

Code of Practice for Fire Safety in Buildings 2011

Following the completion of a review on the Code of Practice for the Provision of Means of Escape 1996 (MOE Code), Code of Practice for Fire Resisting Construction 1996 (FRC Code) and Code of Practice for Means of Access for Firefighting and Rescue 2004 (MOA Code), a Code of Practice for Fire Safety in Buildings 2011 (FS Code) was first promulgated in September 2011 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 section 35 of the Building (Construction) Regulation. 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 has come into operation on 1 April 2012 except for the following:

- (a) For buildings or building works which are being carried out or consent to the commencement of which has been given on or before 1 April 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 the avoidance of doubt, in respect of new buildings, the relevant consent refers to the consent to the commencement of foundation works for such buildings;

- (b) The FS Code may be used for plans submitted before 1 April 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; and
 - (c) The FS Code is not applicable to fire safety measures improvement required under the Fire Safety (Commercial Premises) Ordinance (Cap. 502) (FS(CP)O) or the Fire Safety (Buildings) Ordinance (Cap. 572) (FS(B)O). Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-94 and APP-145 should be referred to.
3. The FS Code should apply to the following situations, which are not explicitly provided for in the relevant Ordinances or Regulations, in the manner as described below:
- (a) 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;
 - (b) Licensed premises
Similar to (a) above, only the areas in a building subject to a new licence application or proposed A&A works within licensed premises (including the affected exit routes) will need to comply with the requirements of the FS Code; and
 - (c) 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 April 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 Building Authority 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.

Application of Practice Notes

4. For buildings or building works which are subject to the FS Code as stated in paragraph 2 above, the practice notes listed at **Appendix A** would not be applicable. For the avoidance of doubt, these practice notes will continue to apply to buildings and building works designed and constructed in accordance with the MOE Code, FRC Code and MOA Code, as well as fire safety measures improvement required under the FS(CP)O or the FS(B)O. These practice notes will be subject to further amendments or updates as the circumstances may require.

Amendments to FS Code

5. The Buildings Department (BD) has set up a Technical Committee (TC) to, among others, collect and consider the views and feedback from the building industry arising from the use of the FS Code. Taking into account of the advice of the TC, amendments to the FS Code were promulgated via circular letters issued on 22 January 2013, 9 September 2013, 25 April 2014, 17 September 2014 and 22 October 2015. In this connection, FS Code (October 2015 version) incorporating all these amendments has been uploaded to BD website www.bd.gov.hk.

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**Practice Notes Not Applicable to
Buildings or Building Works which are subject to
the Code of Practice for Fire Safety in Buildings 2011**

- (a) PNAP APP-14 on Cinemas and Other Places of Public Entertainment in Non-domestic Buildings or Composite Buildings
- (b) PNAP APP-75 on Building (Planning) Regulations 41A, 41B and 41C – Means of Access for Firefighting and Rescue in Buildings
- (c) PNAP APP-80 on Code of Practice for Fire Resisting Construction 1996
- (d) PNAP APP-81 on Places of Public Entertainment (Amendment) Regulation 1996 and Associated Legislative Amendments
- (e) PNAP APP-82 on Code of Practice for the Provision of Means of Escape in Case of Fire 1996
- (f) PNAP APP-83 on Amendments and Clarification to Code of Practice for Fire Resisting Construction 1996
- (g) PNAP APP-85 on Application of the Revised Fire Safety Codes
- (h) PNAP APP-87 on Guide to Fire Engineering Approach
- (i) PNAP APP-91 on Maintenance and Replacement Works of Lift Installations
- (j) PNAP APP-92 on Amendments and Clarification to Code of Practice for the Provision of Means of Escape in Case of Fire 1996
- (k) PNAP APP-106 on Fire Resisting Construction – Kitchens in Restaurants
- (l) PNAP APP-121 on Amendment to Code of Practice for Provision of Means of Escape in Case of Fire 1996 (MOE Code)
- (m) PNAP APP-123 on Alternative Designs – Paragraph 12.3 of the Code of Practice for Fire Resistance Construction 1996 (FRC Code)