



FIRE HAZARDS AT HOUSING PROJECTS IN MALAYSIA: A LEGAL OVERVIEW

**Professor Dr Nuarrual Hilal Md Dahlan ACIS
(CGP)(CS), CC**

School of Law

Universiti Utara Malaysia

- Fire hazards
- **Housing Development**
- **Losses & sufferings**



Introduction



FSA & UBBL

PERMOHONAN TERBUKA JABATAN BOMBA & PENYELAMAT MALAYSIA (JBPM)



Tawaran adalah terbuka kepada Warganegara Malaysia bagi
Permohonan Terbuka
Jabatan Bomba dan Penyelamat Malaysia (JBPM)

- **Fire Services Act 1988 (Act 341)('FSA')**- duties & responsibilities of the Fire & Rescue Department ('FRD'), responsibilities of the relevant persons, offences, punishments.
- **Uniform Building By-Laws 1984 ('UBBL')**-building construction methods & materials
- **'extinguishing**, fighting, **preventing**, ...protecting life, property, **securing the provision**,... proper regulation of fire escapes...**making investigation**...performing humanitarian services...(section 5(1)(2) FSA

FSA & UBBL

- ➔ Duties of certain persons under the FSA & UBBL
 - ➔ – **water authority** to notify the FRD Director of any action affecting water flow to a fire hydrant
 - ➔ -all **designated premises** must be issued with fire certificates
 - ➔ - **building plan** of designated premises must comply the FSA & UBBL



Discussion – Fire Hazards Issues

- FSD does not have expertise in **earthquake**, **landslide**, **electricity**, **natural catastrophe**...JKR, IKRAM, TNB, JMGS...
- Practices of architect & developer not comply with the UBBL – **house parting wall**, **wall thickness**, **unapproved bricks**, **failure to seal the boundary unit**, **parting wall**...



- **Public awareness campaign and education**, fire hydrant, firewall, access, MyBomba, Fire Brigade Community, periodic checking
- **Not enough buffer zone**
- Electrical sub-station, electrical line, cable – cause **women infertility**
- Best practices – **British Standard**, **National Fire Protection Association** (USA), **Australian standard** – FRD machinery, pumps, relevant tools, system

Discussion – Fire Hazards Issues



- ➔ **Compensation from insurance is not enough** to cover the losses due to fire hazards
- ➔ **Tenant does not get** insurance protection
- ➔ **Bay' Bithaman al-Ajil (BBA) Islamic Home Finance absolves the liability** of the owner bank facility provider/bank lender
- ➔ **Local authority & developer do not take any measure** to reduce the sufferings of the victims.

Discussion – Fire Hazards Issues



THANK YOU!

