

**First Meeting of the
EEC Subgroup on Business Facilitation**

***Agenda Item 2 : Departmental Business Study on
Fire Services Department***

Purpose

This paper presents the findings, recommendations and implementation progress of a departmental business study in the Fire Services Department (FSD).

Departmental Business Study

2. In July 2003, the Efficiency Unit was commissioned to conduct a departmental business study to enhance the business-friendliness of FSD's operations in the inspection and certification of fire services and ventilation safety provisions in new buildings and licensed premises without compromising the standard of fire safety.

Findings

3. The study revealed that there were many cases of fire service installations (FSI) and ventilation works falling short of the required standard, thus resulting in repeated inspections by FSD and longer time taken prior to the issue of Fire Services Certificates. Measures to help the concerned industry speed up compliance with fire safety requirements and uplift the overall performance and quality of the FSI and ventilation contractors were considered necessary. The study had also identified areas where inspection and certification procedures could be streamlined and communication with the industry and trade could be strengthened.

4. The study included an international benchmarking exercise whereby the fire safety aspects in overseas building regulatory regimes were examined with a view to identifying distinctive trends or key lessons that might be transferred to Hong Kong. It is evident that overseas jurisdictions are moving to a regime in which industry plays a larger role in the certification of FSI and ventilating systems. Industry provides services in reviewing FSI plans, inspection, certification or monitoring and charges are levied on a "cost

recovery basis”. Third party or self-certification no doubt provides speed and efficiency that most businesses have demanded.

Recommendations

5. To address the inadequacies in the current practices and to facilitate the delivery of a more efficient and business-friendly service, improvement measures were proposed in the following areas –

(a) Role and responsibility of FSD on fire safety certification

- Be a regulator and reduce involvement in day-to-day inspection and certification;
- Shift the responsibility of certification to the industry in the long run;
- Introduce third party participation in fire safety certification, as an option, for FSI and ventilating systems of new buildings and licensed premises, but mandatory for alteration and addition works; and
- Transfer the product certification of FSI and equipment for use in construction projects or licensed premises to qualified accredited bodies so that fire safety related materials and products can be certified more speedily.

(b) FSI and Ventilation Contractors

- Strengthen the relevant Building Regulations to require compliance with the technical standards and safety requirements in the Code of Practice for Mechanical Ventilating Systems;
- Impose heavier penalties on registered contractors for sub-standard work;
- Introduce registration renewal and a new demerit point system for registered contractors;
- Take over the responsibility of registration and disciplining of registered specialist contractors (*ventilation works category*) from Buildings Department; and
- Monitor closely the performance of ventilation contractors before a decision is made on compulsory registration.

- (c) Work processes and practices
 - Dispense with the vetting of FSI drawings of new projects other than those with complicated design;
 - Do away “bring-up” inspections for licensed premises;
 - Streamline “initial inspections” for licensed premises;
 - Develop a computer system to facilitate monitoring of registered contractors’ work and disciplining; and
 - Require submission of ventilation drawings at time of certification for the purpose of provisional licensing.
- (d) Working relations with Industry
 - Provide more information (*e.g. criteria and basis for determining the acceptability of an application*) via the Internet;
 - Issue bilingual fire safety requirements for different types of licensed premises;
 - Share information on common defects found in installation work and lessons learned;
 - Provide advisory notes to applicants to facilitate the selection of contractors; and
 - Establish an administrative “Fire Services Requirements Review Panel” to enhance transparency and the equity of the regulatory regime.

Implementation Plan

6. While a number of the recommendations can be implemented fairly quickly, some items which may involve other government departments and require consultation with the trade/industry will take a medium-term implementation timeframe. Recommendations involving legislative changes are grouped under long-term solutions. A table summarizing the recommendations and the estimated implementation timeframe is at *Annex* for reference.

Progress

7. FSD has formed a Working Group headed by a directorate officer to monitor the implementation of the recommendations. Since the completion

of the study early this year, the following recommendations have been implemented :

- ❑ Cease the “bring-up” inspections for licensed premises;
- ❑ Streamline the “initial inspections” for licensed premises; and
- ❑ Issue bilingual fire safety requirements for different types of licensed premises.

8. FSD has started the dialogue with the Food and Environmental Hygiene Department (FEHD) with a view to requiring ventilation contractors to submit ventilation drawings to FEHD when applying for provisional licensing so that subsequent inspection by FSD could be performed more speedily, hence the time taken for business operators to obtain full licence could be shortened. Information on common defects and advisory notes to applicants for the selection of contractors are being prepared and will be uploaded onto FSD website soon.

9. The Working Group has drawn up an implementation programme to closely monitor the progress. Consultation is being made with stakeholders for implementation of recommendations which they have an interest. The progress is at *Annex*.

Discussion

10. Members are invited to give their views on the findings, recommendations and the way forward.

Fire Services Department
Efficiency Unit
April 2004

Estimated Implementation Timeframe

Improvement Areas	Recommendations	Estimated Timeframe*	Progress
1. Role and responsibility of FSD on fire safety certification	Be a regulator, reduce involvement on day-to-day inspection and certification, and shift the responsibility of certification to the industry in the long run	Long-term	Under study
	Adopt a phased approach in the introduction of third party participation in fire safety certification	Long-term	Under Study
	Transfer the product certification of FSI and equipment to qualified accredited bodies	Long-term	Under study
2. FSI and ventilation contractors	Strengthen the relevant Building Regulations to require compliance with the technical standards and safety requirements in the Code of Practice for Ventilating Systems	Long-term	Under study, will discuss with BD
	Impose heavier penalties on sub-standard work	Long-term	Under study, will discuss with BD
	Introduce registration renewal and a new demerit point system for registered contractors	Long-term	Under study
	Transfer the responsibility of registration and disciplining of ventilation contractors from BD to FSD	Long-term	Under study, will discuss with BD
	Monitor closely the performance of ventilation contractors before a decision is made on compulsory registration	Medium-term	Under study
3. Work processes and practices	Dispense with the vetting of FSI drawings for new projects	Medium-term	Consulting the industry
	Do away the "bring up inspections" for licensed premises	Short-term	Implemented
	Streamline the "initial inspections" for licensed premises	Short-term	Implemented
	Develop a computer system to facilitate monitoring of contractors' work and disciplining	Medium-term	Under study
	Require submission of ventilation drawings at time of self certification for the purpose of restaurant provisional licensing	Short-term	Discussion made with FEHD
4. Working relations with the industry	Provide more information via the Internet	Short-term	Will implement soon
	Issue bilingual fire safety requirements	Short-term	Implemented
	Share information on common defects and lessons learned	Short-term	Will implement soon
	Provide advisory notes to applicants for the selection of contractors	Short-term	Will implement soon
	Establish a "Fire Services Requirements Review Panel"	Medium-term	Seeking legal advice

*Short-term (1 - 6 months), Medium-term (6 - 12 months) and Long-term (above 1 year)