

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)119

Question Serial No.

1415

Head: 82 Buildings Department Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

Under the Fire Safety (Buildings) Ordinance (the Ordinance) which came into effect on 1 July 2007, 9 000 composite buildings and 3 000 domestic buildings over the territory constructed on or before 1 March 1987 would be required, in phases, to improve their fire safety measures or have those measures replaced or maintained up to statutory standards. In this connection, please provide the following information:

- (1) Since the Ordinance came into effect, the number of composite buildings and domestic buildings with inspections already completed each year, and the number of composite buildings and domestic buildings with inspections not yet completed by 31 March 2013;
- (2) Since the Ordinance came into effect, the number of fire safety directions (FSDns) issued to composite buildings and domestic buildings with inspections already completed each year, and the number of FSDns discharged each year;
- (3) For prosecution and enforcement against buildings which failed to comply with FSDns, please provide the number of prosecutions and the total amount of fines concerned; and
- (4) According to reports, the Administration originally expected to achieve the target for the first phase within 6 years after the Ordinance came into effect, i.e. by 2013. As assessed by the Administration, what is the probability that the said target can be met and the probability that the staff establishment and expenditure have to be increased in 2013-14 in order to step up the inspections?

Asked by: Hon. WONG Kwok-kin

Reply:

The Fire Safety (Buildings) Ordinance (Cap. 572) (the Ordinance) came into effect on 1 July 2007. It aims to provide better protection from the risk of fire for occupants and users of, and visitors to, composite buildings and domestic buildings constructed or with its plans first submitted to the Building Authority for approval on or before 1 March 1987. The Director of Buildings and the Director of Fire Services are the enforcement authorities in relation to the planning, design and construction and fire service installation or equipment respectively. Since the Ordinance came into effect, the Buildings Department (BD) and the Fire Services Department (FSD) have been conducting joint inspections and issuing fire safety directions (FSDns) to target buildings.

Under the original implementation programme, inspection of about 5 000 composite buildings built in or before 1973 would be completed within the first six years of the commencement of the Ordinance (i.e. by 2013), followed by about 4 000 composite buildings built between 1973 and 1987 in the next four years. The implementation programme has been advanced since July 2009. Under the current programme, inspection under the Ordinance is being carried out in two phases. Inspection of all the 9 000 composite buildings is carried out in the first phase which is planned to be completed by the end of 2015, while in the second phase inspection of about 3 000 domestic buildings will commence in 2016.

- (1) Since the Ordinance came into effect, the numbers of composite buildings jointly inspected by the BD and the FSD each year are tabulated below:

Year	2007	2008	2009	2010	2011	2012	2013*	Total
No. of buildings inspected	552	842	1 001	1 150	1 150	1 150	196	6 041

* As at 28 February 2013

- (2) Since the Ordinance came into effect, the numbers of FSDns issued to composite buildings by the BD and FSDns that were discharged each year are tabulated below:

Year	2007	2008	2009	2010	2011	2012	2013*	Total
No. of FSDns issued by the BD	2 683	4 486	4 910	7 699	6 706	6 097	879	33 460
No. of FSDns discharged#	0	294	598	1 023	1 378	1 875	219	5 387

* As at 28 February 2013

Some FSDns were issued prior to the year in which they were discharged.

- (3) According to section 5(8) of the Ordinance, an owner or occupier who, without reasonable excuse, fails to comply with a FSDn is guilty of an offence. Since the Ordinance came into effect, the BD has not instigated prosecution action.
- (4) Additional time-limited resources were provided to the BD to speed up the implementation programme of the Ordinance starting from July 2009. Under the current programme, the first phase inspection of all the 9 000 target composite buildings would be completed by the end of 2015.

Name in block letters: AU Choi-kai

Post Title: Director of Buildings

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