

Brief Notes of Liaison Meeting between FSD and Authorized Persons

Date : 15 September 2011 (Thursday)
Time : 1500 hours
Venue : Conference Room, Fire Safety Command, FSD

Matters Discussed in the Meeting :

1. Registered Fire Engineer (RFE) Scheme

The revised consultation paper of the RFE Scheme and the consultation strategy had been forwarded to SB for comment. Subject to no further comment from SB, FSD would commence the three-month 2nd round trade consultation. In order to provide a platform for exchanging views with stakeholders, three consultation forums would be held on 14, 21 and 26 October 2011 at Hong Kong City Hall, Shatin Town Hall and Hong Kong Space Museum respectively.

2. Inspection of Ventilating Systems in New Buildings

Up to end August 2011, FSD had conducted inspection of fire dampers in 24 new buildings (including one which was found not under Cap. 123J) which included the residential, commercial, industrial and institutional categories. Eight of the inspected buildings (i.e. about 33%) had serious defects in fire dampers whereas 12 buildings were found with minor defects which could be rectified shortly after the inspections. The work quality seemed to be improved in recent months and so far there were three buildings with no defects in damper installation.

The Buildings Department was considering the termination of the trial scheme in the near future as the information collected in the past months was sufficient for them to conduct a review on the standard of installation of fire dampers in new buildings.

3. Review of Codes of Practice (CoP)

The checklist for Fire Detection and Fire Alarm System to BS 5839-1: 2002+A2: 2008 had been already revised in August 2011 and circulated

to the FSSAG members for comment. After clearing with the FSSAG, this new piece of checklist would be incorporated in the update exercise as well.

Upon endorsement of the draft Codes by the senior management, the Codes would be sent for printing.

4. Local Application of the LPC Rules Incorporating BS EN 12845

Two FSD Circular Letters on 'Requirements for visual fire alarms under the Design Manual: Barrier Free Access 2008' and 'Specifications for automatic sprinkler system, i.e. local application of the LPC Rules incorporating BS EN 12845:2003' would be issued after the final confirmation of the FSSAG.

5. Requirements, Acceptance Criteria and Specific Locations of Emergency Vehicular Access (EVA) where Paving Blocks are Acceptable to FSD

According to highway standards, hard paving meant concrete surface or asphalt. While even and hard paving EVA ensured a safe and efficient operation for emergency vehicles and aerial ladders in the course of firefighting and rescue, FSD would consider the use of paving blocks surface on a case-by-case basis.

6. Arrangement for Installation of Fire Service Pump on Roof or Floor Slab

In FSD Circular Letter No. 2/2004, a standard design on a simple spreader for construction and installation of Fire Service (FS) pump at flat roof of existing buildings was introduced to the trade. As long as the spreader was constructed and installed by a Registered General Building Contractor (RGBC) or Registered Fire Service Installation Contractor (RFSIC) in accordance with BD's standard and the conditions prescribed in the said Circular Letter, the installation works could be regarded as exempted building works under s.41(3) of the Buildings Ordinance. However, a new arrangement which was made pursuant to BD's prevailing enforcement policy against unauthorized building works would replace the current arrangement. The issue would be discussed at the coming Liaison Meeting between FSD and the Association of Registered FSI Contractors of HK Ltd to be held on 22 September 2011 and a new FSD Circular Letter announcing the new arrangement would be issued shortly. In order to facilitate a smooth

implementation of the new arrangement taking into consideration the spreaders for which the construction work had already commenced, there would be a grace period of 3 months before the new arrangement.

Before any building works could be qualified as exempted building works under section 41(3) of the Buildings Ordinance, 2 criteria had to be met: (1) they were in the building and (2) they **did not involve the structure** of the building. According to the judgment of the Court of Final Appeal (Case No. FACV 3/2006), building works carried out on the roof could not be regarded as in the building and hence in no case they could be exempted building works. Hence, construction of any structural system for the purpose of securing and/or evening out the weight of FS pump in the form of a spreader installed on a roof were building works which were subject to sections 4, 9 and 14(1) of the Buildings Ordinance and should be designed by an Authorized Person / Registered Structural Engineer (AP/RSE). Having obtained the Building Authority's (BA's) approval of the design and consent for the commencement of the building works, construction of the structural system and related building works should be carried out by a RGBC.

For FS pump(s) directly seated on roof or floor slab not involving construction of structural system(s) or not involving any other building works for the purpose, the installation should be carried out by a RFSIC and certified by an AP or RSE.

If any FS pump was found installed on a structural system which was constructed without BA's approval/consent or the building works were not carried out by RGBC or FS pumps directly seated on roof or floor slab without due calculation and certification by an AP or RSE to ensure its structural safety, BD might take action to have the pump and the structural system removed.

The fee for processing the plan would be waived if the installation of FS pump was required for complying with the necessary fire safety requirements of the Fire Safety Directions/ Fire Safety Improvement Directions.

Since the standard spreaders previously installed in accordance with Circular Letter No. 2/2004 were deemed to be exempted under s.41(3)

of the Buildings Ordinance, BD would not take enforcement action against them unless there was change in circumstances e.g. the building works became dangerous due to dilapidation, etc.

BD would consider issuing letters or Practice Notes stating their stance on handling those standard spreaders installed in accordance with Circular Letter No. 2/2004 for their reference when facing relating enquiries from building owners.

7. Delisting of Fire Extinguishers Containing Scheduled Substances from the Government Gazette

Following the amendment to the Schedule to Ozone Layer Protection Ordinance, Cap. 403, which came into operation on 1 October 2009 via Legal Notice 114 of 2009 *Ozone Layer Protection Ordinance (Amendment of Schedule) Order 2009* and the passage of the Ozone Layer Protection (Products Containing Scheduled Substances) (Import Banning) (Amendment) Regulation 2009 on 2 December 2009 by the LegCo, the import banning of fire extinguishers containing a scheduled substance listed in Part 1, 2, 3, 8 or 9 of the Schedule to Cap. 403 came into operation on 1 January 2010.

In response to the above changes, FSD issued a Circular Letter No. 3/2009 on 11 December 2009 on “Arrangements upon the Import Banning of Fire Extinguishers Containing Scheduled Substances” to announce, inter alia, that those previously type-approved fire extinguishers containing scheduled substances as listed in the Appendix to the Circular might continue to be put on sale or be supplied until they were delisted from the Gazette upon further notice probably in two years’ time.

With the approach of the target time, FSD planned to shortly issue a new Circular Letter on “Delisting of Fire Extinguishers Containing Scheduled Substances from the Government Gazette” to announce, inter alia, the following arrangements:

- (i) previously type-approved fire extinguishers including fixed sprayer unit containing scheduled substances as shown in the Appendix to the new Circular would be delisted w.e.f. **1 April 2012**;

- (ii) hereafter, the sale or supply of these fire extinguishers would not be approved;
- (iii) the public might continue to use the existing fire extinguishers including fixed sprayer unit containing scheduled substances provided that they were in efficient working order and properly maintained by RFSIC; and
- (iv) FSI contractors might also continue to maintain (including recharge) the existing fire extinguishers containing scheduled substances until their serviceable lives were due.

To ensure the smooth implementation of the above arrangements, special attention should be drawn to the following areas:

- (i) the stock of portable equipment containing scheduled substances held by all FE suppliers concerned had mostly, if not all, been exhausted after the enactment of the amended Ozone Layer Protection (Products Containing Scheduled Substances) (Import Banning) Regulation, Cap. 403C;
- (ii) permissible replacement products were available in the market to substitute all delisted portable equipment except those NAF S III fixed sprayer units with maximum protected volume (MPV) of 44m³; and
- (iii) those DG stores/fuel tank rooms with an aggregate volume ranging from 42.5m³ plus to 44m³ were required to provide appropriate fixed installation system or reduce their volumes to 42.5m³ if NAF S III fixed sprayer units were no longer to be used. In this regard, it was highly recommended that the licensees/owners concerned should have an early plan on either modifying their stores/rooms or installing an approved fixed installation therein.

A written notification on the above arrangement would be issued by the DGD of this Department to all licensees of DG stores and owners/building managements of fuel tank rooms with letters of

approval for the storage of Cat. 5 Class 3 DG.

8. Performance-based Design Accompanied with Fire Engineering Report (FER)

The New Projects Division of this Department had returned some general building plans (GBP) adopting performance-based design to the applicants as prior endorsement on the FER had not been obtained from FSD and BD.

9. Submission of Fire Engineering Report through Authorized Person

Most FER were addressing issues on the Fire Services requirements under section 16(1)(b) of the Buildings Ordinance (BO). In that case, the authorized person of the project had the statutory duty to co-ordinate and supervise all aspects of building works under the BO. As the fire safety engineering proposals might entail amendments to the GBP, correspondence on the Fire Services requirements should be issued by the AP or his/her representative.

10. Installation of Electric-magnetic Door Holder

Submission of GBP would be processed in accordance with the standard FSI stipulated in the FS CoP. However, if there were non-standard FSI provisions, such as installation of electric-magnetic door holders, prior approval had to be sought from the New Projects Division before incorporating it in the GBP. Otherwise, the GBP could not be processed.

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