

LIFTS AND ESCALATORS ORDINANCE (Chapter 618)

It is hereby notified that the Disciplinary Board under section 110 and Schedule 12 of the Lifts and Escalators Ordinance (Chapter 618) ('the Ordinance') conducted a hearing on 14 March 2017 and was satisfied that Antonfield Engineering Company Limited ('Antonfield') and a registered lift engineer ('the Registered Lift Engineer') were guilty of misconduct or neglect under the Ordinance, or has been convicted of an offence under the Ordinance, in connection with the following disciplinary charges:—

- (1) That Antonfield, being a registered lift contractor engaged to carry out the lift works at Lift No. 1, Wah Lee Building, 210–218 Queen's Road West, Sai Ying Pung, Hong Kong ('the Lift'), was convicted of the offence of failing to notify the Director of Electrical and Mechanical Services of the lift works undertaken by Antonfield on 20 December 2012 concerning a major alteration of the Lift in the specified form and within the prescribed period, contrary to sections 3(2)(a) and 3(4) of the Lifts and Escalators (General) Regulation, on 4 March 2014 in Eastern Magistrates' Courts in ESS 39272/2013;
- (2) That Antonfield, being a registered lift contractor engaged to carry out the lift works at the Lift, failed to establish a system of work to ensure that the lift works be carried out in accordance with the requirements of the Ordinance, in that it failed to notify the responsible person for the Lift or procure the said responsible person to be notified of the major alteration of the Lift on 20 December 2012 so as to enable the said responsible person to cause a registered lift engineer to issue the safety certificate in accordance with section 25(2) of the Ordinance, before resumption of the normal use and operation of the Lift after the completion of the said major alteration; and
- (3) That the Registered Lift Engineer engaged to carry out the lift works at the Lift and involved in the major alteration of the Lift on 20 December 2012, failed to issue or procure the issuance of the safety certificate in accordance with section 25(2) of the Ordinance before resumption of the normal use and operation of the Lift after the completion of the said major alteration.

The Disciplinary Board ordered that:—

- (1) Antonfield shall be fined \$30,000 for the conviction under disciplinary charge (1) under section 112(1)(b)(ii) of the Ordinance;
- (2) Antonfield shall be fined \$30,000 for the conviction under disciplinary charge (2) under section 112(1)(b)(ii) of the Ordinance;
- (3) The Registered Lift Engineer shall be fined \$5,000 for the conviction under disciplinary charge (3) under section 112(1)(b)(iii) of the Ordinance;
- (4) Antonfield and the Registered Lift Engineer shall pay the costs of the proceedings incurred by the Department of Justice ('DoJ') and the officers of the Electrical and Mechanical Services Department ('EMSD') jointly and severally under section 112(2) of the Ordinance. The sum which DoJ is entitled to receive from them jointly and severally is \$52,000, and the sum which EMSD is entitled to receive from them jointly and severally is \$26,000;
- (5) Antonfield and the Registered Lift Engineer shall pay the costs of the proceedings incurred by the Disciplinary Board jointly and severally under section 112(2) of the Ordinance. The sum which the Board is entitled to receive from them jointly and severally is \$91,900; and
- (6) The orders made herein shall be published in the *Gazette* without disclosing the name of the Registered Lift Engineer pursuant to section 113(1) of the Ordinance.