

Government to step up enforcement and support for buildings not complying with fire safety directions

A Government spokesman said today (May 21) that the Government continues to follow up on the fire incident at New Lucky House and the non-compliance issues with the Fire Safety Directions (Directions) revealed therein. Overall, the Government will provide active support to building owners who are willing to comply with the Directions and will assist them to complete the fire safety improvement works as soon as possible. If owners ignore the Directions or make poor progress without reasonable excuse, the Fire Services Department (FSD) and the Buildings Department (BD) will initiate procedures for instigating prosecution.

The Fire Safety (Buildings) Ordinance (Cap. 572) (the Ordinance) stipulates that composite and domestic buildings constructed on or before March 1, 1987, or with building plans first submitted to the BD for approval on or before that day, must be enhanced to meet modern fire protection requirements. The FSD and the BD are responsible for enforcing the Ordinance (Note), including issuing Directions to owners and/or occupiers specifying the fire safety improvement works required to be carried out. Directions issued by the FSD focus on fire service installations and equipment including a fire hydrant/hose reel system and a sprinkler system, while Directions issued by the BD focus on building construction including a fire-rated door and a fixed light of fire escape.

Although the buildings subject to the control of the Ordinance were constructed in accordance with applicable construction and fire safety standards prevailing at the time they were built, and these buildings may not be subject to imminent fire risks, the objective of the Ordinance is to enhance the fire safety standards of targeted old buildings, so as to provide better protection for residents and users.

The Government will step up its efforts to follow up to ensure owners and/or occupiers comply with the Directions as soon as possible. The Security Bureau (SB) and the FSD have joined the collaboration platform on building inspection and maintenance set up last year by the Development Bureau (DEVB). Other members include the DEVB, the BD, the Home Affairs Department (HAD) and the Urban Renewal Authority (URA). The collaboration platform has formulated strategies against the non-compliance of Directions. Major actions are set out below:

Stepping up prosecution

At present, there are about 9 000 buildings with expired Directions and which have not yet complied with Directions. Excluding some thousands of buildings which have applied for government subsidies as mentioned in the following paragraph, the two departments will prioritise handling of over 2

000 buildings without active progress from the remaining buildings that have not yet complied with the Directions. The prioritisation mainly takes into account factors such as those with a higher building age (e.g. the BD will focus on handling buildings aged 50 years or above), those without fire service installations and equipment, buildings with a single-staircase design, buildings with more guest houses or unauthorised subdivided flats, or with large scale illegal structures (e.g. unauthorised rooftop structures), etc. For these 2 000-plus buildings, the BD and the FSD, upon the issuance of warning letters or the expiry of the Directions respectively, will instigate prosecutions against owners of buildings lacking progress without reasonable excuse starting from the second quarter of this year. The two departments, together with the HAD, will offer assistance to owners as needed, such as deploying staff to attend meetings of owners' corporations and explaining the requirements of the Ordinance, as well as proactively liaising with the project consultants or registered fire service installation contractors engaged by the owners to offer appropriate assistance and advice.

Strengthening support for subsidised buildings

Under the \$5.5 billion Fire Safety Improvement Works Subsidy Scheme funded by the Government and implemented by the URA, a total of about 3 000 applications have been issued with Approval-in-Principle Letters in the first two rounds. The URA is processing around 1 300 applications received in the third round that meet the basic requirements, and will start issuing Approval-in-Principle Letters to applicants starting from the end of this month. The URA will continue to support the subsidised buildings and strengthen monitoring of their fire safety improvement works progress, including urging building owners who have not yet appointed consultants to expedite the course of actions, tightening the applications for deadline extensions for those lacking progress without a reasonable excuse, and revoking the approval of subsidies for cases that fail to meet the progress requirements despite reminders.

Enhancing public education

The FSD and the BD will hold district briefings through the Central Platform on Building Management of the district offices regularly to explain the details of compliance with the Directions. The HAD will proactively invite the owners' corporations and owners who have not yet complied with the Directions to attend the briefings, with the FSD and the BD setting up dedicated counters to provide face-to-face advice and assistance to building owners. A briefing in Tsuen Wan District will be held this Thursday (May 23). Information on future district briefings is available on the HAD's website (www.buildingmgmt.gov.hk/en/Support_Services/2_22.html).

Government's continuous and multifaceted support

The Government will closely monitor the progress and effectiveness of the abovementioned actions, while keeping under review the strategies for follow-up work. Meanwhile, the Government will continue to adopt a multipronged approach to improve fire safety standards. The FSD Building Improvement Support Centre, established in December last year, provides one-

stop support services to owners and occupiers of old buildings for complying with the requirements of the Ordinance. Targeted information and assistance are available for owners and occupiers from the receipt of the Directions to the completion of works and compliance with the Ordinance. Owners and occupiers may call 2272 9112 or visit the FSD Building Improvement Support Centre for enquiries about compliance with the Directions. Details are available on the FSD's website (www.hkfsd.gov.hk/eng/fire_protection/fs_bisc.html).

Expediting amendment of the Ordinance

In order to further enhance the fire safety standards of old buildings, the SB is expediting the relevant work on amending the Ordinance to empower the FSD and the BD to carry out fire safety improvement works for owners who have failed to comply with the requirements of the Ordinance, and to recover the relevant fees from them upon completion of the defaulted works. The Government will step up its efforts in taking forward the relevant work and will strive to submit the proposed amendment bill to the Legislative Council for scrutiny in July.

The Government reminds private building owners to make repairs in a timely manner and properly maintain their building. It is the owner's responsibility to carry out necessary fire safety improvement works in accordance with the requirements under the Ordinance, so as to enhance the fire safety standards of the buildings.

Note: The FSD and the BD will each issue Directions to owners and/or occupiers according to the fire safety measures of the buildings regulated under the Ordinance, specifying the requirements on fire safety measures.