

# FIRE CERTIFICATE APPLICATION

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## Introduction to the Fire Certificate

According to the Fire Services Act 1988, certain buildings with a high risk of catching fire must get a Fire Certificate (FC) issued by the Fire and Rescue Department of Malaysia (BOMBA) to ensure that the buildings are safe to be occupied. Normally, the building owner, occupant, and the building management committee are responsible for the Fire Certificate application.

### • What Types of Building Require A Fire Certificate?

According to the Fire Services (Designated Premises) Order 1998, the designated buildings that need to apply for a Fire Certificate are listed in the table below <sup>[1]</sup>:

No.	Types of Building	Size of Building	Location
1	Library	Total floor area exceeds 1000 square meters	All places in Malaysia
2	Hospital and Nursing Home	i. 3 storeys or above where each floor area exceeds 250 square meters ii. 5 storeys or above	
3	Hotel	i. Open design balcony approach with open staircase with extended lobby or tower staircase: <ul style="list-style-type: none"> <li>4 storeys or above with more than 50 rooms</li> <li>6 storeys or above</li> </ul> ii. Other designs: <ul style="list-style-type: none"> <li>21 rooms or above</li> </ul>	
4	Hostel and Dormitory	i. 4 storeys or above where each floor area exceeds 250 square meters ii. 6 storeys or above	
5	Office	Height exceeds 30 meter or total floor area exceeds 10,000 square meters	
6	Shop	Total floor area of 2001 square meters or above	
7	Factory	i. 1 storey of 2001 square meters or above with automatic sprinkler system ii. 2 storeys where each floor built as separated compartment single or terrace type construction with total floor area exceeds 1000 square meters iii. 3 storeys or above iv. Flatted factories block development open balcony approach: <ul style="list-style-type: none"> <li>2 storeys or above where each compartment size exceeds 7000 cubic meters</li> </ul> v. Special structure: <ul style="list-style-type: none"> <li>factory complexes such as palm oil mill complex, palm oil refinery, cement works, etc.</li> <li>hazardous processes</li> </ul>	
8	Place of Assembly	i. Buildings without a central air-conditioning system of 2000 square meters or above ii. Buildings with a central air-conditioning system exceed 1000 square meters or with the capacity of 1000 people or above	
9	Storage and General	i. Underground parking structure exceeds 1000 square meters ii. Exceeding 7000 cubic meters iii. 2 storeys or above where its total floor area exceeds 1000 square meters	

- **Which Buildings Exempted from Obtaining A Fire Certificate?**

According to the Fire Services Act 1988, Section 28 (3), the house that is occupied as a **single private dwelling** and the **place of worship** can be exempted from obtaining a Fire Certificate [2].

- **What If A Designated Building Does Not Obtain A Fire Certificate?**

According to the Fire Services Act 1988, Section 33, if a designated building does not obtain a Fire Certificate, the owner of the building will be liable to **a fine not exceeding RM10,000 or imprisonment for not exceeding 5 years or both** and liable to a further fine of RM100 for each day during which the offence is continued after the conviction. [2]

- **Application of Fire Certificate**

After obtaining a Certificate of Completion and Compliance (CCC), the new building must get a Fire Certificate from BOMBA. An application can be made at the BOMBA headquarter or certain BOMBA station based on the location of the building [3].

The applicant should use **Form I** to apply for a Fire Certificate. The following documents should be provided too for the application [4]:

- i. Copy of CCC
- ii. Copy of building plan (which has been approved by BOMBA during CCC production)
- iii. Copy of sales and purchase agreement
- iv. Copy of land title
- v. Copy of assessment
- vi. Copy of business license

Besides, BOMBA has made it compulsory for all the designated buildings to have the **Automatic Fire Monitoring System (SPKA)** to link their fire alarm system to the nearest fire station [4]. The system is very important in loss prevention during emergencies. It will detect a fire in its early stages, notify the owners or the tenants about the fire, and report the incident to the BOMBA. The old Computerized Monitoring System (CMS) has been replaced by SPKA which is the latest system used by BOMBA. Any buildings that do not have the SPKA system will not be issued a Fire Certificate.

After BOMBA reviewed all the documents, BOMBA will arrange an inspection. If the fire protection system is in order, the applicant can proceed with the payment and a Fire Certificate will be issued.

- **Renewal of Fire Certificate**

According to the Fire Services (Fire Certificate) Regulations 2001, the certificate is **valid for one year only** from the date issued [5]. Renewal of a Fire Certificate must be made annually. The applicant should use **Form III** to apply for the renewal of a Fire Certificate and the application must be made at least 30 days before the expiry date. All the renewals are subjected to BOMBA inspection.

- **Can A Building Be Modified After Obtaining A Fire Certificate?**

According to the Fire Services Act 1988, Section 32, any designated buildings with a Fire Certificate cannot make any modification that will cause the existing fire protection system to become inadequate [2]. If modification needed, the applicant must submit **fire fighting system drawing** to BOMBA before making any changes. BOMBA will review the submitted plan. If it complies with the standard, BOMBA will arrange an inspection. A new Fire Certificate will be issued after the payment is done.

- **Is the Applicant Has the Right to Appeal?**

According to the Fire Services Act 1988, Section 34, the applicant has the right to appeal. If BOMBA refused to issue a Fire Certificate to an applicant, he can write an appeal letter to the Director General of BOMBA within 21 days. The Director General will review the appeal letter and make the final decision.

### **Conclusion**

In a nutshell, the owner of a building has the responsibility to check if he needs to obtain a Fire Certificate. If a Fire Certificate is needed, the owner can follow the guidelines above to apply it. By doing so, he can ensure that the building is safe to be occupied and avoid being fined by the BOMBA.

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#### *References:*

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