

**Bills Committee on Fire Services (Amendment) Bill 2016**

**Draft Committee Stage Amendments proposed by the Government**

**Purpose**

As undertaken at the meeting of 24 January 2017, the Government proposes to introduce Committee Stage Amendments to the proposed regulation 7(4) as well as regulation 10(1) of the Fire Service (Installations and Equipment) Regulations (Cap. 95B). The draft Committee Stage Amendments and the marked-up version of relevant sections of Cap. 95B are at **Annex A** and **Annex B** respectively.

**Committee Stage Amendments**

2. With respect to the power of the Director of Fire Services and his authorised representatives under the proposed regulation 7(4) of Cap. 95B, we consider that deleting the phrase “for checking of its safety and the efficiency of its working order” would bring it in line with the proposed regulation 7(3) and address Members’ concern over the flexibility in the exercise of the power of the Director and his authorised representatives to check and test any fire service installation or equipment installed in, or for, any premises. As such, we will propose such deletion in the proposed regulation 7(4) of Cap. 95B under clause 7(3) of the Fire Services (Amendment) Bill 2016.

3. In addition, we agree to amend the term “fire service equipment” in the existing regulation 10(1) of Cap. 95B to “fire service installation or equipment”, with a view to aligning it with the standardised references to the same object in Cap. 95B and clearing any ambiguity.

**Presentation**

4. Members are invited to note the above.

**Security Bureau  
Fire Services Department  
January 2017**

Fire Services (Amendment) Bill 2016

**Committee Stage**

Amendments to be moved by the Secretary for Security  
(Draft)

<u>Clause</u>	<u>Amendment Proposed</u>
7(3)	In the proposed regulation 7(4), by deleting “for checking its safety and the efficiency of its working order”.
New	<p>In Part 3, by adding—</p> <p><b>“8A. Regulation 10 amended (standard of inspection)</b></p> <p>Regulation 10(1)—</p> <p><b>Repeal</b></p> <p>“service equipment”</p> <p><b>Substitute</b></p> <p>“service installation or equipment”.”.</p>

## Annex B

Chapter:	95B	FIRE SERVICE (INSTALLATIONS AND EQUIPMENT) REGULATIONS	Gazette Number	Version Date
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Regulation:	6	Installation of fire service <del>installations of installation or</del> equipment		30/06/1997
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(1) Subject to paragraph (2), no fire service installation or equipment shall be installed in any premises by any person other than a registered contractor.

(2) Paragraph (1) shall not apply to any portable equipment which is not required by law to be installed in any premises.

Chapter:	95B	FIRE SERVICE (INSTALLATIONS AND EQUIPMENT) REGULATIONS	Gazette Number	Version Date
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Regulation:	7	Maintenance <del>or repair of fire service installations,</del> inspection <del>or repair of fire service installation</del> or equipment		30/06/1997
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(1) Subject to ~~paragraph (2)~~ paragraphs (2), (3) and (4), no person other than a registered contractor shall maintain, inspect or repair any fire service installation or equipment which is installed in any premises.

(2) Paragraph (1) shall not apply to any portable equipment which is not required by law to be installed in any premises. (L.N. 269 of 1978)

(3) A registered fire engineer (fire service installation) may inspect and test any fire service installation or equipment installed in, or for, any premises prescribed by regulations made under section 25 of the Ordinance.

(4) The Director or a person authorized by the Director in writing may inspect and test any fire service installation or equipment installed in, or for, any premises ~~for checking its safety and the efficiency of its working order.~~

Chapter:	95B	FIRE SERVICE (INSTALLATIONS AND EQUIPMENT) REGULATIONS	Gazette Number	Version Date
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Regulation:	8	Duty of owners of fire service <del>installations</del> installation or equipment		30/06/1997
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The owner of any fire service installation or equipment which is installed in any premises shall-

- (a) keep such fire service installation or equipment in efficient working order at all times; and
- (b) have such fire service installation or equipment inspected by a registered contractor at least once in every 12 months.

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Regulation:	10	Standard of inspection		30/06/1997
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(1) The Director may, by notice in the Gazette, prescribe a Code of Practice which shall govern the inspection and testing of fire ~~service installation or equipment.~~

(2) Any fire service installation or equipment shall be deemed to be in efficient working order if it complies with the requirements specified by the Director in the Code of Practice prescribed under paragraph (1).

(3) The Code of Practice prescribed under paragraph (1) shall-

- (a) be published in the Gazette at least once in every year; and
- (b) be made available for inspection by any person at all reasonable times free of charge at the offices of the Fire Services Department and at each fire station in Hong Kong.

*Note:*

Revisions made in *blue* are amendments proposed by the Fire Services (Amendment) Bill 2016.

Revisions made in *red* are amendments proposed by the Government's draft Committee Stage Amendments.