

立法會
Legislative Council

LC Paper No. CB(1)2357/11-12
(These minutes have been seen
by the Administration)

Ref : CB1/BC/7/10/2

Bills Committee on Lifts and Escalators Bill

Seventeenth meeting on
Friday, 3 February 2012, at 8:30 am
in Conference Room 2B of the Legislative Council Complex

Members present : Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP (Chairman)
Hon Andrew CHENG Kar-foo
Hon Abraham SHEK Lai-him, SBS, JP
Hon LI Fung-ying, SBS, JP
Hon CHEUNG Hok-ming, GBS, JP
Prof Hon Patrick LAU Sau-shing, SBS, JP
Hon IP Wai-ming, MH
Hon Alan LEONG Kah-kit, SC

Members absent : Hon James TO
Hon IP Kwok-him, GBS, JP

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

Mr Jimmy CHAN Pai-ming
Principle Assistant Secretary for Development (Works) 3

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

Mr Frank CHAN Fan
Director of Electrical and Mechanical Services

Mr Harry LAI Hon-chung
Assistant Director/Gas and General Legislation
Electrical and Mechanical Services Department

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

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 Anita SIT
Chief Council Secretary (1)5

Staff in attendance : Mr Kelvin LEE
Assistant Legal Adviser 1

Mr Hugo CHIU
Council Secretary (1)5

I Meeting with the Administration

(LC Paper No. CB(1)907/11-12(03) — Administration's response to follow-up items and proposed Committee Stage amendments

LC Paper No. CB(1)925/11-12(01) — Administration's letter dated 20 January 2012 regarding amendments to LC Paper No. CB(1)907/11-12(03)

LC Paper No. CB(3)684/10-11 — The Bill)

Discussion

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

Admin

Follow-up actions to be taken by the Administration

3. The Administration was requested to:
 - (a) send letters to the relevant trade associations and worker union regarding the revised penalty levels now proposed by the Administration; and
 - (b) provide written response on the Administration's position regarding access to the information on the subcontracting of lift or escalator works by responsible persons or the public.

II Any other business

Legislative timetable

4. The Chairman concluded that the Bills Committee had completed scrutiny of the Bill.
5. The Chairman informed members of the following legislative timetable:
 - (a) the Bills Committee would aim at reporting its deliberations to the House Committee on 24 February 2012; and
 - (b) the Second Reading debate on the Bill could be resumed on 28 March 2012 at the earliest.
6. There being no other business, the meeting ended at 9:25 am.

**Proceedings of the
Bills Committee on Lifts and Escalators Bill
Seventeenth meeting on Friday, 3 February 2012, at 8:30 am
in Conference Room 2B of the Legislative Council Complex**

Time Marker	Speaker	Subject(s)	Action Required
000748 – 000857	Chairman	Introductory remarks	
000858 – 001858	Administration	Briefing by the Administration on the proposed Committee Stage amendments ("CSAs") set out in Annex 1 to LC Paper No. CB(1)907/11-12(03) regarding penalty level. Members raised no question on the proposed CSAs.	
001859 – 002058	Prof Patrick LAU Administration	Prof LAU enquired whether the Administration had consulted the industry about the revised penalty levels stipulated in the proposed CSAs and if so, whether the Administration had any written records on such consultation. The Administration responded that the industry had been consulted and raised no objection to the revised maximum penalty levels stipulated in the proposed CSAs. However, the Administration did not have written records on such consultation. Prof LAU suggested and the Administration agreed to send letters to the relevant trade associations and worker union regarding the revised penalty levels now proposed by the Administration.	The Administration to take action as per paragraph 3 of the minutes.
002059 – 004754	Administration	Clause-by-clause briefing by the Administration on the proposed CSAs set out in Annex 2 to LC Paper No. CB(1)907/11-12(03). Members raised no question on the proposed CSAs.	
004755 – 005551	Mr IP Wai-ming Administration Chairman	Mr IP remarked that the Administration promised at the last meeting to consider his suggestion regarding access to the information on the subcontracting of lift or escalator works by responsible persons or the public. Mr IP enquired about the Administration's position on the issue.	

Time Marker	Speaker	Subject(s)	Action Required
		<p>The Administration responded that it was considering Mr IP's suggestion and would shortly consult the industry on the issue. The Administration also pointed out that the main objective of the enhanced measures proposed at the last meeting regarding the subcontracting of lift or escalator works was to ensure public safety.</p> <p>Mr IP remarked that he appreciated that the Administration had proposed enhanced measures to regulate the subcontracting of lift and escalator works. However he considered that the information on the subcontracting of lift or escalator works should be accessible to responsible persons or the public for them to monitor such works. Mr IP clarified that he was not asking for access to details of subcontracting contracts, and the access to subcontractors' names would suffice. In this regard, Mr IP requested the Administration to provide written response on the issue upon consulting the industry. The Chairman concurred with Mr IP.</p> <p>The Administration responded that it would discuss the issue raised by Mr IP with the industry, which would also be consulted on the formulation of regulation and codes of practice on the subcontracting of lift or escalator works. The Administration agreed to provide written response on the Administration's position regarding access to the information on the subcontracting of lift or escalator works.</p>	<p>The Administration to take action as per paragraph 3 of the minutes.</p>
005552 – 005747	Chairman Administration	The Chairman briefed members about the legislative timetable.	