

LEGISLATIVE COUNCIL BRIEF

**Aerial Ropeways (Operation and Maintenance)
(Amendment) Regulation 2003**

INTRODUCTION

The Secretary for Housing, Planning and Lands has made the Aerial Ropeways (Operation and Maintenance) (Amendment) Regulation 2003 (“the Amendment Regulation”) at **Annex A** to strengthen safety requirements of aerial ropeways.

BACKGROUND

2. The Aerial Ropeways (Safety) Ordinance (the Ordinance) and the Aerial Ropeways (Operation and Maintenance) Regulations (the Regulations) govern the operation and safety standards of cable car systems. In connection with the development of an aerial ropeway on Lantau Island linking Tung Chung and Ngong Ping (the Tung Chung Cable Car System), we have reviewed the Ordinance and the Regulations to ensure their continued adequacy.

3. We have now established that the Ordinance is capable of covering any aerial ropeway design. However, the Regulations are not and hence require amendments. In addition, we propose to empower the Director of Electrical and Mechanical Services to specify the wind speed limit and examination requirements for various kinds of ropes for the safe operation of an aerial ropeway. Again these require amendments to the Regulations.

THE AMENDMENT REGULATION

4. The Amendment Regulation at **Annex A** has the following principal

features.

- (a) **Section 2** adds to the Regulations the definition of “carrying-hauling rope”, “hauling rope” and “track rope”. **Section 3** repeals regulation 3 so that the Regulations as amended apply not only to mono-cable ropeways but also to ropeways of other designs. These two sections together will enable the Regulations to apply to all ropeway designs, including the new ropeway design to be adopted for the Tung Chung Cable Car System.
- (b) **Section 6** amends regulation 15. It empowers the Director of Electrical and Mechanical Services to specify the wind speed limit for the safe operation of an aerial ropeway.
- (c) **Section 10** replaces regulations 22 and 23 with new provisions and adds a new regulation 23A which require carrying-hauling ropes, hauling ropes and track ropes to be examined visually or by means of a measuring instrument within specified periods.
- (d) **Section 19** replaces the whole Third Schedule. It aims to specify the penalties for the new offences and express all fines in terms of levels instead of amounts.

B

The existing provisions being amended are at **Annex B**.

5. The Secretary for Housing, Planning and Lands intends to appoint a day around the end of July 2003 as the commencement date of the Amendment Regulation.

IMPLICATIONS OF THE PROPOSAL

6. The Amendment Regulation is in conformity with the Basic Law, including provisions concerning human rights. The amendments will not affect the current binding effect of the Regulations.

7. The Amendment Regulation does not have significant sustainability implications, but would help enhance the safety of passengers riding on aerial ropeways. There are no economic, financial or civil service implications arising from the Amendment Regulation. They have no productivity or environmental

implications.

PUBLIC CONSULTATION

8. In July 2001, the owner of the only aerial ropeway system in Hong Kong at present, i.e. the Ocean Park Corporation, was consulted on the proposed amendments to the legislation. The Corporation was generally supportive of the proposed changes. The successful proponent of Tung Chung Cable Car System, MTR Corp. Ltd., was also consulted on the proposed amendments in September 2002.

9. We consulted the Legislative Council Panel on Planning, Lands and Works on the proposed amendments on 1 March 2002. It was generally supportive.

ENQUIRIES

10. Enquiries on this brief may be directed to Mr D. Li, Assistant Secretary (Buildings)/Housing, Planning and Lands Bureau at telephone number 2848 6290 or fax number 2899 2916.

HOUSING, PLANNING AND LANDS BUREAU
May 2003

**AERIAL ROPEWAYS (OPERATION AND MAINTENANCE) (AMENDMENT)
REGULATION 2003**

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**AERIAL ROPEWAYS (OPERATION AND MAINTENANCE)
(AMENDMENT) REGULATION 2003**

(Made under section 28 of the Aerial Ropeways (Safety)
Ordinance (Cap. 211))

1. Commencement

This Regulation shall come into operation on a day to be appointed by the Secretary for Housing, Planning and Lands by notice published in the Gazette.

2. Interpretation

Regulation 2 of the Aerial Ropeways (Operation and Maintenance) Regulations (Cap. 211 sub. leg. A) is amended by adding -

"carrying-hauling rope" (運載拖纜) means a rope that is powered

by a drive system and is designed, manufactured or used to perform both the functions of a hauling rope and a track rope;

"hauling rope" (牽引纜) means a rope that is powered by a drive

system and is designed, manufactured or used solely for hauling carriers on an aerial ropeway;

"track rope" (導軌纜) means a rope that is designed, manufactured

or used solely for supporting carriers on an aerial ropeway;".

3. Application

Regulation 3 is repealed.

4. Records to be kept

Regulation 7 is amended -

- (a) in paragraph (1), by repealing "本" and substituting "份";
- (b) in paragraph (1)(g)(iii), by repealing "detachable grips" and substituting "a grip";
- (c) in paragraph (2)(a)(ii) and (iv), by repealing "副本" and substituting "文本".

5. Certain occurrences to be reported

Regulation 12(1)(d) is amended by repealing "detachable".

6. Operation in inclement weather

Regulation 15 is amended -

- (a) by adding before paragraph (1) -
 - "(1A) The Director may -
 - (a) specify the wind speed limit for the safe operation of an aerial ropeway;
and
 - (b) specify different wind speed limits for different aerial ropeways.";
- (b) in paragraph (1), by repealing everything before subparagraph (b) and substituting -
 - "(1) Where the wind speed exceeds the specified wind speed limit applicable to an aerial ropeway, the controller on duty shall -

- (a) stop the operation of the ropeway after all the passengers being carried on it have been carried to the nearest station at which transport is available; and".

7. Maintenance schedules

Regulation 19(1) is amended -

- (a) in subparagraph (a), by repealing "and cables";
- (b) in subparagraph (c), by adding ", braking systems" before "and generators";
- (c) in subparagraph (f), by repealing "detachable".

8. Annual and quarterly examinations

Regulation 20 is amended -

- (a) in paragraph (2), by repealing "(3)" and substituting "(3A)";
- (b) in paragraph (3) -
 - (i) by repealing "For the purposes of paragraphs (1) and (2) the surveyor or competent person shall examine" and substituting "The examinations for the purposes of paragraph (1) are examinations of";
 - (ii) in subparagraph (a), by adding ", hauling rope and track rope" after "rope";
 - (iii) in subparagraph (b), by repealing "detachable";
- (c) by adding -

"(3A) The examinations for the purposes of paragraph (2) are the examinations referred to in paragraph (3) but does not include any visual examination or defectograph readings over the carrying-hauling rope, hauling rope or track rope.";

(d) in paragraph (4), by adding "or (3A)" after "(3)".

9. Prohibition on use of certain ropes

Regulation 21(a) is repealed and the following substituted -

"(a) if the diameter of the rope has been reduced by 10 per cent or more of its diameter at the time it was first installed; or".

10. Regulations substituted

Regulations 22 and 23 are repealed and the following substituted -

"22. Visual examination of carrying-hauling rope and hauling rope by competent person

(1) Subject to paragraph (2) and regulation 23(2), the competent person in charge of an aerial ropeway that has a carrying-hauling rope or hauling rope shall examine the rope visually -

(a) prior to the commencement of operation; and

(b) where the ropeway has been put into operation, at intervals not exceeding 30 days,

but the examination shall not be carried out on a day on which a surveyor carries out a visual examination or takes defectograph readings in respect of the rope under regulation 20.

(2) Where deterioration or other changes affecting the strength of the carrying-hauling rope or hauling rope have set in, the Director may require the competent person in charge of the aerial ropeway to examine the rope visually at such other times as the Director may determine.

(3) The competent person in charge of an aerial ropeway shall ensure that, at the time the examination is carried out under paragraph (1) or (2), the carrying-hauling rope or hauling rope is run at a speed not exceeding 0.3 m a second.

(4) The owner of an aerial ropeway shall ensure that a report of every examination required to be carried out under this regulation, prepared by the competent person carrying out the examination, is sent to the Director as soon as reasonably possible after the examination is completed.

23. Examination of carrying-hauling rope and hauling rope by competent person

(1) Subject to paragraphs (2) and (3), the competent person in charge of an aerial ropeway that has a carrying-hauling rope or hauling rope shall examine the rope with a defectograph at least once every 3 months, but the examination shall not be carried out on a day on which a surveyor carries out a visual examination or takes defectograph readings in respect of the rope under regulation 20.

(2) Where a carrying-hauling rope or hauling rope of an aerial ropeway has been subjected to -

- (a) stoppage due to faulty unclamping of a grip;
- (b) derailment; or

(c) any occurrence which may have damaged the rope, the competent person in charge of the aerial ropeway shall, as soon as reasonably possible after the stoppage, derailment or occurrence, examine the rope both visually and with a defectograph.

(3) Without affecting paragraph (2), the competent person in charge of an aerial ropeway that has a carrying-hauling rope or hauling rope shall examine the rope with a defectograph -

- (a) on the completion of the splicing of the rope for the commencement of operation of the aerial ropeway;
- (b) within the first 50 hours of the operation of the rope;
- (c) after the shortening of the rope or any other splicing operation; and
- (d) at such other times or in such other circumstances as the Director may require.

(4) Where the competent person in charge of an aerial ropeway -

- (a) takes defectograph readings under paragraph (3) (a) or (b), he shall send a full copy of the readings to the Director within 3 days after taking them;
- (b) takes defectograph readings under paragraph (2) (c) or (3) (c) or (d), and the readings show, in relation to any section of the rope, a change from the last readings for that section, he shall send a full copy of the new readings to the

Director within 3 days after taking them, together with a full copy of the last readings.

(5) The owner of an aerial ropeway shall ensure that a report of every examination required to be carried out under this regulation, other than an examination required to be carried out under paragraph (2) (c) or (3), prepared by the competent person carrying out the examination, is sent to the Director as soon as reasonably possible after the examination is completed.

23A. Examination of track rope by competent person

(1) Subject to paragraphs (2), (3) and (4), the competent person in charge of an aerial ropeway that has a track rope shall examine the rope -

(a) visually at least once every 3 months; and

(b) with a defectograph at least once every 6 months, but the examination shall not be carried out on a day on which a surveyor carries out a visual examination or takes defectograph readings in respect of the rope under regulation 20.

(2) The Director may require a visual examination under paragraph (1) to be carried out at any time if he considers that such an examination is necessary due to the condition of the aerial ropeway or any part of the aerial ropeway.

(3) Where a track rope of an aerial ropeway has been subjected to -

(a) derailment; or

(b) any occurrence which may have damaged the rope,

the competent person in charge of the aerial ropeway shall, as soon as reasonably possible after the derailment or occurrence, examine the rope both visually and by means of a defectograph.

(4) Without affecting paragraph (3), the competent person in charge of an aerial ropeway that has a track rope shall examine the rope with a defectograph -

- (a) after the rope is shifted; and
- (b) at such other times or in such other circumstances as the Director may require.

(5) Where the competent person in charge of an aerial ropeway -

- (a) takes defectograph readings under paragraph (4) (a), he shall send a full copy of the readings to the Director within 3 days after taking them;
- (b) takes defectograph readings under paragraph (3) (b) or (4) (b), and the readings show, in relation to any section of the rope, a change from the last readings for that section, he shall send a full copy of the new readings to the Director within 3 days after taking them, together with a full copy of the last readings.

(6) The owner of an aerial ropeway shall ensure that a report of every examination required to be carried out under this regulation, other than an examination required to be carried out under paragraph (3) (b) or (4), prepared by the competent person carrying out the examination, is sent to the Director as soon as reasonably possible after the examination is completed."

11. Prohibition on spliced rope

Regulation 24 is amended by repealing everything after "such ropeway" and substituting -

"-

- (a) a carrying-hauling rope that contains more than 2 splices;
- (b) a hauling rope that contains more than 2 splices;
or
- (c) a track rope that contains any splice."

12. Counterweight and counterweight travel

Regulation 25(1) is amended -

- (a) by adding "on which a counterweight is used" after "ropeway";
- (b) in subparagraph (a), by repealing "the carrying-hauling rope" and substituting "every rope the tension of which is regulated by it";
- (c) in subparagraph (c) -
 - (i) by adding ", in any case," after "does not";
 - (ii) by repealing "under the worst operational conditions".

13. Regulation added

The following is added -

"25A. Rope tensioning device other than counterweight

(1) The competent person in charge of an aerial ropeway on which a rope tensioning device (other than a counterweight) is used shall ensure that -

- (a) the device keeps every rope the tension of which is regulated by it under constant tension;
- (b) the device has clear and unobstructed travel;
- (c) the device does not, in any case, reach or travel beyond either travel limits;
- (d) sufficient clearance is provided and maintained between the device and the 2 travel limits, at all times; and
- (e) the device is, at all times, able to function effectively in every other respect.

(2) The competent person in charge of the aerial ropeway shall ensure that the ropeway is not operated if the rope tensioning device does not satisfy a requirement specified in paragraph (1) (a), (b), (c), (d) or (e).

(3) The controller on duty shall inspect the device every day before the commencement of operation of the ropeway."

14. Cars

Regulation 26(1)(c) is amended by repealing "170" and substituting "130".

15. Offences and penalties relating to competent persons

Regulation 39 is amended by repealing "23(1), (2) or (3), 24, 25(1) or (3)" and substituting "23(1), (2), (3) or (4), 23A(1), (2), (3), (4) or (5), 24, 25(1) or (3), 25A(1) or (2)".

16. Offences and penalties relating to controllers

Regulation 40 is amended by adding ", 25A(3)" after "25(2)".

17. Offences and penalties relating to owners

Regulation 41 is amended by adding "22(4), 23(5), 23A(6)," before "26(1)".

18. Offences and penalties relating to surveyors and others

Regulation 42 is amended -

- (a) in paragraph (1), by repealing "of \$10,000" and substituting "at level 3";
- (b) in paragraph (2), by repealing "of \$2,000" and substituting "at level 1";
- (c) in paragraph (3), by repealing "of \$1,000" and substituting "at level 1".

19. Third Schedule substituted

The Third Schedule is repealed and the following substituted -

"THIRD SCHEDULE [regs. 39, 40, 41 & 43]
PENALTIES FOR OFFENCES

PART I

COMPETENT PERSON

Regulation	Fine	Period of imprisonment	Additional fine for each day on which the offence continues
7(1)	level 1	3 months	
7(2)	level 1	3 months	
7(3)	level 1	3 months	
7(4)	level 1	3 months	
8(4)	level 2	6 months	
18	level 2	6 months	\$50
19(1)	level 1	3 months	
19(3)	level 1	3 months	
19(4)	level 2	6 months	
20(2)	level 2	6 months	
20(4)	level 2	6 months	
21	level 2	6 months	\$50
22(1)	level 2	6 months	
22(2)	level 2	6 months	
22(3)	level 2	6 months	
23(1)	level 2	6 months	
23(2)	level 2	6 months	
23(3)	level 2	6 months	
23(4)	level 1	3 months	
23A(1)	level 2	6 months	
23A(2)	level 2	6 months	
23A(3)	level 2	6 months	
23A(4)	level 2	6 months	

Regulation	Fine	Period of imprisonment	Additional fine for each day on which the offence continues
23A(5)	level 1	3 months	
24	level 2	6 months	\$50
25(1)	level 2	6 months	\$50
25(3)	level 2	6 months	\$50
25A(1)	level 2	6 months	\$50
25A(2)	level 2	6 months	\$50
31(3)	level 2	6 months	
32(1)	level 2	6 months	
32(2)	level 2	6 months	
32(3)	level 2	6 months	
33	level 2	6 months	\$50
34(1)	level 2	6 months	
35	level 2	6 months	
36(1)	level 2	6 months	
36(2)	level 2	6 months	
36(3)	level 2	6 months	

PART II

CONTROLLER

Regulation	Fine	Period of imprisonment	Additional fine for each day on which the offence continues
10	level 2	6 months	
11	level 2	6 months	
12(1)	level 1	3 months	

Regulation	Fine	Period of imprisonment	Additional fine for each day on which the offence continues
13 (1)	level 2	6 months	
14	level 2	6 months	
15 (1)	level 2	6 months	
15 (3)	level 2	6 months	
25 (2)	level 2	6 months	
25A (3)	level 2	6 months	
27 (1)	level 2	6 months	

PART III

OWNER

Regulation	Fine	Period of imprisonment	Additional fine for each day on which the offence continues
6 (1)	level 3	6 months	
6 (3)	level 3	6 months	
8 (1)	level 3	6 months	\$100
8 (3)	level 3	6 months	
16	level 5	2 years	
17	level 4	1 year	\$500
20 (1)	level 5	2 years	
20 (4)	level 4	1 year	
20 (5)	level 3	6 months	
22 (4)	level 3	6 months	
23 (5)	level 3	6 months	
23A (6)	level 3	6 months	

Regulation	Fine	Period of imprisonment	Additional fine for each day on which the offence continues
26 (1)	level 4	1 year	\$500
26 (2)	level 2		
27 (2)	level 3	6 months	
28	level 5	2 years	\$1,000
29 (a)	level 3		\$100
29 (b)	level 3		\$100
29 (c)	level 2		
29 (d)	level 2		
29 (e)	level 4	1 year	\$500
30	level 2		
31 (1)	level 5	2 years	\$1,000
31 (2)	level 5	2 years	\$1,000
37 (1)	level 2		
37 (2)	level 2		
38	level 3	6 months	

PART IV

OWNER

Regulation	Fine	Period of imprisonment	Additional fine for each day on which the offence continues
7 (1)	level 3	6 months	
7 (2)	level 3	6 months	
7 (3)	level 3	6 months	
7 (4)	level 3	6 months	

Regulation	Fine	Period of imprisonment	Additional fine for each day on which the offence continues
8 (4)	level 3	6 months	
18	level 4	1 year	\$500
19 (1)	level 3	6 months	
19 (3)	level 3	6 months	
19 (4)	level 4	1 year	
20 (2)	level 4	1 year	
20 (4)	level 4	1 year	
21	level 5	2 years	\$1,000
22 (1)	level 4	1 year	
22 (2)	level 4	1 year	
22 (3)	level 4	1 year	
23 (1)	level 4	1 year	
23 (2)	level 4	1 year	
23 (3)	level 4	1 year	
23 (4)	level 3	6 months	
23A (1)	level 4	1 year	
23A (2)	level 4	1 year	
23A (3)	level 4	1 year	
23A (4)	level 4	1 year	
23A (5)	level 3	6 months	
24	level 5	2 years	\$1,000
25 (1)	level 4	1 year	\$500
25 (3)	level 4	1 year	\$500
25A (1)	level 4	1 year	\$500
25A (2)	level 4	1 year	\$500

Regulation	Fine	Period of imprisonment	Additional fine for each day on which the offence continues
31 (3)	level 3	6 months	
32 (1)	level 4	1 year	
32 (2)	level 4	1 year	
32 (3)	level 4	1 year	
33	level 4	1 year	\$500
34 (1)	level 4	1 year	
35	level 4	1 year	
36 (1)	level 4	1 year	
36 (2)	level 4	1 year	
36 (3)	level 4	1 year	

PART V

OWNER

Regulation	Fine	Period of imprisonment	Additional fine for each day on which the offence continues
10	level 4	1 year	
11	level 5	1 year	
12 (1)	level 3	6 months	
13 (1)	level 4	1 year	
14	level 4	1 year	
15 (1)	level 4	1 year	
15 (3)	level 4	1 year	
25 (2)	level 4	1 year	
25A (3)	level 4	1 year	

Regulation	Fine	Period of imprisonment	Additional fine for each day on which the offence continues
27(1)	level 4	1 year".	

Secretary for Housing, Planning
and Lands

2003

Explanatory Note

The main purpose of this Regulation is to amend the Aerial Ropeways (Operation and Maintenance) Regulations (Cap. 211 sub. leg. A) ("the Regulations") so that the Regulations apply to monocable ropeways as well as ropeways of other designs. In addition to aerial ropeways with carrying-hauling ropes, the Regulations as amended will cover aerial ropeways with hauling ropes or track ropes.

2. For better clarity, the terms "carrying-hauling rope", "hauling rope" and "track rope" are defined in section 2.

3. Section 3 repeals regulation 3 so that the Regulations as amended apply not only to monocable ropeways but also to ropeways of other designs.

4. Section 6 seeks to amend regulation 15. Regulation 15 as amended empowers the Director of the Electrical and Mechanical Services to

specify the wind speed limit for the safe operation of an aerial ropeway and to specify different wind speed limits for different aerial ropeways. Where the wind speed exceeds the specified wind speed limit applicable to an aerial ropeway, the controller on duty shall stop the operation of the ropeway.

5. Section 10 replaces regulations 22 and 23 with new provisions. New regulation 22 requires a carrying-hauling rope or a hauling rope to be examined visually by the competent person in charge of the aerial ropeway, and new regulation 23 requires the rope to be examined by means of a defectograph by the competent person in charge of the aerial ropeway. That section also adds a new regulation 23A to the Regulations. The new regulation requires a track rope to be examined visually and by means of a defectograph by the competent person in charge of the aerial ropeway. In view of the introduction of these new provisions, regulation 20 needs to be amended consequentially. (see section 8)

6. Section 11 amends regulation 24 and further prohibits the using of a hauling rope that contains more than 2 splices and a track rope that contains any splice.

7. Section 12 amends regulation 25(1) so that the regulation is also applicable in relation to a counterweight used for regulating the tension of a rope other than a carrying-hauling rope. Section 12 also modifies regulation 25(1)(c) to clarify that a competent person in charge of an aerial ropeway has a duty to ensure that the counterweight does not, in any case, touch or rest on the bottom of the counterweight space.

8. Section 13 adds a new regulation 25A to the Regulations. The new regulation imposes duties on the competent person in charge of an aerial

ropeway so as to make sure that a rope tensioning device other than a counterweight is safe for operation. It also imposes a duty on the controller on duty to inspect the device daily before the ropeway commences operation.

9. Section 14 amends regulation 26(1)(c) to the effect that the owner of an aerial ropeway may not permit the operation of any car on the ropeway if the car has any opening which exceeds 130 mm in width.

10. Section 15 amends regulation 39, making it an offence for a contravention by the competent person in charge of an aerial ropeway of the new regulation 23(1), (2), (3) or (4), 23A(1), (2), (3), (4) or (5) or 25A(1) or (2). Section 16 amends regulation 40, making it an offence for a failure by the controller to comply with a requirement under the new regulation 25A(3). Section 17 amends regulation 41, making the contravention of the new regulation 22(4), 23(5) or 23A(6) by the owner of an aerial ropeway an offence. Section 19 repeals the Third Schedule to the Regulations and replaces it with a new Schedule. The new Third Schedule is the same as the one repealed except that it also specifies the penalties for the new offences and that all fines (other than daily fines) previously expressed in terms of amounts of money are expressed in terms of levels.

11. Sections 4, 5, 7, 9 and 18 make minor amendments and drafting improvements to regulations 7, 12(1)(d), 19(1), 21(a) and 42.

架空纜車(操作及保養)規例

(第 211 章第 28 條)

[第 I 及 II 部] 1977 年 10 月 14 日
[第 III、IV、V、VI、VII 及 VIII 部] 1977 年 12 月 1 日 1977 年第 276 號法律公告

2. 釋義

在本規例中，除文意另有所指外——

“工作車”(work car)指被用作或被改裝用作沿軌道纜修理或保養架空纜車或其設備的車輛；

“合資格的人”(competent person)，就根據本規例須由合資格的人執行的任何職責而言，指——

- (a) 獲架空纜車擁有人依據第 8(1) 條僱用為合資格的人的人；及
- (b) 他已根據第 5 條獲得認可；

“車站”(station)指任何終點站或中途站；

“控制員”(controller)，就根據本規例須由控制員執行的任何職責而言，指——

- (a) 獲架空纜車擁有人依據第 8(1) 條僱用為控制員的人；及
- (b) 他已根據第 5 條獲得認可；

“操作員”(operator)，就根據本規例須由操作員執行的任何職責而言，指——

- (a) 獲架空纜車擁有人依據第 8(1) 條僱用為操作員的人；及
- (b) 他已根據第 5 條獲得認可；

“鋼纜探傷儀”(defectograph)指用以查察纜索上已折斷金屬絲的任何器具；

“檢測員”(surveyor)，就根據本規例須由檢測員進行的任何測試或檢驗而言，指——

- (a) 並沒有獲架空纜車擁有人僱用，但卻受其委任進行任何測試或檢驗；及
- (b) 他已根據第 5(1) 條獲得認可。

(1981 年第 240 號法律公告)

AERIAL ROPEWAYS (OPERATION AND MAINTENANCE) REGULATIONS

(Cap. 211, section 28)

[Parts I and II] 14 October 1977
[Parts III, IV, V, VI, VII and VIII] 1 December 1977 L.N. 276 of 1977

2. Interpretation

In these regulations, unless the context otherwise requires—

“competent person” (合資格的人), in relation to any duty required to be performed by him under these regulations, means a person who—

- (a) is employed by the owner of an aerial ropeway as a competent person pursuant to regulation 8(1); and
- (b) has been approved under regulation 5;

“controller” (控制員), in relation to any duty required to be performed by him under these regulations, means a person who—

- (a) is employed by the owner of an aerial ropeway as a controller pursuant to regulation 8(1); and
- (b) has been approved under regulation 5;

“defectograph” (鋼纜探傷儀) means any apparatus for the detection of broken wires in a rope;

“operator” (操作員), in relation to any duty required to be performed by him under these regulations, means a person who—

- (a) is employed by the owner of an aerial ropeway as an operator pursuant to regulation 8(1); and
- (b) has been approved under regulation 5;

“station” (車站) means any terminal station or intermediate station;

“surveyor” (檢測員), in relation to the carrying out of any test or examination required to be performed by him under these regulations, means a person who—

- (a) not being employed by the owner of an aerial ropeway, is appointed by the owner to carry out any test or examination; and
- (b) has been approved under regulation 5(1);

“work car” (工作車) means a car which is used, or adapted for use, along the line for the repair or maintenance of an aerial ropeway or its equipment.

(L.N. 240 of 1981)

3. 適用範圍

本規例適用於在本規例生效日期或之後操作的附有可拆夾扣而不斷運行的單纜架空纜車。

7. 須備存的紀錄

(1) 掌管架空纜車的合資格的人須備存一本操作工作日志；該工作日志須每天填寫，並須載有以下資料——

- (a) 日期；
- (b) 操作架空纜車的人的姓名及職責，以及值勤的時數；
- (c) 架空纜車的操作時間；
- (d) 每隔 2 小時的周圍溫度和風勢及天氣情況；
- (e) 證實已遵從根據第 10 條要求進行的每天檢查；
- (f) 所有安裝的儀器每隔 2 小時的讀數，包括——
 - (i) 主要驅動裝置電壓電流及頻率的讀數；
 - (ii) 減速齒輪潤滑油的油壓讀數；
 - (iii) 剎車系統的液壓及制動器開動或持定電流讀數；
 - (iv) 路線監察電流讀數；及
 - (v) 對重裝置的移動讀數；
- (g) 任何意外、機件失靈或異常事件的細節，包括——
 - (i) 失火；
 - (ii) 山泥傾瀉；
 - (iii) 纜索上可拆的夾扣埋夾或脫夾出錯；
 - (iv) 任何路線監察掣跳掣；及
 - (v) “車門關閉”掣跳掣；
- (h) 分站、操作及安全電路電橋鑰匙的位置；
- (i) 在正常操作時，由工作車每隔 2 小時檢查軌道綫的紀錄；
- (j) 任何拯救行動或拯救演習的細節；
- (k) 署長要求載有的任何其他資料或事件。

(2) 掌管架空纜車的合資格的人亦須備存與保存以下紀錄——

- (a) 金屬絲纜索日志，就每條纜索，提供下述資料——
 - (i) 獲批准的規格；
 - (ii) 製造商對纜索的測試報告書的經核證副本；
 - (iii) 纜索的安裝日期；
 - (iv) 由進行絞接纜索的人就每項絞接纜索而發給的絞接纜索證明書副本；
 - (v) 潤滑紀錄，包括潤滑劑的種類及使用潤滑劑的日期；
 - (vi) 所有用肉眼檢驗的紀錄及該等檢驗的報告，以及所有鋼纜探傷儀的讀數，包括總紀錄；及
 - (vii) 署長要求提供的任何其他資料；及
- (b) 保養工作日志，該保養工作日志須——
 - (i) 顯示已進行的任何保養工作的執行情況；
 - (ii) 述明已檢修的元件，該等元件的狀況及更換；及
 - (iii) 包括進行保養工作的人的姓名。

3. Application

These regulations shall apply to continuously circulating monicable ropeways with detachable grips, in operation on or after the commencement of these regulations.

7. Records to be kept

(1) The competent person in charge of an aerial ropeway shall keep and maintain an operational log, which shall be made up daily, and which shall contain the following information—

- (a) the date;
- (b) the names and duties of those operating the ropeway and the number of hours on duty;
- (c) the operating hours of the ropeway;
- (d) the ambient temperature and the wind and weather conditions at 2-hourly intervals;
- (e) confirmation of compliance with daily inspections required under regulation 10;
- (f) the readings of all installed instruments at 2-hourly intervals, including—
 - (i) the main drive voltage current and frequency;
 - (ii) the reduction gear lubricating oil pressure;
 - (iii) the brake system hydraulic pressures and the brake actuating or hold-off current;
 - (iv) the line supervision current; and
 - (v) the counterweight movement;
- (g) details of any accident, malfunction or abnormal occurrence, including—
 - (i) fire;
 - (ii) landslide;
 - (iii) faulty clamping or unclamping of detachable grips on the rope;
 - (iv) the tripping of any line supervision switch; and
 - (v) the tripping of the “car door closed” switch;
- (h) the location of sub-station, operating and safety circuit bridging keys;

- (i) the record of the 2-hourly inspection, during normal operations, of the line by the workcar;
- (j) details of any rescue operation or practice thereof;
- (k) any other information or occurrences which may be required by the Director.

(2) The competent person in charge of an aerial ropeway shall also keep and maintain the following records—

- (a) a wire rope log giving the following information in respect of each rope—
 - (i) the approved specification;
 - (ii) a certified copy of the manufacturer’s report on the test of the rope;

(3) 在署長要求下，合資格的人須出示根據第(1)或(2)款備存與保存的任何紀錄，以供查閱。

(4) 所有根據本條須備存的工作日誌及紀錄，須採用署長不時批准的格式。

- (iii) the date the rope was installed;
- (iv) a copy of a splicing certificate for each splice given by the person carrying out the splice;
- (v) a record of lubrication including the type of lubricant and the date on which it was applied;
- (vi) a record of all visual examinations and reports thereon and all defectograph readings, including the master record; and
- (vii) any other information which may be required by the Director; and

- (b) a maintenance log which shall -
 - (i) show the execution of any maintenance work carried out;
 - (ii) state the components serviced, the condition of such components and the replacement of components; and
 - (iii) include the names of the persons carrying out the maintenance work.

(3) On being requested to do so by the Director, a competent person shall produce any record kept and maintained by him under paragraph (1) or (2) for inspection.

(4) All logs and records required to be kept and maintained under this regulation shall be in such form as shall, from time to time, be approved by the Director.

12. 須予報告的某些事件

(1) 在架空纜車操作時，值勤控制員須隨即向署長報告以下任何事件的發生——

- (a) 在架空纜車場地內有任何人死亡或受傷；
- (b) 纜索的折斷；
- (c) 主要驅動裝置的失效(因主要電力供應中斷所引致的除外)、輔助驅動裝置或後備驅動裝置系統的失效；
- (d) 任何可拆除的夾扣失效；
- (e) 在沿纜所需進行的任何拯救行動；
- (f) 任何失火；
- (g) 任何山泥傾瀉；或
- (h) 署長不時要求報告的任何其他事件。

(2) 第(1)款並不減損任何其他成文法則的條文規定須將第(1)款指明的任何事件的發生向任何人報告的效力。

12. Certain occurrences to be reported

(1) The controller on duty when an aerial ropeway is in operation shall forthwith report to the Director the happening of any of the following occurrences—

- (a) the death of or injury to any person occurring within the site of the ropeway;
- (b) the breakage of any rope;
- (c) the failure of the main drive (other than by reason of the failure of the main power supply), auxiliary drive or stand-by drive systems;
- (d) the failure of any detachable grip;
- (e) any rescue operation required along the line;
- (f) any fire;
- (g) any landslide; or
- (h) any other occurrence as may be required from time to time by the Director.

(2) Paragraph (1) shall not derogate from a provision in any other enactment requiring the happening of any occurrence specified in that paragraph to be reported to any person.

15. 在惡劣天氣下操作

- (1) 在皇家天文台懸掛 3 號風暴警告訊號後，值勤控制員須——
- 將架空纜車運載的所有乘客運載往有交通工具可供使用的最近車站後，停止架空纜車的操作；及
 - 確保——
 - 所有在滑車輪輪列上的繫纜裝置均放在“纜索安全”的位置；
 - 所有車廂均停泊在有遮蔽的車站內。
- (2) 在架空纜車操作時，如天氣情況會損害架空纜車的安全操作，值勤控制員可停止架空纜車的操作。
- (3) 凡風勢會引致架空纜車上的車廂強烈擺動，值勤控制員須減慢架空纜車的速度。

19. 保養明細表

(1) 掌管架空纜車的合資格的人，須在第 (5) 款指明的期間內，呈交一份有關有系統地保養架空纜車所有部分的書面明細表，供署長批准；該明細表須包括下列各項檢查、潤滑及調校的相隔時間——

- 所有纜索及吊纜，包括檢驗已折斷的金屬絲及量度圓周；
- 所有滑車輪輪列、滑車輪、襯套、銷及所有軸承；
- 驅動系統，包括輔助及後備驅動系統及發電機；
- 通訊系統；
- 所有電路、操縱裝置及開關裝置；
- 所有車廂，包括吊架、可拆除的夾扣及車廂門；
- 支架結構及地基；

15. Operation in inclement weather

- (1) Upon the hoisting at the Hong Kong Observatory of the No. 3 visual storm warning, the controller on duty shall— (*L.N. 362 of 1997*)
- stop the operation of the aerial ropeway after all passengers being carried thereon have been carried to the nearest station at which transport is available; and
 - ensure that—
 - all rope-retaining devices on sheave trains are placed in the “rope safe” position;
 - all cars are parked in stations under shelter.
- (2) The controller on duty when an aerial ropeway is in operation may stop the operation of the ropeway if the weather conditions are such as to prejudice the safe operation of the ropeway.
- (3) Where the wind conditions are such as to cause the cars on a ropeway to oscillate violently, the controller on duty shall reduce the speed of the ropeway.

19. Maintenance schedules

(1) The competent person in charge of an aerial ropeway shall, within the period specified in paragraph (5), submit for the approval of the Director a written schedule of the systematic maintenance of all parts of the ropeway, which schedule shall include intervals between the inspection, lubrication and adjustment of—

- all ropes and cables, including an examination for broken wires and the gauging of circumferences;
- all sheave trains, sheaves, bushes, pins and all bearings;
- the drive system, including auxiliary and stand-by drive systems and generators;
- the communication systems;
- all electric circuits, controls and switchgear;
- all cars, including hangers, detachable grips and car doors;
- trestle structures and foundations;

- (h) 接地電纜；及
 - (i) 車站建築物。
- (2) 署長可要求對根據第(1)款呈交給他的任何保養明細表先作修訂，然後才由他批准。
- (3) 凡署長已批准任何保養明細表，他可要求掌管架空纜車的合資格的人修訂該明細表。
- (4) 凡署長已批准根據第(1)款向他呈交的保養明細表，掌管與該明細表有關的架空纜車的合資格的人
- (a) 未經署長批准，不得容許偏離該明細表的情況出現；及 (1981年第240號法律公告)
 - (b) 須確保架空纜車是按照該不時修訂的明細表，予以保養。
- (5) 根據第(1)款呈交的保養明細表，須在下述期間呈交——
- (a) (如屬新的架空纜車) 在操作展開後1個月內呈交；或
 - (b) (如屬現有的架空纜車) 在本部生效日期後1個月內呈交。

20. 每年及每季的檢驗

- (1) 架空纜車擁有人須確保第(3)款所指明的檢驗每12個月由檢測員最少進行一次，而首次檢驗須於署長根據本條例第16條批准操作展開之日起計不遲於14個月進行。
- (2) 掌管架空纜車的合資格的人須每3個月最少進行一次第(3)款所指明的檢驗，但其進行的檢驗不得在檢測員為施行第(1)款而進行檢驗的同日進行。
- (3) 為施行第(1)及(2)款，檢測員或合資格的人須檢驗——
- (a) 所有纜索，包括量度圍周、用肉眼檢驗運載拖纜的全長及運載拖纜全長的鋼纜探傷儀讀數；
 - (b) 車廂吊架及可拆除的夾扣，包括開動及檢測裝置；
 - (c) 在支架上的滑車輪輪列、滑車輪、襯套、銷及樑；
 - (d) 位於各車站的進入及離開的輪列的滑車輪、襯套及銷；
 - (e) 主要、輔助及後備驅動器及制車系統；

- (h) earthing cables; and
 - (i) station buildings.
- (2) The Director may require any maintenance schedule submitted to him under paragraph (1) to be amended before he approves it.
- (3) Where the Director has approved any maintenance schedule, he may require the competent person in charge of the aerial ropeway to amend that schedule.
- (4) Where the Director has approved a maintenance schedule submitted to him under paragraph (1), the competent person in charge of the aerial ropeway to which the schedule relates—
- (a) shall not permit any deviation therefrom without the approval of the Director; and (L.N. 240 of 1981)
 - (b) shall ensure that the ropeway is maintained in accordance with that schedule, as from time to time amended.
- (5) A maintenance schedule under paragraph (1) shall be submitted—
- (a) in the case of a new aerial ropeway, within 1 month after the commencement of operations; or
 - (b) in the case of an existing aerial ropeway, within 1 month after the commencement of this Part.

20. Annual and quarterly examinations

- (1) The owner of an aerial ropeway shall ensure that the examination specified in paragraph (3) are carried out by a surveyor at least once every 12 months, the first such examinations being carried out not later than 14 months from the date of the Director's approval, under section 16 of the Ordinance, of the commencement of operation.
- (2) The competent person in charge of an aerial ropeway shall carry out the examinations specified in paragraph (3) at least once every 3 months, but shall not carry out such examinations on a day on which a surveyor is carrying out such examinations for the purposes of paragraph (1).
- (3) For the purposes of paragraphs (1) and (2) the surveyor or competent person shall examine—
- (a) all ropes, including gauging the circumference, visual examinations over the whole length and defectograph readings over the entire length of the carrying-hauling rope;
 - (b) the car hangers and detachable grips, including the actuating and checking mechanisms;
 - (c) the sheave trains, sheaves, bushes, pins and beams located on trestles;
 - (d) the sheaves, bushes and pins at the incoming and outgoing trains located at stations;
 - (e) the main, auxiliary and stand-by drives and braking systems;

- (f) 所有電路、操縱裝置、開關裝置及接地裝置；
 - (g) 車廂門鎖裝置和車廂的變形、已破損或鬆脫的車窗及隙縫的大小；
 - (h) 支架及地基，包括在支架頂端的以轉矩收緊的螺栓；
 - (i) 車廂及纜索速度同步設備；及
 - (j) 署長要求檢驗的任何其他器具、裝置或機器。
- (4) 即使第(1)及(2)款另有規定，署長如認為架空纜車或其任何部分的狀況屬須要檢驗者，可隨時要求進行第(3)款所提述的檢驗。
- (5) 架空纜車擁有人須確保本條要求進行的每項檢驗，其報告均由執行檢驗的檢測員或合資格的人擬備，並須確保該報告在該等檢驗完成後，在合理可能的情況下盡快送交署長。(1981年第240號法律公告)

21. 禁止使用某些纜索

掌管架空纜車的合資格的人須確保在架空纜車操作時，不得使用下述纜索——

- (a) 纜索在第一次安裝時，其直徑已縮減百分之十；或
- (b) 在任何相等於纜索直徑30倍的長度中，已折斷的金屬絲的數目超過金屬絲總數目的百分之十。

22. 用肉眼檢驗運載拖纜

(1) 除第(2)款另有規定外，掌管架空纜車的合資格的人須用肉眼檢驗運載拖纜，檢驗須——

- (a) (如屬新的架空纜車) 在操作展開前及其後相隔不超過1個月進行；
- (b) (如屬現有的架空纜車) 相隔不超過1個月進行。

(2) 即使第(1)款另有規定，凡有影響運載拖纜強度的變壞或轉變開始發生時，署長可要求掌管架空纜車的合資格的人按署長所決定的相隔時間，用肉眼檢驗該纜索。

(3) 為根據第(1)及(2)款進行檢驗，合資格的人須確保運載拖纜的運行速度每秒不超過0.3米。

- (f) all electric circuits, controls, switchgear and earthing arrangements;
- (g) car door locking devices and cars for deformation, broken or loose windows and size of apertures;
- (h) trestles and foundations, including torque loaded bolts on trestle heads;
- (i) car carriage and rope speed synchronizing equipment; and
- (j) any other apparatus, device or machinery as may be required by the Director.

(4) Notwithstanding paragraphs (1) and (2) the Director may require the examinations referred to in paragraph (3) to be carried out at any time if, in his opinion, the condition of the ropeway or any part thereof is such as to require examination.

(5) The owner of an aerial ropeway shall ensure that a report of every examination required under this regulation, prepared by the surveyor or competent person making the examination, is sent to the Director as soon as reasonably possible after such examination is completed. (L.N. 240 of 1981)

21. Prohibition on use of certain ropes

The competent person in charge of an aerial ropeway shall ensure that no rope shall be used in the operation of the ropeway——

- (a) the diameter of which when first installed is reduced by 10 per cent; or
- (b) in which the number of broken wires in any length equal to 30 times the diameter of the rope exceeds 10 per cent of the total number of wires.

22. Visual examination of carrying-hauling rope

(1) Subject to paragraph (2), the competent person in charge of an aerial ropeway shall examine visually the carrying-hauling rope——

- (a) in the case of a new aerial ropeway, prior to the commencement of operations and thereafter at intervals not exceeding one month;
- (b) in the case of an existing aerial ropeway at intervals not exceeding one month.

(2) Notwithstanding paragraph (1), the Director may, where deterioration or other changes affecting the strength of the carrying-hauling rope have set in, require the competent person in charge of the aerial ropeway to examine visually that rope at such intervals as the Director may determine.

(3) For the purposes of conducting the examinations under paragraphs (1) and (2) the competent person shall ensure that the carrying-hauling rope is run at a speed not exceeding 0.3 m a second.

23. 運載拖纜的檢驗

(1) 掌管架空纜車的合資格的人須在以下情況，使用鋼纜探傷儀檢驗運載拖纜，檢驗須——

- (a) (如屬新的架空纜車) 在拖纜絞接完成後及運行的首 50 小時內進行；或 (如屬現有的架空纜車) 在本部生效日期後的 1 個月內進行；
- (b) 在任何可能會損壞拖纜的事件發生後進行；
- (c) 在縮短拖纜後或在任何絞接工程後進行；及
- (d) 在署長要求的其他時間或其他情況下進行。

(2) 凡運載拖纜由於可拆除的夾扣脫夾出錯而引致停用，或運載拖纜出軌或有任何可能會引致金屬絲折斷的事件發生時，合資格的人須在該等停用、出軌或其他事件發生後，立即用肉眼和使用鋼纜探傷儀檢驗該拖纜。

(3) 合資格的人根據第 (1) 款取得任何鋼纜探傷儀讀數——

- (a) 須於取得讀數 3 天內向署長送交根據第 (1)(a) 款而取得的鋼纜探傷儀讀數的副本全份；
- (b) 如根據第 (1)(b)、(c) 或 (d) 款就任何一段拖纜而取得的鋼纜探傷儀讀數顯示與以往的讀數有改變時，則須於取得讀數 3 天內向署長送交該等讀數及以往讀數的副本。

24. 禁止使用絞接拖纜

掌管架空纜車的合資格的人不得在該架空纜車使用任何有多於 2 個絞接處的運載拖纜。

25. 對重裝置及對重裝置的移動

(1) 掌管架空纜車的合資格的人須確保——

- (a) 對重裝置使運載拖纜保持固定的拉緊力；
- (b) 對重裝置的移動暢通無阻；
- (c) 在最壞的操作情況下，對重裝置不會觸及或停留在對重裝置間隔的底部，並須確保時刻提供與維持有足夠的淨空；及

23. Examination of carrying-hauling

(1) The competent person in charge of an aerial ropeway shall examine the carrying-hauling rope with a defectograph—

- (a) in the case of a new aerial ropeway, on the completion of the splicing of the rope and within the first 50 hours of running or, in the case of an existing aerial ropeway, not later than one month after the commencement of this Part;
- (b) after any occurrence which may have damaged the rope;
- (c) after the shortening of the rope or after any other splicing operation; and
- (d) at such other times or in such other circumstances as the Director may require.

(2) Where a carrying-hauling rope has been subjected to stoppage due to faulty unclamping of the detachable grip or has been subjected to derailment or any other occurrence which may have resulted in broken wires, the competent person shall, immediately after such stoppage, derailment or other occurrence, examine such rope both visually and by means of a defectograph.

(3) The competent person shall, within 3 days of taking any defectograph readings under paragraph (1), send to the Director—

- (a) a full copy of the defectograph readings taken under paragraph (1)(a);
- (b) where defectograph readings taken under paragraph (1)(b), (c) or (d) show, in relation to any section of the rope, a change from previous readings, a copy of those readings and of the previous readings.

24. Prohibition on spliced rope

The competent person in charge of an aerial ropeway shall not use in such ropeway any carrying-hauling rope which contains more than 2 splices.

25. Counterweight and counterweight travel

(1) The competent person in charge of an aerial ropeway shall ensure that—

- (a) the counterweight keeps the carrying-hauling rope under constant tension;
- (b) the counterweight has clear and unobstructed travel;
- (c) the counterweight does not touch or rest on the bottom of the counterweight space under the worst operational conditions and that sufficient clearance is provided and maintained at all times; and

- (d) 在合理可能的情況下，盡可能保護對重裝置移動的間隔免受水、污物、廢棄物及其他外來物品侵入，並須防護該空間，以防止未經授權的人進入。
- (2) 每天在架空纜車展開操作前，當時的當值控制員須檢查對重裝置移動的間隔。
- (3) 除非在下列情況下，否則合資格的人須確保架空纜車並不操作——
- 對重裝置得以暢通無阻地移動；及
 - 對重裝置的間隔處於清潔狀況及免受水濕。

26. 車廂

- (1) 如有以下情況，架空纜車擁有人不得容許架空纜車的任何車廂操作——
- 車廂門鎖系統並非處於安全操作狀態；
 - 車廂的任何部分已變形或已破損；或
 - 車廂有任何超過 170 毫米闊的空隙。
- (2) 架空纜車擁有人須在架空纜車的每個車廂內張貼下述中文及英文的告示，並須保持該等告示在良好的狀況——
- 失火的警告及禁止吸煙；
 - 述明容許運載乘客的最高人數；
 - 述明容許運載的最高重量；
 - 禁止運載禽畜或寵物；
 - 述明不能在車廂內運載的貨物；及
 - 提出警告：自動操縱裝置的操作可能會引致停止開動，乘客無須驚恐。

39. 與合資格的人有關的罪行及罰則

任何掌管架空纜車的合資格的人違反或在無合理辯解下，沒有遵從署長根據第 7(1)、(2)、(3) 或 (4)、8(4)、18、19(1)、(3) 或 (4)、20(2) 或 (4)、21、22(1)、(2) 或 (3)、23(1)、(2) 或 (3)、24、25(1) 或 (3)、31(3)、32(1)、(2) 或 (3)、33、34(1)、35 或 36(1)、(2) 或 (3) 條所作出的規定，即犯有該條所訂的罪行，可處以相對於附表 3 第 1 部第 1 欄所提述規例條次而列於該附表該部第 2、3 及 4 欄內的罰則。

40. 與控制員有關的罪行及罰則

任何控制員違反或在無合理辯解下，沒有遵從署長根據第 10、11、12(1)、13(1)、14、15(1) 或 (3)、25(2) 或 27(1) 條所作出的規定，即犯有該條所訂的罪行，可處以相對於附表 3 第 1 部第 1 欄所提述規例條次而列於該附表該部第 2、3 及 4 欄內的罰則。

- (d) the space in which the counterweight travels is protected, as far as reasonably possible, from the ingress of water, dirt, rubbish and other foreign matter and is so guarded as to prevent the entry of unauthorized persons.
- (2) Every day before the operation of the ropeway commences, the controller on duty at that time shall inspect the space in which a counterweight travels.
- (3) The competent person shall ensure that the aerial ropeway is not operated unless—
- clear and unobstructed travel is provided for the counterweight; and
 - the counterweight space is in a clean condition and free of water.

26. Cars

- (1) The owner of an aerial ropeway shall not permit the operation of any car on that ropeway if—
- the car door locking system is not in safe working order;
 - any part thereof is deformed or broken; or
 - it has any opening which exceeds 170 mm in width.
- (2) The owner of an aerial ropeway shall post up in every car on that ropeway, and keep in good condition, notices in English and Chinese—
- warning of fires and prohibiting smoking;
 - stating the maximum number of passengers permitted to be carried;
 - stating the maximum weight permitted to be carried;
 - prohibiting the carriage of livestock or pets;
 - stating the goods which may not be carried in the car; and
 - warning that stoppages may occur due to the operation of automatic controls and that there is no cause for alarm.

39. Offences and penalties relating to competent persons

Any competent person in charge of an aerial ropeway who contravenes, or fails, without reasonable excuse, to comply with a requirement of the Director under, regulation 7(1), (2), (3) or (4), 8(4), 18, 19(1), (3) or (4), 20(2) or (4), 21, 22(1), (2) or (3), 23(1), (2) or (3), 24, 25(1) or (3), 31(3), 32(1), (2) or (3), 33, 34(1), 35 or 36(1), (2) or (3) commits an offence against that regulation and is liable to the penalty set out in the 2nd, 3rd and 4th columns of Part I of the Third Schedule opposite the reference to that regulation in the 1st column thereof.

40. Offences and penalties relating to controllers

Any controller who contravenes, or fails, without reasonable excuse, to comply with a requirement of the Director under, regulation 10, 11, 12(1), 13(1), 14, 15(1) or (3), 25(2) or 27(1) commits an offence against that regulation and is liable to the penalty set out in the 2nd, 3rd and 4th columns of Part II of the Third Schedule opposite the reference to that regulation in the 1st column thereof.

41. 與擁有人有關的罪行及罰則

任何架空纜車擁有人違反或在無合理辯解下，沒有遵從署長根據第 6(1) 或 (3)、8(1) 或 (3)、16、17、20(1)、(4) 或 (5)、26(1) 或 (2)、27(2)、28、29(a)、(b)、(c)、(d) 或 (e)、30、31(1) 或 (2)、37(1) 或 (2) 或 38 條所作出的規定，即犯有該條所訂的罪行，可處以相對於附表 3 第 III 部第 1 欄所述規例條次而列於該附表該部第 2、3 及 4 欄內的罰則。

42. 與檢測員及其他人有關的罪行及罰則

(1) 任何檢測員、合資格的人或控制員向署長或架空纜車擁有人送交的任何報告或在任何紀錄內記入任何記項，而據他所知，該報告或記項在要項上是虛假的，或他不相信該報告或記項是正確的，即屬犯罪，可處罰款 \$10,000 及監禁 6 個月。

(2) 任何操作員犯有第 5(6) 條所訂的罪行，可處罰款 \$2,000。

(3) 任何人違反第 13(2) 條的規定，即屬犯罪，可處罰款 \$1,000。

附表 3 [第 39、40、41 及 43 條]			
罪行的罰則			
第 I 部			
合資格的人			
條次	罰款額	監禁期	如犯罪行為持續，每日的附加罰款
7(1)	\$2,000	3 個月	
7(2)	\$2,000	3 個月	
7(3)	\$2,000	3 個月	
7(4)	\$2,000	3 個月	
8(4)	\$5,000	6 個月	
18	\$5,000	6 個月	\$50
19(1)	\$2,000	3 個月	
19(3)	\$2,000	3 個月	
19(4)	\$5,000	6 個月	
20(2)	\$5,000	6 個月	
20(4)	\$5,000	6 個月	
21	\$5,000	6 個月	\$50
22(1)	\$5,000	6 個月	
22(2)	\$5,000	6 個月	

41. Offences and penalties relating to owners

Any owner of an aerial ropeway who contravenes, or fails, without reasonable excuse, to comply with a requirement of the Director under, regulation 6(1) or (3), 8(1) or (3), 16, 17, 20(1), (4) or (5), 26(1) or (2), 27(2), 28, 29(a), (b), (c), (d) or (e), 30, 31(1) or (2), 37(1) or (2) or 38 commits an offence against that regulation and is liable to the penalty set out in the 2nd, 3rd and 4th columns of Part III of the Third Schedule opposite the reference to that regulation in the 1st column thereof.

42. Offences and penalties relating to surveyors and others

(1) Any surveyor, competent person or controller who delivers to the Director or to the owner of an aerial ropeway any report or makes any entry in a record which is to his knowledge false in a material particular or which he does not believe to be true commits an offence and is liable to a fine of \$10,000 and to imprisonment for 6 months.

(2) Any operator who commits an offence under regulation 5(6) is liable to a fine of \$2,000.

(3) Any person who contravenes regulation 13(2) commits an offence and is liable to a fine of \$1,000.

THIRD SCHEDULE [regs. 39, 40, 41 & 43]			
PENALTIES FOR OFFENCES			
PART I			
COMPETENT PERSON			
Regulation	Amount of fine	Period of imprisonment	Additional fine for each day on which the offence continues
7(1)	\$2,000	3 months	
7(2)	\$2,000	3 months	
7(3)	\$2,000	3 months	
7(4)	\$2,000	3 months	
8(4)	\$5,000	6 months	
18	\$5,000	6 months	\$50
19(1)	\$2,000	3 months	
19(3)	\$2,000	3 months	
19(4)	\$5,000	6 months	
20(2)	\$5,000	6 months	
20(4)	\$5,000	6 months	
21	\$5,000	6 months	\$50
22(1)	\$5,000	6 months	
22(2)	\$5,000	6 months	

條次	罰款額	監禁期	如犯罪行為持續， 每日的附加罰款	Regulation	Amount of fine	Period of imprisonment	Additional fine for each day on which the offence continues
22(3)	\$5,000	6個月					
23(1)	\$5,000	6個月					
23(2)	\$5,000	6個月		22(3)	\$5,000	6 months	
23(3)	\$2,000	3個月		23(1)	\$5,000	6 months	
24	\$5,000	6個月	\$50	23(2)	\$5,000	6 months	
25(1)	\$5,000	6個月	\$50	23(3)	\$2,000	3 months	
25(3)	\$5,000	6個月	\$50	24	\$5,000	6 months	\$50
31(3)	\$5,000	6個月		25(1)	\$5,000	6 months	\$50
32(1)	\$5,000	6個月		25(3)	\$5,000	6 months	\$50
32(2)	\$5,000	6個月		31(3)	\$5,000	6 months	
32(3)	\$5,000	6個月		32(1)	\$5,000	6 months	
33	\$5,000	6個月	\$50	32(2)	\$5,000	6 months	
34(1)	\$5,000	6個月		32(3)	\$5,000	6 months	
35	\$5,000	6個月		33	\$5,000	6 months	\$50
36(1)	\$5,000	6個月		34(1)	\$5,000	6 months	
36(2)	\$5,000	6個月		35	\$5,000	6 months	
36(3)	\$5,000	6個月		36(1)	\$5,000	6 months	
				36(2)	\$5,000	6 months	
				36(3)	\$5,000	6 months	

第 II 部
控制員

PART II
CONTROLLER

條次	罰款額	監禁期	如犯罪行為持續， 每日的附加罰款	Regulation	Amount of fine	Period of imprisonment	Additional fine for each day on which the offence continues
10	\$5,000	6個月					
11	\$5,000	6個月					
12(1)	\$2,000	3個月		10	\$5,000	6 months	
13(1)	\$5,000	6個月		11	\$5,000	6 months	
14	\$5,000	6個月		12(1)	\$2,000	3 months	
15(1)	\$5,000	6個月		13(1)	\$5,000	6 months	
15(3)	\$5,000	6個月		14	\$5,000	6 months	
25(2)	\$5,000	6個月		15(1)	\$5,000	6 months	
27(1)	\$5,000	6個月		15(3)	\$5,000	6 months	
				25(2)	\$5,000	6 months	
				27(1)	\$5,000	6 months	

第 III 部
擁有人

PART III
OWNER

條次	罰款額	監禁期	如犯罪行為持續， 每日的附加罰款	Regulation	Amount of fine	Period of imprisonment	Additional fine for each day on which the offence continues
6(1)	\$10,000	6個月					
6(3)	\$10,000	6個月					
8(1)	\$10,000	6個月	\$100	6(1)	\$10,000	6 months	
8(3)	\$10,000	6個月		6(3)	\$10,000	6 months	
				8(1)	\$10,000	6 months	\$100
				8(3)	\$10,000	6 months	

條次	罰款額	監禁期	如犯罪行為持續， 每日的附加罰款	Regulation	Amount of fine	Period of imprisonment	Additional fine for each day on which the offence continues
16	\$50,000	2 年					
17	\$20,000	1 年	\$ 500	16	\$50,000	2 years	
20(1)	\$50,000	2 年		17	\$20,000	1 year	\$ 500
20(4)	\$20,000	1 年		20(1)	\$50,000	2 years	
20(5)	\$10,000	6 個月		20(4)	\$20,000	1 year	
26(1)	\$20,000	1 年	\$ 500	20(5)	\$10,000	6 months	
26(2)	\$ 5,000			26(1)	\$20,000	1 year	\$ 500
27(2)	\$10,000	6 個月		26(2)	\$ 5,000		
28	\$50,000	2 年	\$1,000	27(2)	\$10,000	6 months	
29(a)	\$10,000		\$ 100	28	\$50,000	2 years	\$1,000
29(b)	\$10,000		\$ 100	29(a)	\$10,000		\$ 100
29(c)	\$ 5,000			29(b)	\$10,000		\$ 100
29(d)	\$ 5,000			29(c)	\$ 5,000		
29(e)	\$20,000	1 年	\$ 500	29(d)	\$ 5,000		
30	\$ 5,000			29(e)	\$20,000	1 year	\$ 500
31(1)	\$50,000	2 年	\$1,000	30	\$ 5,000		
31(2)	\$50,000	2 年	\$1,000	31(1)	\$50,000	2 years	\$1,000
37(1)	\$ 5,000			31(2)	\$50,000	2 years	\$1,000
37(2)	\$ 5,000			37(1)	\$ 5,000		
38	\$10,000	6 個月		37(2)	\$ 5,000		
				38	\$10,000	6 months	

第 IV 部

擁有人

條次	罰款額	監禁期	如犯罪行為持續， 每日的附加罰款	Regulation	Amount of fine	Period of imprisonment	Additional fine for each day on which the offence continues
7(1)	\$10,000	6 個月					
7(2)	\$10,000	6 個月		7(1)	\$10,000	6 months	
7(3)	\$10,000	6 個月		7(2)	\$10,000	6 months	
7(4)	\$10,000	6 個月		7(3)	\$10,000	6 months	
8(4)	\$10,000	6 個月		7(4)	\$10,000	6 months	
18	\$20,000	1 年	\$ 500	8(4)	\$10,000	6 months	
19(1)	\$10,000	6 個月		18	\$20,000	1 year	\$ 500
19(3)	\$10,000	6 個月		19(1)	\$10,000	6 months	
19(4)	\$20,000	1 年		19(3)	\$10,000	6 months	
20(2)	\$20,000	1 年		19(4)	\$20,000	1 year	
20(4)	\$20,000	1 年		20(2)	\$20,000	1 year	
21	\$50,000	2 年	\$1,000	20(4)	\$20,000	1 year	
22(1)	\$20,000	1 年		21	\$50,000	2 years	\$1,000
22(2)	\$20,000	1 年		22(1)	\$20,000	1 year	
22(3)	\$20,000	1 年		22(2)	\$20,000	1 year	
23(1)	\$20,000	1 年		22(3)	\$20,000	1 year	
23(2)	\$20,000	1 年		23(1)	\$20,000	1 year	
				23(2)	\$20,000	1 year	

PART IV

OWNER

條次	罰款額	監禁期	如犯罪行為持續， 每日的附加罰款	Regulation	Amount of fine	Period of imprisonment	Additional fine for each day on which the offence continues
23(3)	\$10,000	6個月					
24	\$50,000	2年	\$1,000	23(3)	\$10,000	6 months	
25(1)	\$20,000	1年	\$ 500	24	\$50,000	2 years	\$1,000
25(3)	\$20,000	1年	\$ 500	25(1)	\$20,000	1 year	\$ 500
31(3)	\$10,000	6個月		25(3)	\$20,000	1 year	\$ 500
32(1)	\$20,000	1年		31(3)	\$10,000	6 months	
32(2)	\$20,000	1年		32(1)	\$20,000	1 year	
32(3)	\$20,000	1年		32(2)	\$20,000	1 year	
33	\$20,000	1年	\$ 500	32(3)	\$20,000	1 year	\$ 500
34(1)	\$20,000	1年		33	\$20,000	1 year	
35	\$20,000	1年		34(1)	\$20,000	1 year	
36(1)	\$20,000	1年		35	\$20,000	1 year	
36(2)	\$20,000	1年		36(1)	\$20,000	1 year	
36(3)	\$20,000	1年		36(2)	\$20,000	1 year	
				36(3)	\$20,000	1 year	

第 V 部

擁有人

條次	罰款額	監禁期	如犯罪行為持續， 每日的附加罰款	Regulation	Amount of fine	Period of imprisonment	Additional fine for each day on which the offence continues
10	\$20,000	1年					
11	\$50,000	1年					
12(1)	\$10,000	6個月		10	\$20,000	1 year	
13(1)	\$20,000	1年		11	\$50,000	1 year	
14	\$20,000	1年		12(1)	\$10,000	6 months	
15(1)	\$20,000	1年		13(1)	\$20,000	1 year	
15(3)	\$20,000	1年		14	\$20,000	1 year	
25(2)	\$20,000	1年		15(1)	\$20,000	1 year	
27(1)	\$20,000	1年		15(3)	\$20,000	1 year	
				25(2)	\$20,000	1 year	
				27(1)	\$20,000	1 year	

(1981 年第 240 號法律公告)

PART V

OWNER

(L.N. 240 of 1981)