

MTR Corporation Limited  
香港鐵路有限公司  
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CB(1)446/11-12(01)

By Fax (3529-2837)

21 November 2011

Clerk to Bills Committee  
Legislative Council Secretariat  
3/F Citibank Tower  
3 Garden Road, Central  
Hong Kong  
Attn: Ms Anita SIT

Dear Ms Sit,

**Lifts and Escalators Bill (the "Bill")**

I refer to the letter from the Bills Committee dated 24 June 2011 (ref. CB1/BC/7/10) inviting the MTR Corporation Limited (MTR) to give its views on the Bill, and to the Development Bureau's letter dated 4 October 2011 (ref. CB(1)3074/10-11(02)) responding to the concerns raised by the industry. We would like to take this opportunity to highlight certain issues of importance to the MTR.

By way of background, MTR is one of the entities that owns the largest number of lifts and escalators in Hong Kong, with over 4 million passengers travelling in our network every weekday.

**1. Rescue of Passengers Trapped In Station Lifts**

In September 1996, the pre-merger Mass Transit Railway Corporation (MTRC) sought advice from the Electrical & Mechanical Services Department (EMSD) on whether MTRC could deploy trained station staff to rescue passengers trapped in passenger lifts within MTR stations. The advice from EMSD was that rescue of passengers trapped in lifts does not fall within the definition of "lift works" under the current Lifts & Escalators (Safety) Ordinance (Cap 327). Since then MTRC (followed by MTR after the merger) has adopted the practice of deploying station staff to rescue passengers trapped in station lifts. Such rescue work includes: releasing passengers trapped in a lift which has stopped within the unlocking

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zone and operating the manual emergency lowering device of a hydraulic lift. The MTR provides technical training to station staff so that they have the relevant knowledge to carry out such rescue work. Our procedure in handling rescue works is documented in our Operations Division Reference Manual (Volume 5 Station Systems/Equipment), a document that is also lodged with EMSD.

It is crucial for the MTR to use internal resources to carry out such rescue work for efficiency and in order to comply with the Operating Agreement entered into between the MTR and the Government at the time of the merger in 2007. Under the Operating Agreement, MTR is obliged to meet performance requirements on "Passenger Lift Reliability", which were negotiated and agreed on the basis that the existing practice of deploying our trained station staff in such rescue work would continue. Any extension in time to carry out rescues will result in more non-operating hours in a month for passenger lifts, thereby reducing the compliance with "Passenger Lift Reliability" under the terms of the Operating Agreement. The minimization of lead time required to rescue passengers trapped in passenger lifts by using our own trained staff is particularly appreciated by passengers during rush hours.

We note that the definition adopted in the Bill is very similar to the current definition regarding "lift works" in that it includes work concerning the installation, commissioning, examination, maintenance, repair, alteration or demolition of a lift or any associated equipment or machinery of a lift. We hope that the Bills Committee will take into consideration our current practice of using station staff to rescue passengers trapped in station lifts and allow this to continue under any proposed revisions to the Bill.

## **2. Report of Lift/Escalator Incident by Responsible Person within 24 hours**

The MTR currently reports a lift/escalator incident to the specified registered contractor immediately after an incident so the contractor can investigate. Formal notification will be submitted to the specified registered contractor and EMSD within 2 – 3 working days of details of the incident having been investigated and verified internally. Since incidents happening within MTR



stations may involve factors specific to the railway and as such details may also be released to the public, it is important for us MTR to ensure the accuracy and consistency of the details of incidents before releasing such information to EMSD.

We note the Government's response to HKIS and HKAPMC dated 11 October 2011 in that it considers a 24-hour requirement is reasonably practicable due to the importance of lift and escalator safety. Whilst we understand the policy behind this requirement, if MTR is required to comply with this 24-hour requirement, details of incidents released to EMSD and which may subsequently be released to the public cannot be thoroughly verified by the MTR. We would like to express our concern that this may lead to inaccurate or inconsistent information being released relating to lift/escalator incidents happening within MTR stations.

### **3. Requirement of Resumption Order by EMSD after Major Alteration**

Due to the large number of passengers served by MTR stations every day, there are cases in which the steps/pallets of our escalators and the electronic components which form part of the safety circuit of our lifts are damaged. If the replacements of these components are classified as "major alteration" and under this classification a resumption order has to be issued by EMSD before operation can be resumed, then we are concerned that there will be substantial delay in resumption of the service and a lot of passengers will be affected. Since the escalators and passenger lifts will have to be taken out of service pending issuance of the resumption order, there will be an increase in the number of non-operating hours in a month, resulting in lower "Escalator Reliability" and "Passenger Lift Reliability" levels achieved by MTR under the Operating Agreement. All these Reliability requirements were negotiated and agreed without taking into account the need to obtain a resumption order from EMSD.

### **4. Remarks**

MTR has consistently maintained good service performance, and places great emphasis on providing a reliable railway service for its passengers. At the same time, MTR has to comply with the Operating Agreement, as well as statutory and



regulatory requirements, including the requirements under the Bill. Therefore we wish to express our concern about these issues, as they will impact on the standard of service that MTR will be able to provide to its passengers.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Jacob Kam', written in a cursive style.

Jacob Kam  
Operations Director

- cc : Mr Enoch Lam, Deputy Secretary for Development (Works) 2  
Mr Jimmy Chan, Principle Assistant Secretary for Development (Works) 3  
Mr Alfred Sit, Deputy Director/Regulatory Services, Electrical and Mechanical Services Department  
Mr Chui Wai-sing, Chief Electrical and Mechanical Engineer/General Legislation, Electrical and Mechanical Services Department