



香港機電工程師聯會
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and Mechanical Contractors Limited**

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Our Ref: HKFEMC/HSK/L0701/11

July 8, 2011

Ms Iris Cheung
Clerk to Bills Committee
Legislative Council Secretariat
3/F Citibank Tower
3 Garden Road
Central
Hong Kong

By Fax & Email

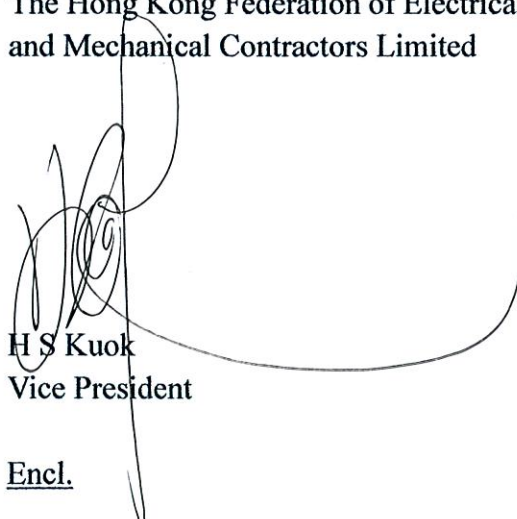
Dear Ms Cheung

Re: Lifts and Escalators Bill

Reference is made to your letter dated on 24 June 2011 regarding the captioned subject. Enclosed please find our duly completed reply slip and written views for your kind information and consideration.

Thank you for your kind attention.

Yours sincerely
The Hong Kong Federation of Electrical
and Mechanical Contractors Limited



H S Kuok
Vice President

Encl.



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Comments on Lifts and Escalators Bill by HKFEMC

1) Interpretation

Clause 2

Lift works includes any kind of work concerning the installation, commissioning, examination, maintenance, repair, alteration or demolition of a lift or any associated equipment or machinery of a lift.

Comment:

Please clarify that the lift works does not include any associated building work and decoration work. (Also similar comments on relevant Clause 2 for escalator works)

2) Examination of lifts after major alterations

Clause 21 – If any major alteration has been made in respect of a lift, before the normal use and operation of the lift is resumed, the responsible person for the lift must cause a registered lift engineer –

- a) to thoroughly examine the lift and all its associated equipment or machinery; or*
- b) to examine the affected part of the lift in accordance with Clause 25(1).*

Clause 25 (Issue of safety certificates by registered lift engineers after major alterations)

- 1) A registered lift engineer who undertakes to examine any affected part of a lift must ensure that the lift and its associated equipment or machinery are thoroughly examined by the engineer, in so far as is necessary to determine whether the affected part is in safe working order.*

Comment:

Please confirm that only the affected part of the lift should be examined after the major alteration. (Also similar comments on relevant Clause 52, 55 for escalators)

3) Subcontracting restricted

Clause 38

- 1) Except with the written approval of the Director, a registered lift contractor who undertakes any lift works must not subcontract the works or any part of the works to any other person who is not a registered lift contractor.*



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- 2)
- 3) *This section does not apply to any works concerning the installation or demolition of a lift.*

Comment:

For the works of lift decoration, we are not competent in this area and will employ a third party to undertake this work. In addition, most of the RCs subcontract the works of lift total replacement to other parties. It is not practicable to have a limitation for RCs on subcontracting of lift total replacement works. (Also similar comments on relevant Section 68 for escalators)

On the hand, even though Clause 38/68 allow the subcontracting of installation/demolition works of lift/escalator to not a registered lift contractor, but clause 2 implied any registered/competent lift/escalator worker employed by not a registered lift/escalator contractor is classified as not a qualified person. And further according to clause 8 and 42 that subcontractor's registered/competent lift/escalator worker could not personally carry out any lift/escalator works unless under direct supervision of a qualified person. That means redundancy and wastage of workforce for registered/competent lift/escalator workers.

4) Duties of registered lift engineers to carry out lift works properly and safely, etc.

Clause 17

- 1) *A registered lift engineer who engages in any lift works must ensure that –*
 - a) ...
 - b) *adequate safety precautions are taken to prevent injury to any person or damage to any property while the works are being carried out; and*
 - c) ...

Comment:

The workers have the general duty of care for their own safety at work as well as for other members working nearby (Clause 6B of FIUO). We believe that the main objective of this bill is to enhance passengers safety, not work safety. Overlapping control will only cause complicated administration procedures, not good for any party. (Also similar comments on relevant Clause 48 for escalators)



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5) Issue of safety certificates by registered lift engineers

Clause 24

- 6) If on examination under this section the registered lift engineer is of the opinion that the lift or any of its associated equipment or machinery is not of good design and construction or is not in safe working condition, the engineer -*
- a) must not issue a certificate under subsection (4); and*
 - b) must within 24 hours after the examination is completed –*
 - i) notify in writing the responsible person specified in subsection (10) of the reasons for not issuing the certificate; and*
 - ii) report to the Director the result of the examination and the opinion of the engineer.*

Comment:

Within 24 hours to complete all administration procedures for not issuing the certificate is not sufficient. (Also similar comments on relevant Clause 54 for escalators)

6) Issue of safety certificates by registered lift engineers after major alterations

Clause 25

- 4) If on examination under subsection (1), the registered lift engineer is of the opinion that the affected part is not in safe working order, the engineer -*
- a) must not issue a certificate under subsection (2); and*
 - b) must within 24 hours after the examination is completed –*
 - i) notify in writing the responsible person specified in subsection (8) of the reasons for not issuing the certificate; and*
 - ii) report to the Director the result of the examination and the opinion of the engineer.*

Comment:

The lift has already been suspended for major alteration works. Please clarify what REs should do if a notification concerning the affected part not in safe working has been served to EMSD. (Also similar comments on relevant Clause 52 for escalators)



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7) Schedule 1 – Major Alterations

Item 1 – For the purposes of this Ordinance, major alteration, in relation to a lift, means –

w) any replacement, including any change in the type, of any safety component or safety equipment of the lift.

Item 2 – For the purposes of this Ordinance, major alteration, in relation to an escalator, means –

d) any replacement, including any change in the type of any safety component or safety equipment for the escalator

Schedule 2,

Part 1 – Lifts

7) Any safety circuit for a lift that contains any electronic component.

Part 2 – Escalators

1) A step/pallet of an escalator/conveyor

Comment:

It is not practicable to consider the works of PCBs or step/pallet replacement as the major alteration. Also, more new items of safety equipment added (e.g. Driving machine brake/overload device (for lift), driving machine brake (for escalator)) and the uncertainty on administrative time on obtaining the resumption permit (Clause 28, 58) will certainly increase lift/escalator service suspension time.

8) Schedule 2 – Safety Components for Lifts and Escalators

3) A door locking device for a lift

Comment:

The item 3 should read as “a landing door locking device for a lift”.