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Panel on Development and Panel on Housing

Joint meeting on 24 February 2009

Background brief on regulatory control on lift safety

Purpose

This paper sets out the regulatory control on lift safety, and gives a brief account of the views and concerns expressed at meetings of the Council and relevant Panels.

Problem

2. The recent accidents involving lifts have aroused much public concern on the need to strengthen the current regulatory regime on lifts to ensure safety.

Existing control regime

Private buildings

3. Lift safety of private buildings is governed by the Lifts and Escalators (Safety) Ordinance (Cap. 327) (the Ordinance). Under the Ordinance, cycles of periodic maintenance, examination and testing for lifts are required. Only registered lift engineers and registered lift contractors are qualified to carry out lift works, including construction, installation and maintenance services. Major safety components for lift installations are also required to have tests conducted and certificates issued by accredited independent testing institutions. The Electrical and Mechanical Services Department (EMSD) is the authority responsible for regulating lifts in private buildings. Apart from maintaining registers for qualified engineers and contractors, EMSD also conducts audit inspections for lifts in private buildings, and carries out surprise checks to ensure that the services provided by engineers and contractors are up to the standards as set out in the Code of Practice on the Design and Construction of Lifts and Escalators and the Code of Practice for Lift Works and Escalator Works.

Government buildings

4. Lifts in Government buildings are exempted from the control in the Ordinance. The repair and maintenance works of these lifts are undertaken by the Electrical and Mechanical Services Trading Fund (EMSTF), which arranges the relevant works in accordance with the requirements and technical standards of the Ordinance, and monitors the works as appropriate.

Public housing estates (PHEs)

5. Lifts in PHEs managed by the Hong Kong Housing Authority are not governed by the Ordinance. However, the Housing Department (HD), being the authority responsible for the regulation and maintenance of lifts in PHEs, follows the requirements under the Ordinance as the basis for regulation of lifts. HD also employs lift contractors registered under the Ordinance to conduct lift repair and maintenance works according to all the requirements and standards under the Ordinance and the EMSD guidelines.

Improvement measures

6. The Administration has initiated investigation on the recent lift accidents. Pending investigation reports on the incidents and further review, the Administration has adopted a multi-pronged package of immediate measures to enhance the existing regulatory framework on lift safety. These measures include –

- (a) Stepping up inspections – EMSD has, through additional resources provided by the Development Bureau, increased the proportion of audit inspection and spot checks of lifts in private buildings from one out of 10 to one out of seven using a risk-based approach for a period of three months starting November 2008;
- (b) Enhancement of Codes of Practice on Lift Safety – EMSD is consulting lift contractors and worker representatives to review and enhance the existing Codes of Practice to address issues such as frequency and duration of specified maintenance tasks;
- (c) Enhancing workers' competence – EMSD has launched a scheme to enable those who possess sufficient skills and work experience, but have not undergone formal academic training or craft apprenticeship to become “competent lift workers” under the Ordinance. Upon successful completion of the training course under the proposed scheme, the lift workers will be regarded as “competent lift workers” and such status does not require recognition by registered lift contractors;

- (d) Revision of tendering arrangements for Government contracts – EMSTF will adjust its future procurement arrangements to address public concern over the “bunching approach” (i.e. one contractor being assigned maintenance services for different brands of lifts through one single contract) such that each lift maintenance contract will include only one single brand of lifts;
- (e) Enhancing publicity – EMSD has compiled a sample tender document with the requisite scope and specification for lift maintenance service to facilitate building owners and management agencies to properly procure such service; and
- (f) Announcement of serious lift incidents – EMSD has undertaken to announce serious lift incidents involving fatalities, serious injuries, breakage of suspension ropes, failure of motor brakes, overspeed governors or safety gears, reported by lift owners within 12 hours of confirmation of the incidents.

Previous discussions by the Council and relevant Panels

7. Questions on lift safety and related issues were raised at the Council meetings on 19 November, 3 and 10 December 2008. The questions and the Administration’s response are hyperlinked below for ease of reference.

8. The regulatory control on lift safety was discussed at the joint meeting of the Panel on Development and the Panel on Housing on 8 December 2008.

9. Members noted that the technical reports on the Shin Nga House lift incident and the Wan Tau Tong Estate incident had been completed. According to the Administration, the former incident was a result of the failure of the counterweight pulley bearing, causing the dislodgement of all eight suspension ropes from the counterweight, while the latter was due to the failure of the broken suspension rope. Given that there was corrosion of the bearing in question, which would not occur within a short period of time, members queried whether proper maintenance had been carried out by the contractor and if not, whether action should be taken in this regard. Apart from identifying the parties to be held liable, the Administration should also examine the existing work system, including the workload of workers who had to inspect up to nine lifts within eight to nine hours. It would be unfair to these workers if they were to take all the blame.

10. On monitoring by EMSD, members considered that more resources should be allocated to lift inspection work in the next financial year. To ensure quality lift maintenance, consideration should be given to revising the Codes of Practice on lift safety to set out the minimum time and number of workers required for carrying out maintenance work. Apart from stepping up inspection by EMSD, there was also a need to enhance the management culture in Hong Kong. Each contractor should be

required to establish a quality management system for the maintenance work and to ensure that their workers were provided with regular training to enhance their skills. The relevant legislation should also be updated so that contractors would be held responsible for their maintenance work. To facilitate owners' corporations in choosing the most appropriate service providers, the Administration should consider releasing scores of its internal marking scheme on contractors upon request by these owners' corporations.

11. To enhance workers' competence, members opined that those who possessed sufficient skills and experience, but had not undergone formal academic training or craft apprenticeship should take a trade test. Those who could reach the required standard should be qualified as a "competent worker". The remaining should be required to attend relevant courses to enhance their competence to the required standard.

Latest development

12. The Administration will brief the Panels on the latest progress and effectiveness of measures taken to ensure safety in lifts at the joint meeting of the Panels on 24 February 2009.

Relevant Papers

Question raised by Hon James TO at the Council meeting on 19 November 2008
http://www.legco.gov.hk/yr08-09/english/counmtg/agenda/cm20081119.htm#q_4

Administration reply to question raised by Hon James TO at the Council meeting on 19 November 2008
<http://www.info.gov.hk/gia/general/200811/19/P200811190244.htm>

Question raised by Hon LAU Kong-wah at the Council meeting on 19 November 2008
http://www.legco.gov.hk/yr08-09/english/counmtg/agenda/cm20081119.htm#q_17

Administration reply to question raised by LAU Kong-wah at the Council meeting on 19 November 2008
<http://www.info.gov.hk/gia/general/200811/19/P200811190212.htm>

Question raised by Hon CHAN Kam-lam at the Council meeting on 3 December 2008
http://www.legco.gov.hk/yr08-09/english/counmtg/agenda/cm20081203.htm#q_1

Administration reply to question raised by CHAN Kam-lam at the Council meeting on 3 December 2008
<http://www.info.gov.hk/gia/general/200812/03/P200812030131.htm>

Information paper provided by the Administration for the Panel on Development and the Panel on Housing joint meeting on 8 December 2008

<http://www.legco.gov.hk/yr08-09/english/panels/hg/papers/devhg1208cb1-318-1-e.pdf>

Question raised by Hon IP Wai-ming at the Council meeting on 10 December 2008

http://www.legco.gov.hk/yr08-09/english/counmtg/agenda/cm20081210.htm#q_4

Administration reply to question raised by IP Wai-ming at the Council meeting on 10 December 2008

<http://www.info.gov.hk/gia/general/200812/10/P200812100142.htm>

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