

立法會
Legislative Council

LC Paper No. CB(1)35/18-19(04)

Ref: CB1/PL/DEV

Panel on Development

Meeting on 23 October 2018

Updated background brief on lift safety

Purpose

This paper provides background information on lift safety issues. It also 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

Lift incidents and enhancement of regulatory control over lift safety

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. Thereafter, the occurrence of serious lift incidents at King's Tower in March 2013 and at Selwyn Factory Building in October 2014,⁵ as well as the recent ones occurred in April and May 2018 respectively at Waterside Plaza in Tsuen Wan involving a lift that had been put into service for 27 years and at Paris Court of Sheungshui Town Centre involving a lift that had been put into service for 26 years,⁶ have aroused wide public concern over lift safety.

Measures to enhance the safety of aged lifts

6. When the Panel discussed the Administration's follow-up work on the two recent lift incidents mentioned above at its meeting on 29 May 2018, the Administration advised members that in general, safe use of lifts can be safeguarded through proper periodic examination and maintenance, and modern lifts are equipped with more comprehensive

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 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.

⁶ On 8 April 2018, a lift at Waterside Plaza in Tsuen Wan failed to stop after reaching the designated floor, causing two lift passengers to sustain injuries. On 11 May 2018, another lift incident occurred at Paris Court of Sheungshui Town Centre causing death of a lift passenger who fell into the lift shaft when taking an ascending lift.

devices than the aged ones. In view of this, the Electrical and Mechanical Services Department ("EMSD") promulgated in 2011 the "Guidelines for Modernizing Existing Lifts",⁷ introducing measures to enhance the safety of aged lifts and recommending retrofitting of safety devices to make them safer, more reliable and comfortable. Yet, lift modernization is carried out on a voluntary basis. Different levels of modernization works have been carried out to about 5 200 lifts since 2011. The Administration considered the progress not remarkable. As at the end of 2017, there were about 66 200 lifts in Hong Kong, of which about 80% were not equipped with safety devices of the latest standard, with particulars as specified below:⁸

<i>Modernization items for lifts</i>	<i>Percentage of total lifts which has not been equipped with modernization items</i>
Items 1 to 4 should be considered with priority	
1. Double Brake System	59%
2. Unintended Car Movement Protection Device	80%
3. Ascending Car Overspeed Protection Device	77%
4. Car Door Mechanical Lock and Door Safety Edge	38%
Items 5 to 7 should be considered according to the actual situation or individual need	
5. Intercom and CCTV System	18%
6. Obstruction Switch to Protect Suspension Ropes	18%
7. Automatic Rescue Devices	82%

7. At the Panel meeting on 29 May 2018, the Panel passed four motions urging the Administration to implement various measures to enhance lift safety.⁹ The measures concerned a wide spectrum of work relating to strengthening the assistance provided to building owners including in particular the launching of a special subsidy scheme for carrying out lift modernization works, enhancing the inspections and

⁷ For details, please refer to the [Guidelines for Modernizing Existing Lifts](#) published on the website of EMSD.

⁸ Source: Annex II to LC Paper No. [CB\(1\)996/17-18\(07\)](#)

⁹ For details, please refer to the wordings of the motions and the Administration's responses issued vide LC Paper Nos. CB(1)1127/17-18([01](#)), ([02](#)), ([03](#)) and ([04](#)).

monitoring of lift maintenance and repair works as well as the provision of relevant guidelines by EMSD, strengthening the manpower supply and professional training of the lift industry, introducing legislation to mandate the installation of additional lift safety devices, etc.

8. Meanwhile, the Administration advised that it had been actively formulating short-term, medium-term and medium to long-term measures to enhance the safety of aged lifts.

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 the Public Accounts Committee ("PAC")¹⁰ 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 registered lift/escalator contractors ("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 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

¹⁰ In 2015, the Audit Commission conducted a review of the work of EMSD in monitoring the safe operation of lifts and escalators, and released the results in the Director of Audit's Report No. 66 ([Chapter 6](#)) in April 2016. EMSD subsequently implemented all the recommendations made by the Director of Audit, and reported the implementation details to PAC through the Government Minute ([Chapter 6](#)) tabled at the Council on 2 November 2016.

the CPR Scheme with a view to including all significant RC non-compliance issues in the Scheme. In a motion passed at the Panel meeting on 29 May 2018, the Administration was also urged to review the CPR Scheme and increase the penalties concerned.

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. The last review was completed in January 2018, and relevant amendments came into effect in February 2018.

Lift/escalator maintenance works

Standards for and guidelines on lift/escalator maintenance

13. Some Members opined that, having regard to the high patronage of lifts and escalators in Hong Kong, the Administration should adopt a more stringent standard for the examinations and maintenance works for these devices than the international standards. The Administration explained that lifts and escalators in Hong Kong were examined more frequently and thoroughly than those in many overseas cities. For example, escalators in Hong Kong were required to be examined twice a year, whereas an annual escalator examination sufficed for many overseas cities.

14. Members expressed concerns about lift incidents involving plunging of lifts or unintended car movement of the lifts. Some Members suggested that the Administration should consider mandating the responsible persons for lifts to carry out lift modernization works for old lifts. The "Guidelines for Modernizing Existing Lifts" issued by EMSD in 2011 encouraged the responsible persons for lifts to carry out modernization works for old lifts, including the installation of double brake system, unintended lift movement protection device, etc. The Urban Renewal Authority ("URA") and the Hong Kong Housing Society had launched the Integrated Building Maintenance Assistance Scheme to provide financial assistance to building owners in carrying out building maintenance, including lift modernization works.

Assistance to building owners to carry out lift modernization works

15. Expressing keen concern over the recent serious lift incidents in 2018 both involving aged lifts, many members considered it necessary to subsidize those building owners with financial difficulty to carry out lift modernization works. In a motion passed at the Panel meeting on 29 May 2018, the Administration was urged to consider setting up a dedicated fund of not less than \$2 billion to provide subsidies to building owners to enhance the safety devices of aged lifts or replace them with new lifts. They also urged the Administration to provide technical and other necessary assistance to the building owners concerned.

16. The Administration advised that it was actively considering the offering of financial incentives to owners of buildings in need, including making reference to the on-going Operation Building Bright 2.0 Scheme ("OBB 2.0") and the Fire Safety Improvement Works Subsidy Scheme ("FSIWSS"), with a view to exploring the feasibility of allocating funding to subsidize those owners to encourage them to speed up the lift modernization works. The Administration aimed to submit the relevant funding proposal to LegCo at the beginning of the 2018-2019 session. Also, it planned to enlist URA as the partner in implementing the proposed funding scheme, and provide technical advice and assistance to the owners concerned.

Approach and frequency of lift/escalator inspections and examinations

17. 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/escalators too low.

18. 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. In 2017, EMSD conducted about 11 200 inspections of lifts and escalators. In 2018-2019, it had increased the manpower of the dedicated team to enhance efforts in the inspection of the maintenance and examination of lifts. It was expected that the number of inspections would increase to about 14 000, i.e. an increase of 25% comparing to 2017.

19. In a motion passed at the Panel meeting on 29 May 2018, the Administration was urged to enhance the monitoring of lift maintenance works such as formulating guidelines to, among others, prescribe a limit on the maximum number of lifts that a maintenance worker could inspect per day. In response, the Administration advised that EMSD had discussed the issue with the trade back in 2014. The trade generally agreed that RCs should allow sufficient time for workers to carry out the maintenance works properly. Subsequently, EMSD issued a notice to RCs in August 2014 to remind them to properly keep the daily work assignment records of registered lift/escalator workers ("RWs"). They were also reminded that if they were to allocate RWs to handle maintenance works for more than six lifts/escalators on the same day, they should carefully consider the work allocation and ensure that the relevant work could be carried out safely and properly. Also, if the workers could not complete their maintenance works in progress due to deployment for other emergency works during periodic maintenance, the RC concerned should arrange the workers to indicate "suspension of work" and the reason for leaving on the remark column of a logbook, and arrange them to make up the unfinished maintenance works as soon as possible.

Codes of practice for lift/escalator manufacturers

20. The business competition in the maintenance works market of lift/escalator was another concern of Members. The Panel passed a motion at the special meeting on 19 April 2017 urging EMSD to formulate codes of practice or guidelines to require lift/escalator manufacturers to provide spare parts to maintenance contractors who were not the original manufacturers at reasonable prices and within reasonable time, so as to facilitate market competition and improve maintenance quality.

21. The Administration responded in May 2017 that EMSD was liaising with the Competition Commission in preparing a guideline to remind the lift/escalator manufacturers to strictly comply with the relevant requirements of the Competition Ordinance (Cap. 619) when supplying spare parts to other maintenance contractors for lifts/escalators. EMSD would issue the guideline after completion of the drafting work and trade consultation.

Manpower in the lift/escalator industry

22. Members expressed concern on the adverse working environment, low wage level, brain drain and succession problems in the lift/escalator

industry. The Panel passed a motion at the special meeting on 19 April 2017 requesting the Administration to review expeditiously the development of the lift and escalator maintenance industry, raise the levels of training allowances for attendees of apprentice training programmes and other relevant courses, so as to attract young people to join the industry, and improve the remuneration packages for and working environment of lift and escalator maintenance technicians.

23. In response, the Administration advised that it had been taken forward various initiatives to attract new bloods to join the industry. Since the Vocational Training Council ("VTC") and the Construction Industry Council jointly introduced the "Earn & Learn" Scheme in 2014, the number of new apprentices joining the industry had significantly increased from about 70 a year to over 250 in both 2016 and 2017. EMSD was working with the VTC to review the training allowances of apprenticeships and other relevant courses to attract more young people to join the industry. They would also continue to explore with the trade ways to improve the remuneration packages and working environment for the workers.

Latest developments

24. In the Chief Executive's 2018 Policy Address,¹¹ the Chief Executive announced the Government's plan to launch the Lift Modernisation Subsidy Scheme ("LIMSS") with a provision of around \$2.5 billion by modelling on the on-going OBB 2.0 and FSIWSS. LIMSS will target at residential or composite buildings whose rateable values do not exceed the prescribed level, with additional subsidy for elderly owner-occupiers of eligible buildings, for modernizing aged lifts not meeting the latest technical standards. The Government will partner with URA in implementing LIMSS and hope to launch it in the first quarter of 2019 to assist the needy owners in expediting lift modernization.

25. At the Panel meeting to be held on 23 October 2018, the Administration will brief members on LIMSS.

¹¹ Source: <https://www.policyaddress.gov.hk/2018/eng/policy.html>

Relevant papers

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

Council Business Division 1
Legislative Council Secretariat
16 October 2018

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	Report of the Public Accounts Committee on Report No. 66 of the Director of Audit on the Results of Value for Money Audits — 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)
19 April 2017	Panel on Development	<p>Administration's paper on "Regulatory Control over Lift and Escalator Safety" [LC Paper No. CB(1)771/16-17(01)]</p> <p>Updated background brief on regulatory control over lift and escalator safety prepared by the Legislative Council Secretariat [LC Paper No. CB(1)771/16-17(02)]</p> <p>Minutes of meeting [LC Paper No. CB(1)1462/16-17]</p> <p>Follow-up paper [LC Paper No. CB(1)932/16-17(01)]</p> <p>Follow-up paper [LC Paper No. CB(1)1108/16-17(01)]</p> <p>Response to motions passed [LC Paper No. CB(1)941/16-17(01)]</p>
10 May 2017	Council meeting	Hansard — written question (No. 21) on "Safety of escalators" (p. 7014-7019)

Date of meeting	Council/Committee	Paper
24 April 2018	Panel on Development	<p>A letter dated 10 April 2018 from Hon HO Kai-ming on lift safety [LC Paper No. CB(1)803/17-18(01)] (Chinese version only)</p> <p>The Administration's reply [LC Paper No. CB(1)850/17-18(01)]</p> <p>A letter dated 11 April 2018 from Hon LAM Cheuk-ting on lift safety [LC Paper No. CB(1)803/17-18(02)] (Chinese version only)</p> <p>The Administration's reply [LC Paper No. CB(1)850/17-18(02)]</p>
29 May 2018	Panel on Development	<p>Administration's paper on "Enhancing Safety of Aged Lifts" [LC Paper No. CB(1)996/17-18(07)]</p> <p>Updated background brief on regulatory control over lift and escalator safety prepared by the Legislative Council Secretariat [LC Paper No. CB(1)996/17-18(08)]</p> <p>Follow-up paper [LC Paper No. CB(1)1146/17-18(01)]</p> <p>The Administration's responses to motions passed [LC Paper Nos. CB(1)1127/17-18(01), (02), (03) and (04)]</p>