

UTLC Paper No. 1/2024
Further Revised Mechanism for Assigning Demerit Point Level 2E on
Delayed Rectification of Defective Manhole and Drawpit Covers

I. Purpose

This paper sets out the revised mechanism for assigning Demerit Point Level (DPL) 2E regarding delayed rectification of defective manhole and drawpit covers. This paper should be referred to and read in conjunction with the Excavation Permit Processing Manual, UTLC Paper No. 1/2017 and UTLC Paper No. 1/2021. The mechanism for assigning DPL 2E as provided in UTLC Paper No. 1/2022 will be superseded upon endorsement of this UTLC Paper No. 1/2024.

II. Background

2. In August 2012, the demerit point system with sanctioning measures was formally implemented to enhance control on road opening works. The DPL assigned to respective Utility Undertakings' (UUs') party-combinations (Permittee-Division-Contractor) become an effective indicator of performance in road opening works. In September 2017, DPL 2E for delayed rectifications of defective utility manhole and drawpit covers was introduced (see UTLC Paper No. 1/2017) to strengthen the control on road rectification works. In August 2021, the time period allowed for delayed rectification of defective manhole and drawpit covers on footpath or cycle track was revised (see UTLC Paper No. 1/2021).

3. Under the established mechanism for assigning DPL 2E for delayed rectifications of defective utility manhole and drawpit covers in accordance with the UTLC Paper No. 1/2017 and UTLC Paper No. 1/2021, when the responsible permittee fails to satisfactorily complete the rectifications within the specific period without any reason which is acceptable to the corresponding HyD Regional Office, a demerit point of "0.1" will be assigned to all party combinations under such permittee, regardless of the involvement of the permittee's different divisions / different contractors, for each case upon notification by the HyD Regional Office until the defect has been rectified to the satisfaction of the HyD Regional Office.

4. Upon the endorsement of UTLC Paper No. 1/2022, the assignment mechanism was updated such that when the responsible permittee fails to satisfactorily complete the rectifications within the specific period without any reason which is acceptable to the corresponding HyD Regional Office, a demerit point of "0.1" will be assigned to all party combinations (Permittee-Division-Contractor) under such permittee that hold any type of registered Excavation Permit(s) (XPs) within the same region as where the defective manhole

and/or drawpit covers locate for each case upon notification by HyD Regional Office until the defect has been rectified to the satisfaction of HyD Regional Office.

III. Revision to the Mechanism for Assigning DPL 2E regarding Delayed Rectification of Defective Manhole and Drawpit Covers

5. Since the implementation of the current mechanism as established in the abovementioned UTLC Papers (paragraphs 3 and 4), HyD conducted a review on the subject taking into account the feedbacks from UUs, government departments and HyD Regional Offices on the mechanism of assigning DPL 2E and the corresponding sanctioning measures. Taking into consideration the practicality issues and reasonableness of DPL 2E assignment, a revised mechanism of assignment is proposed.

6. The revision aims to allow a more balanced assignment of DPL 2E and provide flexibility for concerned parties to plan their rectifications works as necessary when such notifications are received by XP permittees from HyD Regional Offices or their maintenance term contractor appointed under the current arrangement / practice, while maintaining the incentive for permittees to complete rectifications as soon as possible and retain an appropriate level of control by HyD on the actual conditions of manhole and drawpit covers. Notwithstanding that this further revision on streamlining of the DPL 2E assignment mechanism is proposed, the established principle of keeping the concerned divisions of permittees accountable for defective manhole and drawpit covers within the same geographical region is maintained.

7. It is proposed that:

- for permittees who are divided into different divisions under the DPL system, all the established divisions should be allocated to one or more regions (i.e. either Hong Kong Island, Kowloon or New Territories^{Note 1}, or any 2 or all of these 3 regions) according to the area of responsibility of the concerned division, which is to be proposed by UUs and agreed with HyD Research and Development Division; and
- when the responsible permittee fails to satisfactorily complete the rectifications within the specific period without any reason which is acceptable to the corresponding HyD Regional Office, a demerit point of “0.1” will only be assigned to all party combinations (Permittee-Division-Contractor) under such permittee that are assigned with the same region as where the defective manhole and/or drawpit covers locate, which is to be identified and determined by HyD Regional Office, for each case upon notification by HyD Regional Office until the defect has been rectified to the satisfaction of HyD Regional Office.

Note 1: New Territories includes all outlying islands.

8. Should UUs wish to enquire about the allocation of their corresponding divisions, or to propose a revision of the allocation as stated in paragraph 7, the responsible UUs should seek HyD Research and Development Division's assistance and agreement respectively.

9. Apart from the proposed revision as stated in this Paper, all other details regarding assignment of DPL 2E shall follow existing establishment as set out in the Excavation Permit Processing Manual, UTLC Paper No. 1/2017 and UTLC Paper No. 1/2021.

IV. Way Forward

10. Subject to endorsement of this Paper, the above revised mechanism for assigning DPL 2E regarding delayed rectification of defective manhole and drawpit covers shall take effect 2 weeks after the notification from HyD. HyD will keep close monitoring of the situation and will consider to make suitable adjustments if and when necessary.

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