

L.N. 100 of 2023

**Fire Service (Installations and Equipment) (Amendment)
Regulation 2023**

(Made by the Chief Executive in Council under section 25 of the Fire Services Ordinance (Cap. 95))

1. Commencement

This Regulation comes into operation on 1 November 2023.

2. Fire Service (Installations and Equipment) Regulations amended

The Fire Service (Installations and Equipment) Regulations (Cap. 95 sub. leg. B) are amended as set out in sections 3, 4 and 5.

3. Regulation 4 amended (list to be kept of approved portable equipment)

Regulation 4—

Repeal paragraph (2)

Substitute

“(2) A list of portable equipment approved by the Director—

- (a) is to be published in the Gazette at least once in every year; and
- (b) is to be published from time to time, and in a way, as the Director considers appropriate.”.

4. Regulation 5 substituted

Regulation 5—

Repeal the regulation

Substitute

“5. Prohibition on sale or supply of certain portable equipment

A person must not sell or supply any portable equipment that—

- (a) is not included in the equipment list; or
- (b) is included in the equipment list on which words are marked to signify that the approval given by the Director under regulation 3 for the equipment has expired.”.

5. Regulation 8 amended (duty of owners of fire service installations or equipment)

After regulation 8(2)—

Add

“(3) Paragraph (1) does not apply to any listed portable equipment that—

- (a) is installed in any domestic premises; and
- (b) is not required by or pursuant to law to be installed in such premises.

(4) In this regulation—

domestic premises (住用處所)—

- (a) means any premises intended to be used solely or principally for residential purposes and constructed as a separate unit; but

- (b) does not include—
- (i) a child care centre, or a mutual help child care centre, as defined by section 2(1) of the Child Care Services Ordinance (Cap. 243);
 - (ii) a hotel or guesthouse within the meaning of section 2A of the Hotel and Guesthouse Accommodation Ordinance (Cap. 349);
 - (iii) a bedspace apartment as defined by section 2 of the Bedspace Apartments Ordinance (Cap. 447);
 - (iv) a residential care home as defined by section 2 of the Residential Care Homes (Elderly Persons) Ordinance (Cap. 459);
 - (v) a treatment centre as defined by section 2 of the Drug Dependent Persons Treatment and Rehabilitation Centres (Licensing) Ordinance (Cap. 566);
 - (vi) a residential care home for PWDs as defined by section 2 of the Residential Care Homes (Persons with Disabilities) Ordinance (Cap. 613); or
 - (vii) any specified premises;

listed portable equipment (表列手提設備) means any portable equipment that is included in the equipment list.

- (5) For the purposes of the definition of ***domestic premises*** in paragraph (4), premises are specified premises if—
- (a) the premises are used for an operation that provides accommodation to any person; and

- (b) the operation is regulated through a licensing or registration regime established by an Ordinance.”.

Carmen KONG
Clerk to the Executive Council

COUNCIL CHAMBER

20 June 2023

Explanatory Note

This Regulation amends the Fire Service (Installations and Equipment) Regulations (Cap. 95 sub. leg. B) (*principal Regulations*)—

- (a) to exclude portable equipment that is included in the equipment list from the application of regulation 8(1) of the principal Regulations (which provides for the duties of owners of fire service installations or equipment) if such equipment—
 - (i) is installed in certain domestic premises; and
 - (ii) is not required by or pursuant to law to be installed in such premises;
- (b) to provide that the equipment list is to be published from time to time, and in a way, as the Director of Fire Services considers appropriate; and
- (c) to provide that a person is prohibited from selling or supplying any portable equipment that is included in the equipment list on which words are marked to signify that the relevant approval has expired.