



## Architects Registration Board

Hong Kong Special Administrative Region

建築師註冊管理局

香港特別行政區

26 April 2010

Dear Registered Architects,

### Invitation for Nomination of Registered Architects to

- (i) Fire Safety Committee and
- (ii) Advisory Committee for the Fire Safety (Buildings) Ordinance and the Fire Safety (Commercial Premises) Ordinance

Architects Registration Board ("ARB") is invited to nominate 2 fire safety practitioners for the Building Authority ("BA")'s consideration for appointment as members of the Fire Safety Committee for a term of 3 years commencing 1 June 2010.

#### Background

Fire engineering approach has become more widely used in designing fire safety measures in buildings. BD has established a Fire Safety Committee ("FSC") since 1998 to consider submitted fire engineering proposals and to advise the Building Authority ("BA") on aspects relating to fire safety in buildings. The functions and administration of the FSC have been reviewed recently.

To continue advising the BA on the fire engineering proposals arising from new buildings or A&A works and on policy, interpretation and implementation of the Buildings Ordinance ("BO") in respect of fire safety in buildings, it has been decided to reconstitute the FSC with effect from 1 June 2010. The membership and terms of reference of the FSC are listed in Appendix A for your reference.

#### Nomination to Advisory Committee for the Fire Safety (Buildings) Ordinance and the Fire Safety (Commercial Premises) Ordinance

The nominees may also be selected by the Director of Buildings ("DB") to be members of a separate Advisory Committee ("AC") for the Fire Safety (Buildings) Ordinance (Cap. 572) and the Fire Safety (Commercial Premises) Ordinance (Cap. 502) of which the DB is one of the enforcement authorities.

The terms of reference and the composition of the said AC are provided in Appendix B for your reference.

#### Expression of interest of being nominated

Interested registered architects are asked to pay attention to the following stated by the BD and return the completed curriculum vitae form at Appendix F to ARB for consideration via the Secretariat by fax (no.: 2519 6011) or by email ([arbsec@arb.org.hk](mailto:arbsec@arb.org.hk)) on or not later than 30 April 2010:

1. A person who is serving on six or more government committees/boards may not be eligible for appointment. The nominees would be counted as serving two committees, namely, the FSC and AC once appointed.
2. The nominees must be a registered architect possessing at least 3 years experience in handling fire engineering proposals under the BO.



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3. The nominees should be available for attending the FSC meeting, which will be held on a weekly basis, if required and AC, which is anticipated to be held less than once a month.
4. The appointee in the capacity of FSC and/or AC member, shall attend the meetings on an Ad Personam basis (not more than 18 meetings per annum as a rotational member in FSC) and the term of office will be 3 years commencing 1 June 2010.
5. It is necessary for FSC and AC members to hold information in confidence, to declare conflict of interest when there is a potential conflict of interest in a matter placed before the committee. Reference should be made to the guidelines on declaration of interests by the members of FSC and AC as recommended by ICAC. Please refer to Appendix C for details.
6. Honorarium will be given to appointee acting in the capacity of FSC member but not AC member, to reimburse the travel, out of pocket and related expenses incurred by serving the FSC. They are taxable income and are reflected in the annual tax return to Inland Revenue Department. Currently, the remuneration is HK\$770 per meeting.
7. Mailing list of the members will be sent to the Secretary for Home Affairs ("SHA") for him to invite FSC and AC members to provide their personal particulars which will be stored in the Central Personality Index database kept by SHA.
8. AC is a public body under the Prevention of Bribery Ordinance ("PRO"). AC members are therefore public servants and have to abide by relevant clauses in the PBO.
9. Information about the appointed members and meetings may be disclosed to the public without necessarily obtaining the prior consents of the members of FSC and AC. Please refer to Appendix D for details.
10. Appendix E is for the potential candidates' advance information of the need to hold information in confidence, to declare conflict of interest and to inform the BA/DB when they become no longer suitable to be appointed. This undertaking letter will only be required to be signed and return to the BA/DB after appointment.

Yours sincerely,  
Rita Cheung (Mrs.)  
Registrar

Encl. Appendix A-F

## Fire Safety Committee (FSC) – Buildings Department

### Terms of Reference

- To advise the Building Authority (BA) or his delegated officers on the fire engineering proposals submitted by Authorized Persons (AP) in connection with the planning, design and construction of new building developments, and alterations & additions proposals; and
- To advise the BA on the policy, interpretation and implementation of the Buildings Ordinance, allied legislation and codes of practice in respect of fire safety in buildings.

### Terms of Office

- 3 years from the date of appointment.

### Frequency of Meeting and Submission to FSC

The FSC will normally meet (if required) on Wednesday at 9:30am in BD Meeting Room 1816. Cases will be presented by the relevant Chief Building Surveyor or Chief Structural Engineer. Case papers will be distributed to members at least one week before the meeting. The relevant APs and consultants may be invited to present the fire safety strategy and risk assessment reports.

### Membership

Chairperson	Assistant Director/New Buildings 1
Ex-officio Members	Chief Building Surveyor / New Buildings Division 1 (case officer)
	Chief Building Surveyor / New Buildings Division 1 (non-case officer)
	Chief Building Surveyor from other divisions
	Chief Structural Engineer / New Buildings Division 2
	1 representative from FSD
Non-official Members	1 (4) fire safety expert from academia nominated by tertiary institutions
	1 (3) fire safety practitioner* nominated from ARB, ERB or SRB
	1 (3) AP nominated from HKIA, HKIE or HKIS
Secretary	BS/TS1

### Note :

( ) number of panel members on rotation in attending FSC meetings

\* Nominee should be a RA, RPE or RPS possessing at least 3 years experience in handling fire engineering proposals.

**The BD Advisory Committee  
for the Fire Safety (Buildings) Ordinance Cap. 572 and  
the Fire Safety (Commercial Premises) Ordinance Cap. 502**

**Terms of Reference**

To assist the Director of Buildings or his delegated officers in considering the appropriateness of fire safety measures in domestic or composite buildings on case basis, having regard to the structural integrity of the building and the technology available to comply with the requirements stipulated under the Fire Safety (Buildings) Ordinance; and

To advise the Director of Buildings or his delegated officers on matters relating to the administration of the Fire Safety (Commercial Premises) Ordinance insofar as the provision of fire safety improvement measures in commercial premises or commercial buildings is concerned.

**Composition**

- Chairperson : Assistant Director/Existing Buildings 2, BD
- Ex-officio member : Chief Building Surveyor/Fire Safety, BD  
Chief Structural Engineer/Existing Buildings 2, BD  
One representative from FSD
- Non-official Members : 1 (4) fire safety expert from academia nominated by tertiary institutions  
1 (3) fire safety practitioner\* nominated by Architects Registration Board, Engineers Registration Board or Surveyors Registration Board.  
1 (3) Authorized Person nominated by HKIA, HKIE or HKIS  
1 (3) member of public with expertise in building fire safety in the aspect of design, planning and construction
- Secretary : Building Surveyor/Fire Safety

( ) number of Panel Members on rotation in attending AC meetings

\* Nominee should be a RA, RPE or RPS possessing at least 3 years experience in handling fire engineering proposals.

**Declaration of Interests by Members of the  
Fire Safety Committee and  
the Advisory Committee for Fire Safety (Buildings) Ordinance and  
the Fire Safety (Commercial Premises) Ordinance**

**General Principles**

When a member (including the chairman) of a public council, board or committee has a potential conflict of interest in a matter placed before the committee, he should make full disclosure of his interest. The basic principle to be observed is that members' advice should be disinterested and impartial and it is the responsibility of each member to judge and decide if the situation warrants a declaration, and to seek a ruling from the chairman in case of doubt.

It is impossible to define or describe all the situations that would call for such a declaration, because each individual case differs, and because of the difficulty of catering for unusual and unforeseen circumstances. On the other hand, it is not intended that a member should make a declaration of interest simply because the committee is considering a matter in which he has knowledge or experience.

**Potential Conflict of Interest Situations**

The following are potential conflict of interest situations :

- (1) Pecuniary interests in a matter under consideration by the committee, held either by the member or by any close relative of his. Members are themselves the best judge of who, in the particular circumstances, is a "close relative".
- (2) A directorship, partnership, advisory or client relationship, employment or other significant connection with a company, firm, club, association, union or other organisation which is connected with, or the subject of, a matter under consideration by the committee.
- (3) Some friendships which might be so close as to warrant declaration in order to avoid situations where an objective observer might believe a member's advice to have been influenced by the closeness of the association.

- (4) A member who, as a barrister, solicitor, accountant or other professional adviser, has personally or as a member of a company, advised or represented or had frequent dealings with any person or body connected with a matter under consideration by the committee.
- (5) Any interest likely to lead an objective observer to believe that the member's advice might have been motivated by personal interest rather than a duty to give impartial advice.

### **Declaration of Interests at Meetings**

The following are guidelines governing declaration of interests at meetings :

- (1) If a member (including the chairman) has any direct personal or pecuniary interest in any matter under consideration by the committee, he must, as soon as practicable after he has become aware of it, disclose to the chairman (or the committee) prior to the discussion of the item.
- (2) The chairman (or committee) shall decide whether the member disclosing an interest may speak or vote on the matter, may remain in the meeting as an observer, or should withdraw from the meeting.
- (3) If the chairman declares an interest in a matter under consideration, the chairmanship may be temporarily taken over by a vice-chairman.
- (4) When a known direct pecuniary interest exists, the secretary may withhold circulation of relevant papers to the member concerned. Where a member is in receipt of a paper for discussion which he knows presents a direct conflict of interest, he should immediately inform the secretary and return the paper.
- (5) All cases of declaration of interests shall be recorded in the minutes of the meeting.

**Release of Information Concerning Members of the  
Fire Safety Committee and  
the Advisory Committee for Fire Safety (Buildings) Ordinance and  
the Fire Safety (Commercial Premises) Ordinance**

1. As advised by the Secretary of Home Affairs, certain information concerning individual members of advisory and statutory bodies, which include the Fire Safety Committee and the Advisory Committee under Fire Safety (Buildings) Ordinance and the Fire Safety (Commercial Premises) Ordinance could be disclosed to the public upon request. The information in question includes a member's :

- (a) attendance records;
- (b) years of service on the particular body;
- (c) occupation/profession by broad categories (e.g. doctors, lawyers and company directors); and
- (d) membership of other advisory and statutory bodies.

2. The above information amounts to "personal data" and therefore its disclosure is regulated under the Personal Data (Privacy) Ordinance (PDPO).

3. The legal position under the PDPO is that the disclosure of the above "personal data" would not constitute a contravention to the PDPO if the purpose, or one of the purposes, of collecting the personal data is for them to be released to the public; and it would not contravene Principle 3 of Schedule 1 of the PDPO to release the data, without obtaining the data subject's consent, if the recipient is a news organization and the disclosure is made by a person who has reasonable ground to believe (and reasonably believes) that the publishing or broadcasting of the data is in the public interest.

4. The secretaries of the committees will keep records on the matters mentioned in paragraph 1 above and in the interests of transparency, such records will be disclosed to the public on request.

**Undertakings by Members of the  
Fire Safety Committee and  
the Advisory Committee for the Fire Safety (Buildings) Ordinance and  
the Fire Safety (Commercial Premises) Ordinance**

1. I undertake to hold in strict confidence all information that I have access to through my position as a member of the Fire Safety Committee, and the Advisory Committee for the Fire Safety (Buildings) Ordinance ("FS(B)O") and the Fire Safety (Commercial Premises) Ordinance ("FS(CP)O"). Such information includes fire engineering proposals, personal data of applicants, documents submitted by applicants, interview results, etc.
2. I undertake not to make any unauthorized disclosure or take advantage of any of the information referred to in paragraph 1 above whether or not for personal gain.
3. I undertake to declare any actual, potential or perceived conflict of interest with my duty as a member of the above committees immediately when I become aware of any such conflict.
4. I undertake to take steps to avoid any conflict of interest with any prospective applicant by not putting myself in a position of obligation towards any of them; for example, by not accepting any favour or lavish or excessive entertainment, and not over-socializing with any of them.
5. I undertake to inform the officers-in-charge/secretaries of the above committees, in advance as far as possible, of any circumstances such as loss of membership or qualification and no longer residing in Hong Kong that may affect my eligibility to be appointed to the above committees or to carry out my duty as a member of the same.
6. I understand that I may be subject to prosecution action should I fail to observe any of my above undertakings
7. I also understand that being a member of the above Advisory Committee of the FS(B)O and the FS(CP)O, I am a public servant and abide by the relevant clauses in the Prevention of Bribery Ordinance.

Signed :

Name (block letter) :

Rank\*/Title\* :

Date :

\* Delete if inapplicable

**Curriculum Vitae  
(For Reference Only)**

Name of Nominee (English & Chinese as shown in HKID/passport):	
Date of Birth:	HKID No:
Office Tel. No:	Mobile Tel. No:
Fax No:	E-mail Address:
Occupation:	
Office Address:	
Academic and Professional Qualifications:	
Government Boards and Committees on Which the Nominee served/is serving:	
Working History and Experience:	
Declaration of Offence Records, if any:	

(Use additional sheets if necessary)

Notes on the collection of personal data

- 1) The information provided will be used for the purposes in connection with the selection and appointment of members by the Building Authority to serve on the Fire Safety Committee, and Advisory Committee for the Fire Safety (Buildings) Ordinance and the Fire Safety (Commercial Premises) Ordinance.
- 2) The information may be disclosed to other government departments or other parties for the purposes mentioned in Note (1) above.
- 3) For correction of or access to personal data after submission, please address to the secretaries of the committees in writing.