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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.

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/Mandatory Building Inspection, 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



Architects Registration Board
Hong Kong Special Administrative Region
建築師註冊管理局
香港特別行政區

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

Deadline for nomination: 8 April 2013 (Monday)

To: Ms. Mable Hung of ARB Secretariat (Fax: 852 2519 6011; Email: arbsec@arb.org.hk)

Decorative separator line of asterisks

Name: _____

HKIA Membership No.: _____ since _____ (year)

Registered Architect No.: _____ since _____ (year)

Authorized Person since _____ (year) and the expiry date is _____ (date)

Company Name: _____

Position: _____

Office Tel/Mobile: _____ Fax: _____ Email: _____

I would like to register my interest for being nominated by Architects Registration Board, HKSAR to

- (i) Fire Safety Committee ("FSC") and
(ii) Advisory Committee for the Fire Safety (Buildings) Ordinance ("ACFSO") under the Buildings Ordinance (BO)

I attach my CV and make the following declarations (please ✓ where appropriate).

- 1. I understand the functions and composition of the FSC and ACFSO as listed in Appendix A in the ARB circular dated 20 March 2013.
2. I am a registered architect possessing at least 3 years experience in handling fire engineering proposals under the BO.
3. I in the capacity of FSC and/or ACFSO member, shall attend the meetings on a personal basis (not more than 18 meetings per annum as a rotational member) for a term of office of 3 years commencing 1 June 2013.

(.../2)



Architects Registration Board
Hong Kong Special Administrative Region
建築師註冊管理局
香港特別行政區

- 2 -

- 4. I shall be available for attending the FSC meetings which may be held on a weekly basis and ACFSO meetings which is anticipated to be held less than once a month.
 - Yes
 - No

- 5. I understand that the attending FSC members but not ACFSO member, will be given honorariums which are taxable income and will be reflected in the annual tax return to Inland Revenue Department.
 - Yes
 - No

- 6. I am a government officer.
 - Yes
 - No

- 7. To comply with the government's 6-year-6-committee guideline, I list out my current appointment to committees (including the proposed nomination to serve in the FSC) for ARB's information:

	Names of the Government Boards or Committees	Terms of Office	Representing Body (For example, ARB, HKIA...etc)
1			
2			
3			
4			
5			
6			

Note: It is the Government's policy that the length of service of unofficial on boards and committee be confined to a maximum of 6 years. Moreover, members are not expected to sit on more than 6 different Government bodies (including the nomination to serve in FSC and ACFSO) at any one time.

Signature: _____ Date: _____

**Curriculum Vitae
(For Reference Only)**

Name of Nominee (English & Chinese as shown in HKID/passport):		Sex: M <input type="checkbox"/> F <input type="checkbox"/>
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.