

**Business Facilitation Advisory Committee
Task Force on Business Liaison Groups**

*Hire of qualified competent persons for upkeep and safe
operation of motion chairs installed in cinemas*

Background

Nowadays, motion chairs are common installations in cinemas for providing better entertainment experience to moviegoers. Motion chair is a kind of amusement rides regulated by the Amusement Rides (Safety) Ordinance, Cap 449. The trade shall employ competent persons for upkeep and safe operation of the motion chairs installed. In accordance with the Amusement Rides (Safety) (Operation and Maintenance) Regulation, Cap 449B (Regulation), a competent person shall possess (i) a higher certificate or higher diploma in mechanical, marine, electrical or electronic engineering from the Hong Kong Polytechnic or a technical institute; and (ii) not less than 5 years relevant practical experience.

Trade's Concern

2. At a Business Liaison Group meeting for cinemas, the trade opined that it was difficult to hire qualified competent persons because the requirements set by the Regulation were very high. They also enquired whether the Electrical and Mechanical Services Department (EMSD) could lower the requirements for qualified competent persons.

Administration's Response

3. In response to the trade's concern, EMSD has advised that the competent person is liable for upkeep and safe operation of motion chairs and failure to perform his/her duties may cause injury to the moviegoers. It is therefore inappropriate to lower the requirements for competent persons. Nevertheless, EMSD has clarified that the specified 5 years relevant practical experience does not confine to the post qualification experience. The department also considers any relevant working experience prior to the award

of the relevant qualification. As an alternative to the qualification and experience specified in the Regulation, EMSD may also approve an applicant as a competent person by reason of his/her knowledge and relevant practical experience if the department is satisfied that the applicant is competent to perform the duties as a competent person. EMSD has also advised that a qualified competent person may be employed to work for more than one cinema subject to effective delivery of the required duties under the Regulation.

Way Forward

4. Members are invited to note the above clarification and offer comments, if any.

**Electrical and Mechanical Services Department
May 2016**