

OTIS

奧的斯電梯(香港)有限公司
Otis Elevator Company
(H.K.) Limited
15/F., Cityplaza One
1111 King's Road, Taikoo Shing, Hong Kong
G.P.O. Box 82, Hong Kong

Your Ref No.: CB1/BC/7/10
Ref No.: EHS11087

July 15, 2011

Legislative Council Secretariat
3/F, Citibank Tower
3 Garden Road
Central
Hong Kong

By Email

Attn.: **Ms. Iris Cheung**
Clerk To Bills Committee

Dear Sirs,

Re: Lifts and Escalators Bill

Referring to your letter dated Jun 24, 2011, we enclosed herewith our written views for the Committee's consideration.

Thank you for your kind attention.

Yours faithfully
OTIS ELEVATOR COMPANY (HK) LTD.



Lai Wah Hing
Director
EH&S and Field Operations

Encl.

WHL/ml

at your service


consecutive years
商界最關懷
Awarded by The Hong Kong Council of Social Service
香港社會服務聯會 2005-10


CERTIFIED
HKCS
COMPANY
ISO 14001:2004
Certificate No.: CC 219


CERTIFIED
HKCS
COMPANY
OHSAS 18001:2007
Certificate No.: CC 339


CERTIFIED
HKCS
COMPANY
ISO 9001:2008
Certificate No.: CC 218

Telephone : (852) 2567 4411
Facsimile : (852) 2886 1709
Otisline : (852) 2759 3113
Website : www.otis.com

Your Ref No.: CB1/BC/7/10

Ref No.: EHS11087

Comments on Lifts and Escalators Bill

(1) Clause 2: Interpretation

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.

Escalator works includes any kind of work concerning the installation, commissioning, examination, maintenance, repair, alteration or demolition of an escalator or any associated equipment or machinery of an escalator

Comments:

In some of the works for lifts or escalators, building works (e.g. filling the gap between landing door columns and the adjacent walls) and decoration works (e.g. lift car cage decoration) may be involved. In trade practice, these works were conducted by the experts of building works/decoration works instead of lift/escalator workers. If these works also include in lift/escalator works, these works must be conducted by lift/escalator workers which is not the trade practice. Also, it is not the expertise of lift/escalator workers for conducting such kind of works.

We suggest that lift works and escalator works shall exclude any associated building works and decoration works.

Your Ref No.: CB1/BC/7/10

Ref No.: EHS11087

(2) Clause 38: Subcontracting restricted

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

Clause 68: Subcontracting restricted

- 1) Except with the written approval of the Director, a registered escalator contractor who undertakes any escalator works must not subcontract the works or any part of the works to any other person who is not a registered escalator contractor.
- 2)
- 3) This section does not apply to any works concerning the installation or demolition of an escalator.

Comments:

During conducting the lift/escalator works, some building works, decoration works, transportation works may be involved. In trade practice, these works would be subcontracted to third party who is not RC. Under the Clause 38 & 68 of the Bill, all these works must be conducted by RC which is deviated from existing practice. In addition, it is difficult for RC to employ building workers, decoration workers and transportation workers as their direct labor because these works only contributes small portion of the whole lift/escalator projects.

We suggest one more item to be added into Clause 38 and Clause 68 as below:

"This section does not apply any associated building works, decoration works and transportation works."

Your Ref No.: CB1/BC/7/10

Ref No.: EHS11087

(3) Clause 24: Issue of safety certificates by registered lift engineers

(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.

Clause 54: Issue of safety certificates by registered escalator engineers

(5) If on examination under this section the registered escalator engineer is of the opinion that the escalator or any of its associated equipment or machinery is not of good design and construction or is not in safe working condition, the engineer -

- c) must not issue a certificate under subsection (3); and
- d) must within 24 hours after the examination is completed –
 - i) notify in writing the responsible person specified in subsection (9) 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.

Comments:

In some cases, it is feasible for the registered lift/escalator engineer to notify in writing the responsible person within 24 hours as required in Clause 24/54 of the Bill. For example, when the examination is conducted on the day before holiday/Sunday and completed in the evening (i.e. after office hour), especially for those buildings without employing property management company, the registered lift/escalator engineer (RLE/REE) is difficult to identify who the responsible person is and so the RLE/REE is not feasible to notify in writing the responsible person within 24 hours.

We suggest using the wording “as soon as reasonably practicable” to replace “within 24 hours” so as to cater the case similar to the aforesaid one. Moreover, the same wording “as soon as reasonably practicable” is also used in Clause 28 (4) and Clause 58 (4).

Your Ref No.: CB1/BC/7/10

Ref No.: EHS11087

(4) Schedule 1: Major Alteration, 1(w): any replacement, including any change in the type of any safety components or safety equipment for the lift

Schedule 2: Safety Components for Lifts and Escalators, Part1: Lifts, Item7: Any safety circuit for a lift that contain any electronic component

Comments:

Under the above requirements, any replacement of printed circuit board which contains safety circuit will be classified as Major Alteration. Several procedures are required for major alteration including RLE issue Notice of commencement to EMSD before the works start, arrange RLE to examine the lift after major alteration and then submit specified form to EMSD, EMSD may arrange inspector to check and then issue permit for resumption.

Impractical

Requiring replacement of PCB to follow the aforesaid procedure is impractical. For example, in trouble shooting, lift technician often replaces the PCB to test and identify the root cause of the breakdown. Several replacements of PCB may be involved in one single trouble shooting work. It is impractical to submit the Notice of commencement before the technician replaces the PCB.

Unnecessary long down time

In existing trade practice, after replacement of PCB and confirm the lift operation is normal, the lift service will be resumed and let public to use the lift. However, under the new requirement, even after replaced PCB, the service of lift cannot be resumed until RLE completes the examination and submits the form to EMSD and then EMSD inspects the lifts and issue permit. These procedures take at least a week. The user cannot the use the lift for at least one week although the lift can operate normally.

Insufficient number of RLE

Replacement of PCB occurs around one thousand times a day. Each replacement of PCB requires RLE to examine. It means it require 1000 RLE to examine the lift due to PCB replacement per day. The number of RLE is far below this figure. Therefore, it is not feasible to arrange RLE to examine the lift for any PCB replacement case.

We suggest to change item 1(w) of Schedule 1 as "any replacement, including any change in the type of any safety components or safety equipment for the lift *excluding any safety circuit for a lift that contains any electronic component*" and add one more item:

1(x) any change in type of any safety circuit for lift that contain any electronic component

Your Ref No.: CB1/BC/7/10

Ref No.: EHS11087

(5) Schedule 1: Major Alteration, 2(d): Any replacement, including any change in the type, of any safety component or safety equipment for escalator

Schedule 2: Safety Components for Lifts and Escalators, Part 2: Escalators: 1. A step for an escalator, 2. A pallet for an escalator

Comments:

Replacement of step for escalators occurs almost every day. For example, some foreign objects jammed between escalator comb and step and it caused damage to the step. Under such circumstances, the damaged steps need to be replaced. Under the above schedules in the Bills, the replacement of steps is classified as major alteration. Several procedures are required for major alteration including REE issue Notice of commencement to EMSD before the works start, arrange REE to examine the escalator after major alteration and then submit specified form to EMSD, EMSD may arrange inspector to check the escalator and then issue permit for resumption.

Unnecessary

Replacement of steps involves dismantling and installing the step. These two procedures happened almost in each visit of routine maintenance of escalator (i.e. every two weeks or month for each escalator in Hong Kong) and are conducted by escalator workers who are competent to conduct such works. Also escalator workers had their duties to ensure the work to be conducted properly. The replacement of step is the same as what routine maintenance did. There is no need to arrange a REE to examine the escalator after replacement of steps.

Unnecessary long down time

In existing trade practice, after replacement of step and confirm the escalator operation is normal by the competent escalator worker, the escalator service will be resumed and let public to use the escalator. However, under the new requirement, even after replaced step, the service of escalator cannot be resumed until REE completes the examination and submits the form to EMSD and then EMSD inspects the escalators and issue permit. These procedures take at least a week. The user cannot the use the escalator for at least one week although the escalator can operate normally.

Unfavorable effect

As under the new requirement replacement of steps would induce longer suspension of escalator service, some owners would unwilling to replace the step even though some steps need to be replace. Eventually some imperfect step may still installed at the running escalators which in turn may cause danger to the users.

We suggest to change item 2(d) of Schedule 1 as "any replacement, including any change in the type of any safety equipment for the escalator" and add one more item:

2(i) any change in type of safety component for the escalator