

Chapter:	145A	<b>CONTROL OF CHEMICALS REGULATIONS</b>	Gazette Number	Version Date
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		<b>Empowering section</b>		30/06/1997
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(Cap 145 section 16)

[1st September 1975]

(Originally L.N. 44 of 1975)

Regulation:	1	<b>Citation</b>		30/06/1997
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These regulations may be cited as the Control of Chemicals Regulations.

(64 of 1994 s. 19)

Regulation:	2	<b>Application for licence or permit</b>		30/06/1997
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(1) An application for a licence or permit shall-  
 (a) be in writing, in such form; and  
 (b) contain such particulars,  
 as the Commissioner may require. (L.N. 294 of 1982)

(2) Within 14 days of the receipt of an application for a licence or permit the Commissioner may- (L.N. 294 of 1982)

- (a) issue the licence or permit; or
- (b) give notice in writing to the applicant of his refusal to issue the licence or permit.

Regulation:	3	<b>Record of substance specified in Schedule 1 or 2 of the Ordinance</b>		30/06/1997
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(1) The holder of a licence or permit, other than one issued under section 3A of the Ordinance, shall for each such licence or permit keep a register in a form approved by the Commissioner in which he shall enter in chronological order in respect of the controlled chemical named in the licence or permit- (L.N. 294 of 1982)

- (a) each receipt or, as the case may be, manufacture of a quantity of that controlled chemical, including-
  - (i) the date of receipt or manufacture;
  - (ii) the quantity received or manufactured;
  - (iii) the purpose for which it was received or manufactured; and
  - (iv) in the case of a receipt, the full name and address of the person from whom it was received;
- (b) in respect of each such receipt or manufacture, each dealing in, use or other disposal of, that quantity or any part thereof, including-
  - (i) the date and manner of the dealing, use or disposal;
  - (ii) the quantity dealt in, used or disposed of;
  - (iii) the full name and address of the person, if any, to whom the controlled chemical was transferred; and
- (c) in respect of each such receipt or manufacture, the amount of the controlled chemical remaining in his possession therefrom at any time. (64 of 1994 s. 20)

(2) The holder of a licence or permit, other than one issued under section 3A of the Ordinance, shall at all times keep in the register kept under paragraph (1) a record of the total amount in his possession of the controlled chemical to which the licence or permit relates. (L.N. 98 of 1977; 64 of 1994 s. 20)

(3) Every entry made under paragraph (1)(a) or (b) shall be made immediately on the receipt or manufacture of or dealing in, use or other disposal of the controlled chemical in respect of which that entry is required. (64 of 1994 s. 20)

(4) A copy of every entry in the record kept under paragraph (1) shall, unless the holder of the licence or permit is exempted under paragraph (5) from compliance with the requirements of this paragraph, be sent to the Commissioner within 24 hours of its being made. (L.N. 98 of 1977; L.N. 294 of 1982)

(5) The Commissioner may at any time and from time to time in writing exempt the holder of any licence or permit from compliance with the requirements of paragraph (4) on such terms and conditions as he may think fit. (L.N. 98 of 1977; L.N. 294 of 1982)

(6) The record kept under paragraph (1) shall be kept for 2 years beginning on the date it was made. (64 of 1994 s. 20)

Regulation:	4	<b>Premises and containers in which substances specified in Schedule 1 or 2 of the Ordinance is stored or kept</b>		30/06/1997
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(1) No person shall keep or store any substance specified in Schedule 1 or 2 of the Ordinance not in transit except-

- (a) in a place approved in writing by the Commissioner; and
- (b) in accordance with such conditions as the Commissioner may specify.

(2) No person shall keep or store any substance specified in Schedule 1 or 2 of the Ordinance except in a container approved in writing by the Commissioner.

(3) The container in which any substance specified in Schedule 1 or 2 of the Ordinance is kept or stored- (L.N. 259 of 1997)

- (a) shall be clearly marked on the outside thereof with the English and Chinese names of the substance as specified in the appropriate Schedule; and
- (b) shall not contain any substance other than the substance so marked thereon.

(L.N. 294 of 1982; 64 of 1994 s. 21)

Regulation:	5	<b>Offences</b>		30/06/1997
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(1) Any person who contravenes any of the provisions of regulation 3 or of regulation 4 shall be guilty of an offence and shall be liable on conviction to a fine of \$50000 and imprisonment for 1 year.

(2) Any person who contravenes any of the terms or conditions of an exemption granted under regulation 3(5) shall be guilty of an offence and shall be liable on conviction to a fine of \$50000 and imprisonment for 1 year. (L.N. 98 of 1977)

(L.N. 173 of 1975)

Regulation:	6	<b>Fees</b>	L.N. 126 of 2008	01/08/2008
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(1) The fee for the issue of-

- (a) a licence, including the issue of a new licence under section 8(5) of the Ordinance, shall be \$1530 for each year or part of a year for which the licence is issued; and
- (b) a permit, including the issue of a new permit under section 8(5) of the Ordinance, shall be \$950 for each year or part of a year for which the permit is issued.

(2) The fee payable on the reissue of-

- (a) a licence under section 9(5) of the Ordinance shall be \$1530; and
- (b) a permit under section 9(5) of the Ordinance shall be \$950.

(L.N. 230 of 1997; L.N. 197 of 2006; L.N. 126 of 2008)