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Hon Tony TSE Wai-chuen, BBS
Chairman, Panel on Development
Legislative Council
Room 802, Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong

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17 November 2014

Dear Mr TSE,

Matters Relating to Lift Safety

Referring to the email dated 25 October 2014 from the Clerk to the Legislative Council Panel on Development asking for our response to the letter of 15 October 2014 by Dr Hon CHIANG Lai-wan, Hon CHAN Hak-kan and Hon CHAN Kam-lam to you on matters relating to lift safety, we would like to reply as follow:-

Regarding the lift incident happened on the night of 8 October 2014 at the Selwyn Industrial Building in Kwun Tong, following the preliminary investigation by the Electrical and Mechanical Services Department (EMSD), it is believed that the incident had been caused by lift overloading. Detailed investigation by EMSD is in progress, including examination and testing of the lift components and review of the maintenance works of the registered contractor involved.

Guidelines on Lift Maintenance Works

The Lifts and Escalators Ordinance (Cap. 618) (the Ordinance), which came into force in 2012 to replace the Lifts and Escalators (Safety) Ordinance (Cap. 327), provides a strong legal framework for EMSD to exercise effective

control over the safety of lifts and escalators in Hong Kong. To ensure public safety, the Ordinance requires that lift maintenance works must be conducted by registered worker appointed by a registered contractor at least once a month, an examination be carried out by a registered engineer at least once a year, and an examination with load be carried out at least once every 5 years.

EMSD has also formulated the Code of Practice for Lift Works and Escalator Works (CoP) under the Ordinance which provides guidance on matters relating to lift safety, in particular on lift works including installation, commissioning, examination, maintenance, repair, alteration or demolition of a lift or its associated equipment or machinery. The CoP has also provided guidelines on the procedural requirements relating to the aforementioned works.

Monitoring and Penalty System for Lift Maintenance Works

EMSD exercises strict monitoring on the maintenance of lifts. EMSD adopts the risk-based approach for conducting audit inspections of the operating conditions of the lifts to review the maintenance works to the lifts. More audit inspections will be conducted on lifts maintained by registered contractors who have received warnings, orders, complaints, or have been involved in incidents. In 2013, EMSD conducted over 9 200 audit inspections for lifts. EMSD has increased its manpower to step up audit inspections for lifts.

EMSD has set up a performance monitoring points (PM points) system for registered contractors. PM points will be accorded if EMSD observes poor performance in the maintenance work of a registered contractor during audit inspection. If the PM points accorded in one single inspection exceed a certain limit, or the PM points averaged over a 12-month period exceed a certain limit, EMSD will issue a warning letter to the registered contractor concerned. If a registered contractor receives three or more warning letters in 12 months, EMSD will consider taking disciplinary action, and a disciplinary hearing by the disciplinary board will be held. The sanctions that may be imposed by the disciplinary board include reprimand, a fine, suspension or cancellation of registration of the registered contractor.

Besides, EMSD will take prosecution action if an offence is committed under the Ordinance. On conviction, the court may impose an imprisonment of up to 12 months and a fine of up to \$200,000. If a "registered person" (including contractors, engineers and workers) commits an offence under the Ordinance or a disciplinary offence, apart from prosecution action, EMSD will also consider taking disciplinary action, and a disciplinary hearing by the disciplinary board

will be held. The sanctions that may be imposed by the disciplinary board include reprimand, a fine, suspension or cancellation of registration of the “registered person”. EMSD may also, under the Ordinance, suspend or cancel the registration of the “registered person” without a hearing by the disciplinary board.

Since 2011, EMSD has issued 48 warning letters and taken 11 prosecution actions. The disciplinary board has also conducted 4 disciplinary hearings. For those cases with court trials concluded, 1 registered engineer was sentenced to imprisonment and 4 registered contractors were fined. In addition, 3 registered contractors and 1 registered engineer were given disciplinary sanction, and the registration of 1 registered contractor and 1 registered engineer had been cancelled.

Dissemination of Information about Lift Maintenance and Safe Use of Lifts to the Public

EMSD attaches great importance to public education. Since 2012, it has organised over 100 seminars to educate the public about the safe use and day to day management of lifts. These seminars were attended by more than 17 000 property owners, residents, representative from property management companies and trade members. EMSD also provides technical and management support through setting up the “Responsible Persons’ Corner” on its webpage to make available various kinds of information to the responsible persons¹ to enhance their knowledge of lift maintenance and management. The information includes -

- Performance rating of registered contractors;
- Sample contracts for procurement of lift maintenance services;
- Price data on maintenance of government lifts for reference;
- Guidebook for responsible persons for lifts;
- Guidelines for selection of Registered Contractors for maintenance of lifts;
- Guidelines for modernisation of existing lifts;
- Guidelines for management of lift maintenance works;
- Checklist for building management staff to conduct daily safety inspection of lifts;
- Common Q&As on lift management.

EMSD also publicizes safe use of lifts through announcement for public

¹ A responsible person is a person who owns the lift or any other person who has the management or control of the lift.

interest (API) on TV and information leaflets. In response to the lift incident at the Selwyn Industrial Building in Kwun Tong on 8 October 2014, a newly produced API has been on air to remind the public not to overload the lifts so as to avoid accidents. A poster will also be produced to advise lift passengers against overloading the lifts.

If there are further queries about this reply, please feel free to call me at 3509 8277.

Yours sincerely,



(CL WONG)

for Secretary for Development

c.c.

Director of Electrical and Mechanical Services
(Attn: Mr. PANG Yiu-hung)