



Code of Practice for Registered Fire Engineers

**Fire Services Department
March 2026**

FOREWORD

The Fire Services (Registered Fire Engineers) Regulation (Cap. 95H) (“FS(RFE)R”) came into operation on 1 November 2025.

This Code of Practice for Registered Fire Engineers (“Code”) is issued by the Director of Fire Services under Section 89 of the FS(RFE)R.

Abbreviations and Terms

The abbreviations/terms used in this Code have the following meanings:

Applicant	Licence applicant or the applicant's representative who applies for a licence for a premises used or intended to be used as an establishment listed in Column 2 of Part 1, 2, 3 or 4 of the Schedule to FS(RFE)R
Bakery	Establishment for food factory (for preparation of bakery products only) with the relevant licence issued by FEHD
BD	Buildings Department
Code	Code of Practice for Registered Fire Engineers
Day	Calendar day
Director	Director of Fire Services
FEHD	Food and Environmental Hygiene Department
FER	Fire Engineering Report
FH/HR	Fire Hydrant/Hose Reel System
FHAN	Fire Hazard Abatement Notice
Food factory	Establishment for food factory (other than for preparation of bakery products only) with the relevant licence issued by FEHD
FSC	Fire Safety Certificate
FSD	Fire Services Department
FSI	Fire Service Installation or Equipment
FSR	Fire Safety Requirement, in relation to any scheduled premises, means any requirement, issued by the Director or relevant licensing authority, relating to fire safety that has to be met for the purposes of a specified application to which the premises relate, and includes a requirement that is issued under Section 27(1)(c) of FS(RFE)R for the premises
FS(RFE)(F)R	Fire Services (Registered Fire Engineers)(Fees) Regulation
FS(RFE)R	Fire Services (Registered Fire Engineers) Regulation
GFA	Gross Floor Area
HFP	High Fire Potential
LFP	Low Fire Potential
LPG	Liquefied Petroleum Gas
MFA	Manual Fire Alarm System
MoE	Means of Escape
PU foam	Polyurethane Foam
RFE	Registered Fire Engineer
RFE(FSI)	Registered Fire Engineer (Fire Service Installation)
RFE(RA)	Registered Fire Engineer (Risk Assessment)

RFE(VS)	Registered Fire Engineer (Ventilating System)
RFSIC	Registered Fire Service Installation Contractor
RSC(V)	Registered Specialist Contractor (Ventilation Works Category)
Specified application	Application defined under section 2 of FS(RFE)R
UBW	Unauthorized Building Works
VS	Ventilating System

*Remarks: Terms and abbreviations not otherwise defined in this Part shall have the same meanings as those assigned to them in the FS(RFE)R.

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PART 1 INTRODUCTION

1.1 Code of Practice for RFEs

This Code, issued by the Director under Section 89 of the FS(RFE)R, serves to provide practical guidance on professional conduct, administration and registration of RFEs. It also serves to provide practical guidance on fire safety of scheduled premises (see para. 1.2 below) including fire risk assessment, the issue of FSR and statutory duties imposed on RFE(RA), RFE(FSI) and RFE(VS) under section FS(RFE)R. Where a RFE is alleged to have committed a disciplinary offence, the disciplinary board may have regard to this Code when it determines whether the RFE has committed a disciplinary offence under Section 37 of the FS(RFE)R.

1.2 Scheduled Premises

In this Code, “scheduled premises” refers to premises used or intended to be used as an establishment listed in Column 2 of Parts 1, 2, 3 and 4 of the Schedule to the FS(RFE)R.

1.3 Phased Implementation of the RFE Scheme

The RFE Scheme is implemented in phases starting with food businesses regulated under the Food Business Regulation (Cap. 132X) as the initial phase. This encompasses specified applications for licences in respect of general restaurants, light refreshment restaurants, factory canteens, food factories (whether or not for preparation of bakery products only) and composite food shops.

1.4 Statutory Provisions

RFEs must pay attention to matters stipulated in the Fire Services Ordinance and its subsidiary legislations, as well as respective Ordinances and Regulations in connection with the scheduled premises. For ease of reference, a list of relevant statutory provisions, which is not exhaustive, is attached at **Appendix I**.

1.5 Normative References

This Code should be read in conjunction with publications issued by FSD and relevant authorities (e.g. Buildings Department and Food and Environmental Hygiene Department). For ease of reference, a list of relevant publications, which is not exhaustive, is attached at **Appendix II**.

1.6 Specified Application

In this Code, “specified application” means any application made to the licensing authority for the grant or issue of a required documentation or registration or for the alteration of the scheduled premises. Two flowcharts showing the application procedures for the granting or issuance of licence and for alteration of scheduled premises under FEHD with appointment of RFE are attached at **Appendices III** and **IV** respectively.

1.7 Specified Forms

In accordance with Section 90 of the FS(RFE)R, the Director may specify the form of a document required for the purposes of the FS(RFE)R. A “specified form” must be completed and submitted to the Director or any other person, in accordance with the directions and instructions that are specified in the forms. For ease of reference, a list of specified forms is attached at **Appendix V**.

1.8 Authorized Officers

In accordance with Sections 92 and 93 of the FS(RFE)R, the Director may, in writing, appoint a public officer to be an “Authorized Officer” and delegate to a public officer any of the Director’s duties or powers under the FS(RFE)R.

PART 2 SCOPE OF APPLICATIONS (FOOD BUSINESS)

2.1 General Applicability

The RFE Scheme is implemented in phases starting with food businesses under the Food Business Regulation (Cap. 132X) as the initial phase. This encompasses specified applications and applications for alteration for general restaurants, light refreshment restaurants, factory canteens, food factories (whether or not for preparation of bakery products only) and composite food shops.

2.2 Exclusion from the RFE Scheme

The RFE Scheme will not apply to the following circumstances:

2.2.1 Provisional Licensing System

To facilitate the preparation of the premises used as food businesses, FEHD operates a Provisional Licensing System. Under this system, a provisional licence will be issued if FEHD is satisfied that all licensing requirements for a provisional licence have been met upon receipt of the required report enclosing relevant certificates with other supporting documents. The whole process of application for a provisional licence does not require any certificate issued by FSD, and therefore by the same token, the RFE Scheme does not apply to this system.

2.2.2 Special Conditions

In certain types of food businesses including food factories and composite food shops, the licence applications will not be referred to FSD for processing if such applications fulfill all the conditions as listed below. In this regard, such applications are out of the scope of the RFE Scheme.

- (a) The GFA of the scheduled premises is not greater than 100 m²;
- (b) Only electricity is used as fuel;
- (c) No naked flames are used; and
- (d) No deep-frying activities are involved.

2.2.3 Outside Seating Accommodation

Outside Seating Accommodation refers to any open area used for alfresco dining business and the Applicants who wish to apply for an outside seating accommodation are required to obtain separate approval from FEHD. The whole process of an application for an outside seating accommodation does not require any certificate issued by FSD, and therefore by the same token, the RFE Scheme does not apply to this type of application.

2.2.4 Transfer/Renewal of Licences

The transfer/renewal of licences does not involve the elements of fire safety risk assessment or certification services. Hence, the RFE Scheme does not cover any matters in connection with transfer/renewal of licences for the scheduled premises.

2.2.5 Minor Alteration to Approved Plan

When an Applicant applies to FEHD for an alteration to the approved plan of licensed food premises, the application will be first referred to FSD for determination of the extent of the alteration and whether an FSR and an FSC are required to be issued afresh. If FSD determines that the alteration is minor in nature and a new FSR/FSC is not required, such application will not be covered by the RFE Scheme.

PART 3 DUTIES AND RESPONSIBILITIES (FOOD BUSINESS)

3.1 Classes of RFEs

RFEs are categorized into three classes based on the nature of their duties and the professional skills required. The three classes of RFEs are listed as follows:

- (a) RFE(RA) - conducting an inspection and carrying out a fire safety risk assessment for scheduled premises for the specified application, making recommendation from a fire safety point of view as to the suitability of the scheduled premises to be used for the intended purpose and issuing FSR for the scheduled premises;
- (b) RFE(FSI) - conducting inspections and testings for the FSI installed at the scheduled premises as required in the FSR (other than those relating to the VS of the premises) and issuing an FSC upon confirmation of compliance; and
- (c) RFE(VS) - conducting inspections and testings for the VS installed at the scheduled premises as required in the FSR and issuing an FSC upon confirmation of compliance.

3.2 General Responsibilities

RFEs must undertake, inter alia, the following responsibilities irrespective of the class(es) of registration:

- (a) An RFE must not carry out a duty that is not within the scope of duties of the class for which he/she is registered;
- (b) An RFE must submit to FSD a *Notice of Appointment of Registered Fire Engineer* [RFE/G01] and a *Declaration against Conflict of Interest* [RFE/G03] within 5 days after the date of appointment;
- (c) An RFE must submit to FSD a *Notice of Cessation of Appointment of Registered Fire Engineer* [RFE/G02] within 5 days after the date of cessation of appointment, if applicable;
- (d) When an RFE appointed for carrying out duties of a specific class has been reappointed to perform duties of another class, he/she must submit a *Notice of Cessation of Appointment of Registered Fire Engineer* [RFE/G02] for the class he/she is no longer taking up and submit a fresh *Notice of Appointment of Registered Fire Engineer* [RFE/G01] and a *Declaration against Conflict of Interest* [RFE/G03] for the reappointment within 5 days after the date of change of appointment;

- (e) An RFE must report to FSD any change(s) in his/her name, phone number, correspondence address, electronic mail address or identity document via a *Report of Change in Personal Particulars* [RFE/G04] within 14 days after the date of the change(s);
- (f) An RFE must report to FSD when he/she is charged of any criminal offence under the “List of offences kept in police conviction records” which can be found on the homepage of Hong Kong Police Force (<https://www.police.gov.hk/>) within 14 days after the date of the charge(s) by using a *Report of Criminal Investigation/Proceedings* [RFE/G05]. FSD considered that conviction of such offences would bring the profession of RFE into disrepute. He/she is also required to report to FSD when he/she is subsequently convicted or acquitted of the same charge(s) within 14 days after the date of conviction or acquittal using the same form;
- (g) An RFE must report to FSD in writing if he/she has ceased to hold the qualification by virtue of which he/she became an RFE, for instance no longer being a Registered Professional Engineer under the Engineers Registration Ordinance (Cap. 409) in the fire discipline, within 14 days after the date of cessation;
- (h) An RFE must carry with him/her a valid registration card in electronic form or in hard copy form at the place in which he/she is personally carrying out any duties under Sections 27, 28 or 29 of the FS(RFE)R, or supervising another person to carry out such duties; and
- (i) An RFE must keep a copy of every FSR and/or FSC issued by him/her, along with all relevant documents related to the specified applications for the purpose of issuing the FSR and/or FSC for a 3-year period beginning on the date of issue of such FSR and/or FSC. If, for any reasons, the FSR and/or FSC has not been issued by the RFE after his/her appointment for a specified application, he/she is still required to keep all those relevant documents for a 3-year period beginning on the date of his/her appointment for the specified application. For ease of reference, a list of relevant documents to be kept by RFEs is attached at **Appendix VI**. Besides, if FSD requests an RFE to produce a copy of any relevant documents for inspection, the RFE must comply with the request within 5 days after the date of receipt of the request.

3.3 Registered Fire Engineer (Risk Assessment)

An RFE(RA) may, pursuant to Section 27 of the FS(RFE)R, carry out the following duties in relation to any scheduled premises for the specified application:

- (a) to conduct an inspection of, and carry out a fire safety risk assessment for, the scheduled premises personally, or supervise another person who is under his/her direct and proper supervision to do so at the place at which the inspection or assessment takes place;

- (b) to recommend to the Applicant, from a fire safety point of view, the suitability of the scheduled premises to be used for the intended purpose;
- (c) to complete a *Fire Safety Risk Assessment Report (Food Business)* [RFE/R01] for results of inspections and assessments made for the specified application of the scheduled premises;
- (d) to recommend requirements based on the results of the fire safety risk assessment conducted for the scheduled premises;
- (e) to submit the *Fire Safety Risk Assessment Report (Food Business)* [RFE/R01], FSR and all relevant documents as denoted in **Appendix VII**, if applicable, supporting the recommendation of requirements to FSD for endorsement within 30 days after the date of the fire safety risk assessment; and
- (f) to issue the endorsed FSR to the Applicant.

3.4 Registered Fire Engineer (Fire Service Installation)

An RFE(FSI) may, pursuant to Section 28 of the FS(RFE)R, carry out the following duties in relation to any scheduled premises for the specified application:

- (a) to conduct inspections of the scheduled premises to verify the premises' compliance with the requirements set out in the endorsed FSR (other than those relating to the VS of the premises) personally, or supervise another person who is under his/her direct and proper supervision to do so at the place at which the inspections take place;
- (b) to conduct testings of any FSI (other than those relating to the VS of the premises) installed in the scheduled premises to verify the premises' compliance with the requirements set out in the endorsed FSR personally, or supervise another person who is under his/her direct and proper supervision to do so at the place at which the testings take place;
- (c) to complete an *Inspection and Testing (Fire Service Installation) Report* [RFE/C01] for the results of compliance inspections and testings conducted and submit it to FSD within 5 days after the date of completion of the compliance inspections and testings;
- (d) to sign and issue to the Applicant, a *Fire Safety (Fire Service Installation) Certificate* [RFE/C03] if the requirements set out in the endorsed FSR are complied with, within 5 days after the date of completion of the compliance inspections and testings;

- (e) to submit a copy of the *Fire Safety (Fire Service Installation) Certificate* [RFE/C03] and all relevant documents as denoted in **Appendix VII**, if applicable, supporting the compliance with the requirements set out in the endorsed FSR to FSD within 5 days after the date of completion of the compliance inspections and testings; and
- (f) to submit to FSD, upon the discovery of any material change in circumstances, a duly completed *Inspection and Testing (Fire Service Installation) Report* [RFE/C01] with particular attention placed on Part III of this report, within 5 days after the date of the compliance inspections and testings. The definitions of material changes in circumstances of scheduled premises are further elaborated in Part 5.4 of this Code.

3.5 Registered Fire Engineer (Ventilating System)

An RFE(VS) may, pursuant to Section 29 of the FS(RFE)R, carry out the following duties in relation to any scheduled premises for the specified application:

- (a) to conduct inspections of the scheduled premises to verify the premises' compliance with the requirements set out in the endorsed FSR relating to the VS of the premises personally, or supervise another person who is under his/her direct and proper supervision to do so at the place at which the inspections take place;
- (b) to conduct testings of the VS installed in the scheduled premises to verify the premises' compliance with the requirements set out in the endorsed FSR relating to the VS of the premises personally, or supervise another person who is under his/her direct and proper supervision to do so at the place at which the testings take place;
- (c) to complete an *Inspection and Testing (Ventilating System) Report* [RFE/C02] for the results of compliance inspections and testings conducted, and submit it to FSD within 5 days after the date of completion of the compliance inspections and testings;
- (d) to sign and issue to the Applicant, a *Fire Safety (Ventilating System) Certificate* [RFE/C04], if the requirements set out in the endorsed FSR are complied with, within 5 days after the date of completion of the compliance inspections and testings;
- (e) to submit a copy of *Fire Safety (Ventilating System) Certificate* [RFE/C04] and all relevant documents as denoted in **Appendix VII**, if applicable, supporting the compliance with the requirements set out in the endorsed FSR to FSD within 5 days after the date of completion of the compliance inspections and testings; and
- (f) to submit to FSD, upon the discovery of a material change in circumstances, a duly completed

Inspection and Testing (Ventilating System) Report [RFE/C02] with particular attention placed on Part III of this report, within 5 days after the date of completion of the compliance inspections and testings. The definitions of material changes in circumstances are further elaborated in Part 5.4 of this Code.

PART 4 FIRE SAFETY RISK ASSESSMENT (FOOD BUSINESS)

4.1 General

An RFE(RA) must conduct an inspection and a fire safety risk assessment of the suitability of the scheduled premises to be used for Applicant's intended purpose under a specified application and formulate requirements from a fire safety point of view for the premises, if applicable, having regard to all the relevant factors and potential risks. In conducting the fire safety risk assessment, the RFE(RA) must complete the *Fire Safety Risk Assessment Report (Food Business)* [RFE/R01] to record his/her observations, findings, risks identified and factors evaluated.

4.2 General Factors for Consideration of Fire Safety Risk Assessment

4.2.1 Particulars of Building

In general, scheduled premises are situated in certain portions of an existing building. To assess the effectiveness of fire suppression, smoke control and evacuation procedures, it is important to have a grasp on various features and characteristics of the building in order to critically evaluate the associated hazards and risks thereat.

In conducting a fire safety risk assessment, an RFE(RA) may gather relevant particulars of the building from the following sources/documents/ways, which include:

- (a) approved building plans administered by the Building Authority;
- (b) Occupation Permits of the building(s);
- (c) Certificate of Fire Service Installation and Equipment ("FS 251") of the building(s);
- (d) on-site inspections; and
- (e) information provided by the building owners/management/occupiers, etc.

4.2.2 Existence of Fire Hazards

The definition of "fire hazard" is given in Section 2 of the Fire Services Ordinance (Cap. 95). The existence of fire hazards, e.g. obstruction of means of escape or defective FSI, in the vicinity of the scheduled premises constitutes additional risks and undermines the overall fire safety level for the scheduled premises. During a fire safety risk assessment, an RFE(RA) should identify those fire hazards and report such findings to FSD for follow up actions.

4.2.3 Unauthorized Building Works

According to Section 14(1) of the Buildings Ordinance (Cap. 123), no building works shall commence or be carried out without prior written approval of the Building Authority based on submitted plans and documents. In general, UBW are:

- (a) any additions and alterations inside the buildings, and building works outside the buildings without the prior approval of the Building Authority;
- (b) small-scale building works that are designated as minor works, but did not follow the simplified requirements of the Minor Works Control System under the Buildings Ordinance (Cap. 123);
or
- (c) any addition and alteration works that were carried out inside a building not involving the structure of the building, but do not comply with the building standards laid down in the Buildings Ordinance (Cap. 123) and allied regulations.

The existence of UBW in the scheduled premises as well as in the building constitutes additional fire/life/smoke risks as mentioned in paragraph 4.6 in this Part. During a fire safety risk assessment, if an RFE(RA) identifies the existence of any UBW, he/she must report such findings to the appropriate authorities for follow up actions.

4.2.4 Dangerous Goods

No storage or use of dangerous goods in excess of the exempt quantity as stipulated in the Dangerous Goods (Application and Exemption) Regulation 2012 (Cap. 295E) is permitted without a licence or approval granted by the relevant authorities in order to reduce any undue risks to the scheduled premises or its vicinity. The type of licence or approval depends on the types of dangerous goods to be stored, the quantity of dangerous goods allowed and the layout of the scheduled premises.

In conducting a fire safety risk assessment, an RFE(RA) should be aware of the statutory requirements for dangerous goods and take them into consideration for assessing the site suitability for the scheduled premises.

Pursuant to Section 106(1) of the Dangerous Goods (Control) Regulation (Cap. 295G), a person must not site, or cause or permit fire, forge, furnace or other source of substantial heat to be sited, in an area that is within 6 m of any licensed store or Class 3A premises within the meanings under the same regulation. Therefore, an RFE(RA) must not issue FSR for any food business premises, or any part thereof, where the siting of fire or substantial heat source from the premises is located within 6 m of any licensed store or Class 3A premises.

If the specified applications requiring the interpretation of Section 106 of Cap. 295G, an RFE(RA) should consult the Licensing Division of FSD for further advice if necessary.

4.2.5 Existing Provision of Fire Service Installation or Equipment

Provision of FSI for a building where the scheduled premises are located must conform to the requirements as stipulated in the approved plan or appropriate edition of the “Code of Practice for Minimum Fire Service Installations and Equipment and Inspection, Testing and Maintenance of Installations and Equipment” issued by FSD.

4.3 Other Factors for Consideration

An RFE(RA) must also take into account the following factors when conducting fire safety risk assessments and formulating requirements:

4.3.1 Location Restrictions

In general, the majority of occupants in scheduled premises are not familiar with the layout, landscape, and/or special design features adopted to cope with the mode of business of the premises, resulting in higher risk of life, fire and smoke.

Therefore, during the course of a fire safety risk assessment, an RFE(RA) must be mindful of the location restrictions on the scheduled premises. For ease of reference, such restrictions on different types of food businesses are attached at **Appendix VIII**.

4.3.2 Co-existence of General Restaurants and Light Refreshment Restaurants with Other Occupancies

An RFE(RA) must critically examine, from the fire safety perspective, any risk associated with the co-existence of restaurants with school, child care centre, residential care home for elderly or residential care home for persons with disabilities. Despite the fact that there is no statutory restriction on their co-existence, an RFE(RA) must note that restaurants should generally not be vertically below the aforementioned premises given that restaurants will likely pose a higher fire risk to other premises. Nonetheless, an RFE(RA) must take into consideration all contributing factors including but not limited to:

- (a) the business nature of the restaurants and types of fuel used therein;
- (b) proper licensing or registration of the school, child care centre, residential care home for elderly or residential care home for persons with disabilities;

- (c) direct/indirect communications between the restaurants and other occupancies;
- (d) assessment of the number of staircases available for evacuation; and
- (e) any other remedial measures/provisions which may be effected to overcome the problem.

4.3.3 Compatibility of Occupancies

From a fire safety perspective, industrial activities pose a significantly higher risk of fire or chemical-related incidents compared to other types of occupancies, meaning greater danger to life and property. As such, food businesses should generally not be permitted within an industrial building. For ease of reference, the compatibility of occupancies is tabulated below.

Compatibility of Occupancies	
Occupancies	Non-Permitted
Factory or Industrial Building (As defined in Building (Planning) Regulations (Cap. 123F))	All types of food businesses except: <ul style="list-style-type: none"> (i) factory canteens; (ii) bakeries and food factories (both for manufacture only); and (iii) bakeries and food factories (both for manufacture and sale on premises) and composite food shops that can only be sited at street level.
Industrial building with a waiver for buffer floor and lower floors granted by the Lands Department (As referred to in FSD Circular Letter No. 2/2019 and Lands Administration Office Practice Note Issue No. 3/2019 issued by the Lands Department)	<p>(a) <u>Non-industrial portion (a maximum of the lowest three floors immediately below the buffer floor):</u> There shall be no restriction to the type and extent of the commercial portion/activities, including food businesses.</p> <p>(b) <u>Industrial portion (all floors above the buffer floor):</u> All types of food businesses except: <ul style="list-style-type: none"> (i) factory canteens; and (ii) bakeries and food factories (both for manufacture only). </p>

4.4 **Review of Layout Plans**

For specified applications under various licensing regime, an RFE(RA) is required to review the proposed layout plans. The detailed requirements for the proposed layout plans have been denoted in relevant application guides issued by FEHD. In general, the plans will be drawn in certain scale and include information such as the demarcation of licensing areas, description of relevant FSI, location of cashier counter, arrangement of appliances/facilities/furniture of a substantial and permanent nature, etc.

An RFE(RA) must obtain copies of the proposed layout plans for conducting on-site inspection and fire safety risk assessment. During the inspection and assessment, particular attention must be paid to various design features at the scheduled premises such as the use of decoration materials, the addition of partitions to form separate compartments and the formation of cubicles that may pose additional fire/life/smoke risks.

4.5 Revised Layout Plans

Prior to the issue of a licence, if the Applicant wishes to alter the layout of the scheduled premises under the specified application, an RFE(RA) must remind the Applicant to submit the revised plan(s) to FEHD.

The RFE(RA) must conduct an inspection of, and a fire safety risk assessment for, the scheduled premises. Based on the result of the fire safety risk assessment, the RFE(RA) must determine whether the existing requirements set out in the endorsed FSR remain valid or an FSR with new requirements is required to be issued, subject to the endorsement by FSD. If the RFE(RA) concludes that the existing requirements set out in the endorsed FSR remain valid, the RFE(RA) must proceed to complete a new *Fire Safety Risk Assessment Report (Food Business)* [RFE/R01] with the same set of requirements and submit it to FSD for endorsement within 30 days after the date of the fire safety risk assessment. If a new set of requirements is required, procedures as outlined in paragraphs 3.3(c) to 3.3(f) must be followed.

4.6 Types of Risks

4.6.1 Fire Risk

“Fire risk” means the probability of fire, as influenced by the quantity of combustibles available on the premises and the degree of care with which sources of ignition are handled. The former also affects the magnitude of fire that may subsequently occur.

4.6.2 Life Risk

“Life risk” means the risk to occupants’ life and limb in the event of fire. The degree of life risk is not in direct proportion to the magnitude of fire as the smoke generated from the burning of even a small quantity of combustible may make breathing difficult and in serious cases, cause suffocation. Panic is a very possible consequence leading to unpredictable, and sometimes irrational behaviour.

4.6.3 Smoke Risk

“Smoke risk” means smoke logging as result of fire and where the construction features of the premises or change of such features render its dispersement more difficult thus increasing life risk. Examples of the construction features are curtain walled buildings, basement, etc. On the other hand, an example of change of the construction features is the sealing up of designed openable/breakable windows. These features will increase the life risk due to potential oxygen deficiency and render fire-fighting operations difficult due to a lack of natural ventilation and obstruction of external access.

4.7 **Determination of Level of Risk in Food Businesses**

The overall level of risk is determined by evaluating the extent of fire risk, life risk, and smoke risk associated with the premises. In respect of the scheduled premises in food businesses governed under the Food Business Regulation (Cap. 132X), they will be considered as “high risk” if the areas of the premises are over 126 m² and the following conditions are met:

- (a) the average quantity of combustible materials in the seating accommodation exceeds 60 kg of wood or equivalent per square metre;
- (b) the openable/breakable windows in the seating accommodation are obstructed by decorations or sealed up for more than 50% of the total area of openable/breakable windows; or
- (c) more than 30% of the seating accommodation is partitioned by combustible materials to form cubicle(s).

According to the assessment on the level of risk, an RFE(RA) must formulate specific requirements for the purpose of mitigating the risks of the scheduled premises. In general, an FSR with HFP will be issued for any premises classified as “high risk”, while an FSR with LFP will be issued for any premises not classified as “high risk”.

4.8 **Formulation of Fire Safety Requirements**

Having confirmed the suitability of the premises to be used for the intended food business, an RFE(RA) must complete a *Fire Safety Risk Assessment Report (Food Business)* [RFE/R01] before formulating the requirements.

The FSR, which includes the provision of FSI, fire damper(s) for VS and other prescribed fire safety standards, aims to reduce the probability of fire, mitigate the effect of smoke and facilitate the evacuation of occupants, etc. When formulating the requirements, an RFE(RA) must make references to the “*Lists of Prescribed and Additional Fire Safety Requirements*” attached in **Appendix**

IX, and more importantly, “*A Guide to Fire Safety Requirements for Different Types of Food Businesses*” in **Appendix X**.

In addition to the prescribed requirements, an RFE(RA) should exercise professional judgement in determining the provision, sufficiency and siting of portable hand-operated approved appliances to enhance the fire safety level of the scheduled premises. The guidelines for the provision of fire extinguishers and fire blankets are as follows:

- (a) one not less than 9 L water/5 kg dry powder type fire extinguisher is required for every 100 m² of GFA of the scheduled premises;
- (b) one not less than 4.5 kg carbon dioxide type fire extinguisher is required for every 3 sets of cooking appliances such as electric/town gas stoves or warmers;
- (c) one not smaller than 1.44 m² fire blanket is required for every 3 frying pans or woks using oils/fat for deep frying; and
- (d) provision of portable hand-operated approved appliances is determined according to the actual layout of the scheduled premises, accessibility and travel distance to reach the nearest fire extinguisher, nature of specific risks identified, etc.

Nevertheless, an RFE(RA) should also assess the mode of business operation and any special features of the scheduled premises under the specified application, e.g. having cooking activities outside kitchen, etc. Based on the results of the on-site fire safety risk assessment, an RFE(RA) must consider, in addition to the prescribed requirements, any additional requirements to the Applicant to address the fire/life/smoke risk arising from other modes of business operation.

The latest prescribed and additional requirements are available on FSD’s website.

4.9 Fire Safety Risk Assessment Report with Alternative Proposal

Pursuant to the latest *Code of Practice for Fire Safety in Buildings 2011* issued by BD, fire safety may be achieved in a number of ways the best of which is not necessarily prescriptive. This includes an alternative proposal, which is particularly pertinent to buildings/premises with special design features that may necessitate other considerations. The alternative proposal may involve a performance-based approach whereby the relevant required performance is demonstrated through a Fire Engineering Report.

Where an alternative proposal is adopted to develop an alternative solution, the relationship between the prescribed requirements and alternative solutions must be considered. In gist, the consideration should follow an assessment method using qualitative and/or quantitative analysis with calculations across the relevant aspects, including fire initiation and development; smoke development, spread

and control; fire detection, warning and automatic suppression; fire spread, impact and control; occupant characteristics and evacuation; and fire service intervention.

Therefore, if the Applicant has insurmountable difficulties in complying with the prescribed requirements, he/she can arrange an RFE(RA) to submit an alternative proposal in the *Fire Safety Risk Assessment Report (Food Business)* [RFE/R01] with technical justification and validation of a Fire Engineering Report.

FSD will only endorse an FSR with an alternative solution on a case-by-case basis, provided that the level of fire safety is not inferior to that of the prescribed requirements.

4.10 Procedural Requirements for Issuing FSR

- (a) Upon appointment by the Applicant, an RFE(RA) must obtain application details, layout plans and VS plans. The RFE(RA) must then arrange an inspection and a fire safety risk assessment of the scheduled premises.
- (b) An RFE(RA) must first consider the suitability of the scheduled premises for the intended use. If the RFE(RA) considers that the location of the scheduled premises is not suitable for the intended use, he/she must raise objection to the specified application and provide the reason(s) of objection in the *Fire Safety Risk Assessment Report (Food Business)* [RFE/R01]. The report must be submitted to FSD for endorsement.
- (c) When vetting the layout plan submitted by the Applicant, an RFE(RA) must make reference to “*A Guide to Application for Restaurant/Factory Canteen/Food Factory/Bakery/Composite Food Shop Licences*” issued by the FEHD. These guides outline the important points to note in designing and drawing layout plans and VS plans. If an RFE(RA) considers that the layout plan/VS plan submitted by the Applicant does not meet the standard as required by FEHD or some essential information is omitted in the plans, the RFE(RA) must raise objection to the submitted plans and provide reasons of objection in the *Fire Safety Risk Assessment Report (Food Business)* [RFE/R01].
- (d) In compiling the *Fire Safety Risk Assessment Report (Food Business)* [RFE/R01], an RFE(RA) must as far as practicable obtain all information as required in the report and ensure that all information is correct.
- (e) After conducting the fire safety risk assessment, an RFE(RA) must formulate the relevant requirements for the scheduled premises according to the result of the assessment.

- (f) Before issuing any FSR, an RFE(RA) must submit the *Fire Safety Risk Assessment Report (Food Business)* [RFE/R01], the proposed requirements together with all supporting documents, if any, to FSD for endorsement within 30 days after the date of the fire safety risk assessment, as referred to in paragraphs 3.3(c) to 3.3(e).
- (g) FSD may endorse or refuse to endorse the FSR after considering a basket of factors including but not limited to the layout of the premises, types of fuel, provisions of FSI and types of occupancies, etc.
- (h) If endorsement is granted, the endorsed FSR together with the endorsement letter from FSD will be returned to the RFE(RA). The RFE(RA) must issue the endorsed FSR within 5 days after the date of receipt of the FSR and explain the contents contained therein to the Applicant.
- (i) If endorsement is not granted, the RFE(RA) must take into consideration the comments given by FSD, revise the *Fire Safety Risk Assessment Report (Food Business)* [RFE/R01] and/or the proposed requirements, and re-submit them together with all supporting documents to FSD for endorsement. If the revised report and/or requirements cannot be submitted within 30 days after the date of the latest fire safety risk assessment, a fresh inspection for fire safety risk assessment must be conducted.
- (j) If an RFE(RA) receives a revised layout plan/VS plan after issuing the FSR, the RFE(RA) must conduct inspection of, and fire safety risk assessment for, the schedule premises. Based on the result of the fire safety risk assessment, then he/she must determine whether the existing requirements set out in the endorsed FSR remain valid or an FSR with new requirements is required to be issued, subject to the endorsement by FSD. If the RFE(RA) concludes that the existing requirements set out in the endorsed FSR remain valid, the RFE(RA) must proceed to complete a new *Fire Safety Risk Assessment Report (Food Business)* [RFE/R01] with the same set of requirements and submit it to FSD for endorsement within 30 days after the date of the fire safety risk assessment. If a new set of requirements is required, procedures as outlined in paragraphs 3.3(c) to 3.3(f) must be followed.
- (k) For ease of reference, the flowcharts showing the procedures of specified application under FEHD's ambit are attached in **Appendices III** and **IV** respectively.

PART 5 COMPLIANCE INSPECTIONS, TESTINGS AND CERTIFICATION (FOOD BUSINESS)

5.1 Prohibition of Issuing Fire Safety Certificate

An RFE(FSI)/RFE(VS) must not issue an FSC:

- (a) that is false or misleading;
- (b) that is not in the specified form;
- (c) if the relevant FSR has not been endorsed by FSD;
- (d) if the provision of FSI/VS installed in the scheduled premises deviates from the requirements set out in the endorsed FSR ;
- (e) without inspections and testings of FSI/VS, whichever are applicable, installed in the scheduled premises to verify the scheduled premises' compliance with the requirements set out in the endorsed FSR ;
- (f) if he/she is not satisfied with the results of the inspections and testings; or
- (g) if there are any material changes in circumstances mentioned in paragraph 5.4.

5.2 Compliance Inspections and Testings of Fire Safety Requirements

For the purpose of conducting compliance inspections and testings, an RFE(FSI)/RFE(VS) must complete the *Inspection and Testing (Fire Service Installation) Report* [RFE/C01] or *Inspection and Testing (Ventilating System) Report* [RFE/C02] as appropriate.

5.3 Publications Issued by Fire Services Department and Buildings Department

In order to competently conduct the compliance inspections and testings to verify the scheduled premises' compliance with the requirements set out in the endorsed FSR, an RFE(FSI)/RFE(VS) must be well acquainted with, among others, the relevant provisions, codes of practice, specifications, requirements and procedures as follows:

- (a) the appropriate version of Codes of Practice for Minimum Fire Service Installations and Equipment and Inspection, Testing and Maintenance of Installations and Equipment applicable to the FSI installed in the building/premises;
- (b) relevant FSD Circular Letters promulgated from time to time by the Director;

- (c) the appropriate version of Code of Practice for Fire Safety in Buildings; and
- (d) other relevant publications including Notices, Practice Notes and guidance promulgated from time to time by the Director or Building Authority.

5.4 Material Changes in Circumstances

If an RFE(FSI)/RFE(VS), when conducting compliance inspections and testings, becomes aware that there has been a material change in the circumstances of the scheduled premises since the issue of the endorsed FSR, and is of the view that such a change will affect the implementation of the endorsed FSR, the RFE(FSI)/RFE(VS) must submit to FSD a duly completed *Inspection and Testing (Fire Service Installation) Report* [RFE/C01] or *Inspection and Testing (Ventilating System) Report* [RFE/C02], whichever is applicable, with particular attention placed on Part III of these reports, within 5 days after the date of completion of the compliance inspections and testings of the FSI/VS of the scheduled premises; and he/she must inform the Applicant to submit a revised layout plan/VS plan and arrange another fire safety risk assessment regarding the change to the scheduled premises. In this connection, the RFE(RA) must proceed to complete a new *Fire Safety Risk Assessment Report (Food Business)* [RFE/R01] with the proposed requirements and submit it to FSD for endorsement within 30 days after the date of fire safety risk assessment, as referred to in paragraph 4.5. Under such circumstances, RFE(FSI)/RFE(VS) must not issue any FSC.

Relevant material changes include but are not limited to:

- (a) Occupancy;
- (b) Licensed area;
- (c) Layout plan;
- (d) Mode of business operation; or
- (e) Fuel use.

5.5 Issue of Fire Safety Certificate

If an RFE(FSI)/RFE(VS) is satisfied with the results of compliance inspections and testings, and the layout of the scheduled premises is in conformity with the latest accepted layout plan/VS plan, the RFE(FSI)/RFE(VS) must issue the duly signed FSC within 5 days after the date of completion of such compliance inspections and testings of the FSI/VS of the scheduled premises.

The RFE(FSI)/RFE(VS) must also submit to FSD copies of the duly signed FSC, the completed *Inspection and Testing (Fire Service Installation) Report* [RFE/C01]/*Inspection and Testing (Ventilating System) Report* [RFE/C02], and all relevant documents supporting compliance with the

requirements set out in the endorsed FSR within 5 days after the date of completion of the compliance inspections and testings of FSI/VS of the scheduled premises.

5.6 Procedural Requirements for Issuing Fire Safety (Fire Service Installation) Certificate

- (a) After receiving notification from the Applicant that all the FSI have been installed and all requirements set out in the endorsed FSR were complied with, an RFE(FSI) must first check all the supporting documents submitted by the Applicant. The RFE(FSI) must ensure that all the supporting documents are valid. Such documents may include FS 251, certificates for flame retardant products, invoices, delivery notes and test reports of PU foam items, and undertaking letters.
- (b) Upon receiving all the required documents from the Applicant, an RFE(FSI) must obtain the latest layout plans required for compliance inspections and testings at the scheduled premises.
- (c) During the compliance inspections and testings, an RFE(FSI) must ensure that the actual layout of the scheduled premises is in conformity with that shown in the latest accepted layout plans. All the FSI in the scheduled premises must be covered by a valid FS 251 and/or functionally tested according to the requirements of the *Inspection and Testing (Fire Service Installation) Report* [RFE/C01].
- (d) Upon completion of compliance inspections and testings, an RFE(FSI) must compile an *Inspection and Testing (Fire Service Installation) Report* [RFE/C01] and submit it to FSD within 5 days after the date of completion of such inspections and testings. If all the requirements other than those relating to VS are found to have been complied with, the RFE(FSI) must issue the *Fire Safety (Fire Service Installation) Certificate* [RFE/C03] to the Applicant within 5 days after the date of completion of the compliance inspections and testings.
- (e) An RFE(FSI) must also submit copies of the duly signed *Fire Safety (Fire Service Installation) Certificate* [RFE/C03] and all relevant supporting documents to FSD within 5 days after the date of completion of the compliance inspections and testings.
- (f) Upon receipt of the *Fire Safety (Fire Service Installation) Certificate* [RFE/C03] from the RFE(FSI), FSD may conduct audit checks in accordance with paragraph 5.8.

5.7 Procedural Requirements for Issuing Fire Safety (Ventilating System) Certificate

- (a) After receiving a notification from the Applicant that the VS has been installed, an RFE(VS) must obtain the latest as-fitted VS plan required for compliance inspections and testings at the scheduled premises.

- (b) During the compliance inspections and testings, an RFE(VS) must ensure that the VS installed at the scheduled premises matches the latest as-fitted VS plan. The VS must be fully tested in accordance with the endorsed FSR for VS.
- (c) Upon completion of compliance inspections and testings, an RFE(VS) must compile an *Inspection and Testing (Ventilating System) Report* [RFE/C02] and submit it to FSD within 5 days after the date of completion of such inspections and testings. If all the requirements relating to the VS are found to be complied with, and all relevant approval letters, product details and supporting documents have been submitted by the Applicant, the RFE(VS) must issue the *Fire Safety (Ventilating System) Certificate* [RFE/C04] to the Applicant within 5 days after the date of completion of the compliance inspections and testings.
- (d) An RFE(VS) must also submit copies of the duly signed *Fire Safety (Ventilating System) Certificate* [RFE/C04] with all relevant supporting documents including but not limited to site photos of VS equipment, e.g. fire dampers, electrostatic precipitators, etc. that are installed inside a ceiling void, to FSD within 5 days after the date of completion of the compliance inspections and testings.
- (e) Upon receipt of the *Fire Safety (Ventilating System) Certificate* [RFE/C04] from an RFE(VS), FSD may conduct audit checks in accordance with paragraph 5.8.

5.8 Audit Checks

- (a) FSD may conduct audit checks for any FSC issued by an RFE(FSI)/RFE(VS) on-site, with or without the presence of the RFE(FSI)/RFE(VS).
- (b) For the purpose of audit checks, FSD may during reasonable hours, or at any other time with the consent of the occupier of the scheduled premises, conduct a site inspection to verify compliance with the requirements set out in the endorsed FSR relating to FSI/VS installed at the scheduled premises.
- (c) If FSD decides to conduct audit checks with an RFE(FSI)/RFE(VS), FSD will inform the RFE(FSI)/RFE(VS). Upon request from FSD, he/she must assist to facilitate the audit checks by means of, including but not limited to, the following:
 - (i) inform the Applicant of the audit checks;
 - (ii) liaise with the property management office of the scheduled premises;

- (iii) confirm the attendance of the relevant contractors;
 - (iv) arrange sufficient manpower with the necessary equipment and tools; and
 - (v) provide any documents or information as required.
- (d) An RFE(FSI)/RFE(VS) must carry with him/her a valid registration card in electronic or hard copy form throughout the time he/she is present at the premises where the audit checks are being carried out.
- (e) FSD will inform the relevant licensing authority of the results of the audit checks. If non-compliance with the requirements set out in the endorsed FSR is identified, FSD may:
- (i) subject to the extent of discrepancy, take appropriate fire hazard abatement actions against the Applicant or other responsible persons in accordance with the Fire Services (Fire Hazard Abatement) Regulation (Cap. 95F). The Applicant or other responsible persons will be given reasonable time to rectify the discrepancy;
 - (ii) investigate against the RFE, for any contravention of the prohibitions, including but not limited to those stipulated in paragraph 5.1 regarding the issuance of FSC under the aforementioned conditions. If evidence of any disciplinary offences is noticed, a complaint will be lodged against the RFE, and a disciplinary board will be formed and disciplinary action may be undertaken;
 - (iii) upon expiry of the given time mentioned in (i), FSD will conduct a follow-up check. If the discrepancy is found rectified, FSD will record the result of the inspections and testings, and will inform the Applicant, the relevant licensing authority and the RFE accordingly. If the discrepancy is found not rectified, FSD will inform the Applicant and the RFE, and take necessary follow-up actions. Flowcharts showing the procedures of relevant audit checks by FSD are attached at **Appendices XI** and **XII**; and
 - (iv) in case of serious discrepancy, FSD may recommend the licensing authority to revoke the licence or take any other appropriate actions for the specified application.

PART 6 SAFETY MEASURES AND RECORDS

6.1 Safety Measures

- (a) Due care must be taken in conducting inspections and testings;
- (b) In general, attention must be paid when conducting inspections and testings at height, particularly regarding FSI/VS and accessing through inspection panels on ceiling finishes/fire rated enclosures, if required; and
- (c) An RFE must take every possible step to safeguard the safety of himself/herself, persons under his/her supervision, occupants of the scheduled premises and any other persons present on site, as well as adjacent facilities during the inspections and testings of FSI and/or VS.

6.2 Records

An RFE must take necessary precautions, including but not limited to the following, to guard against falsification of records:

- (a) requesting the Applicant to provide authentic copies of the required documents for checking during inspections and testings; and
- (b) ensuring that initials or company seal is present on documents which have been amended.

PART 7 CONDUCT, DISCIPLINE AND ETHICAL REQUIREMENTS

7.1 General

This Part sets out the rules of conduct, discipline and ethical requirements for observance by RFEs, thereby providing a framework for upholding the professional integrity, ensuring public safety, and maintaining public confidence towards the quality of services provided by RFEs under the RFE Scheme.

7.2 National Security Obligations

According to the Safeguarding National Security Ordinance, if the law of the Hong Kong Special Administrative Region confers any function on a person, the function is to be read as including a duty to safeguard national security.

RFEs are conferred with duties and functions under the FS(RFE)R. They have a duty to safeguard national security and must stay vigilant against acts or activities endangering national security. They must abide by the Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region, the Safeguarding National Security Ordinance and other relevant laws. RFEs must also provide all reasonable facilitation, support, backing and protection that are necessary for the work on safeguarding national security by relevant authorities.

7.3 Criminal Offences under the FS(RFE)R

RFEs must comply with all the provisions set out in the FS(RFE)R which govern, among others, their professional conduct, registration, discipline and responsibilities. Criminal offences are set out in the FS(RFE)R and offenders are liable to a fine and/or imprisonment. A list of criminal offences under the FS(RFE)R is provided in **Appendix XIII**.

7.4 Reporting of Criminal Investigations and Proceedings

RFEs are required to report to FSD when they are charged with any criminal offences listed under the “List of offences kept in police conviction records” which can be found on the homepage of Hong Kong Police Force (<https://www.police.gov.hk/>) within 14 days after the date of the laying of charge(s) by using a *Report of Criminal Investigation/Proceedings* [RFE/G05]. They are also required to report to FSD when they are subsequently convicted or acquitted of the same charge(s) within 14 days after the date of conviction or acquittal using the same form. In addition, they are required to notify the Applicant within the same time frame who appointed them for the ongoing specified

applications of such criminal charge and the result of the criminal proceedings. Failure in making such report or notification, without reasonable excuse, may constitute a disciplinary offence. During the application for renewal of registration, RFEs are required to declare convictions of any of the criminal offences as mentioned above in the *Application Form for Renewal of Registration* [RFE/G06]. They must ensure that all declarations and information provided to FSD are correct, complete and accurate. Any false or misleading statement or declaration may constitute a criminal offence and/or disciplinary offence.

7.5 Disciplinary Offences

Disciplinary offences are stipulated in Section 37 of the FS(RFE)R. An RFE commits a disciplinary offence if he/she—

- (a) commits misconduct or neglect as an RFE in any professional respect;
- (b) contravenes any condition of the registration imposed or amended under Sections 9(5) or 11(7) of the FS(RFE)R;
- (c) has issued an FSC for compliance with the requirements set out in the endorsed FSR of any scheduled premises deviating from the FSR endorsed by FSD;
- (d) has failed to discharge the duties, or abide by the requirements, imposed on an RFE under the FS(RFE)R;
- (e) has held himself/herself out to be an RFE for a class for which he/she is not registered;
- (f) has been convicted of an offence under the FS(RFE)R; or
- (g) has been convicted in Hong Kong or elsewhere of any other offence that may bring the profession of RFEs into disrepute.

Convictions of criminal offences listed under the “List of offences kept in police conviction records” may be deemed as bringing the profession of RFEs into disrepute. Such convictions may constitute a disciplinary offence under item (g) above.

7.6 Complaints of Disciplinary Offences

A complaint of a disciplinary offence against an RFE must be made by using the *Report of Complaint of Disciplinary Offence* [RFE/G07]. Such a complaint must include details of the complaint; and the name, correspondence address and telephone number of the complainant. Each complaint must be made by the complainant and dealt with by FSD in the manner specified in Part 6 of the FS(RFE)R.

7.7 Criminal and Disciplinary Investigations

A criminal and/or disciplinary investigation may be initiated by FSD against an RFE if he/she is suspected of:

- (a) having committed, or committing, an offence under the FS(RFE)R; and/or
- (b) having committed, or committing, a disciplinary offence under Section 37 of the FS(RFE)R.

An RFE, who is under investigation or invited to assist in the investigation, must cooperate with FSD and provide all reasonable facilitation to such investigation.

For criminal investigation, if prima facie evidence suggests that the RFE has committed a criminal offence under the FS(RFE)R, prosecution will be instituted against the RFE. Should an RFE be convicted of a criminal offence under the FS(RFE)R, it would constitute a disciplinary offence under Section 37(f) of the FS(RFE)R.

For disciplinary investigation, a disciplinary board may be appointed to handle the case and disciplinary action will be taken against an RFE for any commission of disciplinary offence. The disciplinary procedures are set out in Part 6 of the FS(RFE)R.

7.8 Disciplinary Actions

If it is proved to the satisfaction of the disciplinary board that an RFE has committed a disciplinary offence, the disciplinary board may make one or more of the following orders:

- (a) an order that the RFE be reprimanded;
- (b) an order that the name of the RFE be removed from the register—
 - (i) permanently; or
 - (ii) temporarily for a period the board considers appropriate.

For an RFE whose name has been removed from the register, whether permanently or temporarily, the RFE is required to notify the Applicant who appointed him/her for an ongoing specified application within 14 days after the date of such removal. In the case of a temporary removal, while he/she cannot carry out the duties of RFE under sections 27 to 29 of FS(RFE)R, he/she is still required to carry out the duties under sections 30 and 31 of FS(RFE)R and comply with the requirements of this Code and other relevant publications (as the case may be) during the period of temporary removal.

7.9 Appeals

A person who is aggrieved by a decision made by the Director or an order made by a disciplinary board may lodge an appeal in accordance with Part 7 of the FS(RFE)R by giving the Director a notice of appeal using the *Notice of Appeal* [RFE/G08]. Appeals may be made against conduct and disciplinary matters, say the Director's decision to remove the name of an RFE from the register or the order made by a disciplinary board. The notice of appeal must be submitted to the Director

within a 30-day period beginning on the date immediately following the date on which the person was notified of the original decision or original order (as appropriate) appealed against; or a longer period the Secretary for Security allows.

Such notice of appeal must:

- (a) set out the grounds of appeal and the facts relied on;
- (b) be accompanied by a copy of every document that the person intends to rely on; and
- (c) include particulars of every witness whom the person intends to call at the hearing.

Each appeal will be handled according to the same Part of the FS(RFE)R and an appeal board may be appointed to handle and determine the appeal.

7.10 Ethical Requirements

RFEs are expected to uphold high standards of professionalism, integrity, and ethical conduct. They also have different responsibilities towards various aspects/parties which are listed below for reference:

7.10.1 To the Profession

An RFE must maintain his/her conduct so as to uphold the dignity, standing and reputation of the profession. He/she must, among others:

- (a) discharge his/her professional responsibilities with integrity, dignity and courtesy;
- (b) give opinions in his/her professional capacity that are, to the best of his/her ability, objective, reliable and honest;
- (c) accept responsibility for his/her actions in discharging the duties of an RFE;
- (d) ensure proper supervision to do so of the persons with whom he/she carries out any inspection, assessment and/or testing at the place where such inspection, assessment and/or testing is conducted; and
- (e) not undertake any responsibilities out of the scope of duties of the class for which he/she is registered.

7.10.2 To the Public

An RFE, in discharging duties to his/her employer or client, must at all times be governed by the overriding interest of the general public, in particular their safety. He/she must, among others:

- (a) when making a public statement professionally, ensure that both his/her qualification

to make the statement and his/her association with any benefiting party are made known to the recipients of the statement; and

- (b) seek to assess the environmental consequences of work for which he/she is responsible and to influence events so as to prevent or minimize damage to the environment, and where practicable to improve it.

7.10.3 To Employers or Clients

An RFE must be responsible to his/her employer or client with integrity and in accordance with the highest standards of business ethics. He/she must, among others:

- (a) avoid engaging in business, investments or activities which conflict with the interests of his/her employer/client or act in accordance with this Code;
- (b) where possible advise those concerned of the expected consequences should the proposed engineering judgement, in areas of his/her responsibility, be overruled by his/her employer or client;
- (c) not offer, solicit or accept any advantages as defined in the Prevention of Bribery Ordinance (Cap. 201) when conducting business in connection with his/her duties; and
- (d) safeguard confidential information in relation to his/her employer or client and not disclose such information to third parties without the consent of his/her employer or client.

7.10.4 To Business Counterparts

An RFE must not maliciously or recklessly injure nor attempt to injure, whether directly or indirectly, the professional reputation of his/her business counterparts, e.g. contractors, other RFEs, etc., and must foster mutual advancement of the profession. He/she must, among others:

- (a) seek, accept and offer, where appropriate, honest criticism of work and properly credit the contributions of others;
- (b) seek to share/exchange information and experience with other contractors and RFEs;
- (c) not abuse his/her connection with FSD or other authorities to further his/her business interests; and
- (d) not maliciously or falsely injure the professional reputation, prospects or practice of another RFE provided however that he/she must bring to the notice of FSD any evidence of unethical, illegal or unfair professional practice.

7.11 Handling Conflict of Interests

In order to discharge the duties with the highest level of probity and professionalism, it is the

obligation of RFEs upon every appointment by his/her employer or client, among others:

- (a) conduct a thorough self-assessment to identify any actual or potential conflicts of interest with the parties involved in the relevant licensing processes, such as the Applicant, RFSIC and RSC(V)/VS contractor;
- (b) refrain from undertaking any duties where an actual conflict of interest exists. Relevant scenarios concerning actual conflicts of interest are further elaborated in Para. 7.11.1;
- (c) disclose any actual/potential conflicts of interest to FSD. Relevant potential conflicts of interest scenarios are further elaborated in Para. 7.11.2;
- (d) continuously monitor and reassess any conflicts of interest throughout his/her engagement in the relevant specified application. Should a conflict of interest arise at any stage, the RFE must immediately refrain from continuing his/her duties and disclose it to FSD ; and
- (e) in case of doubt, where a conflict of interest situation arises but is not expressly defined in this Code, the RFE must also report the situation to FSD which will assess the circumstances and decide whether the RFE should refrain from duties or may continue his/her duties.

7.11.1 Prohibition from Carrying out Duties – Actual Conflict of Interests

RFEs must not carry out any duties under the FS(RFE)R in circumstances where a conflict of interest is direct and significant. Under this principle, an RFE must not carry out duties under Sections 27, 28 or 29 of the FS(RFE)R in the following circumstances when he/she:

- (a) is the RFSIC or RSC(V)/VS contractor responsible for installing the FSI/VS in or for the premises under the same specified application;
- (b) is a proprietor, shareholder, director, partner or an employee of the RFSIC responsible for installing the FSI in or for the premises under the same specified application;
- (c) is a proprietor, shareholder, director, partner or an employee of the RSC(V)/VS contractor involved in installing the VS in or for the premises under the same specified application;
- (d) has any direct or indirect financial interest, such as investments, shares, ownership in family-run businesses, or partnerships or other business relationships, etc. in relation to the RFSIC and RSC(V)/VS contractor responsible for installing the FSI/VS in or for the premises under the same specified application.

7.11.2 Declaration – Conflict of Interests

RFEs are required to exercise sound professional judgment in identifying circumstances that may give rise to a conflict of interest. Apart from prohibition from carrying out duties as mentioned above, a declaration must be made by RFEs to inform FSD as to whether the following potential

conflicts of interests in connection with the specified application exist before he/she undertakes the work:

- (a) he/she, being the RFE(FSI) and/or RFE(VS), is also the RFE(RA), and vice versa, in the same specified application;
- (b) he/she, being the RFE(FSI) and/or RFE(VS), is employed by the same employer of the RFE(RA), and vice versa, working for the same specified application;
- (c) he/she is the Applicant for the premises under the same specified application;
- (d) he/she has any relationship with the Applicant, including but not limited to direct relative¹, family ties, business associations, being employed by the same employer or other connections such as personal relationships, etc.;
- (e) he/she has any investments, shares, ownership or other business relationship with the premises/business of the same specified application; or
- (f) he/she has previously been employed by FSD.

7.11.3 Declaration Procedures

The declaration must be made using the *Declaration against Conflict of Interest* [RFE/G03] within 5 days after the date on which he/she has been appointed by the Applicant. Failure in making such declaration will render the RFE liable to a disciplinary offence. RFEs who knowingly and wilfully make a false statement in the declaration may be liable to a criminal offence.

¹“Direct relative” means –

- (a) he/she is the Applicant’s spouse;
- (b) he/she is the Applicant’s brother or sister, or the spouse of the Applicant’s brother or sister;
- (c) he/she is a brother or sister of the Applicant’s spouse, or the spouse of a brother or sister of the Applicant’s spouse;
- (d) he/she is a child of the Applicant, a child of the Applicant’s spouse, the spouse of a child of the Applicant, or the spouse of a child of the Applicant’s spouse;
- (e) he/she is a child of the Applicant’s brother or sister; or
- (f) he/she is a child of a brother or sister of the Applicant’s spouse.

PART 8 REGISTRATION-RELATED MATTERS

8.1 Renewal of Registration

The registration of RFEs shall be valid for 5 years. The procedures and arrangements concerning applications for renewal of registration are set out in Part 3 of the FS(RFE)R.

An application for renewal must be accompanied by the prescribed fee; and made not more than 4 months but not less than 1 month before the existing registration expires. RFEs must take note that in case the application is made less than 1 month before the expiry date, the Director may process the application if the Director considers there is a good reason for doing so; and the existing registration ceases to have effect on the day of expiry even though the Director is still considering the application.

As a general requirement for renewal, RFEs must complete a minimum of 60 hours of Continued Professional Development (CPD) in relation to fire engineering aspects within 5 years immediately prior to their applications for renewal. They must submit relevant supporting documents along with their applications for renewal.

8.2 Issue of Registration Cards

A registration card is to be issued to an RFE upon successful registration or renewal in electronic form. If an RFE wishes to receive a hard copy of the registration card, he/she must submit an application to the Director in writing. The Director will issue the hard copy registration card only if the RFE provides sufficient grounds that satisfy the Director for such issue.

Appendix I - Statutory Provisions

In discharge of the duties specified in the FS(RFE)R in connection with the specified application for the scheduled premises, RFEs must pay particular attention to the following regulations.

Licensing authority: **FEHD**

Regulations	Scheduled Premises	General Descriptions
Food Business Regulation (Cap. 132X)	General Restaurant	Food business which permits the licensee to prepare and sell any kind of food for consumption on the premises.
	Light Refreshment Restaurant	Food business which allows the licensee to prepare food by using simple cooking methods like boiling, stewing, steaming, braising, simple frying (excluding deep frying and stir frying) which do not generate large amounts of greasy fumes during the food preparation process for consumption on the premises.
	Factory Canteen	Food business in a factory building which involves the sale or supply of meals or unbottled non-alcoholic drinks other than Chinese herb tea for consumption on the premises by persons employed in any factory in that factory building.
	Food Factory	Food business which involves the preparation of food for sale for human consumption off the premises.
	Bakery	Food business which involves the baking of bread and other bakery products for sale at any premises in the territory.
	Composite Food Shop	Food business which covers the sale and/or preparation for sale of various specified types of food, the reheating of pre-cooked food for sale and the sale of food by a vending machine for human consumption off the premises.

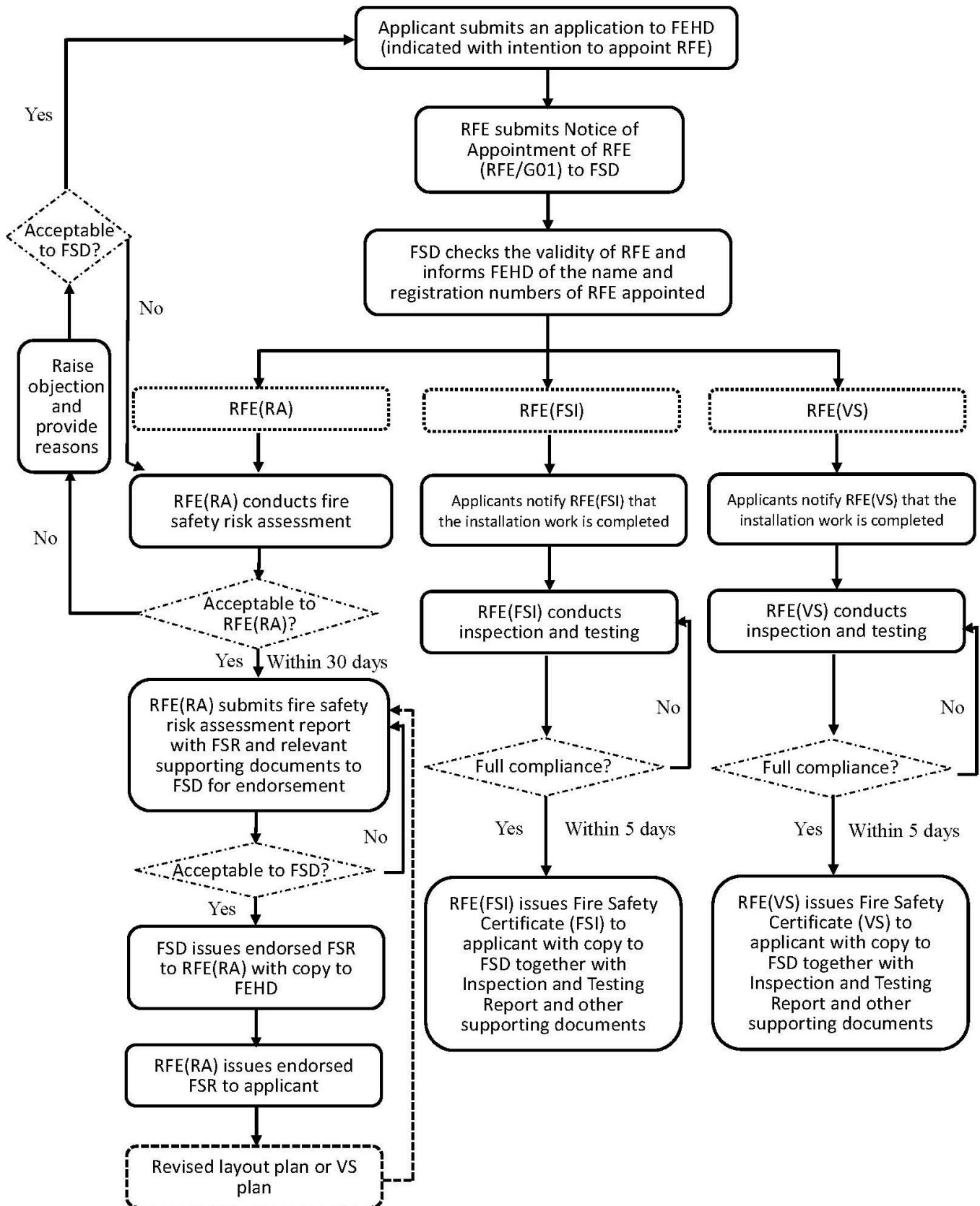
Ventilation of Scheduled Premises Regulation (Cap.132CE)	General Restaurant, Light Refreshment Restaurant, Factory Canteen	Statutory requirement for any VS in buildings which are scheduled premises for the purposes of the Public Health and Municipal Services Ordinance (Cap. 132).
Building (Ventilating Systems) Regulations (Cap. 123J)	Bakery, Food Factory, Composite Food Shop	<p>Statutory requirement for every VS that embodies the use of ducting or trunking, which passes through any wall, floor or ceiling of the building in which VS is installed, from one compartment of such building to another.</p> <p>These Regulations shall not apply to any VS in buildings which are scheduled premises for the purposes of the Public Health and Municipal Services Ordinance (Cap. 132).</p>

Appendix II - Normative References

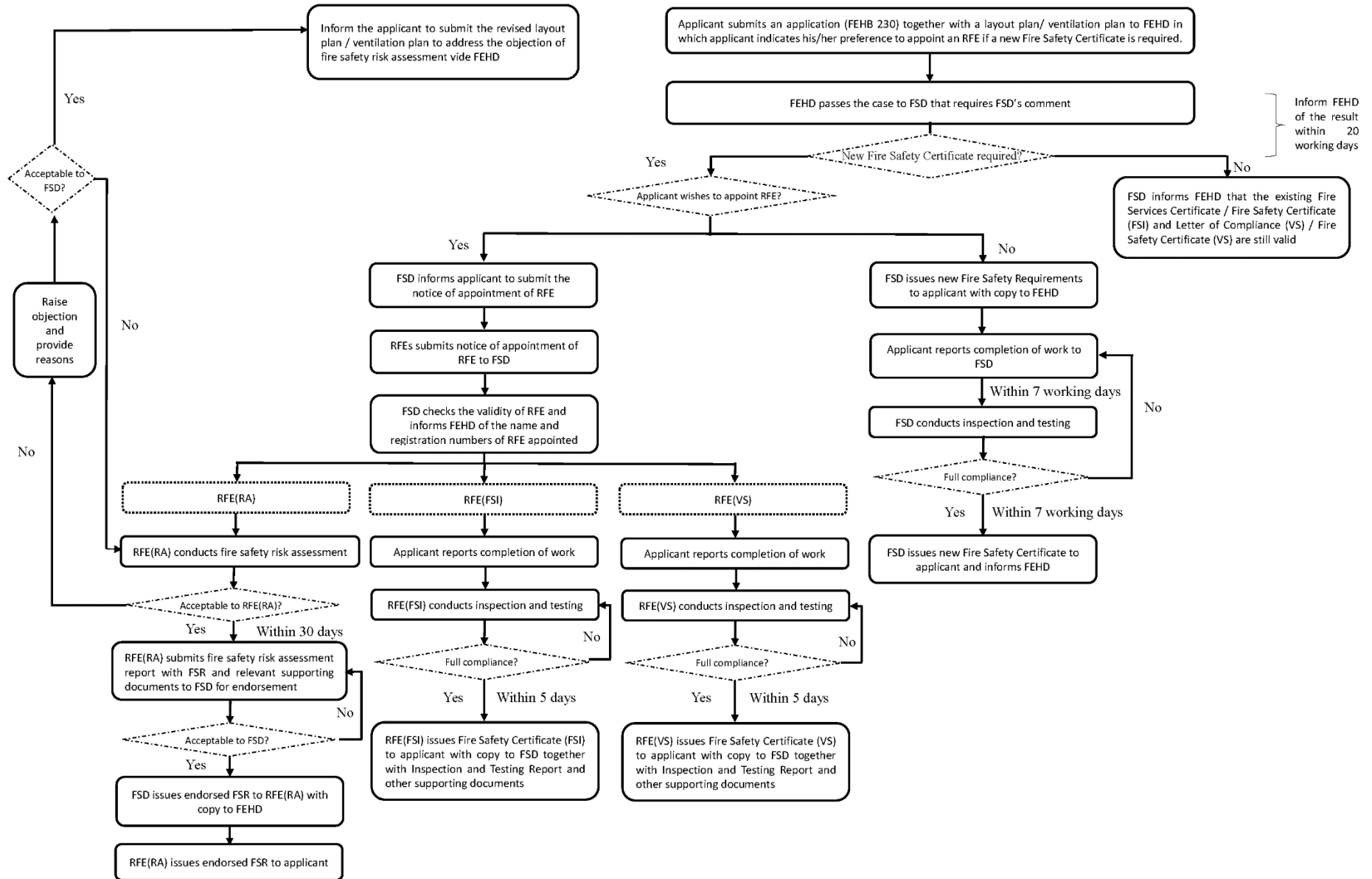
This Code should be read in conjunction with relevant publications issued by respective authorities. A list of publications, which is not exhaustive, is listed below for reference.

Authorities	Publications
BD	1. Code of Practice for Fire Safety in Buildings 2011
FEHD	1. A Guide to Application for Restaurant Licence 2. A Guide to Application for Factory Canteen Licence 3. A Guide to Application for Food Factory Licence 4. A Guide to Application for Bakery Licence 5. A Guide to Application for Composite Food Shop Licence
FSD	1. FSD Circular Letters 2. Codes of Practice for Minimum Fire Service Installations and Equipment and Inspection, Testing and Maintenance of Installations and Equipment

Appendix III - Flowchart of Application Procedures for Granting or Issuance of Licence under FEHD with Appointment of RFE (Food Business)



Appendix IV - Flowchart of Application Procedures for Alteration of Scheduled Premises under FEHD with Appointment of RFE (Food Business)



Appendix V - Specified Forms

Pursuant to Section 90 of FS(RFE)R, the following specified forms which can be found on FSD's website must be completed in accordance with the directions and instructions that are specified in the forms.

Category	Specified Form	Subject
General	RFE/G01	Notice of Appointment of Registered Fire Engineer
	RFE/G02	Notice of Cessation of Appointment of Registered Fire Engineer
	RFE/G03	Declaration against Conflict of Interest
	RFE/G04	Report of Change in Personal Particulars
	RFE/G05	Report of Criminal Conviction Record
	RFE/G06	Application Form for Renewal of Registration
	RFE/G07	Report of Complaint of Disciplinary Offence
	RFE/G08	Notice of Appeal
Fire Safety Risk Assessment	RFE/R01	Fire Safety Risk Assessment Report (Food Business)
Fire Safety Certification	RFE/C01	Inspection and Testing (Fire Service Installation) Report
	RFE/C02	Inspection and Testing (Ventilating System) Report
	RFE/C03	Fire Safety (Fire Service Installation) Certificate
	RFE/C04	Fire Safety (Ventilating System) Certificate

Appendix VI - Documents to be Kept by RFEs

According to Section 30 of the FS(RFE)R, all issued FSR and/or FSC must be kept by relevant RFEs for a 3-year period beginning on the date of the issue. In addition, all the relevant plans, checklists, reports, records and other documentary records/proofs in relation to the specified applications for the purpose of issuing FSR and/or FSC are also required to be kept by relevant RFEs for a 3-year period beginning on the date of issue of such FSR and/or FSC. If, for any reason, the FSR and/or FSC has not been issued by the RFE after his/her appointment for a specified application, he/she is still required to keep all relevant documents related to the specified application for the purpose of issuing the FSR and/or FSC for a 3-year period beginning on the date of his/her appointment for the specified application. The list of documents includes but is not limited to the following:

Plans

1. Layout Plans and Revised Layout Plans for Addition and Alteration
2. Ventilating System Plans and their subsequent revisions
3. Fire Service Installation Plans (FSI/314A, FSI/314B, FSI/314C or FSI/314D)
4. Evacuation route plans/exit plans

Reports

1. Fire Safety Risk Assessment Reports (RFE/R01)
2. Fire engineering reports
3. Inspection and Testing (Fire Service Installation) Reports (RFE/C01)
4. Inspection and Testing (Ventilating System) Reports (RFE/C02)

Records and Other Documents

1. Notice of Appointment of Registered Fire Engineer (RFE/G01)
2. Notice of Cessation of Appointment of Registered Fire Engineer (RFE/G02)
3. Previous Annual Inspection Certificates for Ventilating Systems, if applicable
4. Certificates or supporting documents for VS in respect of fire dampers, fire and smoke damper, electrostatic precipitators, fusible links, etc.
5. Certificates of Fire Service Installation and Equipment (FS251) for relevant FSI
6. Reply letters and Certificates from Director of Fire Services (FS172, NP/317, FS161, etc.)
7. Work Completion Certificates (WR1) and/or Periodic Test Certificates (WR2)
8. Certificates for gas installations
9. Certificates for flame retardant products
10. Certificates from the suppliers of the VS
11. Occupation Permits of Building
12. Invoices, delivery notes and test reports of PU Foam items
13. Fire Service Completion Advice from Water Authority
14. Undertaking letters
15. Declaration letters
16. Photos showing the details of the scheduled premises with general layout, FSI, VS, etc.

Appendix VII - Documents to be Submitted by RFEs

The documents submitted by relevant RFEs for licensing purposes refer to documentary records and proofs related to specified applications for the issue of FSR and/or FSC, as appropriate, including but not limited to the following:

For Fire Safety Requirements

1. Fire Safety Risk Assessment Reports (RFE/R01)
2. Fire engineering reports
3. Layout plans and their subsequent revisions

For Fire Safety (Fire Service Installation) Certificate

1. Inspection and Testing (Fire Service Installation) Reports (RFE/C01)
2. Fire engineering reports
3. Layout plans and their subsequent revisions
4. Building plans and Occupation Permits of the building
5. Fire Service Installation Plans (FSI/314A, FSI/314B, FSI/314C or FSI/314D)
6. Reply letters and certificates from the Director (FS172, NP/317, FS161, etc.)
7. Evacuation route plans/exit plans
8. Invoices, delivery notes and test reports of PU foam items
9. Certificates of Fire Service Installation and Equipment (FS251) for relevant FSI
10. Undertaking letters
11. Declaration letters
12. Certificates for gas installations
13. Certificates for flame retardant products
14. Work Completion Certificates (WR1) and/or Periodic Test Certificates (WR2)
15. Photos showing the details of the scheduled premises with general layout, FSI

For Fire Safety (Ventilating System) Certificate

1. Inspection and Testing (Ventilating System) Reports (RFE/C02)
2. Latest as-fitted VS plan accepted by FEHD
3. Certificates or supporting documents for VS in respect of fire dampers, fire and smoke dampers, electrostatic precipitators, fusible links, etc
4. Photos showing the inspection details of the VS

Appendix VIII - Location Restrictions of Scheduled Premises

- (a) The food premises shall not be located in any small house used for mixed occupancy without proper separation.
- (b) Bakery and food factory (for manufacture only), must not be located:
 - (i) in area designed for emergency use, such as buffer floor, refuge floor, etc.; or
 - (ii) in area designed for other uses, such as car parks.
- (c) Bakery, composite food shop and food factory (for manufacture and sale), must not be located:
 - (i) in area designed for emergency use, such as buffer floor, refuge floor, etc.;
 - (ii) in area designed for other uses, such as car parks; or
 - (iii) (in case of industrial buildings) in any area other than the ground floor only as admission of members of public to such buildings may expose them to dangers which they are not aware of, nor prepared to face. The area of the premises must not exceed 230 m².
- (d) General (fast food) restaurant must not be located:
 - (i) in any buildings/structures which are of sub-standard construction;
 - (ii) on level 4 of basement or below;
 - (iii) on any floor below ground level, if LPG is to be used;
 - (iv) in area designed for other uses, such as car parks; or
 - (v) (in case of industrial buildings) in any area other than the ground floor only as admission of members of public to such buildings may expose them to dangers which they are not aware of, nor prepared to face. The area of the premises must not exceed 230 m².
- (e) Factory canteen (with low fire potential) must not be located:
 - (i) in any buildings/structures which are of sub-standard construction;
 - (ii) on level 4 of basement or below;
 - (iii) on any floor below ground level, if LPG is to be used;
 - (iv) in area designed for emergency use, such as buffer floor, refuge floor, etc.; or
 - (v) in area designed for other uses, such as car parks.
- (f) Light refreshment restaurant (with low fire potential) must not be located:
 - (i) in any buildings/structures which are of sub-standard construction;
 - (ii) on level 4 of basement or below;
 - (iii) on any floor below ground level, if LPG is to be used;
 - (iv) in area designed for emergency use, such as buffer floor, refuge floor, etc.;
 - (v) in area designed for other uses, such as car parks; or
 - (vi) in any industrial buildings.

- (g) Light refreshment restaurant (with high fire potential) must not be located:
- (i) in any buildings/structures which are of sub-standard construction;
 - (ii) on level 4 of basement or below;
 - (iii) on any floor below ground level, if LPG is to be used;
 - (iv) in area designed for emergency use, such as buffer floor, refuge floor, etc.;
 - (v) in area designed for other uses, such as car parks;
 - (vi) vertically below or immediately above to pose a fire hazard to a registered school/child care centre; or
 - (vii) in any industrial buildings.
- (h) Barbecue/hot pot restaurants with low fire potential must not be located:
- (i) in any buildings/structures which are of sub-standard construction;
 - (ii) on level 4 of basement or below;
 - (iii) on any floor below ground level, if LPG is to be used;
 - (iv) in areas designed for emergency use, such as the buffer floor, refuge floor etc.;
 - (v) in areas designed for other use, such as car parks; or
 - (vi) in any industrial buildings.
- (i) General restaurant (with low fire potential) must not be located:
- (i) in any buildings/structures which are of sub-standard construction;
 - (ii) on level 4 of basement or below;
 - (iii) on any floor below ground level, if LPG is to be used;
 - (iv) in area designed for emergency use, such as buffer floor, refuge floor, etc.;
 - (v) in area designed for other uses, such as car parks; or
 - (vi) in any industrial buildings.
- (j) Factory canteen, general restaurant and (barbecue/hot pot) restaurant (with high fire potential) must not be located:
- (i) in any buildings/structures which are of sub-standard construction;
 - (ii) on level 4 of basement or below;
 - (iii) on any floor below ground level, if LPG is to be used;
 - (iv) in area designed for emergency use, such as buffer floor, refuge floor, etc.;
 - (v) in area designed for other uses, such as car parks;
 - (vi) vertically below or immediately above to pose a fire hazard to a registered school/child care centre; or
 - (vii) in any industrial buildings, unless the premises are intended for use as factory canteen with high fire potential.

Appendix IX - Lists of Prescribed and Additional Fire Safety Requirements

Prescriptive Fire Safety Requirements for Food Premises

<u>Code of Requirements</u>	<u>Types of Licences/Contents</u>
PPA/101(A)	Food Businesses in Small Houses
PPA/101(B)	Bakeries and Food Factories for Manufacture Only
PPA/101(C)	Bakeries, Composite Food Shops and Food Factories for Manufacture and Sale On Premises
PPA/101(D)	General (Fast Food) Restaurants
PPA/101(E)	Factory Canteens with Low Fire Potential
PPA/101(F)	Light Refreshment Restaurants with Low Fire Potential
PPA/101(G)	Light Refreshment Restaurants with High Fire Potential
PPA/101(H)	Barbecue/Hot Pot Restaurants with Low Fire Potential
PPA/101(I)	General Restaurants with Low Fire Potential
PPA/101(J)	Factory Canteens with High Fire Potential; Barbecue/Hot Pot Restaurants with High Fire Potential; and General Restaurants with High Fire Potential
PPA/102	Various Fuels Used in Food Premises
PPA/104(A)	Self-contained Luminaries Emergency Lighting Systems
CS/101	Fire Safety Requirements for Cold Store under Food Business Regulation (Cap.132X)
Ventilation/Air-conditioning Control systems (VAC)	Fire safety requirements for ventilation/air-conditioning control systems for licensed premises
Ventilating System for Premises	Fire Safety Requirements for Ventilating System for #Scheduled Premises of Cap. 132
	Fire Safety Requirements for Ventilating System for Premises (other than #Scheduled Premises of Cap. 132)
FSD Circular Letter No. 2/2023	Mechanical Ventilating Systems

"Scheduled Premises of Cap. 132" means any premises of any of the classes of premises specified in the first column of the Second Schedule to the Public Health and Municipal Services Ordinance (Cap.132).

Additional Fire Safety Requirements for Food Premises

<u>Additional Requirements</u>	<u>Contents</u>
PPA/117	Additional Fire Safety Requirements for Various Fuels Used in Seating Accommodation of Food Premises Serving Barbecue Food and/or Hot Pot
CAOK	Additional Fire Safety Requirements for Cooking Activity outside Kitchen
CACOK	Additional Fire Safety Requirements for Cooking Activities Using Charcoal as Fuel Outside Kitchen
CACIK	Additional Fire Safety Requirements for Using Charcoal as Fuel Inside Kitchen
Food Room	Additional Fire Safety Requirements for Food Room
Teppanyaki	Additional Fire Safety Requirements for Teppanyaki

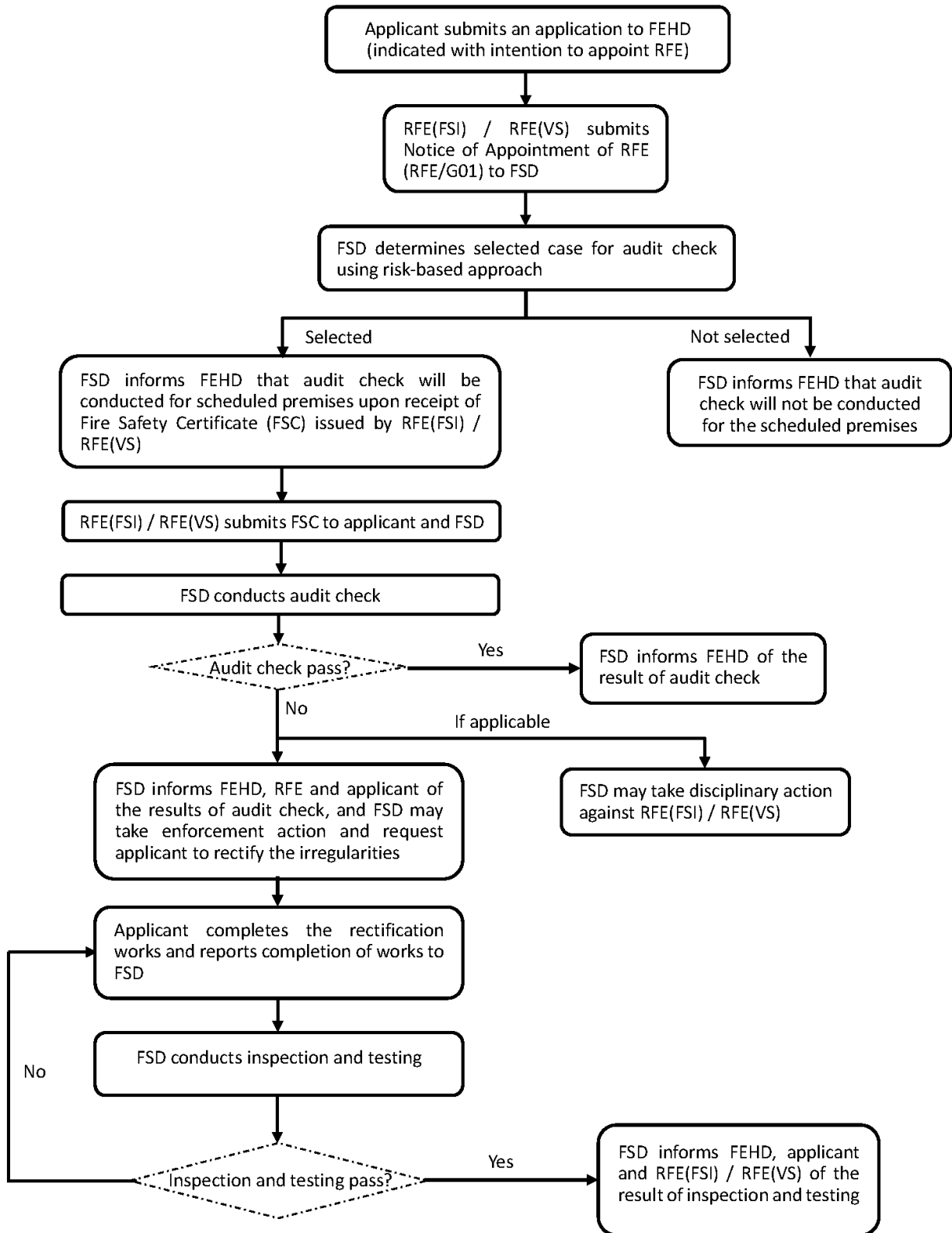
Fire Safety Conditions	Fire Safety Conditions for Conducting Temporary or Occasional Hot Pot/Food Warming/Flambéing in Seating Accommodation (Excluding outside Seating Accommodation) of General Restaurants/Factory Canteens Using Portable Stoves
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Appendix X - A Guide to Fire Safety Requirements for Different Types of Food Businesses

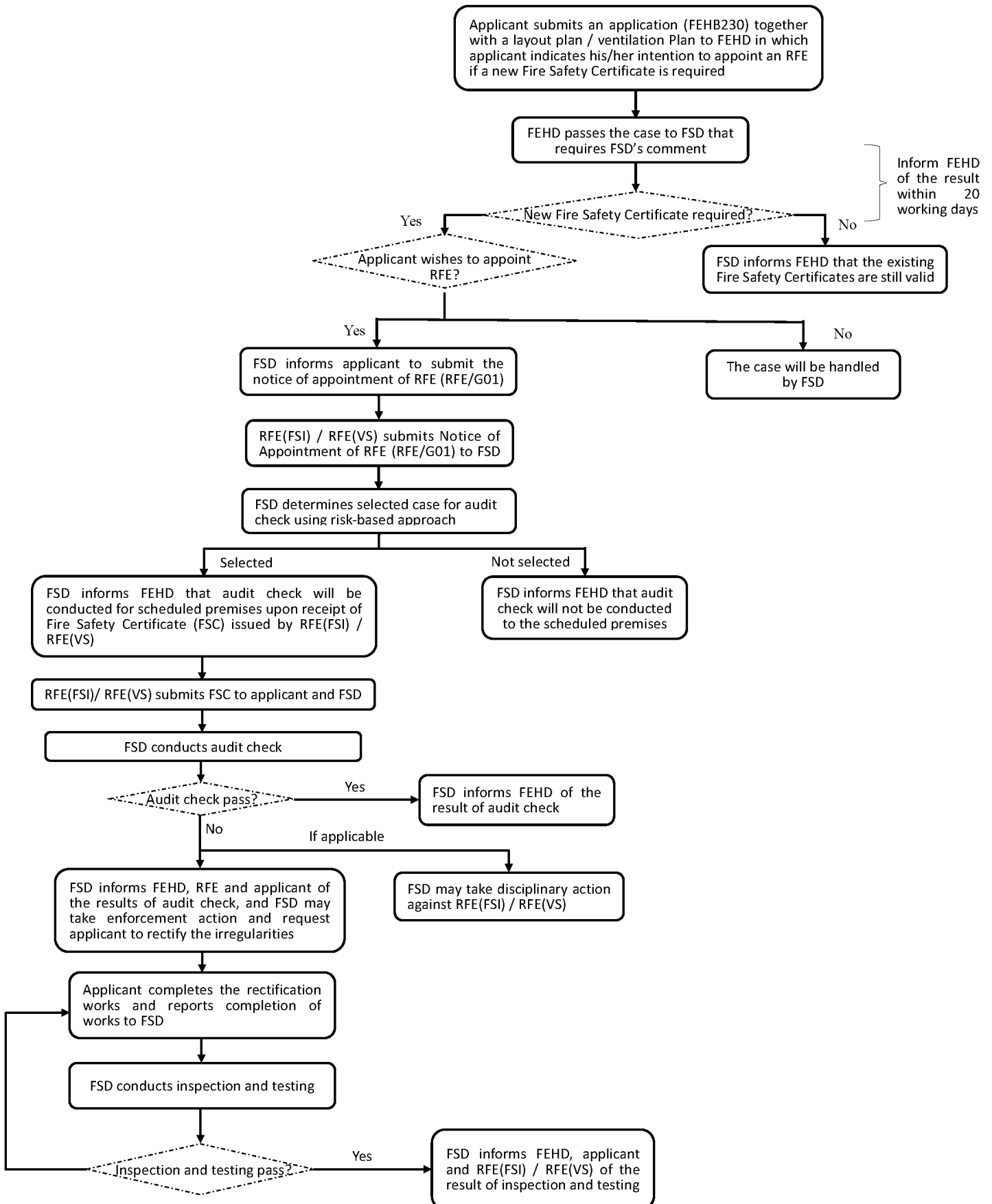
Code of Requirements		Types of Licences & Categories												
		General Restaurants					Light Refreshment Restaurants			Factory Canteens		Bakeries/Food Factories/ * Composite Food Shops		
		LFP	Barbecue/ Hot Pot (LFP)	HFP	Barbecue/ Hot Pot (HFP)	Fast Food	Small House	LFP	HFP	Small House	LFP	HFP	Manufacture Only	Manufacture and Sale On Premises
PPA/101	(A)						✓			✓				
	(B)												✓	
	(C)													✓
	(D)					✓								
	(E)									✓				
	(F)							✓						
	(G)								✓					
	(H)		✓											
	(I)	✓												
	(J)				✓	✓							✓	
PPA/102		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
PPA/104(A)		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
PPA/117			✓		✓									
CS/101 (if applicable)		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
CAOK (if applicable)		✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓
CACOK (if applicable)		✓	✓	✓	✓		✓	✓	✓	✓	✓			
CACIK (if applicable)		✓	✓	✓	✓		✓				✓	✓		
Teppanyaki (if applicable)		✓	✓	✓	✓		✓	✓	✓					
Food Room Requirements (if applicable)		✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓
Ventilation/Air- conditioning Control systems (VAC)		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Ventilating System for Scheduled/other than Scheduled Premises		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
FSD Circular Letter No. 2/2023		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Fire Safety Conditions		✓	✓	✓	✓	✓					✓	✓		

* Restricted to locations used for manufacture and sale on premises only

Appendix XI - Flowchart Showing the Procedures of Audit Check of Fire Safety Certificates Issued for Application for Grant and Issue of Licence under FEHD (Food Business)



Appendix XII - Flowchart Showing the Procedures of Audit Check of Fire Safety Certificates Issued for Application for Alteration of Scheduled Premises under FEHD (Food Business)



Appendix XIII - Summary of Criminal Offences

Fire Services (Registered Fire Engineers) Regulation			Maximum Penalty	
Sections		Details	Level/Fine	Imprisonment
3	(2)	<p>If a person who is not an RFE/RFE for a certain class</p> <ul style="list-style-type: none"> • wilfully or falsely advertise or represent himself/herself as an RFE (whether or not for any specific class)/RFE for another class for which the person is not registered, or in a misleading title; • knowingly permit himself/herself to be advertised or represented as an RFE (whether or not for any specific class)/RFE for such other class, or in a misleading title; or • wilfully or falsely hold out in any way intended to cause, or that may reasonably cause, another person to believe that the person is an RFE (whether or not for any specific class)/RFE for such other class 	5	1 year
4	(2)	A person issues FSR or FSC but he/she is not an RFE for the relevant class	6	1 year
18	(2)	An RFE without reasonable excuse fails to notify the Director in writing within 14 days after the date on which he/she ceases to hold the qualification by virtue of which the person became a registered fire engineer.	3	-
19	(3)	If a person obtains registration as an RFE for the person or any other person by means of misleading, false or fraudulent representation/statement	5	1 year
26	(2)	An RFE carries out a duty that is not within the scope of duties of the class for which the RFE is registered	6	1 year
30	(4)	An RFE without reasonable excuse fails to keep a copy of every FSR and every FSC (as appropriate) issued by the RFE for 3-year period beginning on the date of the issue	3	6 months
30	(5)	An RFE without reasonable excuse fails to produce a copy of FSR and FSC (as appropriate) issued by the RFE within 5 days after the date of the receipt of the request by an authorized officer	3	-
31	(2)	An RFE without reasonable excuse fails to notify the Director within 14 days of change in personal particulars in the specified form	1	-

32	(4)	An RFE without reasonable excuse fails to carry the registration card when carrying out duty; or without reasonable excuse fails to produce the registration card for inspection when being required by an authorized officer	1	-
35	(2)	An RFE without reasonable excuse issue: <ul style="list-style-type: none"> • an FSR without the Director's endorsement; • a false or misleading FSC; or • an FSC while knowing that the relevant FSR has not been endorsed by the Director 	\$ 200,000	1 year
36	(4)	A person, who is suspected of having committed or is committing an offence or disciplinary offence under the FS(RFE)R and is required by a fire services member to provide his/her name and address and produce his/her identity document, <ul style="list-style-type: none"> • without reasonable excuse, fails to provide his/her name, address and/or produce his/her identity document; or • produces any particulars that the person knows to be false in a material particular in connection with a requirement made by a fire services member 	4	-
44	(2)	A person who, without reasonable excuse, fails to comply with an order of the disciplinary board which requires him/her to attend before the board and to give evidence; or to produce relevant documents or information relevant to the complaint	5	-
57	(2)	A person who, without reasonable excuse, fails to comply with an order of the appeal board which requires him/her to attend before the board and to give evidence; or to produce relevant documents or information relevant to the appeal	5	-