

Comments on Lifts and Escalators Bill by LECA

1) Interpretation

Section 2

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.

Comment: Please clarify that the lift works does not include any associated building work and decoration work. (Also similar comments on relevant Section 2 for escalator works)

2) Examination of lifts after major alterations

Section 21 – If any major alteration has been made in respect of a lift, before the normal use and operation of the lift is resumed, the responsible person for the lift must cause a registered lift engineer –

- a) to thoroughly examine the lift and all its associated equipment or machinery; or
- b) to examine the affected part of the lift in accordance with section 25(1).

Section 25 (Issue of safety certificates by registered lift engineers after major alterations)

- 1) A registered lift engineer who undertakes to examine any affected part of a lift must ensure that the lift and its associated equipment or machinery are thoroughly examined by the engineer, in so far as is necessary to determine whether the affected part is in safe working order.

Comment: Please confirm that only the affected part of the lift should be examined after the major alteration. (Also similar comments on relevant Section 52, 55 for escalators)

3) Subcontracting restricted

Section 38

- 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.

Comment: For the works of lift decoration, we are not competent in this area and will employ a third party to undertake this work. In addition, most of the RCs subcontract the works of lift total replacement to other parties. It is not practicable to have a limitation for RCs on subcontracting of lift total replacement works. (Also similar comments on relevant Section 68 for escalators)

- 4) Duties of registered lift engineers to carry out lift works properly and safely, etc.

Section 17

- 1) A registered lift engineer who engages in any lift works must ensure that –
- a) ...
 - b) adequate safety precautions are taken to prevent injury to any person or damage to any property while the works are being carried out; and
 - c) ...

Comment: The workers have the general duty of care for their own safety at work as well as for other members working nearby (Section 6B of FIUO). We believe that the main objective of this bill is to enhance passengers safety, not work safety. Overlapping control will only cause complicated administration procedures, not good for any party. (Also similar comments on relevant Section 48 for escalators)

- 5) Issue of safety certificates by registered lift engineers

Section 24

- 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.

Comment: Within 24 hours to complete all administration procedures for not issuing the certificate is not sufficient. (Also similar comments on relevant Section 54 for escalators)

- 6) Issue of safety certificates by registered lift engineers after major alterations

Section 25

- 4) If on examination under subsection (1), the registered lift engineer is of the opinion that the affected part is not in safe working order, the engineer -
- a) must not issue a certificate under subsection (2); and
 - b) must within 24 hours after the examination is completed –
 - i) notify in writing the responsible person specified in subsection (8) 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.

Comment: The lift has already been suspended for major alteration works. Please clarify what REs should do if a notification concerning the affected part not in safe working has been served to EMSD. (Also similar comments on relevant Section 52 for escalators)

7) Schedule 1 – Major Alterations

Item 1 – For the purposes of this Ordinance, major alteration, in relation to a lift, means –
w) any replacement, including any change in the type, of any safety component or safety equipment of the lift.

Item 2 – For the purposes of this Ordinance, major alteration, in relation to an escalator, means –

d) any replacement, including any change in the type of any safety component or safety equipment for the escalator

Schedule 2,

Part 1 – Lifts

7) Any safety circuit for a lift that contains any electronic component.

Part 2 – Escalators

1) A step/pallet of an escalator/conveyor

Comment: It is not practicable to consider the works of PCBs or step/pallet replacement as the major alteration. Also, more new items of safety equipment added (e.g. Driving machine brake/overload device (for lift), driving machine brake (for escalator)) and the uncertainty on administrative time on obtaining the resumption permit (section 28, 58) will certainly increase lift/escalator service suspension time.

8). Schedule 2 – Safety Components for Lifts and Escalators

3) A door locking device for a lift

Comment: The item 3 should read as “a landing door locking device for a lift”.