

LIFTS AND ESCALATORS (SAFETY) ORDINANCE (Chapter 327)

It is hereby notified that the Registered Lift Contractor Disciplinary Board under section 11G of the Lifts and Escalators (Safety) Ordinance (Chapter 327) conducted an inquiry on 7 December 2010 and 12 April 2011 and was satisfied that Chun Ming Engineering Co., Ltd. was guilty of misconduct and negligence under the Lifts and Escalators (Safety) Ordinance (Chapter 327) in connection with the following charges:—

- (1) Failed to keep the lifts and accessories in good working order, in that the car door mechanical locks and the landing door bridging control stations for Lifts Nos. 18 and 19 at Nan Fung Centre, 264–298 Castle Peak Road, Tsuen Wan, New Territories were ineffective on 4 June 2009, in breach of the Respondent's duties under either one or more of sections 11J(1)(b), 11J(1)(d) and 27H of the Lifts and Escalators (Safety) Ordinance (Chapter 327) and section C: Clause 4.5.1 of the Code of Practice for Lift Works and Escalator Works;
- (2) Failed to ensure that the lift works which the Respondent were engaged to be carried out by a person specified in section 29A(1) of the Lifts and Escalators (Safety) Ordinance (Chapter 327) in breach of either one or more of sections 11J(1)(b), 11J(1)(c) and 27H of the same Ordinance, in that the Respondent caused acquiesced or condoned the carrying out of the lift maintenance and repair works by Mr. LAU Wing-kit who was not a registered lift engineer, a competent lift worker employed by a registered lift contractor or a worker directly supervised at the sites where the lift works were being or required to be carried out by a registered lift engineer or a competent lift worker employed by a registered lift contractor, for the lifts located at:—
 - (a) Shatin Tsung Tsin School, Lek Yuen Estate, Sha Tin, New Territories on 24 February 2009,
 - (b) Kiangsu Chekiang College, 7, Fung Shun Street, Sha Tin, New Territories on 16 September 2008,
 - (c) Christ College, Pok Hong Estate, Sha Tin, New Territories on 22 September 2008,
 - (d) Buddhist Kok Kwong Secondary School, Sha Kok Estate, Sha Tin, New Territories on 23 September 2008, 29 October 2008, 27 November 2008, 30 December 2008, 24 January 2009, and 25 February 2009,
 - (e) Toi Shan Association College, 10 Yuen Chau Kok Road, Sha Tin, New Territories on 23 September 2008, 24 January 2009 and 25 February 2009,
 - (f) Sung Lan Middle School, Mei Lam Estate, Sha Tin, New Territories on 24 January 2009, and
 - (g) Shatin Methodist College, Sun Tin Wai Estate, Sha Tin, New Territories on 23 September 2008.

The Disciplinary Board ordered that Chun Ming Engineering Co., Ltd.:—

- (1) Be fined \$20,000 for the misconduct or negligence under Charge (1) and \$30,000 under Charge (2) under section 11G(2) of the Lifts and Escalators (Safety) Ordinance (Chapter 327);
- (2) Should pay the costs of the proceedings incurred by the Department of Justice, the Director of Electrical and Mechanical Services and the Disciplinary Board in the total sum of \$231,289 under section 11G(3) of the Ordinance; and
- (3) The order made above be published in the *Gazette*.

5 August 2011

YEUNG Kin-kee *Chairman,*
Registered Lift Contractor Disciplinary Board