

立法會
Legislative Council

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Panel on Development

Special meeting on 19 April 2017

**Updated background brief on
regulatory control over lift and escalator safety**

Purpose

This paper outlines the regulatory control over lift and escalator safety and provides a brief account of the views and concerns expressed by Members at the meetings of the Legislative Council ("LegCo"), the Panel on Development ("the Panel") and other relevant committees on the subject since the 2011-2012 legislative session.

Background

2. In view of the number of lift incidents in the previous years,¹ in particular the one involving the plunging of a lift in Fu Shin Estate in Tai Po at the end of 2008, the Administration conducted a comprehensive review of the Lifts and Escalators (Safety) Ordinance (Cap. 327) ("LESO")² in 2009 and 2010. Subsequently, the Administration introduced the Lifts and Escalators Bill ("the Bill") into LegCo in May 2011 to replace LESO. A Bills Committee was formed to scrutinize the Bill. The Lifts and Escalators Ordinance (Cap. 618) ("the Ordinance") was enacted in April 2012 and came into full operation in December 2012.

¹ From 2006 to 2010, there were 173 cases of mechanical malfunctioning related to lifts, causing injury to over 20 people. (Source: [Legislative Council Brief on the Lifts and Escalators Bill](#))

² LESO was enacted in 1960 with a number of amendments made afterwards.

3. The Ordinance introduces a series of enhanced regulatory control measures, including strengthening the registration regime for personnel engaged in lift and escalator works, increasing the penalty levels of offences, extending the coverage of the legislation, and enhancing operational efficiency and enforcement effectiveness.

4. The Lifts and Escalators (General) Regulation (Cap. 618A) was made by the Secretary for Development in May 2012 and took effect in December 2012. It sets out the duties of responsible persons³ and registered persons⁴ under the Ordinance, and specifies the procedural requirements relating to various applications to be made under the Ordinance (e.g. applications for registration as registered persons).

5. Despite the efforts made by the Administration to safeguard lift and escalator safety, there were 2 029 reported lift and escalator incidents involving 2 237 injuries in 2015.⁵ The serious lift incidents at King's Tower in March 2013 and at Selwyn Factory Building in October 2014⁶ have aroused wide public concern over lift and escalator safety.

6. As at the end of 2015, there were 72 486 lifts and escalators (comprising 63 561 lifts and 8 925 escalators) in Hong Kong, while 40 registered lift/escalator contractors ("RCs"), 332 registered lift/escalator engineers ("REs") and 5 311 registered lift/escalator workers provided examination and maintenance services to these lifts and escalators.⁷

³ Responsible persons refer to owners of a lift/escalator and any other persons who have the management or control of the lift/escalator.

⁴ Registered persons are registered lift/escalator contractors, registered lift/escalator engineers and registered lift/escalator workers.

⁵ Source: [Chapter 6](#) of the Director of Audit's Report No. 66

⁶ On 2 March 2013, four suspension ropes of a lift at King's Tower in North Point were broken, causing injury to seven passengers. On 8 October 2014, an overloaded lift at Selwyn Factory Building in Kwun Tong slipped downward from 12/F to the bottom of the lift shaft, causing injury to 29 passengers.

⁷ Source: [Chapter 6](#) of the Director of Audit's Report No. 66

Follow-up taken by Members on lift and escalator safety from 2013 to 2016

7. Subsequent to the lift incident at King's Tower in March 2013, two Members raised questions on lift safety at the Council meeting on 20 March 2013, whereas the Panel followed up the matter at the meeting on 26 March 2013. After the lift incident at Selwyn Factory Building in October 2014, three Members wrote to the then Panel Chairman expressing concern on lift safety.⁸

8. In 2015, the Audit Commission conducted a review of the work of the Electrical and Mechanical Services Department ("EMSD") in monitoring the safe operation of lifts and escalators. The review results were released in the Director of Audit's Report No. 66 in April 2016 and were noted by the Public Accounts Committee ("PAC") of LegCo. While PAC did not hold a public hearing on the subject, it requested EMSD to provide written responses regarding the measures to improve the monitoring of RCs and REs, the site inspections and other regulatory actions, etc. The Director of Electrical and Mechanical Services replied to PAC in May 2016.⁹

Major views and concerns expressed by Members

9. The major views and concerns expressed by Members at the aforesaid Bills Committee, meetings of LegCo, the Panel and PAC are summarized in the ensuing paragraphs.

Registered Lift/Escalator Contractors' Performance Rating Scheme

10. To assist lift/escalator owners and their property management agents in selecting appropriate RCs for maintenance of the lifts/escalators in their premises, EMSD launched the Registered Lift/Escalator Contractors' Performance Rating Scheme ("the CPR Scheme") in 2009 as an administrative measure to supplement the enforcement of the Ordinance. The CPR Scheme provides a point-deduction system where EMSD deducts

⁸ For the details, please refer to the letter from three Members ([LC Paper No. CB\(1\)129/14-15\(01\)](#)) (Chinese version only) and the Administration's reply ([LC Paper No. CB\(1\)376/14-15\(01\)](#)).

⁹ For the details, please refer to [Chapter 6](#) of the Director of Audit's Report No. 66 and [Part 4 Chapter 6 of and Appendix 15 to](#) PAC's Report on the Director of Audit's Report No. 66.

performance monitoring ("PM") points of an RC if inferior performance and non-compliance items are found during EMSD's inspections. The performance rating is updated and published every three months on the website of EMSD.

11. During the scrutiny of the Bill in 2011-2012, the Bills Committee discussed whether the CPR Scheme should be incorporated into the Bill so as to provide a legal basis for EMSD in deciding whether or not to revoke or suspend the licence of an RC in the case of misconduct. After the lift incident at King's Tower in North Point in 2013, there were views among Members that the CPR Scheme should be comprehensively reviewed to enhance its effectiveness. Similarly, the Director of Audit, in his Report No. 66, recommended that the Administration should periodically review the CPR Scheme with a view to including all significant RC non-compliance issues in the Scheme.

12. The Administration considered it unnecessary and inappropriate to include the CPR Scheme in the Bill as EMSD would take appropriate enforcement actions against non-compliances of RCs, irrespective of whether PM points were deducted. The Administration also assured Members that EMSD would review and improve the CPR Scheme from time to time with a view to rationalizing the Scheme so that the rating indices could more directly and coherently reflect the performance of RCs.

Monitoring of lift and escalator maintenance works

13. Some Members cast doubt on whether the risk-based approach adopted by EMSD (i.e. more inspections by EMSD to the lifts/escalators maintained by RCs who had received warnings, been involved in incidents, or had lower performance rating under the CPR Scheme could effectively identify and deter the non-compliances of RCs. Some considered the spot-check ratio for lifts/escalators¹⁰ too low.

14. The Administration advised that under the risk-based approach, EMSD would accord higher priority to lifts/escalators which were maintained by contractors with poor performance, having long years of service or were of those models that had frequent breakdowns. EMSD had increased its manpower to step up inspections for lifts/escalators and the manpower situations of EMSD would be timely reviewed to ensure the availability of sufficient resources to carry out law enforcement works.

¹⁰ In 2015, 11 798 lifts/escalators were inspected by EMSD out of the total 72 486 lifts and escalators in Hong Kong.

15. Taking note of the recommendation of the Director of Audit that the Administration should issue guidelines on the maximum number of lifts/escalators to be examined and certified by an RE on a single day to ensure that his/her workload was not excessive and would not compromise the quality of examination, PAC enquired whether EMSD would heed the recommendation and take follow-up actions on REs who had regularly carried out excessive numbers of examinations on a single day.

16. EMSD advised that it would consider the Director of Audit's recommendation and consult the lift/escalator industry on issuing such guidelines. EMSD confirmed that it would take follow-up actions on REs with excessive workloads.

Manpower in the lift/escalator industry

17. Members expressed concern on the adverse working environment, low wage level, brain drain and succession problems in the lift/escalator industry. They were worried that the workload of lift/escalator works practitioners would inflate with an increasing number of storeys in new buildings, making shortage of manpower a persistent problem and safety issue a continuous public concern.

18. The Administration advised that as the workload of the lift/escalator industry only increased by about 1% per year, it would have little impact on the manpower resources of the industry. In addition, the overall number of lift/escalator works practitioners in Hong Kong had remained stable in recent years. That said, the Administration would continue its efforts to attract new entrants to the industry through enhancing the professional status of workers, and collaborating with industry stakeholders to strengthen the training programmes and improve the working conditions.

Latest development

19. On the afternoon of 25 March 2017, a 45-metre-long escalator at Langham Place in Mong Kok suddenly reversed at high speed, causing injuries to 18 people. The incident has aroused wide public concern on lift and escalator safety.

20. At the special meeting of the Panel to be held on 19 April 2017, the Administration will update the Panel on the regulatory control over lift and

escalator safety, and brief the Panel on the follow-up actions that it has taken/will take on the Langham Place incident.

Relevant papers

21. A list of relevant papers with their hyperlinks is in the **Appendix**.

Council Business Division 1
Legislative Council Secretariat
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Regulatory control over lift and escalator safety

List of relevant papers

Date of meeting	Council/Committee	Paper
24 February 2012	House Committee	Report of the Bills Committee on Lifts and Escalators Bill [LC Paper No. CB(1)1117/11-12]
27 March 2012	Panel on Development	Administration's paper on "Two Regulations to be Made under the Lifts and Escalators Bill" [LC Paper No. CB(1)1342/11-12(06)] Minutes of meeting [LC Paper No. CB(1)2208/11-12]
28 March 2012	Council meeting	Hansard — written question (No. 10) on "Safety of Lifts and Escalators in Railway Premises" (p. 7526-7530)
2 May 2012	Council meeting	Hansard — written question (No. 15) on "Provision of Elevators, Escalators and Footbridges in Public Housing Estates" (p. 9015-9018)
17 October 2012	Council meeting	Hansard — oral question (No. 2) on "Practitioners in Lift Works and Escalator Works" (p. 64-72)
23 January 2013	Council meeting	Hansard — written question (No. 7) on "Measures to Complement Implementation of Lifts and Escalators Ordinance" (p. 5087-5091)

Date of meeting	Council/Committee	Paper
20 March 2013	Council meeting	<p>Hansard — oral question (No. 6) on "Stepping up Regulation of Lift Contractors and Training for Lift Practitioners" (p. 7538-7550) and written question (No. 9) on "Measures to Enhance Safety of Lifts" (p. 7559-7565)</p>
26 March 2013	Panel on Development	<p>Administration's paper on "Regulatory Control of Lift and Escalator Safety and Related Issues" [LC Paper No. CB(1)734/12-13(05)]</p> <p>Administration's follow-up paper [LC Paper No. CB(1)1556/12-13(01)]</p> <p>Minutes of meeting [LC Paper No. CB(1)1334/12-13]</p>
5 January 2015	Panel on Development	<p>A letter dated 15 October 2014 from Dr Hon CHIANG Lai-wan, Hon CHAN Hak-kan and Hon CHAN Kam-lam regarding the regulatory control on lift safety [LC Paper No. CB(1)129/14-15(01)] (Chinese version only)</p> <p>The Administration's reply [LC Paper No. CB(1)376/14-15(01)]</p>
14 October 2015	Council meeting	<p>Hansard — written question (No. 16) on "Safety of Lifts and Escalators in Public Places and Public Housing Estates" (p. 115-119)</p>

Date of meeting	Council/Committee	Paper
13 July 2016	Council meeting	<u>Report of the Public Accounts Committee on Report No. 66 of the Director of Audit on the Results of Value for Money Audits</u> — Part 4 Chapter 6 (Monitoring of Safe Operation of Lifts and Escalators) and Appendix 15 (Reply dated 27 May 2016 from Director of Electrical and Mechanical Services)