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19 October 2012

All Registered Lift/Escalator Contractors
All Registered Lift/Escalator Engineers

Dear Sirs,

Implementation of the Lifts and Escalators Ordinance (Cap. 618)

The Lifts and Escalators Bill was passed into law, viz. **the Lifts and Escalators Ordinance** (Cap. 618), by the LegCo on 18 April 2012. 17 provisions of the Lifts and Escalators Ordinance (“**the LEO**”) were put into operation on 3 July 2012 to enable administrative arrangement and preparation for full operation of the new legislation. Full list of the provisions which have taken effect is given in the legal notice in the **Appendix**.

With the continuing support of the Task Force for Legislative Amendments to Lifts and Escalators (Safety) Ordinance, we have made good progress in completing the activities for full operation of the LEO. The activities include finalizing,

- (a) the Codes of Practice,
- (b) the RPs' Guidebooks,
- (c) the registration application guidelines, and
- (d) trade tests for workers.

We are now ready to seek LegCo's clearance for bringing the LEO into full operation.

Full operation of the LEO

Subject to LegCo's endorsement, 17 December 2012 will be taken as the date for commencement of the Lifts and Escalators (General) Regulation (Cap. 618A), the Lifts and Escalators (Fees) Regulation (Cap. 618B), and the uncommenced provisions of the LEO, other than the following provisions:

- (a) section 9(4) (in so far as it relates to the contravention of section 9(2));
- (b) section 13(4) (in so far as it relates to the contravention of section 13(2));
- (c) section 39(3);
- (d) section 43(4) (in so far as it relates to the contravention of section 43(2));
- (e) section 45(4) (in so far as it relates to the contravention of section 45(2));
- (f) section 69(2);
- (g) sections 8(2), 9(2), 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26 of Schedule 16.

Items (a) – (f) mentioned in the preceding paragraph are the offence provisions relating to contravention of the provisions concerning the use and operation of a lift or an escalator with the display at all times of a valid use permit. *Subject to LegCo's endorsement*, these items would come into operation on 2 April 2013. The phased-commencement of the provisions is to allow time for relevant responsible persons to acquire use permits for fulfilling the new legislative requirements in the initial stage of full operation of the new legislation.

Provisions in item (g) are to take effect some time in the future to terminate the transitional arrangements for seeking registration as lift and escalator engineers or workers under the LEO. Separate notices will be issued in due course to advise their coming into effect.

Repeal of the Lifts and Escalators (Safety) Ordinance (Cap. 327)

With the coming into operation of section 157 of the LEO, the Lifts and Escalators (Safety) Ordinance ("the LESO") will be repealed. In other words, the LESO is scheduled, *subject to LegCo's endorsement*, for repeal on 17 December 2012. By then, the safety of lifts and escalators is subject to the regulatory control of the LEO.

Please therefore make the necessary preparation for the coming into full operation of the LEO.

The Registrar of Registered Contractors, Engineers and Workers (Lifts and Escalators)

The Director of Electrical and Mechanical Services has been appointed to be the Registrar by virtue of section 72 of the LEO by the Secretary for Development with effect from 26 September 2012.

Development of the Legislative Exercise

Updated information of the legislative exercise and relevant publicity materials will be incorporated into the departmental webpage:

http://www.emsd.gov.hk/emsd/eng/pps/leo_intrdctn.shtml

Furthermore, we will continue to keep you informed of the latest development of specific subjects of the legislative exercise.

If you have any question concerning the contents of this letter, please feel free to contact the Lifts and Escalators Sub-Division, EMSD, on telephone number 2808 3121.

Please kindly distribute this letter or have it posted in the notice board for reference of relevant personnel within your organizations.

Yours faithfully,



(W. S. CHUI)

for Director of Electrical and Mechanical Services

Encl.

- c.c. The Director of the Architectural Services Department (Attn.: CBSE/2)
The Director of Buildings
The Director of Housing (Attn.: SM/QM)
The Commissioner for Labour
The Director of Fire Services
The Lifts and Escalator Contractor Association
The Registered Elevator and Escalator Contractors Association Limited
The International Association of Elevator Engineers
The Hong Kong General Union of Lift and Escalator Employees
The Building Services Operation and Maintenance Executives Society

L.N. 85 of 2012

**Lifts and Escalators Ordinance (Commencement)
Notice 2012**

Under section 1(2) of the Lifts and Escalators Ordinance (8 of 2012), I appoint 3 July 2012 as the day on which the following provisions of the Ordinance come into operation—

- (a) sections 1, 2, 3, 4, 6 and 7;
- (b) Division 1 of Part 4;
- (c) sections 123, 124, 125, 145, 146, 149, 153, 154 and 155.

Carrie LAM
Secretary for Development

27 April 2012