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27 March 2018

To: All Registered Lift/Escalator Contractors and Engineers

Dear Sirs,

Circular No. 4/2018**Requirement for Subcontracting Lift/ Escalator Works to Others**

This Circular serves to remind you that all registered lift/escalator contractors shall strictly follow the requirements of the Lifts and Escalators Ordinance (Cap. 618) ("the Ordinance") and the Code of Practice on Lift Works and Escalator Works issued under the Ordinance when subcontracting lift works or escalator works to others.

In accordance with section 38 and section 68 of the Ordinance, except with the written approval of the Director, no lift works or escalator works other than installation or demolition of a lift or an escalator are allowed to be subcontracted to a person other than a Registered Lift/Escalator Contractor ("RC").

In section 4.8.2 of the Code of Practice on Lift Works and Escalator Works, an RC as a proprietor has a non-transferable duty to supervise the carrying out of lift works or escalator works by their employees. Where installation or demolition of a lift or an escalator is subcontracted, the RC is also obliged to duly supervise the subcontracted lift works or escalator works by its Qualified Person ("QP"). Pursuant to section 2 of the Ordinance, QP means, among others, a registered lift/escalator worker/engineer who is qualified to carry out the kind of works in question and is employed under a contract of employment by the RC undertaking the works. As such, the RC is obliged to arrange its QP for direct supervision of the subcontracted installation or demolition works even though the works are to be carried out by the workers (including registered lift/escalator workers) of the subcontractor(s). The subcontractor's worker, irrespective of whether he/she is a registered lift/escalator worker, cannot carry out installation or demolition of a lift or an escalator on his/her own.

According to the Ordinance, a person must not personally carry out any lift or escalator works unless the person is a QP or under the direct supervision of a QP. A person shall not knowingly causes or permit any other person, who is not a QP, to carry out any lift/escalator works without the direct supervision of QP. Please note that a person who contravenes the Ordinance commits an offence and is liable on conviction to a fine of \$100,000 and to imprisonment for 12 months.

If you have any enquiry on this Circular, please contact Mr Wallace CHUI of this department at telephone no. 2808 3237.

Yours faithfully,



(CHEUNG Kim-ching)

For Director of Electrical and Mechanical Services

c.c. The Lift and Escalator Contractors Association

The Registered Elevator and Escalator Contractors Association Limited