The purpose of this Paper is to inform Members of the need to upgrade shopping centres under construction to meet the requirements of the 1996 Code of Practice on Means of Escape in Case of Fire (96 MOE) and to seek Member's approval to upgrade the funding for the associated variation works for the shopping centre at Shek Lei Phase 8.

BACKGROUND

2. The 96 MOE is in operation since 1 December 1996 for all buildings of private development with consent to commencement of work after this date and Part III of the Code on means of escape for places of public entertainment has been effective on 28 June 1996.

3. In retrospect to buildings of the Housing Authority (HA) which are exempted from administration of the Building Ordinance, clarification sought with the Building Authority (BA) confirms that compliance with the 1986 Code of Practice on Means of Escape in Case of Fire (86 MOE) are good for habitation under Building Law for shopping centres with Scheme Design Approval by Building Committee before 1 December 1996.

4. A total of 19 shopping centres coming into this category are now under construction for completion in the next nine months.
5. Further study made on the 96 MOE reveals that although it is basically a code to clarify the grey areas in requirements of the 86 MOE, there are more stringent interpretations in it which could affect the licensing of certain shop premises, in particular where there are alterations to meet the future tenancy requirements.

**FINDING**

6. A survey has thus been made on possible implementation of the 96 MOE to the shopping centres of HA under construction.

7. Most shopping centres in paragraph 4 are found to require some additional works with minor cost and time effect to comply the 96 MOE.

8. The shopping centre at Shek Lei 8 however has more substantial cost and time effect on account of the following -

   (a) The works are at advanced stage with building completion targetted for April 1999.

   (b) The upgrading of work to comply the 96 MOE will involve substantial alteration to completed partitions and services as well as additional staircases, protected lobbies and fire shutters.

   (c) The additional cost is in the region of $16.500M with possible extension of contract completion date to June 1999 (details in Annex A).

**CONSULTATION**

9. The Commercial Properties Division was consulted on works required to upgrade the shopping centre at Shek Lei Phase 8 to meet the requirements of the 96 MOE and positive support was indicated on their implementation as they are essential for letting and operational purpose in the longer term.
10. At the Development & Construction Management Branch (DCMB) meeting of 15 January 1999, endorsement is sought to implement the upgrading of all shopping centres under construction to meet the 96 MOE, including Shek Lei Phase 8.

11. In accordance, action is being taken on project basis to incorporate the additional works in shopping centres under construction to meet the 96 MOE. However, it is necessary to upgrade the approved Project Budget of Shek Lei Phase 8 for the variation works from $345.326M to $361.826M, i.e. an increase of $16.500M (4.77%).

RECOMMENDATION

12. It is recommended that the approved Project Budget of Shek Lei Phase 8 be upgraded as required in paragraph 11 to enable the variation works to proceed to meet the 96 MOE.

THE WAY FORWARD

13. In view of the ongoing changes in statutory requirements of building regulations, the Housing Department will undertake to enhance the project implementation procedures to ensure compliance to changing requirements.

PRESUMPTION

14. It is not thought that Members will have any objection to the recommendation in paragraph 12 above. If no objection or request for discussion is received by the Committees’ Secretary by noon on 2 March 1999, Members’ approval will be presumed.

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Annex

Annex A  Estimated cost for variation works required in Shek Lei Phase 8 to meet the 96 MOE.