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12 July 1995

All Registered Lift Contractors

Dear Sirs,

**Circular No. 12/95**  
**Lifts in Construction Site**

As advised by the Attorney General's Chambers, the exception in section 3(1)(a)(xi) of the Lifts and Escalators (Safety) Ordinance does not apply to a lift or hoist assuming a dual usage but is not provided for use solely in connection with any building under construction. Accordingly, a lift installed in a building which is being constructed, and provided for the use of the future occupants of the building, should not be allowed to be used as a builder's lift. The permit to use under section 12 of the said ordinance should be obtained before the lift may be used or operated.

You are also reminded to ensure that a lift is in safe working order and without outstanding works before the related Form 5 submission is made. Any premature application for permit to use in respect of lifts which are found to be not in order during inspection will be refused and necessary action will be taken in accordance with the performance monitoring system and relevant provisions in the Ordinance.

Thank you for your attention.

Yours faithfully,

(G.M.W. CHUI)  
for Director of Electrical & Mechanical Services

c.c. AD/BS  
D of Housing (Attn.: TS/1)

YKH/tp