

Consultation - External Stakeholders

No.	Name of Stakeholder	Feedback/Comment	Remarks/Action Required
1	The Hong Kong Institution of Engineers	<ul style="list-style-type: none"> ● Support the proposed RFE Scheme ● A comprehensive consultation with various stakeholders including the HKIE should be conducted to ensure an efficient use of community resources in setting up the examination mechanism for RFE ● Suggest to include BSE as RFE ● Option B is considered more efficient since fire safety certificates issue by RFE will be of the same validity as the Fire Services Certificates/Letter ● Suggest a 12 months trial period for Option A in the first place ● Implement Option B when the scheme is proven successful ● Other than performance-based fire engineering reports, the design submission and its subsequent compliance inspections of Complex FSI should also be made by RFE 	<ul style="list-style-type: none"> ● Noted ● Noted, mode of assessment : interview by RC; make reference to similar mechanism for other professionals ● Criteria for registration in BS discipline and Fire discipline are not identical; BSE may also register under Fire ● Noted, option B but prefer start with option A ● Noted ● Noted ● Noted; complex FSI such as P S/C, SES, long flow sprinkler etc. May be discussed in liaison meeting.
2	The Hong Kong Institute of Architects	<ul style="list-style-type: none"> ● Support in principle 	<ul style="list-style-type: none"> ● Noted
3	The Hong Kong Institute of Surveyors	<ul style="list-style-type: none"> ● Support Third Party Certification but have reservation on RFE Scheme ● Para 21- No clear elaboration on "that having considered the uniqueness of fire service installations and ventilating system" ● Requirement of engineering background should not be a pre-requisite for a certifier since primary duty of the certifiers is to specify and inspect the FSI while the detail design and supervision of installation works are still undertaken by ● Architects and surveyors could be competent in certifying such facilities with added value 	<ul style="list-style-type: none"> ● Noted ● Sufficient engineering knowledge is required for compliance inspections of FSI/Ventilation system ● RFE should have fire engineering knowledge; check and certify FSIC's work to be in order ● Disagree with this comment, the claimed added value may only be benefit in the FS design, however, compliance check should require engineering knowledge

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		<ul style="list-style-type: none"> ● Para. 27 - 2 pre-assessments (i.e. to join HKIE(Fire Discipline) and then to register as RPE(Fire) will create unnecessary hurdles in the proposed registration mechanism ● Fire Safety Inspector to assist Fire Safety Certifiers in inspecting the less complicated installation 	<ul style="list-style-type: none"> ● Disagree with this comment, the compliance check should require engineering knowledge ● Certification of licensed premises may involve fire engineering approach; RFE should take up the whole responsibilities , competent workers (e.g. FSIC) may be the
4	The Association of Architectural Practices	<ul style="list-style-type: none"> ● Welcomes the Consultation Paper with the following merits found in the Paper : <ul style="list-style-type: none"> - Introduction of a RFE Scheme for the implementation of third party fire safety certification - Start with "licensed premises" to allow time for the industry to get accustomed to the new practice before putting forward other new initiatives - Fire safety certificates issued by RFE to be subject to FSD's random audit inspections in order to ensure that the fire safety standard will be maintained and to monitor the performance of 	<ul style="list-style-type: none"> - Noted - Noted - Noted
5	The Association of Registered Fire Service Installation Contractors of Hong Kong Ltd	<ul style="list-style-type: none"> ● Support in general with the on-line survey result as follows: (100 surveys sent with 43 respondents) <ul style="list-style-type: none"> - Members of the Association support that the industry welcomes a more efficient fire safety certification scheme (62.8 % of - It is believed that the proposed scheme shall reduce the inspection time (60.5%) - 37.2% disagreed that the implementation of Scheme is unlikely to deteriorate the quality of current fire safety standard, 34.9% held opposite view, 27.9% were neutral - 43.9% indicated that the industry is not ready for the Scheme, 18.9% held neutral view. As such, Option A shall be a better option for smooth transfer from existing mechanism to the new - 53.6% supported that the Third Party Certification Scheme for product is a better option for product approval 	<ul style="list-style-type: none"> - Noted - Noted - Noted - Option A - Noted

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		<ul style="list-style-type: none"> ● To avoid conflict of interest, a RFE shall not be allowed to certify any work he/she and/or his/her company (or mother company or sister company) is involved (other than the third party certification work) directly or indirectly ● Agreed that RFEs are to be registered in FSD under the FSO Cap ● Support to introduce a mandatory third party certification scheme to FSI A&A works ● FSD shall issue Fire Service Certificated / Letters of compliance to the licensees upon receipt of the fire safety certificates from the RFE (in lieu of letting RFEs to issue Fire Services Certificated/ Letter of compliance directly) Option A 	<ul style="list-style-type: none"> ● Noted, similar mechanism will be drawn up, seek DOJ advice at a later stage ● Noted ● Noted ● Option A
6	The Hong Kong Air Conditioning and Refrigeration Association Ltd.	<ul style="list-style-type: none"> ● The formulation, implementation, monitoring and control of the Third Party Fire Safety Certification shall ensure the highest standard of fire safety ● Justification on how the application of the Third Party Fire Safety Certification in other countries and cites can be adopted to HK ● The control mechanism and measures against malpractices and conflict of interest ● The procedures, examination and/or interviews leading to the acceptance of the RFE ● The control framework to ensure that standard, procedures and documentation of FS inspection by different RFE are carried out with the same controlled and calibrated standard ● Preference on certifiers of individuals rather than organizations is to be justified ● The interest, competence and entitlement of the existing RSC(V) should be protected 	<ul style="list-style-type: none"> ● Noted, HKIE is a statutory professional institution for assessing the standards of professionals ● HK follows international standards pertaining to local situations with advices from stake holders ● Noted, appropriate mechanism will be drawn up, seek DoJ/ICAC advice at a later stage ● 3-tier control system to ensure the competence of the RFE ● FSI Code has included inspection checklist for major FSI ● Ensure direct accountability; similar to other professionals e.g. AP, RSE, Medical Practitioner ● Noted; interest of the public and various stake holders will be balanced as far as possible
7	The Hong Kong Federation of Electrical and Mechanical Contractors Limited	<ul style="list-style-type: none"> ● No further comment since the associate organization FSICA has provided comment. 	<ul style="list-style-type: none"> ● Noted

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8	The Institution of Fire Engineers (Hong Kong)	<ul style="list-style-type: none"> ● RFE should be required to show proof of professional indemnity insurance when registering in order to minimize the impact onto the license holders if legal liability arises. ● Every copy of fire safety certificate issued by RFE direct to the license applicant should be submitted to FSD for record/audit checking within certain period of time. ● Problem in conflict of interest and malpractice should be minimized through careful consideration. ● The third party certifiers should be clearly defined as independent persons who should not be working in the same company or working on the same projects. ● Fire Services Department as a regulatory organization should closely monitor the performance of RFE during the ● The implementation of RFE scheme for the third party certification should be intensively advertised ● RFE should be categorized into specific areas of expertise such as RFE (Services), RFE (Structural), RFE (Building) etc. in order to provide specialized services to the Clients. ● The proposed registration mechanism for Registered Fire Engineers (RFE) to act as a third party certifier of fire safety requirements, installations and equipment is strongly supported ● The range of work relating to fire safety requirements, installations and equipment that require professional certification is of an extremely broad spectrum. It would be unrealistic to require an RFE to certify works of a very minor nature, nor is it practicable to expect the owner to pay hefty fees to hire a registered engineer for it. The fees and level of responsibility of the professional simply do not match. It is recommended that further consideration be given along such lines to accommodate less qualified professionals, eg. by introducing a 2-tier approach to categorize different extent of works: and correspondingly maintain two lists. one for 	<ul style="list-style-type: none"> ● check with other professionals (e.g. medical practitioner) and seek DoJ advice ● Agree in principle ● Noted, appropriate mechanism will be drawn up, seek DoJ/ICAC advice at a later stage ● Noted, appropriate mechanism will be drawn up, seek DoJ/ICAC advice at a later stage ● FSD would conduct regular audit check ● Noted, appropriate advertisement would be made ● Registration of qualified professionals with appropriate social status; Classification under expertise to be considered by professional institution ● Noted ● Registration of qualified professionals with appropriate social status; Cert. of complex nature would be carried out by FSD while Cert. of minor nature (e.g. mandatory certification of A&A works) is still under review.
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		<ul style="list-style-type: none"> ● It is also recommended that consultation be extended to the professionals concerned to seek their response. 	<ul style="list-style-type: none"> ● Noted
9	The Hong Kong Association of Property Management Companies Limited	<ul style="list-style-type: none"> ● Option A considered the certificate is more formal similar to AP recognised by BD to assess and certify the work but ultimately BD to issue the certificate, this option is preferable. Option B for sure could be speed up the process. ● There is concern on the resource of RFE. It is suggested engineers of HKIE for mechanical engineering, electrical engineering, building services should also be considered to become RFE under certain conditions such as relevant ● Supported to register as RPE(Fire) under ERO Cap. 409 and register as RFE under FSO Cap 95. ● Agreed to start with "licensed premises", taking lesser risk in trial period. ● All recommended processes as stated in item 42 are considered as reasonable and acceptable 	<ul style="list-style-type: none"> ● Noted, prefer Option A ● Criteria for registration in Fire Discipline and other engineering disciplines are not identical; BSE may also register under Fire Discipline ● Noted ● Noted ● Noted
10	Federation of Hong Kong Hotel Owners Limited	<ul style="list-style-type: none"> ● If RFE fails to comply with the regulations under Option A & B, what will be the liability of the licensee ● If the RFE and FSIC are of the same company, how can the conflict of interest be resolved ● Are there enough RFE in HK to ensure the services can be obtained at a reasonable charge and meet the time performance indicators 	<ul style="list-style-type: none"> ● FS Cert will not be required for licensing of Hotel. FS Cert may be required if a separate food premises license is anticipated. RFE is a registered professional under 3-tier controlling mechanism, with a high professional ethics and standards. Liability of licensee should be clearly stated in the contract among various parties (i.e. licensee, FSIC, RSC(V), RFE, etc.) ● Noted, appropriate mechanism will be drawn up, seek DoJ/ICAC advice at a later stage ● As at 1.2.2008, 21 RPE(Fire), 259 MHKIE (Fire); charges are market driven and time performance to be controlled by contract

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		<ul style="list-style-type: none"> ● Mechanism to ensure that the interpretation of the FS Regulations is consistent between FSD and RFE ● Will the RFE have to be involved in the certification of FS251 ● FSD will apply certain relaxation or offer other alternative solutions on some cases. Will RFE have the same authority? 	<ul style="list-style-type: none"> ● FSI Code has included inspection checklist for major FSI; interpretation of the FSI Code will be reviewed by FSAG, which is comprising of various stake holders from the trade (to be clarified) ● RFE will only issue FS Cert. in Phase I implementation (i.e. certification of FS requirements in licensing premises); the implementation details of later Phases (e.g. mandatory certification of A&A works) will be worked out if Phase I is proved to be smooth and successful ● Relaxation should be sought from the authority before the commencement of work. Third party certifier will only check the relaxed standard granted by the authority
11	Building Services Operation and Maintenance Executives Society	<ul style="list-style-type: none"> ● Support in principle ● Para 27 - "Suitable qualification" should embrace relevant O&M academic qualification and work experience ● Recommend involving competent and credible building services O&M experts in the Registration Committee (Para 28) and the Disciplinary Board (Para 29) ● Para 34 - Suggest to announce the no. of RFEs available in the first batch and the projected no. of them in later batch so that stakeholders can plan ahead and get prepared in choosing ● Should have a tentative structure of the fees for employing RFEs ● Necessary to lay down clear and fair restriction on the employment conditions for the certifier - to avoid conflict of ● Suggest to incorporate an assessment of the probable change on premium level of the fire insurance in the current consultation exercise. ● Prefer Option A to Option B at the initial stage ● Para 41 - suggest an interim review should take place earlier 	<ul style="list-style-type: none"> ● Noted ● Noted, but not a must for a RFE, check O&M qualification ● Check O&M qualification, to be determined ● Noted ● To be determined by market/ optional to the operator ● Noted, similar mechanism will be drawn up, seek DOJ advice at a later stage ● To be determined by market, no written reply from insurance association ● Option A, then Option B ● FSD will monitor the effectiveness of the scheme regularly

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		<ul style="list-style-type: none"> ● Allow a transitional period in the programme for implementing mandatory A&A works for the proposed scheme ● Announce such programme in advance to pre-inform the stakeholder 	<ul style="list-style-type: none"> ● Review Phase I first and consult with stakeholders before implement Phase II ● Noted
12	The Chartered Institute of Building Services Engineers Hong Kong Branch	<ul style="list-style-type: none"> ● The Institution is in support of the proposed scheme. ● Consider including BSE professionals as suitable persons for inspection and certifying fire safety works. The reason is that BSE have been carrying out design/installation and in particular ventilation systems in Hong Kong. ● Agree phased starting with "licensed premises" ● Start with Option A and then implementing Option B ● Avoid conflict of interest; ensure that RFE can carry out the work impartially. Not allow to certify any work by own company 	<ul style="list-style-type: none"> ● Noted ● BSE may registered as MHKIE in BS Division and then register under Fire Discipline ● Noted ● Noted, Option A ● Noted, appropriate mechanism will be drawn up, seek DoJ/ICAC advice at a later stage
13	Hong Kong General Building Contractors Association	<ul style="list-style-type: none"> ● No Comment 	<ul style="list-style-type: none"> ● Noted
14	Hong Kong Registered Ventilation Contractors Association Ltd.	<ul style="list-style-type: none"> ● 強烈不滿及抗議未有在第一輪諮詢期被諮詢 ● 質疑(第一輪)受諮詢團體的認受性及代表性 ● 文中之(第一輪)相關機構是否唯一得益者，會否有偏私及對已註冊之專門承建商不公平 ● 香港及新加坡在人口密度、人均收入、文化背景、食肆之發牌準則、消防安全要求等，互相不能比較 ● 對未達標工程的註冊承建商施予重罰，但只密切監察一般通風系統承建商之表現，讓部份無註冊之承建商得益之嫌，會否無法監管而令安全標準倒退 ● 第一輪諮詢的是那種行業，團體多寡，諮詢期長短，意見收集形式，結論有否公開 	<ul style="list-style-type: none"> ● Noted ● This round of consultation is more broad including gov't bodies and external stakeholders ● No ● For reference only ● Subsequent to EU Study, EU recommended FSD to take up the control of RSC(V) such that in future all installation and maintenance works are carried out by RSC(V) only ● Initial views from stakeholders have been incorporated in this consultation

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| <ul style="list-style-type: none">● 1996年屋宇署強制更改通風系統承建商之註冊前曾諮詢當時並非註冊通風系統承建商之翻版● 註冊消防工程师只有最少一年相關經驗(未說明什麼經驗)，是否會對消防安全構成無比威脅，亦對前政府所訂定之法規及標準有所侮辱● 此計劃是否說明政府之權力下放到民間之指定人仕● 會否由政府製造行業壟斷；造就一少撮得益者
● 製造貪污機會● 製造消防安全標準下降；製造社會混亂● 影響已註冊業界的營商環境
● 工程師負責設計、承建商負責施工、政府負責監管，政府向相關的註冊承建商進行監管及規範是政府的職責，向不稱職的註冊承建商採取合適的行動是政府的職能，將執行職能與職責的權力交付任何商界團體，是為卸責而立法● 未有提及註冊通風系統承建商之權力、責任及職責如何安排
● 要求將"第三方參與消防安全審批"的工作及責任更正為政府內之某一個專案部門以維持公平公正及保持特定的安全標準及要求● 要求將已註冊通風系統承建商之權力增加至等同文中所述之"第三方"● 將此專案重新發放至所有業界，將諮詢期延長兩年 | <ul style="list-style-type: none">● FSD has no hidden agenda● RFE should have at least 7 years of related professional experience, i.e. HKIE : at least 6 years & RPF(FRE) : at least 1 year● Another option to the operator, FSD still carry out audit● No.
Register through professional academic bodies, no limit to the no. of qualified persons, optional to choose qualified person for specific jobs● Noted, preventive mechanism will be drawn up, seek DOJ advice at a later stage● No, FSD will carry out audit checks● No, to facilitate RSC(V) to carry out the newly installation and maintenance works● No. EU conducted the benchmarking exercise with other foreign countries, industry plays a larger role in the certification of FSI & ventilation systems, FSD will still undertake the audit inspection● Subsequent to EU Study, EU recommended FSD to take up the control of RSC(V) such that in future all installation and maintenance works are carried out by RSC(V) only● FSD will carry out audit check
● RSC(V) may go through our proposed registration mechanism and register as RFE● Consultation list includes sufficient representation of the trade, also inform EABFU to assist to publicize the scheme |
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15	The Real Estate Developers Association of Hong Kong	<ul style="list-style-type: none"> ● In principle, support subject to the following conditions: ● Achieve the objectives of streamlining the extant process, leading to more efficient use of professional resources and shortening the time required for the application and approval process. ● Control mechanism can uphold the current high standard of FS installtions. ● Before implementation, FSD needs to ascertain that there are adequate numbers of qualified RFEs in the market that can offer their services to the industry. ● A formal communication channel whereby the RFEs responsible for certifying a building's FSI can seek clarification from the FSD officer specifying the respective FSI requirements to avoid any disputes between FSD and RFEs in the future. ● One year or above post qualification experience should be more specific to ensure the experiences are relevant. Relevant experiences on operation and maintenance should also be counted as satifying at least part of the requirements. ● The Government should also consider providing the engineering degrees and tailor made courses for professionals of different trades such as Mechanical and Building Services Engineers to top up to meet the required academic qualifications. ● Agree to start with "Licensed Premises" ● Option(A) is preferred at the initial stage ● FSD should provide clear and practical guidelines on the statutory requirements of performance-based fire engineering approach which is helpful in ensuring the quality of the reports and enhancing the ease of approval process. 	<ul style="list-style-type: none"> ● Noted ● Noted ● Noted ● As at 1.2.2008, 21 RPE(Fire), 259 MHKIE (Fire); no. of RFE is market driven ● Regular liaison meetings with an RFE trade association to be set up similar to regular liaison meetings with AP / FSICA. ● RFE should have at least 7 years of related professional experience, i.e. HKIE : at least 6 years & RPF(FRE) : at least 1 year ● Disagree, Government should not be involved in organizing such degree program. Criteria for registration in Mechanical discipline, BS discipline and Fire disipline are not identical; ME and BSE may also register under Fire ● Noted ● Noted ● To be discussed with BD.
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