

LEGCO QUESTION NO. 16

(Written Reply)

Date of meeting : 27 November 2002

Asked by : Hon LI Wah-ming Replied by : Secretary for Housing,
Planning and Lands

Question:

A serious incident of gas explosion which caused a blaze took place at Tsui Chuk Garden on 30th last month. After the fire was put out, the Police sealed off the entire building temporarily, pending inspection on the structural safety of the building by staff of the Buildings Department ("BD"). I saw that the BD staff did not arrive at the scene until nine o'clock in the evening, which was six hours after the incident. Moreover, I learnt that such staff and the most senior police officers there were not of the ranks authorized to issue premises closure orders. In this regard, will the Government inform this Council of:

- (a) the reasons for the BD staff's taking as long as six hours after the incident to arrive at the scene;
- (b) the reasons for BD and the Police not having sent to the scene senior officers who were authorized to issue the relevant orders, so as to avoid delays in follow-up actions; and
- (c) the department responsible for on-site co-ordination that day; and the established mechanism for determining the department to be tasked with co-ordinating such unforeseen events?

Reply :

Madam President,

In accordance with section 27 of the Buildings Ordinance (Chapter 123), a closure order of a building is made by the Court. Nevertheless, the Court did not make any building closure order in the Tsui Chuk Garden incident.

As regards the three parts of the question, our reply is as follows.

- (a) The Duty Officer of the Buildings Department received a notification by the Police at 7:46 p.m. on 30 October requesting an officer of the Buildings Department to attend the scene for an inspection of the building concerned. The Duty Officer arrived at the scene at 9:21 p.m.
- (b) Generally speaking, the Buildings Department assigns professional Duty Officers to attend the scene and assess the building safety conditions after receiving reports of emergency incidents which may affect building safety.

With respect to the Tsui Chuk Garden incident, the Police had already taken action to temporarily evacuate the residents of the whole building when the Duty Officer of the Buildings Department arrived at the scene. Following an inspection of the affected building, the Duty Officer of the Buildings Department considered that there was no building structural danger overall. However, for the more immediately affected 14th, 15th and 16th floors, more thorough inspection and assessment had to be carried out to ascertain whether there was any localized structural problem. Therefore, the next morning, the Buildings Department dispatched officers to conduct detailed inspections. The inspections confirmed that there was no problem with the structural safety of the three floors.

All Duty Officers of the Buildings Department possess sufficient professional qualification and experience to handle the relevant emergency matters at the scene. The question of inappropriateness of ranking of the officer concerned does not arise.

As regards the action taken by the Police, under section 2 of the Fire Investigation Ordinance (Chapter 12), a Police officer at the rank of Superintendent or above may take possession of any premises in which a fire has occurred and place it under police guard until released by the written order of a Magistrate in accordance with section 6A of the Ordinance. Exercise of these powers should normally be confined to fires of doubtful or suspicious origin, i.e. fires suspected to have been caused by arson or to have involved any other criminal offence, or the cause of which cannot be determined after initial investigation.

On 30 October 2002, the Police Divisional Commander of Tsz Wan Shan (at the Superintendent rank) attended the scene shortly after the incident and ordered the premises in question, i.e. only 15th Floor of Block 2 of Tsui Chuk Garden, once cleared by Fire Services Department (FSD), to be placed under Police guard for investigation due to the suspicious cause of the fire in accordance with section 2 of the Fire Investigation Ordinance. Upon the conclusion of investigation at the scene, the Police immediately applied to a magistrate to release the premises under section 6A of the Fire Investigation Ordinance. The order was issued at noon on 2 November 2002.

- (c) In this incident, the Fire Services Department (FSD) was responsible for rescuing trapped people, fighting fires and providing first aid to injured persons at the scene whilst the Police were responsible for crowd and traffic control, providing escort of injured persons to hospital, and maintaining law and order in the affected area. Throughout this incident, the Police maintained close liaison with FSD and Wong Tai Sin District Office of the Home Affairs Department.

The Home Affairs Department co-ordinates and oversees the setting up of an Inter-departmental Help Desk at the scene of major emergency incidents for providing emergency relief services. On the day of the gas explosion incident, the Wong Tai Sin District Office immediately co-ordinated the setting up of the inter-departmental help desk, registered households affected by the incidents and offered assistance. A hotline service was also set up to handle public enquiries.

立法會問題第十六條

(書面答覆)

會議日期：二零零二年十一月二十七日

提問者：李華明議員 作答者：房屋及規劃地政局局長

問題：

上月 30 日，翠竹花園發生一宗氣體爆炸並引致大火的嚴重事故，警方在火警撲滅後臨時封閉整幢樓宇，等待屋宇署派員檢查樓宇結構是否安全。本人目睹屋宇署人員在晚上 9 時(即事發後 6 小時)才抵達現場，而且據悉他們及現場最高級的警務人員均不屬已獲授權簽發樓宇封閉令的職級。就此，政府可否告知本會：

- (一) 屋宇署人員在事發後 6 小時才抵達現場的原因；
- (二) 屋宇署及警方為何沒有派遣獲授權簽發相關命令的高級人員前往現場，以免善後工作受到阻延；及
- (三) 當日哪個部門負責現場的協調和統籌工作；當局決定由哪個部門統籌這類突發事件的既定機制為何？

答覆：

主席：

根據《建築物條例》(第 123 章)第 27 條，建築物封閉令是由法庭簽發的。在這次翠竹花園事件中，法庭並無簽發建築物封閉令。

就問題的三部分，答覆如下。

- (一) 屋宇署的當值人員於十月三十日下午七時四十六分接獲警方通知，要求屋宇署派員前往現場視察有關樓宇。該名當值人員於下午九時二十一分抵達現場。
- (二) 一般來說，在接獲可能影響樓宇安全的緊急事件報告後，屋宇署便會派專業當值人員到達現場，就樓宇安全狀況進行評估。

在這次翠竹花園事件中，當屋宇署的當值人員抵達現場時，警方已採取行動，暫時撤離整座樓宇的居民。屋宇署的當值人員經勘察受影響樓宇後認為樓宇整體結構並沒有危險，但受較大影響的十四、十五及十六樓，則需要更深入勘察和評估，以確定是否有局部的結構問題。翌日早上，屋宇署再派員作詳細檢查，証實該三層樓的結構安全沒有問題。

所有屋宇署的當值人員，都擁有足夠的專業資格和經驗在現場處理有關的緊急事項。因此並不涉及職級不符的問題。

至於警方的行動方面，按照《火警調查條例》(第 12 章)第 2 條，警司或以上職級的警務人員可接收發生火警的處所，並派出警務人員看守該處所，直至裁判官根據同一條例第 6A 條發出書面令解封為止。上述權力只應在火警起因不明或可疑時才行使，即懷疑有縱火成分或涉及其他刑事罪行，或者是初步調查後無法確定起因的時候。

在二零零二年十月三十日，警務處慈雲山分區指揮官(警司職級)在事發後隨即趕抵現場，並下令因火警起因有可疑，一俟消防處完成工作，即根據《火警調查條例》第 2 條派出警務人員看守該處所（只局限於翠竹花園第二座十五樓）以作調查。警方更於完成現場調查工作後，立刻根據《火警調查條例》第 6A 條向裁判官申請解封令，而該令亦於二零零二年十一月二日中午發出。

- (三) 在此事件中，消防處負責在現場搶救被困人士、撲救火勢及在現場為傷者進行急救；而警方則負責人群及交通控制，協助將傷者送往醫院及在受影響地方維持治安。在整件事件中，警方與消防處及黃大仙民政事務處保持密切聯繫。

民政事務總署負責統籌在嚴重緊急事故現場設立跨部門援助站，提供緊急援助。在氣體爆炸事件發生當日，黃大仙民政事務處馬上在現場設立了跨部門援助站，為受影響的居民登記以及提供援助，並設立電話熱綫，解答市民查詢。