

Fire Safety (Buildings) (Amendment) Bill 2024 to be gazetted on Friday

A spokesperson for the Security Bureau said today (July 3) that the Government will publish the Fire Safety (Buildings) (Amendment) Bill 2024 (Amendment Bill) in the Gazette on Friday (July 5).

The spokesperson said, "Existing buildings were constructed in accordance with applicable construction and fire safety standards prevailing at the time when they were constructed. The Fire Safety (Buildings) Ordinance (Cap. 572) (Ordinance) aims to require the upgrading of fire safety standards of pre-1987 composite and domestic buildings (target buildings) to meet modern fire protection requirements. The Government has been proactively providing various kinds of support assisting owners of old buildings (including support on financial aspects, co-ordination among owners and technical aspects) to carry out fire safety improvement works. That being the case, some owners of old buildings, in particular those of 'three-nil' buildings, may still face difficulties in complying with the requirements of the Ordinance due to the lack of co-ordination capability, etc. We see the need to introduce targeted measures to assist those with genuine difficulties for meeting the statutory requirements, and at the same time, drive other owners of target buildings to comply with the Ordinance.

"We will make reference to the Buildings Department's experience in the work of building safety and the similar mechanism under the Buildings Ordinance (Cap. 123) to amend the Ordinance, empowering the Fire Services Department and the Buildings Department as the enforcement authorities (EAs) to carry out fire safety improvement works for owners of target buildings who have failed to comply with the Ordinance (defaulted works), and to recover the costs of defaulted works from such owners upon completion of the works, with a view to assisting those with genuine difficulties in enhancing the fire safety standards of old buildings. We will also take the opportunity to introduce different measures with a view to driving owners' compliance with the requirements of the Ordinance on their own initiative. Relevant measures include increasing the penalties for non-compliance with the Ordinance, introducing provisions preventing any person from obstructing an owners' corporation (OC) in complying with the requirements of the Ordinance, empowering EAs to register Fire Safety Directions issued against the involved buildings or their relevant parts in the Land Registry, etc.

"Considering that some owners may encounter financial difficulties, we will allow owners of eligible target buildings to apply for the Fire Safety Improvement Works Subsidy Scheme, so that they can use the subsidy to partially cover the costs of the defaulted works. We will also allow owners who cannot set up OCs because of special circumstances (for example, some owners are missing/untraceable) to apply for the aforementioned scheme for using the subsidy to partially cover the costs of the defaulted works. The subsidy can reach up to 60 per cent of the costs of works," the spokesperson

added.

The spokesperson emphasised, "It is the responsibility of owners to repair and properly maintain private buildings in a timely manner, including carrying out the required fire safety improvement works to enhance the fire safety standards of buildings according to the Ordinance. The Government would only, under exceptional circumstances, carry out defaulted works for buildings which do not comply with the Ordinance.

"The earlier No. 3 alarm fire incident at New Lucky House in Jordan has heightened public concern over fire safety of old buildings. We have purposely expedited our legislative amendment work and strive to introduce the Amendment Bill into the Legislative Council for scrutiny in July," the spokesperson added.

While proceeding with the work of perfecting the Ordinance, the Government will remain committed to improving fire safety standards of old buildings by providing financial, technical and co-ordination support, as well as taking enforcement actions and other various measures. By adopting this multipronged approach, the Government aspires to foster a safe living environment for the community.

The Government will introduce the Amendment Bill into the Legislative Council on July 10 for First Reading and Second Reading.