

Appendix IV

[Subsidiary]

(d) subject to paragraph (4A), by inspecting every workshop of the applicant the address of which is forwarded with the application under paragraph (2)(b). (L.N. 263 of 1986)

(4A) If the Director is not satisfied with the workshop of an applicant expected under paragraph (4)(d) the Director shall notify the applicant that inspection of that workshop is required and on such notification the applicant shall pay to the Director the appropriate fee in accordance with the Second Schedule. (L.N. 263 of 1986)

(5) In the case of an applicant seeking registration by virtue of the qualifications of an employee who is at the same time employed by another registered contractor, the Director may refuse the application unless he is satisfied that the employee is capable of giving to the applicant sufficient assistance to enable him to discharge his duties as a registered contractor.

(L.N. 268 of 1978; L.N. 263 of 1986)

Persons authorized to sign certificates issued under the Fire Service (Installations and Equipment) Regulations

(1) Persons authorized to sign a certificate issued under regulation 9 of Fire Service (Installations and Equipment) Regulations (Cap. 95 sub. leg.) will be—

- (a) in the case of a company which is a registered contractor such director, employee or other officer of such company as the company may appoint;
- (b) in the case of a firm which is a registered contractor—
 - (i) one of the partners thereof; or
 - (ii) an employee or partner authorized by the firm to sign certificates when the partner responsible for signing under sub-paragraph (i) is for any reason unable to sign; and
- (c) in any other case, the registered contractor.

(2) The registered contractor shall within 14 days of registration notify Director in writing of the names, status and specimen signatures of persons authorized to sign certificates under paragraph (1).

(L.N. 263 of 1986)

Classes of registered contractors and minimum qualifications for registration

(1) The classes of registered contractors shall be—

Class 1: Registered contractors who are fit to install, maintain, repair and inspect any fire service installation or equipment (other than portable equipment) which contains an electrical circuit or other apparatus for the detection and warning, by alarm or otherwise, of smoke or fire.

[附屬法例]

(d) 除第 (4A) 款另有規定外，指視察按照第 (2)(b) 款與申請書同時提交地址的每所工場。(1986 年第 263 號法律公告)

(4A) 處長如對根據第 (4)(d) 款進行視察的申請人的工場不感滿意，則須通知申請人該工場須予再度視察；而申請人一經上述通知，須按照附表 2 向處長繳付適當費用。(1986 年第 263 號法律公告)

(5) 如申請人憑藉一名僱員的資格尋求註冊，而該僱員同時受僱於另一註冊承辦商，則除非處長信納該僱員有能力給予申請人充分協助，使他能履行註冊承辦商的職責，否則處長可拒絕申請人的申請。

(1978 年第 268 號法律公告；1986 年第 263 號法律公告)

3A. 獲授權簽署根據《消防(裝置及設備)規例》發出的證明書的人

(1) 獲授權簽署根據《消防(裝置及設備)規例》(第 95 章，附屬法例)第 9 條發出的證明書的人——

- (a) 如註冊承辦商屬公司，則須是該公司委任的董事、僱員或其他人員；
- (b) 如註冊承辦商屬商號，則須是——
 - (i) 該商號的其中一名合夥人；或
 - (ii) 該商號獲授權在根據第 (1) 節負責簽署的合夥人因任何理由而不能簽署時可簽署證明書的一名僱員或合夥人；及
- (c) 如屬任何其他情況，則須是註冊承辦商。

(2) 註冊承辦商須在註冊後 14 天內以書面通知處長根據第 (1) 款獲授權簽署證明書的人的姓名、身分及簽名式樣。

(1986 年第 263 號法律公告)

4. 註冊承辦商級別及最低註冊資格

(1) 註冊承辦商的類別是——

第 1 級：此級別的註冊承辦商適合進行的工作為：裝置、保養、修理和檢查任何設有電路或其他儀器以探測煙霧或火警，並會藉警報或以其他方式發出警告的消防裝置或設備(手提設備除外)。

[Subsidiary]
FIRE SERVICE (INSTALLATION CONTRACTORS)
REGULATIONS

CONTENTS

Regulation

1. Citation
2. Interpretation
3. Application to be a registered contractor
- 3A. Persons authorized to sign certificates issued under the Fire Service (Installations and Equipment) Regulations
4. Classes of registered contractors and minimum qualifications for registration
- 4A. Absence from Hong Kong or illness
- 4B. Applicant passing examination but failing interview
- 4C. New workshop inspections
5. Register
6. Appeal against decision of Director
- 6A. Illness or absence from Hong Kong
7. Termination of service of qualified person
8. Removal of name from the register
- 8A. Application for re-registration
9. Appointment of disciplinary board
10. Disciplinary proceedings
11. Powers of disciplinary board
12. Appeal from disciplinary board
13. Contravention of regulation 4C, 6A or 7 an offence
14. Registered contractor undertaking work outside his class
15. Delegation of powers
16. Penalties
17. Fees paid not refundable

First Schedule. Forms

Second Schedule. Fees

消防 (裝置承辦商) 規例

目錄

- | | |
|------|--------------------------------|
| 條次 | 引稱 |
| 1. | 釋義 |
| 2. | 申請成為註冊承辦商 |
| 3. | 獲授權簽署根據《消防 (裝置及設備) 規例》發出的證明書的人 |
| 3A. | 註冊承辦商級別及最低註冊資格 |
| 4. | 不在香港或患病 |
| 4A. | 申請人經試合格但面試不合格 |
| 4B. | 視察新工場 |
| 4C. | 註冊紀錄冊 |
| 5. | 就處長的決定提出的上訴 |
| 6. | 患病或不在香港 |
| 6A. | 合資格的人終止服務 |
| 7. | 從註冊紀錄冊中刪除姓名或名稱 |
| 8. | 申請重新註冊 |
| 8A. | 紀律委員會的委任 |
| 9. | 紀律程序 |
| 10. | 紀律委員會的權力 |
| 11. | 就紀律委員會的命令提出上訴 |
| 12. | 違反第 4C、6A 或 7 條即屬犯罪 |
| 13. | 註冊承辦商承擔進行非所屬級別的工程 |
| 14. | 權力的轉授 |
| 15. | 罰則 |
| 16. | 已繳費用不會退還 |
| 17. | 表格 |
| 附表 1 | 費用 |
| 附表 2 | |

[Subsidiary] FIRE SERVICE (INSTALLATION CONTRACTORS) REGULATIONS

(Cap. 95, section 25)

[1 June 1972] L.N. 56 of 1972

Citation

These regulations may be cited as the Fire Service (Installation Contractors) Regulations.

Interpretation

In these regulations, unless the context otherwise requires—

"applicant" (申請人) means a person, company or firm that has applied for registration as a fire service installation contractor under regulation 3(1) or (1A); (L.N. 263 of 1986)
"class" (級別) means a class specified in regulation 4;
"interview" (面試), for the purposes of regulation 4(4), includes a practical test and "interviewing" (進行面試) shall be construed accordingly; (L.N. 263 of 1986)

"portable equipment" (手提設備) means any fire service equipment which is manufactured, used or designed to be used as an independent unit for the purpose of extinguishing, attacking, preventing or limiting a fire;
"register" (註冊紀錄冊) means any register kept under regulation 5, and "registered" (註冊) in relation to a name or address means the name or address entered in the register; (L.N. 268 of 1978; L.N. 263 of 1986)
"registered contractor" (註冊承辦商) means a fire service installation contractor registered under these regulations; (L.N. 263 of 1986)
"workshop" (工場) means a workshop the address of which has been forwarded to the Director under regulation 3(2)(b) or notified to him under regulation 4C(1) and used by a registered contractor for the purpose of these regulations. (L.N. 263 of 1986)

Application to be a registered contractor

(1) Any person, or any company or firm having at least a director, partner or employee, as the case may be, who is—

[附屬法例]

消防 (裝置承辦商) 規例

(第 95 章第 25 條)

[1972 年 6 月 1 日] 1972 年第 56 號法律公告

1. 引稱

本規例可引稱為《消防 (裝置承辦商) 規例》。

2. 釋義

在本規例中，除文意另有所指外——

“工場”(workshop)指一所由某註冊承辦商為本規例的目的而使用的工場，其地址已根據第 3(2)(b) 條提交處長，或根據第 4C(1) 條通知處長；(1986 年第 263 號法律公告)

“手提設備”(portable equipment)指任何製造、用作或設計以供作滅火、救火、防火或阻止火勢蔓延的用途而以獨立部件形式使用的消防設備；

“申請人”(applicant)指已根據第 3(1) 或 (1A) 條申請註冊為消防裝置承辦商的人、公司或商號；(1986 年第 263 號法律公告)

“面試”(interview)就第 4(4) 條而言，包括一項實用技術測驗，而“進行面試”(interviewing)亦須據此解釋；(1986 年第 263 號法律公告)

“級別”(class)指第 4 條所指明的某個級別；

“註冊承辦商”(registered contractor)指根據本規例註冊的消防裝置承辦商；(1986 年第 263 號法律公告)

“註冊紀錄冊”(register)指根據第 5 條備存的任何註冊紀錄冊，而“註冊”(registered)在與姓名或名稱或地址有關時，指記入註冊紀錄冊的姓名或名稱或地址。
(1978 年第 268 號法律公告；1986 年第 263 號法律公告)

3. 申請成為註冊承辦商

(1) 任何符合以下資格的人或任何擁有至少一名符合以下資格的董事、合夥人或僱員的公司或商號(視屬何情況而定)——

[Subsidiary]

- (a) 21 years of age or more;
(b) resident in Hong Kong; and
(c) holding the qualifications specified in regulation 4(2) or (3).
may apply to the Director in Form 1 in the First Schedule for registration as a fire service installation contractor in class 1 or class 2, or in classes 1 and 2. (L.N. 263 of 1986)

(1A) Any person, who is 21 years of age or more and resident in Hong Kong, may apply to the Director in Form 2 in the First Schedule for registration as a fire service installation contractor in class 3 and the Director shall notify him of the day fixed for a written examination or interview for the purposes of regulation 4(4) and for a workshop inspection for the purposes of regulation 3(4)(d). (L.N. 263 of 1986)

(2) An applicant shall forward with an application under paragraph (1) or (1A)—

- (a) a list of equipment owned by the applicant for use in the installation, maintenance, inspection or repair of fire service installation or equipment; and
(b) the address of every workshop to be used by the applicant as a fire service installation contractor,
and, subject to regulations 4A and 4B, shall pay to the Director the appropriate fee or fees in accordance with the Second Schedule for registration in class 1 or class 2, or in classes 1 and 2 or for the purposes of a written examination, interview and workshop inspection for registration in class 3, as the case may be. (L.N. 263 of 1986)

(3) An applicant seeking registration by virtue of the qualifications of an employee shall indicate whether such employee is at the same time employed by another registered contractor.

(4) As soon as practicable after the receipt of an application under paragraph (1) or (1A), the Director shall determine if the applicant is fit to be registered as a fire service installation contractor in the class or classes specified in the application—

- (a) in the case of an application under paragraph (1)(a), by satisfying himself as to the evidence produced in accordance with regulation 4(2) or (3), as the case may be, relating to the applicant; or
(b) in the case of an application under paragraph (1)(b) or (c), by satisfying himself as to the evidence produced in accordance with regulation 4(2) or (3), as the case may be, relating to the director or directors, employee or employees, or partner or partners, of the applicant; or
(c) in the case of an application under paragraph (1A), by examining and interviewing the applicant in accordance with

- (a) 年滿 21 歲或以上；
(b) 在香港居住；及
(c) 持有第 4(2) 或 (3) 條所指明的資格，
均可採用附表 1 表格 1 向處長申請註冊為第 1 級或第 2 級，或第 1 及 2 級消防裝置承辦商。(1986 年第 263 號法律公告)

(1A) 任何年滿 21 歲或以上並在香港居住的人，均可採用附表 1 表格 2 向處長申請註冊為第 3 級消防裝置承辦商，而處長須通知他為施行第 4(4) 條而訂定的筆試或面試的日期和為施行第 3(4)(d) 條而進行的工場視察的日期。(1986 年第 263 號法律公告)

(2) 申請人根據第 (1) 或 (1A) 款遞交申請書時，須同時提交——
(a) 申請人所擁有的設備的清單一份，該等設備是適用於裝置、保養、檢查或修理消防裝置或設備的；及
(b) 申請人使用作為消防裝置承辦商的每所工場的地址，
此外，除第 4A 及 4B 條另有規定外，須按照附表 2 向處長繳付註冊為第 1 級或第 2 級，或第 1 及 2 級的適當費用，或為註冊為第 3 級而進行的筆試、面試及工場視察(視屬何情況而定)的適當費用。(1986 年第 263 號法律公告)

(3) 申請人如憑藉一名雇員的資格尋求註冊，則須表明該雇員是否同時受僱於另一註冊承辦商。

(4) 處長在收到第 (1) 或 (1A) 款所指的申請書後，須在切實可行的範圍內盡快用以下方法斷定申請人是否適合註冊為申請書內指明的——個或多於一個級別的消防裝置承辦商——
(a) 如屬第 (1)(a) 款所指的申請，則藉確定是否信納按照第 4(2) 或 (3) 條(視屬何情況而定)提出的關於申請人的證據；或
(b) 如屬第 (1)(b) 或 (c) 款所指的申請，則藉確定是否信納按照第 4(2) 或 (3) 條(視屬何情況而定)提出的關於申請人的——名或多於一名董事、雇員或合夥人的證據；或
(c) 如屬第 (1A) 款所指的申請，則按照第 4(4) 條對申請人進行面試與查詢；及

消防(裝置承辦商)規例
(第95章, 附屬法例A)
FIRE SERVICE (INSTALLATION CONTRACTORS)
REGULATIONS
(CAP. 95 sub. leg. A)

制定史

本為 1971 年第 121 號法律公告 ... 1978 年第 268 號法律公告, 1986 年第 263 號法律公告, 1986 年
第 320 號法律公告, 1986 年編正版, 1990 年第 47 號法律公告, 1992 年第 372 號法律公告, 1986 年
1994 年第 85 號法律公告, 1995 年第 13 號法律公告, 1996 年第 140 號法律公告, 1997 年第
(C)16 號法律公告(中文真確本), 1997 年第 78 號法律公告

Enactment History

Originally L.N. 121 of 1971 — L.N. 268 of 1978, L.N. 263 of 1986, L.N. 320 of 1986,
R. Ed. 1986, L.N. 47 of 1990, L.N. 372 of 1992, L.N. 85 of 1994, L.N. 13 of 1995,
L.N. 140 of 1996, L.N. (C) 16 of 1997 (Chinese authentic version), L.N. 78 of 1997



C0095970AB0

\$24

4021765 -- 36L -- 2/98

認可活頁版, 由香港特別行政區政府印務局高層印刷及發行
Authorized Loose-leaf Edition, Printed and Published by the Government Printer, Hong Kong Special Administrative Region

Class 2: Registered contractors who are fit to install, maintain, repair and inspect any fire service installation or equipment (other than portable equipment) which contains—

- (a) pipes and fittings designed or adapted to carry water or some other fire extinguishing medium; or
- (b) any type of electrical apparatus other than those specified in class 1.

Class 3: Registered contractors who are fit to maintain, repair and inspect portable equipment.

(2) An applicant for registration in class 1 shall produce evidence to the Director that—

- (a) the applicant or at least one of the applicant's directors, employees or partners holds a degree in electrical engineering satisfying the examination requirements (Parts I and II) of the Council of Engineering Institutions for corporate membership of the Institution of Electrical Engineers; and
- (b) the applicant or at least one of the applicant's directors, employees or partners—
 - (i) is the manufacturer or designer of an electrical circuit or other apparatus, recognized by the Director, for the detection by alarm or otherwise of smoke or fire; or
 - (ii) is an authorized agent for a manufacturer of the type of apparatus specified in sub-paragraph (b)(i). (L.N. 268 of 1978)

(3) An applicant for registration in class 2 shall produce evidence to the Director that—

- (a) the applicant or at least one of the applicant's directors, employees or partners holds a Grade I plumber's licence issued under the Waterworks Ordinance (Cap. 102); and
- (b) the applicant or at least one of the applicant's directors, employees or partners holds a diploma from the Hong Kong Polytechnic or a Technical Institute or a higher certificate in electrical engineering or a qualification recognized as equivalent to such a diploma or certificate by the Director. (L.N. 268 of 1978)

(4) An applicant for registration in class 3 shall satisfy the Director at a written examination and at an interview that his knowledge of the function and maintenance of portable equipment and the regulations relating thereto made under the Ordinance is adequate.

(L.N. 268 of 1978; L.N. 263 of 1986)

第 2 級：此級別的註冊承辦商適合進行的工作為：裝置、保養、修理和檢查任何裝置或設備（手提設備除外），其中包括——

- (a) 經設計或改造，用以輸送水或其他滅火媒介的喉管及配件；或
- (b) 不屬第 1 級所指明的任何其他種類的電力器具。

第 3 級：此級別的註冊承辦商適合進行保養、修理和檢查手提設備的工作。

(2) 申請註冊列入第 1 級的人須向處長提出證據，證明——

- (a) 申請人或申請人的董事、僱員或合夥人中至少一人持有電機工程師學會符合英國工程師學會，或英國電機工程師學會“正式會員資格所附考試規定（第 I 及 II 部）；及
- (b) 申請人或申請人的董事、僱員或合夥人中至少一人——

(i) 是藉警報或其他方式探測煙霧或火警的電路或其他儀器的製造者或設計人，而該電路或儀器是處長認可的；或

(ii) 是 (b)(i) 段所指明類別的儀器的製造者的指定代理人，(1978 年 268 號法律公告)

(3) 申請註冊列入第 2 級的人須向處長提出證據，證明——

(a) 申請人或申請人的董事、僱員或合夥人中至少一人持有根據《水務條例》(第 102 章) 發出的第 1 級水喉匠牌照；及

(b) 申請人或申請人的董事、僱員或合夥人中至少一人持有香港理工學院工業學院的文憑，或持有電機工程師高級證書或處長認可為相等於該等文憑或證書的資格。(1978 年第 268 號法律公告)

(4) 申請註冊列入第 3 級的人須在……次筆試和……次面試中，令處長信納他對於該設備的功能和保養，以及對根據本條例訂立的與手提設備的功能和保養有關的規例，均足夠認識。

(1978 年第 268 號法律公告；1986 年第 263 號法律公告)

[附屬公

[Subsidiary]

A. Absence from Hong Kong or illness

(1) Subject to paragraph (2), an applicant for registration in class 3 who satisfies the Director that he was absent from Hong Kong, or was prevented by illness from attending, on the day fixed by the Director for a written examination or interview for the purposes of regulation 4(4) shall be entitled, without payment of a further fee, to take the written examination or to attend the interview on such other day as may be fixed by the Director.

(2) For the purposes of satisfying the Director under paragraph (1), the applicant shall produce to the Director such evidence of the absence or illness the Director may require.

(3) An applicant who fails to satisfy the Director under paragraph (1) shall, on being notified of such failure by the Director, pay to the Director the appropriate fee in accordance with the Second Schedule before taking the written examination or attending the interview, as the case may be.

(L.N. 263 of 1986)

3. Applicant passing examination but failing interview

(1) Subject to paragraph (2), an applicant for registration in class 3 who under regulation 4(4) satisfies the Director at a written examination but who fails to satisfy the Director at an interview under that regulation shall, on notification by the Director, be entitled, on payment of the appropriate fee in accordance with the Second Schedule, to attend a second interview on a day fixed by the Director without first having to satisfy the Director at a written examination.

(2) Regulation 3 shall apply to an applicant who fails to satisfy the Director at the second interview in accordance with paragraph (1).

(L.N. 263 of 1986)

C. New workshop inspections

(1) Subject to paragraph (2), a registered contractor shall notify the Director in writing within 14 days of any change of the address of any workshop used by the registered contractor and shall at the same time notify the new address of the workshop.

(2) The registered contractor shall, on notifying the Director of any change of the address of a workshop under paragraph (1), pay to the Director an appropriate fee in accordance with the Second Schedule for a new workshop inspection.

(3) The Director shall, on payment of the fee under paragraph (2) for a new workshop inspection, inspect the workshop at the new address notified under paragraph (1).

4A. 不在香港或患病

(1) 在符合第 (2) 款的規定下，申請註冊列入第 3 級的人如令處長信納他在處長為施行第 4(4) 條而訂定進行筆試或面試當日不在香港或因病不能出席，則他有權在處長訂定的另一日期，參加筆試或出席面試而無須繳付其他費用。

(2) 為根據第 (1) 款令處長信納，申請人須向處長提出處長所規定的，申請人不在香港或患病的證據。

(3) 申請人如沒有根據第 (1) 款令處長信納，則在接獲處長的書信通知後，須在參加筆試或出席面試(視屬何情況而定)前，按照附表 2 繳付適當費用。

(1986 年第 263 號法律公告)

4B. 申請人筆試合格但面試不合格

(1) 在符合第 (2) 款的規定下，申請註冊列入第 3 級的人如根據第 4(4) 條在筆試中令處長信納，但沒有根據該條在面試中令處長信納，則在接獲處長的通知時，可按照附表 2 繳付適當費用，在處長指定的日期，出席第二次面試而無須先在另一次筆試中令處長信納。

(2) 第 3 條適用於按照第 (1) 款出席第二次面試而沒有令處長信納的申請人。

(1986 年第 263 號法律公告)

4C. 視察新工場

(1) 在符合第 (2) 款的規定下，註冊承辦商所使用的工場的地址有任何更改，須在 14 天內以書面通知處長，並同時通知處長工場的新地址。

(2) 註冊承辦商根據第 (1) 款將工場地址更改，事通知處長時，須按照附表 2 向處長繳付視察新工場的適當費用。

(3) 處長在第 (2) 款所指的視察新工場費用繳付後，須對位於根據第 (1) 款獲通知新地址的新工場進行視察。

[Subsidiary]

(4) If the Director is not ~~satisfied~~ **satisfied with** the workshop inspected under paragraph (3) he shall notify the ~~registered~~ **registered** contractor that a re-inspection of that workshop is required and on such notification the registered contractor shall pay to the Director the appropriate fee in accordance with the Second Schedule.

(5) Where a registered contractor notifies the Director of any change of the address of a workshop under paragraph (1), he shall not undertake any work in connexion with fire service installation or equipment during any period before the new workshop is inspected under paragraph (3) or re-inspected under paragraph (4) and is found to be satisfactory.

(L.N. 263 of 1986)

5. Register

(1) The Director shall cause registers to be kept of all applicants whom he has determined under regulation 3(4) to be fit to be registered as fire service installation contractors. (L.N. 263 of 1986)

(2) The full name and address of each registered contractor shall be entered in the appropriate register kept in respect of his class. (L.N. 268 of 1978)

(3) The Director may amend any entry in the registers.

(4) The entries in the registers shall— (L.N. 263 of 1986)

- (a) be published in the Gazette at least once in every year; and
- (b) be made available for inspection by any person free of charge at all reasonable times at the offices of the Fire Services Department and at every fire station in Hong Kong.

(L.N. 268 of 1978)

6. Appeal against decision of Director

- (1) Any person aggrieved by any determination or decision of the Director under regulation 3(4) or 5(3) may, within 14 days after the date when such determination or decision has come to that person's notice, appeal by way of petition to the Governor who may confirm, vary or reverse the determination or decision. (L.N. 268 of 1978)
- (2) The decision of the Governor on the appeal shall be final.

6A. Illness or absence from Hong Kong

- (1) Where a registered contractor registered in class 3 is prevented from performing his duties by reason of illness or absence from Hong Kong, he shall not permit any work to be undertaken on his behalf in connexion with fire service installation or equipment during the period of such illness or absence, except by another registered contractor registered in that class

[附屬法]

(4) 處長如對根據第 (3) 款進行視察的工場不感滿意，須通知註冊承辦商該門須予再度視察；而註冊承辦商一經上述通知，須按照附表 2 向處長繳付適當費用。

(5) 凡註冊承辦商根據第 (1) 款就工場地址的任何更改通知處長，在新工場註冊第 (3) 款接受視察或根據第 (4) 款接受再度視察並斷定為令人滿意之前的任何期間，不得進行與消防裝置或設備有關連的任何工程。

(1986 年第 263 號法律公)

5. 註冊紀錄冊

(1) 處長須就他根據第 3(4) 條斷定屬適合註冊為消防裝置承辦商的申請人安排，存註冊紀錄冊。 (1986 年第 263 號法律公告)

(2) 每名註冊承辦商的全名及地址須記入就其所屬級別而備存的適當註冊紀錄冊。 (1978 年第 268 號法律公告)

(3) 處長可修訂註冊紀錄冊內任何記項。

(4) 註冊紀錄冊內記項須—— (1986 年第 263 號法律公告)

- (a) 每年至少在憲報刊登一次；及
- (b) 備於消防處的辦事處及香港每一所消防局，供任何人在所有合理時間免費查閱。

(1978 年第 268 號法律公告)

6. 就處長的決定提出的上訴

- (1) 任何人如因處長根據第 3(4) 或 5(3) 條作出的斷定或決定而感到受屈，則在獲悉該項斷定或決定的翌日起計 14 天內，可以呈請方式向總督提出上訴，而總督可確認、更改或推翻該項斷定或決定。 (1978 年第 268 號法律公告)
- (2) 總督就該上訴所作的決定為最終決定。

6A. 患病或不在香港

- (1) 第 3 級註冊承辦商如因病或因不在香港而無法履行他的職責，則在他患病或不在香港的期間，不得許可他人代他進行與消防裝置或設備有關連的任何工程，但如由同一級別的註冊承辦商進行，則屬例外。

[Subsidiary]

(2) Where a registered contractor is registered in class 1 or class 2 or in classes 1 and 2 solely by virtue of the qualifications of his director, employee or partner and that director, employee or partner is prevented from performing his duties by reason of illness or absence from Hong Kong, the registered contractor may undertake or continue to undertake work in connexion with fire service installation or equipment during the period of illness or absence, but shall not complete that work before that director, employee or partner is able to inspect the work that was undertaken during the period of illness or absence and to satisfy himself and the registered contractor that that work was properly carried out.

(3) Nothing in paragraph (2) shall prohibit any work being undertaken on behalf of a registered contractor registered in class 1 or 2 by another registered contractor registered in the same class.

(L.N. 320 of 1986)

7. Termination of service of qualified person

(1) Subject to paragraph (2), a registered contractor registered by virtue of the qualifications of a director, employee or partner, shall notify the Director in writing when such director, employee or partner ceases for any reason to be a director of, or employed by, or a partner of, the registered contractor, as the case may be, within 14 days from the termination of such directorship, employment or partnership.

(2) Where a director, employee or partner of a registered contractor who is registered solely by virtue of the qualifications of that director, employee or partner subsequently ceases to be such director, employee or partner, as the case may be, but is immediately replaced by a person holding qualifications specified in regulation 4(2) or (3), the registered contractor shall notify the Director in writing within 14 days of such replacement and shall produce to the Director the evidence of those qualifications required of an applicant under that regulation.

(3) The name of a registered contractor who complies with paragraph (2) to the satisfaction of the Director shall not be removed from the appropriate register under regulation 8(b).

(4) A registered contractor shall notify the Director in writing within 14 days of any change of registered name or registered address.

(5) The registered contractor shall, on notifying the Director in accordance with paragraph (2) or (4), pay to the Director the appropriate fees in accordance with the Second Schedule.

(L.N. 263 of 1986)

[附屬法例]

(2) 凡註冊承辦商純粹憑藉其董事、僱員或合夥人的資格而註冊為第 1 級或第 2 級承辦商或第 1 及 2 級承辦商，而該董事、僱員或合夥人因病或因不在香港而無法履行其職責，則該註冊承辦商仍可在該人患病或不在香港的期間承擔進行或繼續承擔進行與消防裝置或設備有關的工程，但在該董事、僱員或合夥人能視察在其患病或不在香港期間進行的工程，且確定是否信納與令註冊承辦商信納有關工程已妥善進行之前，不得完成整項工程。

(3) 第 (2) 款並不禁止第 1 或 2 級註冊承辦商由同一級別的註冊承辦商代他承擔進行任何工程。

(1986 年第 320 號法律公告)

7. 合資格的人終止服務

(1) 除第 (2) 款另有規定外，如註冊承辦商憑藉一名董事、僱員或合夥人的資格而註冊，而該董事、僱員或合夥人因任何理由不再是該註冊承辦商的董事、僱員或合夥人（視屬何情況而定），則該註冊承辦商須在該人不再是董事、僱員或合夥人時起計的 14 天內以書面通知處長。

(2) 凡註冊承辦商純粹憑藉其董事、僱員或合夥人的資格而註冊，而該董事、僱員或合夥人（視屬何情況而定）其後不再是上述董事、僱員或合夥人，但立即由一名持有第 4(2) 或 (3) 條指明的資格的人代替，則該註冊承辦商須在該項代替作出時起計的 14 天內以書面通知處長，並向處長提出該條例所規定申請人須持有的資格的證據。

(3) 遵從第 (2) 款而令處長信納的註冊承辦商，其姓名或名稱不得根據第 8(b) 條從適當的註冊紀錄冊中刪除。

(4) 註冊承辦商的註冊姓名或名稱或註冊地址有任何更改，須在 14 天內以書面通知處長。

(5) 註冊承辦商按照第 (2) 或 (4) 款通知處長時，須按照附表 2 向處長繳付適當費用。

(1986 年第 263 號法律公告)

[Subsidiary]

8. Removal of name from the register

The Director shall remove from the appropriate register the name of any registered contractor—

- (a) who—
 - (i) dies; or
 - (ii) in the case of a firm or company, is dissolved; (*L.N. 263 of 1986*)
- (b) subject to regulation 7(3), who is registered solely by virtue of the qualifications of a director, employee or partner who subsequently ceases to be such director, employee or partner, as the case may be; (*L.N. 263 of 1986*)
- (ba) whose workshop at the new address notified under regulation 4C(1) is inspected by the Director under regulation 4C(3) and re-inspected under regulation 4C(4) and is, in the opinion of the Director, unsatisfactory; (*L.N. 263 of 1986*)
- (c) who ceases, for any reason, to be a fire service installation contractor; or
- (d) subject to regulation 10(4), in compliance with an order made by the disciplinary board under regulation 10(2)(a). (*L.N. 263 of 1986*)

(*L.N. 268 of 1978*)

8A. Application for re-registration

Regulation 3 shall apply to an application for re-registration by a registered contractor whose name has been removed from the register under regulation 8(b), (ba) or (c).

(*L.N. 263 of 1986*)

9. Appointment of disciplinary board

(1) The Governor may appoint a disciplinary board which shall inquire into and deal with any matters referred to it under regulation 10(1).

(2) The disciplinary board shall consist of—

- (a) a member of the committee of the Fire Insurance Association of Hong Kong nominated by that Association;
- (b) a public officer nominated by the Building Authority;
- (c) a public officer nominated by the Water Authority;
- (d) a registered contractor nominated by the Director.

[附屬條例]

8. 從註冊紀錄冊中刪除姓名或名稱

如有以下情況，則處長須將註冊承辦商的姓名或名稱從適當的註冊紀錄冊中刪除——

- (a) (i) 該註冊承辦商去世；或
- (ii) 該註冊承辦商(如屬商號或公司)解散； (*1986 年第 263 號法律公告*)
- (b) 除第 7(3) 條另有規定外，該註冊承辦商純粹憑藉一名董事、僱員或合夥人的資格而註冊，而該董事、僱員或合夥人其後不再是上述董事、僱員或合夥人(視屬何情況而定)； (*1986 年第 263 號法律公告*)
- (ba) 該註冊承辦商在根據第 4C(1) 條通知的新地址的工場，在處長根據第 4C(3) 條視察和根據第 4C(4) 條再度視察後處長認為不令人滿意； (*1986 年第 263 號法律公告*)
- (c) 該註冊承辦商因任何理由而不再是消防裝置承辦商；或
- (d) 除第 10(4) 條另有規定外，為遵從紀律委員會根據第 10(2)(a) 條作出的命令。 (*1986 年第 263 號法律公告*)

(*1978 年第 268 號法律公告*)

8A. 申請重新註冊

第 3 條適用於由註冊承辦商在其姓名或名稱根據第 8(b)、(ba) 或 (c) 條從註冊紀錄冊中刪除後提出的重新註冊申請。

(*1986 年第 263 號法律公告*)

9. 紀律委員會的委任

(1) 總督可委任一個紀律委員會，研訊和處理任何根據第 10(1) 條轉交該委員會的事宜。

(2) 紀律委員會由以下的人組成——

- (a) 香港火險保險工會所提名的委員會成員一名；
- (b) 建築事務監督所提名的公職人員一名；
- (c) 水務監督所提名的公職人員一名；
- (d) 處長所提名的註冊承辦商一名；

- (3) The Governor may appoint one of the persons specified in paragraph 2) as chairman of the disciplinary board, and the legal adviser shall conduct the proceedings under the direction of the chairman.

10. Disciplinary proceedings

- (1) If it appears to the Director that a registered contractor has been convicted by any court of such an offence, or has been guilty of such improper conduct or negligence in the installation, maintenance, repair or inspection of any fire service installation or equipment, as to—
- render him unfit to be on the register; or
 - make his continued inclusion in the register prejudicial to the due administration of the Ordinance,
- the Director may refer the matter to the disciplinary board.
- (2) If, after due inquiry, the disciplinary board is satisfied that a registered contractor has been convicted of an offence or has been guilty of improper conduct or negligence, of the kind mentioned in paragraph (1), the disciplinary board may order—
- that the name of the registered contractor be removed, either permanently or for such period as it thinks appropriate, from the register; or
 - that the registered contractor be reprimanded. (L.N. 268 of 1978)
- (3) Subject to paragraph (4), the Director shall comply with any order made under paragraph (2) and shall record the order in the register.
- (4) The Director shall not take any action in compliance with an order made under paragraph (2)—
- if an appeal is lodged under regulation 12(1), until the appeal is disposed of; or
 - until the time within which an appeal may be lodged under regulation 12(2) has expired.

Powers of disciplinary board

- (1) For the purposes of an inquiry the disciplinary board shall have the following powers—
- to hear and examine witnesses on oath;
 - to summon any person to attend any hearing of the disciplinary board to give evidence or produce any document or other thing in his possession and to examine him as a witness or require him to produce any document or other thing in his possession subject to all just exceptions;

- (3) 總督可委任第(2)款指明的人其中一人為紀律委員會的主席，而法律顧問須在主席的指示下進行程序。

10. 紀律程序

- (1) 處長如覺得註冊承辦商曾就裝置、保養、修理或檢查任何消防裝置或設備的不當行為或疏忽而被任何法庭定罪，或曾犯此等罪行，以致——
- 他不適宜名列於註冊紀錄冊；或
 - 繼續將他列入註冊紀錄冊會妨礙本條例的妥當執行，
- 則處長可將此事宜轉交紀律委員會。
- (2) 紀律委員會在作出適當的研訊後，如信納註冊承辦商曾就第(1)款所述種類的行為或疏忽而被定罪，或曾犯此種罪行，則可命令——
- 將該註冊承辦商的姓名或名稱從註冊紀錄冊中永久刪除，或將該註冊承辦商的姓名或名稱在委員會認為適當的期間從註冊紀錄冊中刪除；或
 - 對該註冊承辦商予以譴責。(1978年第268號法律公告)
- (3) 除第(4)款另有規定外，處長須遵從根據第(2)款作出的任何命令，並將命令記錄在註冊紀錄冊上。
- (4) 處長不得為遵從根據第(2)款作出的命令而採取任何行動，除非——
- (如有上訴根據第12(1)條提出)上訴已獲處置；或
 - 根據第12(2)條可提出上訴的時間已屆滿。

11. 紀律委員會的權力

- (1) 為研訊的目的，紀律委員會具有以下權力——
- 聆聽與研訊有關經宣誓後的證人；
 - 傳召任何人出席紀律委員會的任何聆訊，由該人提供證據或出示他所管有的任何文件或其他物件，並以該人為證人而向他研訊或規定該人出示他所管有的任何文件或其他物件，但須不抵觸所有屬公正的例外情況；

[Subsidiary]

(c) to order the inspection of premises in which any fire service installation or equipment has been installed, maintained, repaired or inspected; or

(d) to enter upon and view such premises.

(2) A witness summons shall be in such form as the chairman of the disciplinary board shall direct and shall be signed by the chairman.

(3) Any person who being summoned to attend as a witness or to produce any document or any other thing at a hearing of the disciplinary board refuses or neglects to do so or to answer any questions put to him by or with the concurrence of the disciplinary board shall be guilty of an offence and shall be liable on conviction to a fine of \$500 and to imprisonment for 3 months.

Provided that no person shall be bound to incriminate himself and every witness shall in respect of any evidence given by him before the disciplinary board be entitled to the same privileges to which he would be entitled if giving evidence in civil proceedings before the High Court.

(4) Any person who behaves in an insulting manner or uses any threatening or insulting expression to or in the presence of the disciplinary board shall be guilty of an offence and shall be liable on conviction to a fine of \$500 and to imprisonment for 3 months.

12. Appeal from disciplinary board

(1) A registered contractor who is aggrieved by an order made in respect of him by a disciplinary board under regulation 10(2) may appeal to the High Court which may confirm, reverse or vary the order of the disciplinary board, and may exercise any power which the board might have exercised.

(2) Notice of an appeal under paragraph (1) shall be given by the registered contractor within 30 days from the date on which the order of the disciplinary board is served upon him.

(3) Save as otherwise provided in these regulations, the practice in relation to an appeal under this regulation shall be subject to any rules of court made under the Supreme Court Ordinance (Cap. 4).

(4) The decision of the High Court on the appeal shall be final.

13. Contravention of regulation 4C, 6A or 7 an offence

Any person who contravenes regulation 4C(1) or (5), 6A or 7(1), (2) or (4) shall be guilty of an offence.

(L.N. 263 of 1986)

[附屬法例]

(c) 命令檢察處所，而該等處所為曾有任何消防裝置或設備在其內裝置、保養、修理或檢查者；或

(d) 進入與查看該等處所。

(2) 證人傳票須採用紀律委員會主席指示的格式，並須由主席簽署，

(3) 任何人被傳召在紀律委員會的研訊出席作為證人或出示任何文件或其他物件而拒絕或忽略作答，或對於紀律委員會向他提出或經該委員會同意而向他提出的問題拒絕或忽略作答，即屬犯罪，一經定罪，可處罰款 \$500 及監禁 3 個月。

但任何人無必要作出會導致他人入罪的證供，而每名證人就他向紀律委員會所提供的證據，均享有如在高等法院民事法律程序中提供證據時會享有的特權。

(4) 任何人向紀律委員會或在該委員會程序前作出侮辱性的行為，或使用任何恐嚇性或侮辱性的言詞，即屬犯罪，一經定罪，可處罰款 \$500 及監禁 3 個月。

12. 就紀律委員會的命令提出上訴

(1) 註冊承辦商如因紀律委員會根據第 10(2) 條就他作出的命令而感到受屈，可向高等法院提出上訴，而高等法院可確認、推翻或更改紀律委員會的命令，並可行使該委員會本可行使的任何權力。

(2) 根據第 (1) 款提出上訴的通知須在紀律委員會的命令送達註冊承辦商的日期起計 30 天內由註冊承辦商發出。

(3) 除本規例另有規定外，任何與根據本條提出的上訴有關的常規，須受根據《最高法院條例》(第 4 章) 訂立的任何法院規則所規管。

(4) 高等法院就該上訴所作的決定為最終決定。

13. 違反第 4C、6A 或 7 條即屬犯罪

任何人違反第 4C(1) 或 (5)、6A 或 7(1)、(2) 或 (4) 條，即屬犯罪。

(1986 年第 263 號法律公告)

14. Registered contractor undertaking work outside his class

A registered contractor who undertakes any work in connexion with fire service installations or equipment, except work of the class in respect of which his name is entered in the register, shall be guilty of an offence.

5. Delegation of powers

The Director may authorize the Deputy Director or a Chief Fire Officer to exercise any of the powers or duties conferred or imposed on him by these regulations.

6. Penalties

Any person guilty of an offence under regulation 13 or 14 shall be liable in conviction to a fine of \$2,000.

7. Fees paid not refundable

Any fee or fees paid in accordance with these regulations shall not be refundable.

(L.N. 263 of 1986)

FIRST SCHEDULE

[reg. 3(1) & (1A)]

FIRE SERVICE (INSTALLATION CONTRACTORS) REGULATIONS

(Regulation 3(1))

FORM 1

APPLICATION FOR REGISTRATION AS A FIRE SERVICE INSTALLATION CONTRACTOR CLASS 1 AND/OR CLASS 2

Director of Fire Services

I hereby make application to be registered as a Fire Service Installation Contractor, Class 1
(or Class 2).

1. Registered name of company or firm
2. Registered address of company or firm

14. 註冊承辦商承擔進行非所屬級別的工程

註冊承辦商承擔進行與消防裝置或設備有關的任何工程，而該工程所屬級別並非該註冊承辦商的姓名或名稱就該級別而記入註冊紀錄冊的，即屬犯罪。

15. 權力的轉授

處長可授權副處長或消防總長行使本規例授予他的權力或執行本規例委予他的職責。

16. 罰則

任何犯第 13 或 14 條所訂罪行的人，一經定罪，可處罰款 \$2,000。

17. 已繳費用不會退還

按照本規例繳付的任何一種或多於一種費用，將不獲退還。

(1986 年第 263 號法律公告)

附表 1

[第 3(1) 及 (1A) 條]

消防 (裝置承辦商) 規例

(第 3(1) 條)

表格 1

註冊為第 1 級及／或第 2 級消防裝置承辦商申請書

致：消防處處長

本人現申請註冊為第 1 級及／或第 2 級消防裝置承辦商。

1. 公司或商號的註冊名稱
2. 公司或商號的註冊地址

[Subsidiary]					
3. Name of persons holding qualifications required for registration	DATE OF BIRTH	IDENTITY CARD NO.	QUALIFICATION	* IN FULL TIME EMPLOYMENT WITH APPLICANT	* IN PART TIME EMPLOYMENT WITH APPLICANT

* Please tick where applicable.

4. Details of experience in installation, maintenance, repair and inspection of fire service installation and equipment

5. Name (in block letters) and telephone no. of the person to be contacted for any enquiry relating to this application

6. I request to be registered under
Class 1 ☐ and/or Class 2 ☐
(Please tick where applicable)

Signature of applicant

Date

[附屬表格]						
3. 具備註冊所需資格的人的姓名	姓名	出生日期	身分證號碼	資格	* 全職受僱於申請人	* 兼職受僱於申請人

* 請於適用之處加「✓」號

4. 裝置、保養、修理和檢查消防裝置及設備的經驗細節

5. 就此申請有任何查詢時可聯絡的人的姓名 (請用正楷填寫) 及電話號碼

6. 本人要求註冊於下列級別
第 1 級 ☐ 及/或 第 2 級 ☐
(請於適用之處加「✓」號)

申請人簽署

日期

[Subsidiary]

FIRE SERVICE (INSTALLATION CONTRACTORS) REGULATIONS

(Regulation 3(1A))

FORM 2

APPLICATION FOR REGISTRATION AS A FIRE SERVICE
INSTALLATION CONTRACTOR CLASS 3

I, Director of Fire Services

do hereby make application to be registered as a Fire Service Installation Contractor Class 3.

1. Name of applicant
2. Address of applicant
3. Telephone No.
4. Date of Birth
5. Identity Card No.
6. Name and address of company or firm under
employment (if applicable)
7. Qualifications and experience of applicant in
maintenance, repair and inspection of fire service
installations and equipment

Signature of applicant

(will be accepted as
specimen signature)

Date
(L.N. 268 of 1978; L.N. 263 of 1986; L.N. 78 of 1997)

[附屬法例]

消防(裝置承辦商)規例

(第 3(1A) 條)

表格 2

註冊為第 3 級消防裝置承辦商申請書

致：消防處處長

本人現申請註冊為第 3 級消防裝置承辦商。

1. 申請人姓名
2. 申請人地址
3. 電話號碼
4. 出生日期
5. 身分證號碼
6. 申請人受僱的公司或商號的名
稱及地址 (如適用的話)
7. 申請人對保養、修理和檢查消
防裝置及設備所具備的資格及
經驗

申請人簽署

(將用作為簽名式樣)

日期
(1978 年第 268 號法律公告；1986 年第 263 號法律公告)