

Bills Committee on Lifts and Escalators Bill

**List of follow-up actions arising from the discussion
at the meeting on 8 November 2011**

The Administration is requested to: --

1. review the penalty levels in respect of the various offences in the Bill, taking into account members' comments that --
 - (a) there should not be unjustified disparity between the sanctions for a "responsible person" and a "qualified person";
 - (b) it could lead to dire consequences if lift/escalator works are carried out by a person not being (i) a qualified person or a specified person, or (ii) under the direct supervision of a qualified person at the site; and
 - (c) the sanctions provided in the Bill should impart a bold message to the industry and the public that a person who knowingly or without reasonable excuse fails to perform his duty in respect of any lift/escalator and related works should be subject to heavy penalty;
2. refine the drafting of the Chinese version of clauses 26(2), 26(3), 27(1)(b), 27(2)(b), 27(3)(b), and 31(4)(a); and
3. explain the effect of the defence provision under clause 31(4)(a), and address the concern that the defence provision may create an additional barrier for a worker in defending himself against a charge under clause 31(3).

Council Business Division 1
Legislative Council Secretariat
14 November 2011