

Property owner fined over \$7,000 for failing to comply with fire safety direction

An owner was convicted and fined \$7,540 at the West Kowloon Magistrates' Courts on December 13 for failing to comply with a fire safety direction issued under the Fire Safety (Industrial Buildings) Ordinance (FS(IB)O) (Cap. 636). This is the first prosecution case in connection with the non-compliance of fire safety direction issued under the FS(IB)O since its implementation on June 19, 2020.

The Buildings Department (BD) issued a fire safety direction under section 5(1) of the FS(IB)O to the owner of a 51-year-old industrial building at Fui Yiu Kok Street, Tsuen Wan, requiring the owner to comply with certain fire safety construction requirements which include replacing fire-rated doors of the escape staircases, lifts, riser duct, switch room and the fireman's lift lobbies, providing fire-rated enclosures to non-emergency services in the escape staircases, replacing windows of the escape staircases and the fireman's lift lobbies with fire-rated fixed lights and providing separate liftwell for the fireman's lift.

Failing to comply with the statutory direction, the owner was prosecuted by the BD and was convicted and fined by the court.

"According to the FS(IB)O, failing to comply with a statutory direction issued under the ordinance without reasonable excuse is a serious offence. The BD may instigate prosecution proceedings against the owner", a spokesman for the BD said today (December 22).

Pursuant to section 11(1) and (2) of the FS(IB)O, any person who, without reasonable excuse, fails to comply with a statutory direction commits an offence and is liable on conviction to a fine at level 4 (\$25,000 at present) and to a further fine of \$2,500 for each day of non-compliance. Upon conviction, an application may also be made to the court for a Fire Safety Compliance Order against the owner under section 13(1) of the FS(IB)O directing the owner to comply with the requirements of the direction.