fire personnel will observe changes in circumstances and conduct dynamic risk assessments. On the other hand, the Dangerous Goods (General) Regulations (Cap 295B) specify the requirements for the marking, labelling and packaging etc. of various dangerous goods. In general, fire personnel can, through examining the markings, labelling and packaging during incidents involving dangerous goods, make an initial assessment of whether and what categories of dangerous goods are involved. In addition, fire personnel can obtain relevant information as well as the Material Safety Data Sheets of the stored goods by inquiring the responsible persons at scene or persons in charge of the storages concerned.

Ends/Wednesday, November 18, 2015  
Issued at HKT 15:26

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