

Code of Practice for Fire Safety in Buildings 2011

Following the completion of a review on the current Code of Practice for the Provision of Means of Escape 1996 (the “MOE Code”), Code of Practice for Fire Resisting Construction 1996 (the “FRC Code”) and Code of Practice for Means of Access for Firefighting and Rescue 2004 (the “MOA Code”), a new Code of Practice for Fire Safety in Buildings 2011 (the “FS Code”) is promulgated to provide guidance on compliance with the requirements for the provision of means of escape, means of access for firefighting and rescue and fire resisting construction as laid down in Regulations 41(1), 41A, 41B, 41C and 41D of the Building (Planning) Regulations and Regulation 90 of the Building (Construction) Regulations. The FS Code substitutes the MOE Code, the FRC Code and the MOA Code. It comprises seven parts with one annex as follows:-

Part A	Introduction
Part B	Means of Escape
Part C	Fire Resisting Construction
Part D	Means of Access
Part E	Fire Properties of Building Elements and Components
Part F	Fire Safety Management
Part G	Guidelines on Fire Engineering
Annex A	List of Codes of Practice and Guides issued by Licensing Authorities for Licensed Premises

Application

2. The FS Code shall come into operation on 1.4.2012 except for the following:-

- (i) For buildings or building works which are being carried out or consent to the commencement of which has been given on or before 1.4.2012, the MOE Code, the FRC Code and the MOA Code may continue to be used as the basis for the design of such buildings or building works. For avoidance of doubt, in respect of new buildings, the relevant consent refers to the consent to the commencement of foundation works for such buildings.

/2(ii).....

- (ii) The FS Code may be used for plans submitted before 1.4.2012 upon issue of this practice note provided that the FS Code is used in its entirety for the design and construction of the entire building or building works concerned. Partial application will not be accepted.
- (iii) The FS Code is not applicable to fire safety measures improvement required under the Fire Safety (Commercial Premises) Ordinance Cap. 502 or the Fire Safety (Buildings) Ordinance Cap. 572. Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers APP-94 and APP-145 should be referred to.

3. The FS Code shall apply to the following situations, which are not explicitly provided for in the relevant Ordinances or Regulations, in the manner as described below:-

- (i) *Alteration and addition works in existing buildings*

Generally only the areas affected by the proposed alteration and addition (“A&A”) works (including the affected exit routes) will need to comply with the requirements of the FS Code. The remaining parts of the building not affected by the proposed A&A works need not follow the FS Code.

- (ii) *Licensed premises*

Similar to (i) above, only the areas in a building subject to a new licence application or A&A licence application (including the affected exit routes) will need to comply with the requirements of the FS Code.

- (iii) *Consent for works shown on plans approved prior to effective date of the FS Code*

There is generally no objection to issuing consent to the commencement of building works shown on plans approved prior to 1.4.2012 which follow the MOE Code, the FRC Code and the MOA Code, provided that the consent application is made within two years of the date of the first approval and the application is in order in all other aspects. In such cases, the authorized person/registered structural engineer should submit amended plans to demonstrate compliance with the requirements of the FS Code for approval as necessary, before application for an occupation permit. If the building works carried out do not comply with the requirements of the FS Code, the application for occupation permit may be refused under section 21(6) of the Buildings Ordinance (“BO”). The BA may also invoke section 16(3)(d) of the BO to refuse consent if the first approval of the plans described above has been given more than two years.

4. The FS Code is now available for reference or download at the BD’s website – www.bd.gov.hk/english/documents/code/fs_code2011.pdf. It will be available for sale at the Online Government Bookstore from April 2012 onwards.

Withdrawal of Practice Notes

5. With the coming into operation of the FS Code, the following practice notes will be withdrawn with effect from 1.4.2012:-

PNAP APP-14 (PNAP 54)	Cinemas and Other Places of Public Entertainment in Non-domestic Buildings or Composite Buildings
PNAP APP-75 (PNAP 182)	Building (Planning) Regulations 41A, 41B and 41C – Means of Access for Firefighting and Rescue in Buildings
PNAP APP-80 (PNAP 192)	Code of Practice for Fire Resisting Construction 1996
PNAP APP-81 (PNAP 194)	Places of Public Entertainment (Amendment) Regulation 1996 and Associated Legislative Amendments
PNAP APP-82 (PNAP 195)	Code of Practice for the Provision of Means of Escape in Case of Fire 1996
PNAP APP-83 (PNAP 199)	Amendments and Clarification to Code of Practice for Fire Resisting Construction 1996
PNAP APP-85 (PNAP 202)	Application of the Revised Fire Safety Codes
PNAP APP-87 (PNAP 204)	Guide to Fire Engineering Approach
PNAP APP-91 (PNAP 209)	Maintenance and Replacement Works of Lift Installations
PNAP APP-92 (PNAP 210)	Amendments and Clarification to Code of Practice for the Provision of Means of Escape in Case of Fire 1996
PNAP APP-106 (PNAP 231)	Fire Resisting Construction – Kitchens in Restaurants
PNAP APP-121 (PNAP 257)	Amendment to Code of Practice for Provision of Means of Escape in Case of Fire 1996
PNAP APP-123 (PNAP 260)	Alternative Designs – Paragraph 12.3 of the Code of Practice for Fire Resisting Construction 1996

6. For avoidance of doubt, the practice notes listed above will continue to apply to buildings and building works designed and constructed in accordance with the MOE Code, FRC Code and MOA Code.

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