

立法會
Legislative Council

LC Paper No. CB(1)3002/10-11
(These minutes have been seen
by the Administration)

Ref : CB1/BC/7/10/2

Bills Committee on Lifts and Escalators Bill

First meeting on
Tuesday, 31 May 2011, at 2:30 pm
in Conference Room B of the Legislative Council Building

Members present : Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
(Chairman)
Hon James TO Kun-sun
Hon LI Fung-ying, SBS, JP
Hon CHEUNG Hok-ming, GBS, JP
Prof Hon Patrick LAU Sau-shing, SBS, JP
Hon CHAN Hak-kan
Hon IP Wai-ming, MH
Hon IP Kwok-him, GBS, JP

Members absent : Hon Andrew CHENG Kar-foo
Hon Abraham SHEK Lai-him, SBS, JP
Hon Alan LEONG Kah-kit, SC

Public officers : Mr Enoch LAM Tin-sing
Attending Deputy Secretary for Development (Works) 2

Mr Jimmy CHAN Pai-ming
Principal Assistant Secretary for Development

Mr Jacky WU Kwok-yuen
Assistant Secretary for Development (Work Policies) 7

Mr Alfred SIT Wing-hang
Assistant Director/Gas & General Legislation
Electrical and Mechanical Services Department

Mr CHUI Wai-sing
Chief Electrical & Mechanical Engineer/General
Legislation
Electrical and Mechanical Services Department

Mr Leakey LAU Lik-kee
Senior Electrical & Mechanical Engineer/ Lifts and
Escalators 1

Ms Frances HUI Hang-ka
Senior Government Counsel
Department of Justice

Ms Angie LI Sau-lee
Senior Government Counsel
Department of Justice

Clerk in attendance : Ms Annette LAM
Chief Council Secretary (1)7

Staff in attendance : Mr Kelvin LEE
Assistant Legal Adviser 1

Mr Daniel SIN
Senior Council Secretary (1)7

Action

I Election of Chairman

Ir Dr Raymond HO, the member with the highest precedence among those who were present at the meeting, presided over the election of the Chairman of the Bills Committee. He invited nominations for the chairmanship of the Bills Committee.

2. Ir Dr Raymond HO was nominated by Mr IP Kwok-him and the

nomination was seconded by Mr CHAN Hak-kan. Ir Dr HO accepted the nomination. As Ir Dr Raymond HO was nominated, Mr CHEUNG Hok-ming presided over the election. There being no other nomination, Mr CHEUNG declared that Ir Dr Raymond HO was elected Chairman of the Bills Committee.

II Meeting with the Administration

- LC Paper No. CB(3)684/10-11 -- The Bill
- File Ref: DEVB/(CR)(W)1-10/30 -- The Legislative Council Brief
- LC Paper No. LS59/10-11 -- The Legal Service Division Report on Bills Committee on Lifts and Escalators Bill
- LC paper No. CB(1)2328/10-11(01) -- Paper on Lifts and Escalators Bill prepared by the Legislative Council Secretariat (Background brief)

Discussion

3. The Committee deliberated (Index of proceedings attached at **Appendix**).

Admin Follow-up actions to be taken by the Administration

4. The Administration was requested to provide the following information:
- (a) the comments received from different organizations / individuals during public consultation sessions conducted by the Administration on the Lifts and Escalators Bill and the comments that have been incorporated into the current legislative proposal;
 - (b) composition and membership of the Task Force for Legislative Amendments to the Lifts and Escalators (Safety) Ordinance, including the specific organizations, trade associations, workers unions and professional bodies involved;
 - (c) the reasons as to why only a small proportion of engineers (6%) and workers (75%) would be qualified for registration under the proposed system, the proposed duration of the transition period and the measures to be implemented to facilitate transition of currently

registered engineers and workers to the proposed system, details of the trade tests to assess whether a worker might be qualified for registration and the training programmes to be launched to help workers to meet the registration requirements;

- (d) an analysis on whether there would be sufficient supply of qualified and registered professional engineers and workers to meet the demand for services when the Bill comes into effect;
- (e) a breakdown of past accidents involving lifts and escalators and an explanation of how the Administration's legislative proposal might mitigate the problem and reduce such accidents;
- (f) the promotion, publicity and public education plan (including whether information pamphlets and guidebooks would be produced) to publicize the enactment of the Bill when the legislation comes into effect; and
- (g) a list of contractors providing lifts and escalators installation and maintenance services to the private sector for invitation to attend the public hearing session.

III Any other business

5. There being no other business, the meeting ended at 4:30 pm.

Council Business Division 1
Legislative Council Secretariat
14 September 2011

**Proceedings of the
Bills Committee on Lifts and Escalators Bill
First meeting on Tuesday, 31 May 2011, at 2:30 pm
in Conference Room B of the Legislative Council Building**

Time Marker	Speaker	Subject(s)	Action Required
000148 – 000308	Ir Dr Raymond HO Mr CHEUNG Hok-ming Mr CHAN Hak-kan	Election of Chairman	
000453 – 002755	The Chairman Administration	Briefing by the Administration on the proposals of the Bill.	
002756 – 002855	The Chairman Mr IP Kwok-him	The Chairman asked if a public hearing session should be held to gather stakeholders' views on the Bill. Mr IP's suggestion that representatives from owners corporations (OCs) should be invited.	
002856 – 002947	Ms LI Fung-ying The Chairman	Ms LI's request for the Administration to provide comments received from different organizations / individuals during public consultation sessions conducted by the Administration on the Bill and the comments that have been incorporated into the current legislative proposal.	The Administration to take action as per paragraph 4 of the minutes
002948 – 003257	Prof Patrick LAU The Chairman	Prof LAU requested the Administration to provide information on the composition and membership of the Task Force for Legislative Amendments to the Lifts and Escalators (Safety) Ordinance, Cap. 327 (LESO) including the specific organizations, trade associations, workers unions and professional bodies involved. Prof LAU's suggestion that lift and escalator workers' groups should also be invited to the public hearing session.	The Administration to take action as per paragraph 4 of the minutes

Time Marker	Speaker	Subject(s)	Action Required
003258 – 004232	Mr IP Wai-ming Mr CHAN Hak-kan The Chairman	<p>Mr IP's suggestion of holding the public hearing session in the evening to facilitate and encourage participation of lift and escalator workers. An additional public hearing session might be organized if necessary.</p> <p>Mr CHAN's suggestion that representatives from mutual aid committees, OCs and owners' committee should be invited.</p> <p>The Chairman's comments on the timing of future meetings of the Bills Committee, and that the meeting dates should avoid clashing other bill committees.</p>	
004233 – 004529	The Chairman Mr Abraham SHEK	<p>The Chairman's comment that there was urgency in examining the Bill to ensure its enactment before the end of the current term of the Legislative Council.</p> <p>Mr SHEK's comment that the Administration should allow sufficient time for members' deliberation, and the Bills Committee should not be held responsible for any slippage as the Administration should have introduced the Bill earlier.</p>	
004530 – 005029	Ms LI Fung-ying The Chairman	<p>Ms LI's request for the Administration to provide information on the reasons as to why only a small proportion of engineers (6%) and workers (75%) would be qualified for registration under the proposed system, the proposed duration of the transition period and the measures to be implemented to facilitate transition of currently registered engineers and workers to the proposed system, details of the trade tests to assess whether a worker might be qualified for registration and the training</p>	<p>The Administration to take action as per paragraph 4 of the minutes</p>

Time Marker	Speaker	Subject(s)	Action Required
		<p>programmes to be launched to help workers to meet the registration requirements.</p> <p>The Chairman said that the Administration could provide information in stages.</p> <p>The Chairman's concern about manpower supply of personnel engaged in lift and escalator works.</p>	
005030 – 005953	Administration The Chairman	<p>The Administration's response that:</p> <ul style="list-style-type: none"> (a) Among other enhancement measures, the Bill intended to strengthen the registration regime of personnel engaged in lift and escalator works; (b) the industry had been involved in the development of the legislative proposals. One of the key issues involved putting in place transitional arrangements to facilitate registration of serving engineers and workers under the new registration system; (c) discussions were being held with professional bodies and contractors to organize training programmes for existing practitioners and to develop trade tests for accreditation of experienced lift and escalator workers who did not have formal academic qualifications; (d) the transition period would ensure that there were sufficient number of engineers and workers registered under the new system; and (e) there was no fixed timetable when the transition period would end. 	

Time Marker	Speaker	Subject(s)	Action Required
005954 – 010426	Ms LI Fung-ying The Chairman Administration	<p>Ms LI's query on:</p> <ul style="list-style-type: none">(a) the registration fees; and(b) how to ensure that sufficient number of engineers and workers would have completed registration when the Bill took effect, bearing in mind applicants tended to rush for registration only at the last minute. <p>The Administration's response that:</p> <ul style="list-style-type: none">(a) registration would be valid for five years, and the likely fee would be around \$500; and(b) the Administration would work with lift and escalator contractors on arrangements to register lift and escalator engineers and workers en masse in their workplace.	
010427 – 011356	Mr IP Wai-ming Administration The Chairman	<p>Mr IP's query on:</p> <ul style="list-style-type: none">(a) the transitional arrangements, including the registration arrangements and renewal for fresh recruits of lift and escalator workers; and(b) whether all serving lift and escalator engineers and workers could be automatically registered under the new registration regime without having to acquire formal qualification or subject to periodic renewal. <p>The Administration's response that:</p> <ul style="list-style-type: none">(a) as one of the routes for registration under the transitional arrangement, workers not in possession of the	

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		<p>stipulated academic attainment but who had just entered the profession before the operation of the new registration system would be given four years to acquire sufficient experience for registration under the new regime;</p> <p>(b) discussions were being held with the Vocational Training Council (VTC) on developing trade tests to assess the capability of workers' who had eight years or more of experience as lift or escalator workers but did not have the necessary academic qualification;</p> <p>(c) lift and escalator engineers registered under LESO would automatically become registered under the new registration regime when the Bill took effect. During the transitional period, degree holders in suitable disciplines with four years' experience but who had not already registered under LESO could apply for registration under the Bill if they possessed similar registration requirements under LESO; and</p> <p>(d) further details of transitional arrangements were being worked out with relevant professional bodies and industry stakeholders.</p>	
011357 – 011846	Prof Patrick LAU The Chairman	Prof LAU's request for the Administration to provide an analysis on whether there would be sufficient supply of qualified and registered professional engineers and workers to meet the demand for services when the Bill comes into effect.	The Administration to take action as per paragraph 4 of the minutes
011847 – 012156	Administration	The Administration's response that:	

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		<p>(a) about 50 000 of the 57 500 lifts and escalators were installed in private buildings, and were currently regulated under LESO;</p> <p>(b) the number of lifts and escalators in Hong Kong was growing at a rate of 1.5% – 1.8% per year. It was unlikely that the demand for lift and escalator engineers or workers would increase significantly after the enactment of the Bill;</p> <p>(c) on the other hand, the workforce of the construction sector was ageing and young people did not find the industry attractive; and</p> <p>(d) the Administration would continue to discuss with the sector to improve training opportunities and identify means to promote the industry among young people.</p>	
012157 – 012559	Prof Patrick LAU The Chairman Administration	<p>In response to Prof LAU's query, the Administration confirmed that the funding provided for institutions on construction industry-related training would cover training for lift and escalator workers.</p> <p>Prof LAU's concern about the sufficient supply of trained and qualified personnel.</p> <p>The Chairman's comments that workers might need to undergo retraining as they changed jobs as lifts and escalators manufactured by different manufacturers were different.</p> <p>The Administration's response that the Bill was primarily concerned about the safety aspects of lifts and escalators. The Bill required lift and escalator contractors to</p>	

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		<p>provide a safe work environment for workers and to provide sufficient training and necessary facilities. The Administration would also specify practical details and guidelines in the Code of Practice for contractors.</p>	
012600 – 012739	Prof Patrick LAU The Chairman	<p>The Chairman and Prof LAU requested the Administration to provide a breakdown of past accidents involving lifts and escalators and an explanation of how the Administration's legislative proposal might mitigate the problem and reduce such accidents.</p>	<p>The Administration to take action as per paragraph 4 of the minutes</p>
012740 – 013606	Ms LI Fung-ying The Chairman Administration	<p>Regarding the proposed registration regime for workers, Ms LI's query about:</p> <ul style="list-style-type: none"> (a) the reason for requiring a worker's experience to be recognized by a registered contractor. Ms LI also considered the proposed period of eight years of relevant experience too long; (b) the details of the trade test for workers; and (c) what training the workers would need to undergo to satisfy the requirements for renewal of registration. <p>The Administration's response that:</p> <ul style="list-style-type: none"> (a) the Bill preserved the existing qualification requirements for becoming competent workers under LESO as one of the routes for registration as workers during the transitional period; (b) the Administration was discussing with VTC on details of the trade test. 	

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		<p>The initial concept was a two-part assessment consisting of a written test on basic knowledge on safety matters, and a practical test on maintenance / repair skills; and</p> <p>(c) 30 hours of continuous training prior to renewal of registration was provided in the Bill to ensure that practitioners keep up with the fast changing technology of lifts and escalators. The training programmes would include courses run by worker unions, contractors or professional institutes relating to lifts and escalators.</p>	
013607 – 014358	Ms LI Fung-ying Administration The Chairman	<p>Ms LI's query about:</p> <p>(a) the detailed arrangements for the training programmes and whether workers could receive wages during training;</p> <p>(b) whether and how workers could appeal if they failed to receive a registered contractors' recognition of their experience; and</p> <p>(c) the reason for setting eight years as the requisite period of relevant experience to qualify for registration.</p> <p>The Administration's response that</p> <p>(a) the training programmes for continuous training could include courses provided by contractors on servicing or repairing new models of lift and escalator;</p> <p>(b) a worker who could not obtain a registered contractor's recognition</p>	

Time Marker	Speaker	Subject(s)	Action Required
		<p>could take the trade test as an alternative route for registration; and</p> <p>(c) the need for a lift and escalator workers to have at least eight years of experience was to ensure that workers were competent in their workmanship to ensure their own safety and that of the users.</p>	
014359 – 014552	Ms LI Fung-ying Mr IP Wai-ming The Chairman	Ms LI, Mr IP and the Chairman's comments that the Administration should reconsider whether the eight-year requirement should be shortened taking into account the need to maintain sufficient manpower supply to meet the needs for lift and escalator maintenance and inspection service.	
014553 – 014808	Mr IP Wai-ming The Chairman Administration	<p>Mr IP's comment that as new models of lifts and escalators were becoming more complex and as new buildings tended to be taller and had more lift or escalator installations, he queried whether the current standard of completing routine maintenance check within 90 minutes should be reviewed.</p> <p>The Administration's comment that contractors should deploy sufficient staff to sites according to the scale and complexity of the maintenance work required. The Bill provided that contractors must prove it had sufficient facilities and staff as a condition for registration.</p> <p>The Administration would formulate the relevant Code of Practice to specify the details.</p>	
014809 – 014934	The Chairman	The Chairman asked the Administration to provide the promotion, publicity and	The Administration

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		public education plan (including whether information pamphlets and guidebooks would be produced) to publicize the enactment of the Bill when the legislation came into effect.	to take action as per paragraph 4 of the minutes
014935 – 015051	Ms LI Fung-ying The Chairman	Ms LI's concern about the manpower provision, staff training and occupation safety awareness of smaller lift and escalator contractors.	
015052 – 015130	Mr IP Wai-ming The Chairman Administration	Ms LI and Mr IP's request the Administration to provide the list of contractors providing lifts and escalators installation and maintenance services to the private sector for invitation to attend the public hearing session.	The Administration to take action as per paragraph 4 of the minutes
015131 – 015148	Chairman	The Chairman said that the next meeting would be held on 21 June 2011.	