

《保護臭氧層條例》 (第 403 章)

Ozone Layer Protection Ordinance (Cap. 403)

版本日期
Version date
11.4.2025

經核證文本 Verified Copy

(《法例發布條例》(第 614 章) 第 5 條)
(Legislation Publication Ordinance (Cap. 614), section 5)

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條文 Provision	頁數 Page number	最後更新日期 Last updated date
主體 Main	1—58	11.4.2025
附表 Schedule	S-1—S-16	11.4.2025

尚未實施的條文 / 修訂 ——

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Provisions / Amendments not yet in operation ——

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制定史

本為 1989 年第 24 號 —— 1989 年編正版，1991 年第 66 號，1992 年第 375 號法律公告，1993 年第 26 號，1994 年第 657 號法律公告，1997 年第 6 號，1997 年第 362 號法律公告，1997 年第 631 號法律公告，1998 年第 25 號，1998 年第 307 號法律公告，1999 年第 78 號，2000 年第 29 號，2000 年第 34 號，2002 年第 106 號法律公告，2003 年第 33 號，2007 年第 130 號法律公告，2009 年第 114 號法律公告，2019 年第 1 號編輯修訂紀錄，2021 年第 3 號編輯修訂紀錄，2022 年第 144 號法律公告，2025 年第 7 號

Enactment History

Originally 24 of 1989 — R. Ed. 1989, 66 of 1991, L.N. 375 of 1992, 26 of 1993, L.N. 657 of 1994, 6 of 1997, L.N. 362 of 1997, L.N. 631 of 1997, 25 of 1998, L.N. 307 of 1998, 78 of 1999, 29 of 2000, 34 of 2000, L.N. 106 of 2002, 33 of 2003, L.N. 130 of 2007, L.N. 114 of 2009, E.R. 1 of 2019, E.R. 3 of 2021, L.N. 144 of 2022, 7 of 2025

《保護臭氧層條例》

(第 403 章)

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Ozone Layer Protection Ordinance

(Cap. 403)

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本條例旨在實施《1985 年保護臭氧層維也納公約》及《1987 年關於消耗臭氧層的物質的蒙特利爾議定書》；為管制耗蝕臭氧層的物質及具有高全球升溫潛能值的氫氟碳化物，作出規定；為管制含有該等物質或該等氫氟碳化物、在生產過程中使用該等物質或該等氫氟碳化物或在設計上是以該等物質或該等氫氟碳化物操作的產品及設備，作出規定；對安全處理可用作該等氫氟碳化物替代品的具危害性製冷劑，作出規定；並就相關事宜，訂定條文。

(由 2025 年第 7 號第 3 條代替)

[1989 年 7 月 1 日] 1989 年第 204 號法律公告
(格式變更——2019 年第 1 號編輯修訂紀錄)

1. 簡稱

本條例可引稱為《保護臭氧層條例》。

2. 釋義

在本條例中，除文意另有所指外——

住宅 (domestic premises) 指純粹作居住之用並且是獨立家居單位的處所或地方；(由 2025 年第 7 號第 4 條修訂)

局長 (Secretary) 指環境及生態局局長；(由 1999 年第 78 號第 7 條增補。由 2002 年第 106 號法律公告修訂；由 2007 年第 130 號法律公告修訂；由 2022 年第 144 號法律公告修訂)

具危害性製冷劑 (hazardous refrigerant) 指根據第 16(1) 條訂立的規例所訂明的、對安全構成危險的製冷劑；(由 2025 年第 7 號第 4 條增補)

受管制物質 (scheduled substance) ——

An Ordinance to implement the 1985 Vienna Convention for the Protection of the Ozone Layer and the 1987 Montreal Protocol on Substances that Deplete the Ozone Layer; to provide for controls on substances that deplete the ozone layer and on hydrofluorocarbons with high global warming potential; to provide for controls on products and equipment containing, made with or designed to operate on those substances or those hydrofluorocarbons; to provide for the safe handling of hazardous refrigerants that may be used as substitutes for those hydrofluorocarbons; and to provide for related matters.

(Replaced 7 of 2025 s. 3)

[1 July 1989] L.N. 204 of 1989
(Format changes—E.R. 1 of 2019)

1. Short title

This Ordinance may be cited as the Ozone Layer Protection Ordinance.

2. Interpretation

In this Ordinance, unless the context otherwise requires—

Advisory Council on the Environment (環境諮詢委員會) means the advisory body established by the Chief Executive to advise on matters relating to pollution control and sustainability of the environment; (Added 6 of 1997 s. 2. Amended L.N. 631 of 1997; 34 of 2000 s. 3)

air transhipment cargo (航空轉運貨物) has the meaning assigned to it in section 2 of the Import and Export Ordinance (Cap. 60); (Added 29 of 2000 s. 9)

- (a) 指附表列出的物質，不論是單獨或以混合物形式存在；但
- (b) 在第 4 及 6 條中不包括附表所列而符合以下情況的物質——
 - (i) 在製成品（祇用以運輸或儲存該物質的除外）之內，於該製成品運作時使用，或其用途祇限於發放該製成品內載的物質；或
 - (ii) 祇因曾在生產該製成品的過程中使用而成為該製成品的一部分的；

指明滅火劑 (specified fire suppressant) 指含有一種或多於一種受管制物質的滅火劑；(由 2025 年第 7 號第 4 條增補)

指明製冷劑 (specified refrigerant) 指含有一種或多於一種受管制物質的製冷劑，但不包括《保護臭氧層（受管制製冷劑）規例》(第 403 章，附屬法例 B) 第 2 條所界定的受管制製冷劑；(由 2025 年第 7 號第 4 條增補)

飛機 (aircraft)、**車輛** (vehicle) 及 **船隻** (vessel) 的含義與它們在《進出口條例》(第 60 章) 中的相同；(由 1991 年第 66 號第 2 條修訂)

特准人員 (authorized officer) 指根據第 9 條獲授權的人員；

航空轉運貨物 (air transshipment cargo) 具有《進出口條例》(第 60 章) 第 2 條給予該詞的涵義；(由 2000 年第 29 號第 9 條增補)

氫氟碳化物 (hydrofluorocarbon, HFC) 指附表第 10 部所列的物質，不論是單獨或以混合物形式存在；(由 2025 年第 7 號第 4 條增補)

許可證 (licence) 指根據本條例發出的許可證；

《蒙特利爾議定書》 (Montreal Protocol) 指於 1987 年 9 月 16 日在蒙特利爾通過、並經不時修訂及適用於香港的《1987 年關於消耗臭氧層的物質的蒙特利爾議定書》；(由 2025 年第 7 號第 4 條增補)

aircraft (飛機), **vehicle** (車輛) and **vessel** (船隻) have the same meanings as in the Import and Export Ordinance (Cap. 60); (Amended 66 of 1991 s. 2)

authorized officer (特准人員) means an officer authorized under section 9;

cargo transshipment area of Hong Kong International Airport (機場貨物轉運區) has the meaning assigned to it in section 2 of the Import and Export Ordinance (Cap. 60); (Added 29 of 2000 s. 9)

Director of EMS (機電署署長) means the Director of Electrical and Mechanical Services; (Added 7 of 2025 s. 4)

Director of EP (環保署署長) means the Director of Environmental Protection; (Added 7 of 2025 s. 4)

domestic premises (住宅) means a premises or place used exclusively for residential purposes and constituting a separate household unit;

export (輸出、出口) means to take, or cause to be taken, out of Hong Kong any article other than an article in transit as defined in section 2 of the Import and Export Ordinance (Cap. 60); (Added 66 of 1991 s. 2)

hazardous refrigerant (具危害性製冷劑) means a refrigerant prescribed by regulations made under section 16(1) to be a refrigerant that constitutes a safety hazard; (Added 7 of 2025 s. 4)

hydrofluorocarbon, HFC (氫氟碳化物) means a substance listed in Part 10 of the Schedule, whether existing alone or in a mixture; (Added 7 of 2025 s. 4)

import (輸入、進口) means to bring, or cause to be brought, into Hong Kong any article other than an article in transit as defined in section 2 of the Import and Export Ordinance (Cap. 60); (Added 66 of 1991 s. 2)

機場貨物轉運區 (cargo transshipment area of Hong Kong International Airport) 具有《進出口條例》(第 60 章) 第 2 條給予該詞的涵義；(由 2000 年第 29 號第 9 條增補)

機電署署長 (Director of EMS) 指機電工程署署長；(由 2025 年第 7 號第 4 條增補)

輸入、進口 (import) 指把任何物品運入香港，或導致其運入香港，但不包括運入或導致運入《進出口條例》(第 60 章) 第 2 條所界定的過境物品；(由 1991 年第 66 號第 2 條增補。由 2025 年第 7 號第 4 條修訂)

輸出、出口 (export) 指從香港運出，或導致從香港運出任何物品，但不包括運出或導致運出《進出口條例》(第 60 章) 第 2 條所界定的過境物品；(由 1991 年第 66 號第 2 條增補。由 2025 年第 7 號第 4 條修訂)

環保署署長 (Director of EP) 指環境保護署署長；(由 2025 年第 7 號第 4 條增補)

環境諮詢委員會 (Advisory Council on the Environment) 指行政長官所設立就關於污染管制及環境維持的事宜提供意見的諮詢團體。(由 1997 年第 6 號第 2 條增補。由 1997 年第 631 號法律公告修訂；由 2000 年第 34 號第 3 條修訂)
(編輯修訂——2019 年第 1 號編輯修訂紀錄；由 2025 年第 7 號第 4 條修訂)

licence (許可證) means a licence issued under this Ordinance;

Montreal Protocol (《蒙特利爾議定書》) means the 1987 Montreal Protocol on Substances that Deplete the Ozone Layer adopted at Montreal on 16 September 1987, as amended from time to time and as applied to Hong Kong; (Added 7 of 2025 s. 4)

scheduled substance (受管制物質)—

- (a) means a substance listed in the Schedule, whether existing alone or in a mixture; but
- (b) in sections 4 and 6 does not include a substance listed in the Schedule that is—
 - (i) in a manufactured product (other than one used solely for the transportation or storage of the substance) and the substance is used in the operation of the product or the mere dispensing of the contents of the product constitutes the intended use of the substance; or
 - (ii) part of a manufactured product solely because the substance was used in the process of manufacturing the product;

Secretary (局長) means the Secretary for Environment and Ecology; (Replaced 78 of 1999 s. 7. Amended L.N. 106 of 2002; L.N. 130 of 2007; L.N. 144 of 2022; 7 of 2025 s. 4)

specified fire suppressant (指明滅火劑) means a fire suppressant that contains one or more scheduled substances; (Added 7 of 2025 s. 4)

specified refrigerant (指明製冷劑) means a refrigerant that contains one or more scheduled substances, but does not include a controlled refrigerant as defined by section 2 of the Ozone Layer Protection (Controlled Refrigerants) Regulation (Cap. 403 sub. leg. B). (Added 7 of 2025 s. 4)

3. 生產受管制物質是罪行

- (1) 任何人生產受管制物質 (附表第 10 部所列的受管制物質除外)，即屬犯罪——(編輯修訂——2019 年第 1 號編輯修訂紀錄；由 2025 年第 7 號第 5 條修訂)
 - (a) 可處罰款 \$1,000,000 及監禁 2 年；及
 - (b) 可按犯罪行為持續的日數，每日另處罰款 \$100,000。
- (2) 凡任何人純粹為進行研究或教學，而在任何 12 個月期間內生產不超過 1 公斤的受管制物質，第 (1) 款不適用。(編輯修訂——2019 年第 1 號編輯修訂紀錄)
- (3) 在任何第 (1) 款所訂罪行的法律程序中，被控干犯該罪行的人，負有確立第 (1) 款因第 (2) 款而不適用的責任。(由 2025 年第 7 號第 5 條增補)
- (4) 就第 (3) 款而言，在下述情況下，某人須視作已確立第 (1) 款因第 (2) 款而不適用——
 - (a) 有足夠證據帶出下述爭論點：有關受管制物質符合第 (2) 款的描述；及
 - (b) 控方沒有提出足以排除合理疑點的證據，證明並非如此。(由 2025 年第 7 號第 5 條增補)
- (5) 就第 (1) 款而言，在下述情況下，某受管制物質不得視為是由生產所得的——
 - (a) 該物質是在保養任何設備、產品或容器期間，或在廢棄任何設備、產品或容器之前，自該設備、產品或容器收集而得的；及
 - (b) 其後，該物質藉淨化或蒸餾的方式或藉任何其他方式循環再造，使之適宜重新地使用。(由 2025 年第 7 號第 5 條增補)

*(Amended 7 of 2025 s. 4)***3. Offence to manufacture scheduled substances**

- (1) A person who manufactures a scheduled substance (other than a scheduled substance listed in Part 10 of the Schedule) commits an offence and is liable to—(Amended 7 of 2025 s. 5)
 - (a) a fine of \$1,000,000 and imprisonment for 2 years; and
 - (b) a fine of \$100,000 for each day on which the offence continues.
- (2) Subsection (1) does not apply where the scheduled substance is manufactured solely for the purpose of research or academic instruction and the person manufactures no more than 1 kg of the substance in any 12 month period.
- (3) In any proceedings for an offence under subsection (1), the burden of establishing that subsection (1) does not apply because of subsection (2) lies on the person charged with the offence. (Added 7 of 2025 s. 5)
- (4) For the purposes of subsection (3), a person is taken to have established that subsection (1) does not apply because of subsection (2) if—
 - (a) there is sufficient evidence to raise an issue that the scheduled substance meets the description in subsection (2); and
 - (b) the contrary is not proved by the prosecution beyond reasonable doubt. (Added 7 of 2025 s. 5)
- (5) For the purposes of subsection (1), a scheduled substance is not to be regarded as being manufactured if—
 - (a) the substance is collected from any equipment, product or container during the servicing of the equipment, product or container or before the equipment, product or container is scrapped; and

4. 無許可證輸入或輸出受管制物質是罪行

任何人沒有許可證輸入或輸出受管制物質(附表第 10 部所列的受管制物質除外),即屬犯罪,可處罰款 \$1,000,000 及監禁 2 年。

(由 2025 年第 7 號第 6 條修訂)

4A. 對航空轉運貨物的適用

(1) 第 4 條不適用於屬航空轉運貨物的受管制物質;但如該受管制物質自其被帶進至運出香港的期間內被移離機場貨物轉運區,則為施行該條——

- (a) 該受管制物質須當作是在被移離該區時輸入的;及
- (b) 將該受管制物質作為航空轉運貨物而帶進香港或致使該物質被如此帶進香港的人,須當作在該物質被移離該區時是輸入該物質的人,

而除非是在(a)或(b)段所指的範圍內,第 4 條須在猶如本款不曾制定的情況下具有效力。

- (2) (a) 為根據第 6 條就輸入受管制物質發出許可證,如該物質屬航空轉運貨物,則除非其並非為以空運運出香港而被移離機場貨物轉運區,並在此情況出現前,該物質不屬已輸入。
 - (b) 儘管屬航空轉運貨物的受管制物質曾被移離機場貨物轉運區,本條不純粹因此禁止就該物質的出口根據第 6 條發出許可證。
- (3) 在檢控某人犯第 4 條所訂的罪行的法律程序中,如——

- (b) the substance is subsequently recycled by way of purification or distillation, or by any other way, so as to make it suitable for reuse. (Added 7 of 2025 s. 5)

4. Offence to import or export scheduled substances without a licence

A person who imports or exports a scheduled substance (other than a scheduled substance listed in Part 10 of the Schedule) without a licence commits an offence and is liable to a fine of \$1,000,000 and to imprisonment for 2 years.

(Amended 7 of 2025 s. 6)

4A. Application to air transhipment cargo

(1) Section 4 does not apply in relation to a scheduled substance that is air transhipment cargo; but if at any time between its being brought into and taken out of Hong Kong such scheduled substance is removed from the cargo transhipment area of Hong Kong International Airport then, for the purposes of section 4——

- (a) the scheduled substance is deemed to be imported at the time of such removal; and
- (b) the person who brought the scheduled substance, or caused it to be brought, into Hong Kong as air transhipment cargo is deemed to be the person who imports the scheduled substance at the time of its removal,

and, except to that extent, that section has effect as if this subsection had not been enacted.

- (2) (a) For the purpose of the issue of a licence under section 6 for the import of a scheduled substance, the import of a scheduled substance that is air transhipment cargo does not take place unless and until the scheduled substance

- (a) 該法律程序關乎輸入或輸出屬航空轉運貨物的受管制物質；及
- (b) 控方需證明該物質自其被帶進至運出香港的期間內被移離機場貨物轉運區，
- 則該人如證明他已採取所有合理步驟和已盡了合理的努力以避免該物質被如此移離該區，或他合理地相信該物質未被如此移離該區（視屬何情況而定），則可以此作為免責辯護。
- (4) 在任何法律程序中，凡第 (3) 款所訂的免責辯護涉及一項指稱，謂該罪行的發生是——
- (a) 另一人的作為或過失所致；或
- (b) 倚賴另一人所提供的資料所致，
- 則被告如沒有法院的許可，不得引用該免責辯護，但如被告於聆訊該法律程序前 10 天或之前，已向檢控人送達書面通知，提供被告在送達該通知時所知悉的關於——
- (i) 該另一人的一切詳情；及
- (ii) 該作為、過失或資料的一切詳情，
- 則屬例外。
- (5) 任何人如擬引用第 (3) 款所訂的免責辯護，而所據的理由是他倚賴另一人所提供的資料，則除非他證明有鑑於整體情況，尤其是在顧及以下事宜後，倚賴該資料實屬合理，否則不得引用該免責辯護——
- (a) 他為核實該資料而已採取的步驟，及為核實該資料而理應已採取的步驟；及
- (b) 他是否有任何理由不相信該資料。

(由 2000 年第 29 號第 9 條增補)

- is removed from the cargo transshipment area of Hong Kong International Airport other than for the purpose of its being taken out of Hong Kong by air.
- (b) Nothing in this section precludes the issue of a licence under section 6 for the export of a scheduled substance that is air transshipment cargo only because the scheduled substance has been removed from the cargo transshipment area of Hong Kong International Airport.
- (3) In proceedings against a person for an offence under section 4, being proceedings—
- (a) in relation to the import or export of a scheduled substance that is air transshipment cargo; and
- (b) in which it is necessary for the prosecution to prove that, at any time between its being brought into and taken out of Hong Kong, the scheduled substance was removed from the cargo transshipment area of Hong Kong International Airport,
- it is a defence for the person to show that he took all reasonable steps and exercised reasonable diligence to avoid such removal occurring or that he reasonably believed that such removal had not occurred, as the case may be.
- (4) Where in any proceedings the defence provided by subsection (3) involves an allegation that the commission of the offence was due to—
- (a) the act or default of another person; or
- (b) reliance on information given by another person,
- the defendant is not, without the leave of the court, entitled to rely on the defence unless, not less than 10 days before the hearing of the proceedings, he has served a notice in writing on the prosecutor giving all particulars of—

5. 註冊

- (1) 如環保署署長信納任何人 —— (由 2025 年第 7 號第 7 條修訂)
- (a) 在本條例生效前，曾是附表第 1 至 9 部所列的受管制物質的進口商或出口商；
 - (ab) 在 2025 年 12 月 1 日前，曾是附表第 10 部所列的受管制物質的進口商或出口商；或 (由 2025 年第 7 號第 7 條增補)
 - (b) 真誠打算在根據第 6 條獲發許可證後輸入或輸出受管制物質，
- 則署長可在收到以其指明的表格提出的申請及訂明的註冊費用後，根據本條為該人辦理註冊。(由 2025 年第 7 號第 7 條修訂)
- (2) 繼續註冊的條件是：註冊人真誠打算在根據第 6 條獲發許可證後輸入或輸出受管制物質。

- (i) the person who committed the act or default or gave the information; and
 - (ii) the act, default or information, of which he is aware at the time he serves the notice.
- (5) A person is not entitled to rely on the defence provided by subsection (3) by reason of his reliance on information supplied by another person, unless he shows that it was reasonable in all the circumstances for him to have relied on the information, having regard in particular to—
- (a) the steps which he took, and those which might reasonably have been taken, for the purpose of verifying the information; and
 - (b) whether he had any reason to disbelieve the information.
- (Added 29 of 2000 s. 9)*

5. Registration

- (1) If the Director of EP is satisfied that a person— *(Amended 7 of 2025 s. 7)*
- (a) was, before the commencement of this Ordinance, an importer or exporter of scheduled substances listed in Parts 1 to 9 of the Schedule;
 - (ab) was, before 1 December 2025, an importer or exporter of scheduled substances listed in Part 10 of the Schedule; or *(Added 7 of 2025 s. 7)*
 - (b) bona fide intends to import or export scheduled substances if granted a licence under section 6,
- the Director may, on application to him or her in a form specified by him or her and on payment of the prescribed registration fee, register the person under this section. *(Amended 7 of 2025 s. 7)*

- (3) 環保署署長可在辦理註冊時或向註冊人發出書面通知後任何時間，施加與下述事宜有合理關連的註冊條件——
- (a) 香港對《1985 年保護臭氧層維也納公約》、《蒙特利爾議定書》及根據上述公約制訂並適用於香港的其他議定書的遵行；或
- (b) 第 6(4)(b) 條所述的措施。(由 2025 年第 7 號第 7 條代替)
- (4) 根據本條註冊不會令註冊人有權獲發第 6 條所指的許可證。
- (5) 環保署署長須向根據本條註冊的人發出註冊證明書，格式由署長指明，證明書內須列出第 (2) 款所指的註冊條件，以及任何根據第 (3) 款施加的註冊條件。(由 2025 年第 7 號第 7 條代替)
- (6) 如環保署署長在註冊證明書上註明有效期屆滿日期，有關的註冊在該日後即失效。(由 2025 年第 7 號第 7 條修訂)
- (7) 環保署署長如拒絕註冊申請，則須將說明拒絕理由的通知送達予有關申請人，通知可藉郵遞或電郵送達。(由 2025 年第 7 號第 7 條代替)
- (8) 根據本條註冊的人違反與他有關的註冊條件，即屬犯罪，可處第 4 級罰款。(編輯修訂——2021 年第 3 號編輯修訂紀錄)

6. 輸入或輸出受管制物質的許可證

- (2) It is a condition of continued registration that the registrant bona fide intends to import or export scheduled substances if granted a licence under section 6.
- (3) The Director of EP may, at the time of registration or at any time after giving written notice to a registrant, impose conditions of registration that are reasonably related to—
- (a) Hong Kong's compliance of the 1985 Vienna Convention for the Protection of the Ozone Layer, the Montreal Protocol and any other protocols under the Convention that apply to Hong Kong; or
- (b) the measures referred to in section 6(4)(b). (Replaced 7 of 2025 s. 7)
- (4) Registration under this section does not entitle a person to a licence under section 6.
- (5) The Director of EP is to issue a certificate of registration in a form specified by him or her to a person who is registered under this section and the condition of registration under subsection (2) and any conditions of registration imposed under subsection (3) are to be set out in the certificate. (Replaced 7 of 2025 s. 7)
- (6) If the Director of EP specifies an expiry date in a certificate of registration, the registration ceases to have effect after that date. (Amended 7 of 2025 s. 7)
- (7) If the Director of EP refuses to register an applicant, the Director is to serve on the applicant, either by post or by electronic mail, a notice stating the reasons for refusal. (Replaced 7 of 2025 s. 7)
- (8) A person registered under this section who contravenes a condition of registration relating to him commits an offence and is liable to a fine at level 4. (Amended E.R. 3 of 2021)

6. Licence to import or export scheduled substances

- (1) 環保署署長收到根據第 5 條註冊的人的申請及訂明的許可證費用後，可就經指明的某批受管制物質發出在署長施加的條件規限下——（由 2003 年第 33 號第 6 條修訂；由 2025 年第 7 號第 8 條修訂）
 - (a) 輸入該受管制物質的進口許可證（**進口許可證**）；
 - (b) 輸出該受管制物質的出口許可證（**出口許可證**）；或
 - (c) 輸入及輸出該受管制物質的進出口許可證（**進出口許可證**）。（由 2003 年第 33 號第 6 條修訂）
- (2) 如獲發許可證的人向環保署署長提出申請，署長可更改許可證條件。（由 2025 年第 7 號第 8 條修訂）
- (3) 環保署署長可指明申請表格及根據本條發出的許可證的格式。（由 2025 年第 7 號第 8 條修訂）
- (4) 環保署署長在決定是否發出許可證或更改許可證條件時——（由 2025 年第 7 號第 8 條修訂）
 - (a) 須確保《1985 年保護臭氧層維也納公約》、《蒙特利爾議定書》及根據上述公約制訂並適用於香港的其他議定書獲遵從；及（由 2025 年第 7 號第 8 條代替）
 - (b) 可施加較 (a) 段所述的公約及議定書所規定為嚴苛的措施。
- (5) 環保署署長如拒絕順應申請發出許可證或更改許可證條件，則須將說明拒絕理由的通知送達予有關申請人，通知可藉郵遞或電郵送達。（由 2025 年第 7 號第 8 條代替）
- (6) 獲發許可證的人違反許可證條件，即屬犯罪，可處罰款 \$1,000,000 及監禁 2 年。

- (1) The Director of EP may, on the application of a person registered under section 5 and on payment of the prescribed licence fee, issue in respect of a specified consignment of a scheduled substance— (*Amended 33 of 2003 s. 6; 7 of 2025 s. 8*)
 - (a) an import licence to import the scheduled substance (**import licence**);
 - (b) an export licence to export the scheduled substance (**export licence**); or
 - (c) an import and export licence to import and export the scheduled substance (**import and export licence**), subject to any conditions that the Director may impose. (*Amended 33 of 2003 s. 6*)
- (2) The Director of EP may, on application to him or her, vary the conditions of a licence. (*Amended 7 of 2025 s. 8*)
- (3) The Director of EP may specify the forms of the applications and licence under this section. (*Amended 7 of 2025 s. 8*)
- (4) In considering whether to issue a licence or vary the conditions of a licence the Director of EP— (*Amended 7 of 2025 s. 8*)
 - (a) must ensure that the 1985 Vienna Convention for the Protection of the Ozone Layer, the Montreal Protocol and any other protocols under the Convention that apply to Hong Kong are complied with; and (*Replaced 7 of 2025 s. 8*)
 - (b) may impose more stringent measures than are required by the Convention and the protocols referred to in paragraph (a).
- (5) If the Director of EP refuses to issue a licence or vary the conditions of a licence as requested by the applicant in the application, the Director is to serve on the applicant, either

7. 撤銷註冊或許可證

- (1) 環保署署長如認為獲發許可證的人違反註冊或許可證條件，或認為註冊或許可證是因為錯誤，或有關申請人的不法作為或對事實作出失實陳述而辦理或發出的，可隨時撤銷有關註冊或許可證。
- (2) 環保署署長須向有關註冊人或獲發許可證的人送達說明撤銷理由的撤銷通知，通知可藉郵遞或電郵送達。(由 2025 年第 7 號第 9 條代替)
- (3) 接獲撤銷通知的人，須在接獲通知後 10 天內將遭撤銷的註冊證明書或許可證交還環保署署長。
- (4) 接獲撤銷通知的人如在其註冊或許可證撤銷前沒有機會陳詞，可向環保署署長申請覆核其決定，而署長聆聽申請人的陳詞後，可恢復該人的註冊或許可證，並可為此施加條件。
- (5) 任何人不遵照第 (3) 款將已撤銷的註冊證明書或許可證交還，即屬犯罪，可處第 4 級罰款。(編輯修訂——2021 年第 3 號編輯修訂紀錄)

(由 2025 年第 7 號第 9 條修訂)

by post or by electronic mail, a notice stating the reasons for refusal. (*Replaced 7 of 2025 s. 8*)

- (6) A licensee who contravenes a condition of a licence commits an offence and is liable to a fine of \$1,000,000 and to imprisonment for 2 years.

7. Cancellation of registration or licence

- (1) The Director of EP may at any time cancel a registration or licence if he or she considers that a condition of the registration or licence has been contravened or that the registration was made or licence was issued as a result of an error or an unlawful act of the applicant or a false representation of a fact made by the applicant.
- (2) The Director of EP is to, either by post or by electronic mail, serve on the person whose registration or licence is cancelled a notice of the cancellation stating the reasons for the cancellation.
- (3) Within 10 days after being served with a notice of cancellation the person served must deliver the relevant certificate of registration or licence to the Director of EP.
- (4) Where the person served is not given an opportunity to be heard before his or her registration or licence is cancelled, the person may apply to the Director of EP to review the Director's decision and the Director may, after hearing the applicant, reinstate the registration or licence, subject to any conditions the Director may impose.
- (5) A person who fails to deliver a cancelled certificate of registration or licence in compliance with subsection (3) commits an offence and is liable to a fine at level 4. (*Amended E.R. 3 of 2021*)

(*Amended 7 of 2025 s. 9*)

8. 向行政上訴委員會上訴

- (1) 凡有任何下述決定就某人作出，而使該人感到受屈，則該人可在收到該決定的通知後 28 天內，向行政上訴委員會提出上訴——
- (a) 環保署署長根據第 5、6 或 7 條所作的決定；
 - (b) 環保署署長或機電署署長所作的決定，而該決定屬根據第 16 條訂立的規例所指明，可向行政上訴委員會提出上訴的決定。(由 2025 年第 7 號第 10 條代替)
- (2) 環保署署長或機電署署長(視何者屬適當而定)須採取必要的行動以執行行政上訴委員會的決定。(由 2025 年第 7 號第 10 條修訂)

(由 1997 年第 6 號第 3 條修訂)

9. 委任特准人員

環保署署長或機電署署長可用書面授權任何公職人員行使本條例賦予特准人員的權力，及執行本條例委予特准人員的職責。

(由 2025 年第 7 號第 11 條修訂)

10. 特准人員作例行視察的一般權力

(由 2025 年第 7 號第 12 條修訂)

- (1) 為進行例行視察以確定本條例是否已獲遵從或正獲遵從，特准人員可在沒有手令的情況下——(由 2025 年第 7 號第 12 條代替)

8. Appeal to Administrative Appeals Board

- (1) A person who is aggrieved by any of the following decisions made in respect of the person may, within 28 days after receiving notice of the decision, appeal to the Administrative Appeals Board—
- (a) a decision made by the Director of EP under section 5, 6 or 7;
 - (b) a decision made by the Director of EP or the Director of EMS that is specified in the regulations made under section 16 to be subject to an appeal to the Administrative Appeals Board. *(Replaced 7 of 2025 s. 10)*
- (2) The Director of EP or the Director of EMS (as may be appropriate) is to take such action as is necessary to give effect to the Administrative Appeals Board's decision. *(Amended 7 of 2025 s. 10)*

(Amended 6 of 1997 s. 3)

9. Appointment of authorized officers

The Director of EP or the Director of EMS may authorize in writing any public officer to exercise any powers and perform any duties conferred or imposed on an authorized officer by this Ordinance.

(Amended 7 of 2025 s. 11)

10. General powers of authorized officers in routine inspection

(Amended 7 of 2025 s. 12)

- (1) For the purposes of carrying out a routine inspection to ascertain whether this Ordinance has been or is being

- (a) 在任何合理時間進入及視察 —— (由 2025 年第 7 號第 12 條修訂)
- (i) 已根據本條例註冊的人或獲發許可證的人所佔用的處所 (住宅除外)；
 - (ii) 內有在設計上用以將任何物品冷卻、冷凍或除濕，或用作熱泵的設備的處所 (住宅除外)；
 - (ia) 內有在設計上用於滅火的設備的處所 (住宅除外)；(由 2025 年第 7 號第 12 條增補)
 - (iii) 由經營空調機或熱泵保養、修理或拆卸業務的人所佔用的處所 (住宅除外)，或經營範圍包括上述任何業務的人所佔用的處所 (住宅除外)；及
 - (iv) 由經營回收或循環使用受管制物質業務的人所佔用的處所 (住宅除外)，或經營範圍包括上述任何業務的人所佔用的處所 (住宅除外)；
- (b) 要求有關的人出示 ——
- (i) 許可證或註冊證明書；
 - (ii) 關於可根據本條例發出許可證的物品的來源地、目的地、規格或性質的文件，或他懷疑屬本條例下罪行證據的文件；或
 - (iii) 本條例規定須備存的紀錄或其他文件，供特准人員查閱；
- (c) 檢查根據 (b) 段出示的許可證、註冊證明書、紀錄或文件，及予以複製或抄錄；
- (d) 按照環保署署長或機電署署長 (視何者屬適當而定) 為確定是否有人觸犯本條例而進行檢驗及調查所需，無須付款而取去任何物品的樣本，但須發出正式收據；
- (e) 在他認為必要時，檢驗任何物品，以確定是否有人曾經或正在就該物品違反本條例的規定；

- complied with, an authorized officer may without warrant—
(Replaced 7 of 2025 s. 12)
- (a) enter at any reasonable time and inspect— (Amended 7 of 2025 s. 12)
- (i) any premises (other than domestic premises) occupied by a person registered under this Ordinance or by the holder of a licence;
 - (ii) any premises (other than domestic premises) in which there is any equipment designed to cool, freeze or dehumidify anything or to function as a heat pump; (Amended 7 of 2025 s. 12)
 - (ia) any premises (other than domestic premises) in which there is any equipment designed to extinguish fire; (Added 7 of 2025 s. 12)
 - (iii) any premises (other than domestic premises) occupied by a person who carries on the business of, or any business that includes servicing, repairing or decommissioning air-conditioners or heat pumps; and
 - (iv) any premises (other than domestic premises) occupied by a person who carries on the business of, or any business that includes the recovery or recycling of scheduled substances;
- (b) require a person to produce for his inspection—
- (i) a licence or certificate of registration;
 - (ii) any document which relates to the origin, destination, specifications or nature of anything in respect of which a licence could be issued under this Ordinance or which he suspects to be evidence of an offence under this Ordinance; or

- (f) 就根據本條而進入的處所，要求該處所的業主、佔用人或負責人提供可安全出入的取樣處，以便根據 (d) 段取得樣本；(由 1993 年第 26 號第 3 條增補)
- (g) 檢驗及觀察任何設備的運作，以及檢驗及觀察任何用於該設備的運作或因與其運作有關而參考到的，或因該設備的運作而起動的儀錶、錶面或其他儀器，並將檢驗及觀察的結果記錄，以確定——
- (i) 本條例是否對該設備適用；及
- (ii) 就該設備而言，本條例的條文是否正獲或已獲任何人遵從；或 (由 1993 年第 26 號第 3 條增補)
- (h) 進行檢驗或量度，以確定任何設備是否按照本條例予以維修或使用。(由 1993 年第 26 號第 3 條增補)
- (2) 特准人員可要求——
- (a) 獲發許可證的人；
- (b) 根據本條例註冊的人；
- (c) (a) 或 (b) 段所指的人的僱員或代理人；及
- (d) 他根據第 (1) 款獲授權進入的處所的業主、佔用人或負責人，(由 1993 年第 26 號第 3 條增補)
- 提供必要的資料或採取必要的行動，以令該特准人員能夠行使根據本條例賦予他的權力及執行根據本條例委予他的職責。
- (3) 如特准人員根據第 (1)(d) 款取去任何物品的樣本，則環保署署長或機電署署長 (視何者屬適當而定) 可在檢驗及調查後，指示將樣本送還它被取去時所在之處，或以署長認為合適的方式將樣本毀滅或處置。(由 2025 年第 7 號第 12 條代替)
- (由 1993 年第 26 號第 3 條修訂；由 2025 年第 7 號第 12 條修訂)

- (iii) any record or other document required to be kept by this Ordinance;
- (c) examine and make copies of a licence, certificate of registration or of any record or document produced under paragraph (b);
- (d) take possession of, without payment but subject to the issue of a receipt for it, a sample of anything that may be required by the Director of EP or the Director of EMS (as may be appropriate) for the purpose of examination and investigation to determine whether an offence may have been committed under this Ordinance; (Amended 7 of 2025 s. 12)
- (e) examine anything if he considers it necessary to do so to ascertain whether or not the provisions of this Ordinance are being, or have been, complied with by any person in respect of that thing;
- (f) require the owner, occupier or person in charge of any premises entered under this section to provide sampling points with safe access for taking a sample under paragraph (d); (Added 26 of 1993 s. 3)
- (g) inspect and observe the operation of any equipment, and any gauge, dial or other instrument used or referred to in connection with its operation, or activated by its operation, and record the results of the inspection and observation for the purpose of ascertaining—
- (i) whether or not this Ordinance applies to that equipment; and
- (ii) whether or not the provisions of this Ordinance are being, or have been, complied with by any person in respect of that equipment; or (Added 26 of 1993 s. 3)

(h) make any inspection or measurement for the purpose of ascertaining whether any equipment is maintained or used in accordance with this Ordinance. *(Added 26 of 1993 s. 3)*

(2) An authorized officer may require—

- (a) the holder of a licence;
- (b) a person registered under this Ordinance;
- (c) a servant, employee or agent of a person referred to in paragraph (a) or (b); and
- (d) the owner, occupier or person in charge of any premises which he is empowered to enter under subsection (1), *(Added 26 of 1993 s. 3)*

to furnish such information or take such action as may be necessary to enable the authorized officer to exercise the powers conferred or perform the duties imposed on him under this Ordinance.

(3) If a sample of anything is taken by an authorized officer under subsection (1)(d), the Director of EP or the Director of EMS (as may be appropriate) may, after examination and investigation, direct that the sample be returned to the place from which it was taken, or destroyed or disposed of, as the Director thinks fit. *(Replaced 7 of 2025 s. 12)*

(Amended 26 of 1993 s. 3)

11. 特准人員調查涉嫌罪行的特殊權力

(由 2025 年第 7 號第 13 條修訂)

(1) 如有手令已根據第 (2) 款就任何處所而發出，或如第 (5) 款就任何處所而適用，則特准人員可 ——

(a) 進入及搜查該處所；及

11. Special powers of authorized officers to investigate suspected offence

(Amended 7 of 2025 s. 13)

(1) If a warrant has been issued under subsection (2) in respect of any premises, or if subsection (5) applies in respect of any premises, an authorized officer may—

(a) enter and search the premises; and

- (b) 在下述情況下扣押任何物品 (飛機、船隻或車輛除外) ——
- (i) 特准人員有合理理由懷疑有人就該物品干犯本條例所訂罪行；或
 - (ii) 特准人員有合理理由懷疑該物品屬指明證據。
(由 2025 年第 7 號第 13 條代替)
- (2) 裁判官如根據經宣誓而作的告發，信納有合理理由懷疑在任何處所有下述情況，則可發出手令，授權特准人員進入及搜查該處所 ——
- (a) 有人已在、正在或即將在該處所內干犯本條例所訂罪行；或
 - (b) 在該處所內有任何指明證據。(由 2025 年第 7 號第 13 條代替)
- (3) 除非手令另有指明，否則手令一直有效，直至下述兩個時間中的較早者為止 ——
- (a) 在發出手令日期後的 1 個月屆滿之時；或
 - (b) 進入及搜查上述處所而要達到的目的經已達到之時。
(由 2025 年第 7 號第 13 條代替)
- (4) 特准人員如根據本條扣押物品後，須在合理可行的範圍內盡快發出收據，並可准許該物品如非遭扣押，便有權管有或檢驗它的人，在合理時間對該物品進行檢驗及拍攝，或複製或抄錄副本。
- (5) 在下述情況下，環保署署長或機電署署長可授權特准人員，在沒有根據第 (2) 款發出的手令的情況下，行使第 (1) 款所指的權力 ——
- (a) 有合理理由懷疑在任何處所內 (住宅除外)，有任何指明證據；及
 - (b) 為取得手令所引致的阻延，相當可能會引致該證據喪失或毀滅，或有任何其他原因，會使取得手令並非合理地切實可行。(由 2025 年第 7 號第 13 條增補)

- (b) seize anything, other than an aircraft, vessel or vehicle—
- (i) in respect of which the officer reasonably suspects that an offence has been committed under this Ordinance; or
 - (ii) which the officer reasonably suspects to be specified evidence. *(Replaced 7 of 2025 s. 13)*
- (2) A magistrate may issue a warrant authorizing an authorized officer to enter and search any premises if satisfied by information on oath that there are reasonable grounds to suspect that—
- (a) an offence under this Ordinance has been, is being or is about to be committed in the premises; or
 - (b) there is in the premises any specified evidence. *(Replaced 7 of 2025 s. 13)*
- (3) Unless otherwise specified in it, a warrant continues in force until the earlier of the following—
- (a) the expiry of 1 month after the date of its issue; or
 - (b) the purposes for which the entry and search are conducted have been achieved. *(Replaced 7 of 2025 s. 13)*
- (4) An authorized officer who seizes anything under this section shall, as soon as reasonably practicable, give a receipt for it, and he may permit any person who would be entitled to have possession of it, or be entitled to inspect it but for its seizure, to inspect it at any reasonable time and to photograph or make copies of it.
- (5) The Director of EP or the Director of EMS may authorize an authorized officer to exercise the power under subsection (1) without a warrant issued under subsection (2) if—

- (6) 在第 (5) 款中，環保署署長包括任何環境保護署副署長及環境保護署助理署長，而機電署署長則包括任何機電工程署副署長及機電工程署助理署長。(由 2025 年第 7 號第 13 條增補)
- (7) 在本條中 ——
- 指明證據** (specified evidence) 指屬或載有 (或相當可能屬或載有) 本條例所訂罪行的證據的任何物品。(由 2025 年第 7 號第 13 條增補)

12. 調查涉嫌罪行的附帶權力

(由 2025 年第 7 號第 14 條修訂)

根據第 11 條獲授予任何權力的特准人員可 —— (由 2025 年第 7 號第 14 條修訂)

- (a) 採用合理需要的武力，以進入該人員根據第 11 條獲授權進入的地方或處所；
- (b) 採用合理需要的武力，以驅逐或移去妨礙該人員行使有關權力的人或物品；
- (c) 在搜查該人員根據第 11 條獲授權搜查的處所或地方時，扣留在其內的人，直至搜查完畢為止；
- (d) 在有合理理由懷疑有人犯了本條例下的罪行時，對該人進行搜身及搜查屬於該人的財產或物品，但搜身須由與被搜身的人性別相同的特准人員進行，而

- (a) there are reasonable grounds to suspect that any specified evidence is in any premises (other than domestic premises); and
 - (b) the delay caused by obtaining a warrant is likely to result in the loss or destruction of the evidence or for any other reason it would not be reasonably practicable to obtain a warrant. (Added 7 of 2025 s. 13)
- (6) In subsection (5), the Director of EP includes any Deputy Director of Environmental Protection and Assistant Director of Environmental Protection, and the Director of EMS includes any Deputy Director of Electrical and Mechanical Services and Assistant Director of Electrical and Mechanical Services. (Added 7 of 2025 s. 13)
- (7) In this section—
- specified evidence** (指明證據) means anything that is or that contains, or that is likely to be, or to contain, evidence of an offence under this Ordinance. (Added 7 of 2025 s. 13)

12. Ancillary powers of investigation of suspected offence

An authorized officer conferred with any power under section 11 may— (Amended 7 of 2025 s. 14)

- (a) use such force as is reasonably necessary to enter any place or premises which the officer is empowered under section 11 to enter;
- (b) use such force as is reasonably necessary to remove a person or thing obstructing the officer in the exercise of the power;
- (c) detain a person found in any place or premises which the officer is empowered under section 11 to search until the search is completed;

被搜身的人如表示反對，則搜身不得在公眾地方進行；及

- (e) 在有合理根據去相信為執行其職責或有效執行本條例而有所需要時，要求在該人員根據第 11 條獲授權進入的任何地方或處所內發現的人提供其身分、姓名及地址的詳情，以及出示其身分的證明。（由 1993 年第 26 號第 4 條增補）

（由 1993 年第 26 號第 4 條修訂；由 2025 年第 7 號第 14 條修訂）

13. 禁止妨礙實施本條例的若干行為

（由 2025 年第 7 號第 15 條修訂）

- (1) 任何人 ——（由 2025 年第 7 號第 15 條修訂）
- (a) 在特准人員行使本條例或根據本條例賦予他的權力時，故意予以抗拒、妨礙或延滯；
 - (b) 無合理解釋而不遵從特准人員根據第 10、11 或 12 條作出的要求；
 - (c) 在遵從或充作遵從上述要求時，知道或相信紀錄或文件不正確或欠準確，仍出示該項在要項上不正確或欠準確的紀錄或文件；或
 - (d) 在根據本條例被要求提供關於任何事項的資料時，故意或罔顧真偽地提供在要項上不正確或欠準確的資料或掌握該資料而不提供，
- 即屬犯罪，可處第 6 級罰款及監禁 6 個月。

- (d) search the person and property and effects of a person whom the officer reasonably suspects of being guilty of an offence under this Ordinance, but a person is not to be searched except by an authorized officer of the same sex and is not to be searched in a public place if the person objects to being so searched; and
- (e) if there are reasonable grounds for believing that it is necessary for the purpose of performing the officer's duties or for effectively enforcing this Ordinance, require a person found in any place or premises which the officer is empowered under section 11 to enter to give details of the person's identity, name and address and produce evidence of the person's identity. *(Added 26 of 1993 s. 4)*

(Amended 26 of 1993 s. 3; 7 of 2025 s. 14)

13. Prohibition of certain acts that impede operation of Ordinance

(Amended 7 of 2025 s. 15)

- (1) A person who— *(Amended 7 of 2025 s. 15)*
- (a) wilfully resists, obstructs or delays any authorized officer in the exercise of any powers conferred on him by or under this Ordinance;
 - (b) fails without reasonable excuse to comply with any requirement made by an authorized officer under section 10, 11 or 12;
 - (c) in compliance or purported compliance with any such requirement produces a record or document which is incorrect or inaccurate in a material respect and which he knows to be incorrect or inaccurate or does not believe to be correct or accurate; or
 - (d) wilfully or recklessly gives information which is incorrect or inaccurate in a material respect or withholds

- (2) 就第 (1)(b) 款而言，在下述情況下，某人須視為已確立該人有合理解釋——
- (a) 有足夠證據帶出下述爭論點：該人有合理解釋；及
 - (b) 控方沒有提出足以排除合理疑點的證據，證明並非如此。(由 2025 年第 7 號第 15 條增補)
- (編輯修訂——2021 年第 3 號編輯修訂紀錄)

14. 沒收

- (1) 根據第 11(1)(b) 條扣押的物品，不論是否有人已就該物品被定罪，均可予以沒收。(由 2025 年第 7 號第 16 條修訂)
- (2) 凡特准人員根據第 11(1)(b) 條扣押物品，署長可於合理的儲存費用獲繳付後，隨時將該被扣押的物品發放予署長覺得是物主的人，或獲物主授權的代理人，並可為此以書面指明條件。(由 2025 年第 7 號第 16 條修訂)
- (2A) 根據第 11(1)(b) 條扣押的物品如沒有表面物主，署長須在自該物品被扣押之日起計的 7 天內，安排在環境保護署或機電工程署（視何者屬適當而定）內一處公眾可到達的地方，展示一份關於下列事項的通告——(由 2025 年第 7 號第 16 條修訂)
 - (a) 籲請物主在 30 天內呈交擁有權的聲請書；及
 - (b) 聲明署長擬於該期限屆滿時，在沒有任何人呈交擁有權的聲請書的情況下，申請沒收該物品。(由 1997 年第 6 號第 4 條增補)
- (3) 凡遭扣押的物品沒有根據第 (2) 款發放，署長可向法庭或裁判官申請沒收該物品；申請可在檢控本條例下的罪行

- information as to any of the matters in respect of which information is required to be given under this Ordinance, commits an offence and is liable to a fine at level 6 and to imprisonment for 6 months.
- (2) For the purposes of subsection (1)(b), a person is taken to have established that the person had a reasonable excuse if—
- (a) there is sufficient evidence to raise an issue that the person had a reasonable excuse; and
 - (b) the contrary is not proved by the prosecution beyond reasonable doubt. (Added 7 of 2025 s. 15)
- (Amended E.R. 3 of 2021)

14. Forfeiture

- (1) Anything seized under section 11(1)(b) is liable to forfeiture, whether or not any person has been convicted of an offence in respect of the thing. (Amended 7 of 2025 s. 16)
- (2) Where anything is seized under section 11(1)(b), the Director may at any time release the thing seized, on payment of reasonable storage charges, to the person who appears to the Director to be the owner of the thing seized or the owner's authorized agent, subject to any conditions that the Director may specify in writing. (Amended 7 of 2025 s. 16)
- (2A) Where anything seized under section 11(1)(b) is without an apparent owner, the Director must, within 7 days from the date of its seizure, cause a notice to be exhibited at the Environmental Protection Department or the Electrical and Mechanical Services Department (as may be appropriate) in a place to which the public have access— (Amended 7 of 2025 s. 16)
 - (a) calling upon the owner to submit a claim of ownership within 30 days; and

的訴訟中提出，亦可在其他與該物品有關的訴訟中提出。
(由 1998 年第 25 號第 2 條修訂)

- (4) 在聆訊第 (3) 款所述的申請 (第 (4A) 款所適用的個案除外) 時，如法庭或裁判官信納有人就該物品犯了罪行，可命令將該物品——
- (a) 沒收；或
 - (b) 於合理的貯存費用獲繳付後和在法庭或裁判官於命令中指明的條件下，送交物主或獲他授權的代理人。(由 1998 年第 25 號第 2 條修訂)
- (4A) 如在某個案中無人根據第 (2A)(a) 款呈交聲請書，則在該個案中，法庭或裁判官如在聆訊第 (3) 款所述的申請時信納署長已遵從第 (2A) 款的規定，可命令將該物品沒收歸政府所有。(由 1997 年第 6 號第 4 條增補。由 1998 年第 25 號第 2 條修訂)
- (5) 凡署長根據第 (3) 款申請沒收物品，而申請並非在檢控本條例下的罪行的訴訟中提出，署長須在合理地切實可行的範圍內，盡快以書面通知署長覺得是該被扣押的物品的物主的人或獲物主授權的代理人，但如該人或該獲物主授權的代理人曾以書面向署長表示無需通知，則屬例外。(由 2025 年第 7 號第 16 條修訂)
- (6) 如遭扣押的物品的表面物主超過一人，則為了第 (5) 款的目的，署長祇須通知一名表面物主或獲該表面物主授權的代理人，但如該表面物主或獲他授權的代理人曾表示無需通知，則屬例外。
- (7) 根據本條遭頒令沒收的物品如屬受管制物質，須按署長的決定予以毀滅或處置。
- (8) 署長須釐定根據第 (2) 款須繳付的貯存費用的款額，而該款額不得超逾遭扣押的物品的價值。(由 1997 年第 6 號第 4 條增補)
- (9) 在本條中，凡就根據第 11(1)(b) 條扣押的物品而提述署長，即提述——

- (b) declaring the Director's intention to apply for forfeiture of the thing at the expiration of the period if no claim of ownership is submitted. (Added 6 of 1997 s. 4)
- (3) Where anything has not been released under subsection (2), the Director may, in proceedings where an offence is prosecuted under this Ordinance or in separate proceedings relating to the thing seized, apply to a court or magistrate for the forfeiture of the thing.
- (4) Upon the hearing of an application under subsection (3), other than in a case to which subsection (4A) applies, if the court or magistrate is satisfied that an offence was committed in respect of the thing, the court or magistrate may order that the thing—
- (a) be forfeited; or
 - (b) be delivered to its owner or his authorized agent upon payment of reasonable storage charges and subject to any conditions that the court or magistrate may specify in the order.
- (4A) Upon the hearing of an application under subsection (3) in a case where no claim of ownership has been submitted under subsection (2A)(a), if the court or magistrate is satisfied that the Director has complied with the provisions of subsection (2A), the court or magistrate may order that the thing be forfeited to the Government. (Added 6 of 1997 s. 4)
- (5) Where under subsection (3) an application is made for forfeiture otherwise than in proceedings where an offence under this Ordinance is prosecuted, the Director must, as soon as reasonably practicable, notify in writing the person who appears to the Director to be the owner of the thing seized or the owner's authorized agent unless the person has indicated in writing to the Director that notification is not required. (Amended 7 of 2025 s. 16)

- (a) 如該物品是由環保署署長授權的特准人員扣押的——環保署署長；或
- (b) 如該物品是由機電署署長授權的特准人員扣押的——機電署署長。(由 2025 年第 7 號第 16 條增補)
(由 1997 年第 6 號第 4 條修訂)

14A. 要求發還根據第 14(4A) 條沒收的物品的聲請

- (1) 有意要求發還根據第 14(4A) 條沒收歸政府所有的物品的人士，可於該物品遭沒收後 6 星期內，將他擬根據本條就該物品向局長呈交呈請書的意向以書面通知署長。
- (2) 呈請書須向局長呈交，而呈交的方式為於自根據第 (1) 款發出通知書起計的 30 天內向署長提交一式三份的該呈請書。
- (3) 局長可在考慮該呈請書後——
 - (a) 於合理的貯存費用獲繳付後和在局長書面指明的任何條件下，命令發還遭沒收的物品；或

- (6) If there is more than one apparent owner of the thing seized, it is sufficient for the purposes of subsection (5) to give notice to one apparent owner or his authorized agent, unless that apparent owner or his authorized agent has indicated that notification is not required.
- (7) Anything ordered to be forfeited under this section that is a scheduled substance shall be destroyed or disposed of as determined by the Director.
- (8) The Director shall determine the amount of storage charges payable under subsection (2) which shall not exceed the value of the thing seized. *(Added 6 of 1997 s. 4)*
- (9) In this section, a reference to the Director in relation to a thing seized under section 11(1)(b) is a reference to—
 - (a) if the thing was seized by an authorized officer authorized by the Director of EP—the Director of EP; or
 - (b) if the thing was seized by an authorized officer authorized by the Director of EMS—the Director of EMS. *(Added 7 of 2025 s. 16)*

(Amended 6 of 1997 s. 4)

14A. Claims for the return of thing forfeited under section 14(4A)

- (1) A person wishing to claim the return of anything forfeited to the Government under section 14(4A) may, within 6 weeks after the thing has been forfeited, give notice in writing to the Director of his intention to submit to the Secretary a petition under this section in respect of the thing forfeited.
- (2) A petition shall be submitted to the Secretary by lodging it in triplicate with the Director within 30 days of giving notice under subsection (1).
- (3) The Secretary may after considering the petition—

- (b) 拒絕該項呈請。
- (4) 局長須釐定根據第 (3)(a) 款須繳付的貯存費用的款額，而該款額不得超逾遭沒收的物品的價值。
- (5) 局長根據第 (3) 款所作的決定，即為最終決定。
- (6) 在本條中，凡就根據第 14(4A) 條沒收的物品而提述署長，即提述——
- (a) 如該物品是由環保署署長授權的特准人員扣押的——環保署署長；或
- (b) 如該物品是由機電署署長授權的特准人員扣押的——機電署署長。(由 2025 年第 7 號第 17 條增補)
- (由 1997 年第 6 號第 5 條增補。由 1997 年第 362 號法律公告修訂；由 1999 年第 78 號第 7 條修訂)

15. 檢控

- (1) 對本條例下的罪行的檢控，可用環保署署長、機電署署長或海關關長的名義進行。
- (2) 針對本條例下的罪行的申訴或告發，須於環保署署長、機電署署長、海關關長或任何特准人員首次獲悉該申訴或告發所針對的事情後 6 個月內提出。
- (由 1997 年第 362 號法律公告修訂；由 2025 年第 7 號第 18 條修訂)

15A. 對公職人員的保障

- (a) upon payment of reasonable storage charges, order the return of the thing forfeited subject to any conditions that the Secretary may specify in writing; or
- (b) reject the petition.
- (4) The Secretary shall determine the amount of storage charges payable under subsection (3)(a) which shall not exceed the value of the thing forfeited.
- (5) The decision of the Secretary under subsection (3) is final.
- (6) In this section, a reference to the Director in relation to a thing forfeited under section 14(4A) is a reference to—
- (a) if the thing was seized by an authorized officer authorized by the Director of EP—the Director of EP; or
- (b) if the thing was seized by an authorized officer authorized by the Director of EMS—the Director of EMS. (Added 7 of 2025 s. 17)

(Added 6 of 1997 s. 5)

15. Prosecutions

- (1) Prosecutions for offences under this Ordinance may be brought in the name of the Director of EP, the Director of EMS or the Commissioner of Customs and Excise.
- (2) A complaint or information in respect of an offence under this Ordinance shall be made or laid within 6 months after the time the matter of the complaint or information first came to the knowledge of the Director of EP, the Director of EMS, the Commissioner of Customs and Excise or an authorized officer.

(Amended 7 of 2025 s. 18)

15A. Protection of public officers

- (1) 公職人員作出任何作為或有任何不作為時，如真誠相信該項作為或不作為，是執行或行使他在本條例下的任何職能，職責或權力所要求的或所授權的，則他無須為該作為或不作為承擔個人法律責任。
- (2) 根據第 (1) 款就任何作為或不作為而賦予公職人員的保障，在任何方面均不影響政府為該作為或不作為而在侵權法中須承擔的法律責任。

(由 1997 年第 6 號第 6 條增補)

16. 規例

- (1) 局長可在諮詢環境諮詢委員會後，為施行本條例而訂立一般規例，包括關於以下所有或任何事項的規例——(由 1997 年第 6 號第 7 條修訂；由 1997 年第 362 號法律公告修訂；由 1997 年第 631 號法律公告修訂；由 1999 年第 78 號第 7 條修訂)
 - (a) 管制或禁止輸入、輸出、生產、使用、供應、售賣、分銷、儲存、循環使用及處置——(由 2025 年第 7 號第 19 條修訂)
 - (i) 含有受管制物質的產品；或
 - (ii) 在設計上是以受管制物質操作的產品；(由 2025 年第 7 號第 19 條修訂)
 - (b) 管制或禁止輸入、輸出、生產、使用、售賣、分銷、儲存及處置在生產過程中使用受管制物質的產品；
 - (ba) 管制或禁止使用、售賣、分銷、處理、儲存、回收、循環使用、排放及處置受管制物質；(由 1993 年第 26 號第 5 條增補)
 - (c) 禁止在訂明的工序或工廠設備內使用受管制物質；

- (1) A public officer shall not be personally liable in respect of any act or omission of his if it was done or made by him in the honest belief that it was required or authorized in the exercise of any function, duty or power of his under this Ordinance.
- (2) The protection conferred on public officers by subsection (1) in respect of any act or omission shall not in any way affect any liability of the Government in tort for that act or omission.

(Added 6 of 1997 s. 6)

16. Regulations

- (1) The Secretary may, after consultation with the Advisory Council on the Environment, make regulations generally for the purposes of this Ordinance including regulations for all or any of the following matters—(Amended 6 of 1997 s. 7)
 - (a) the control or prohibition of the import, export, manufacture, use, supply, sale, distribution, storage, recycling and disposal of products—(Amended 7 of 2025 s. 19)
 - (i) containing a scheduled substance; or
 - (ii) designed to operate on a scheduled substance; (Amended 7 of 2025 s. 19)
 - (b) the control or prohibition of the import, export, manufacture, use, sale, distribution, storage and disposal of products made with a scheduled substance;
 - (ba) the control or prohibition of the use, sale, distribution, handling, storage, recovering, recycling, emission and disposal of a scheduled substance; (Added 26 of 1993 s. 5)

- (d) 為某一工序、工廠設備、含有受管制物質的產品或在生產過程中須使用受管制物質的產品，發出使用、回收、循環使用或處置受管制物質的工作守則；
- (e) 對製造或輸入使用某些受管制物質的產品，而不遵守關於使用、回收、循環使用或處置這些物質的工作守則的人，禁止他生產或輸入含有或在生產時使用受管制物質的產品；
- (f) 在以下設備或產品上加上標籤或標記（包括加上標籤或標記的方式）——
 - (i) 含有或使用受管制物質的任何設備；或
 - (ii) 含有受管制物質、在生產過程中使用受管制物質或在設計上是以受管制物質操作的任何產品；
(由 2025 年第 7 號第 19 條代替)
- (g) 禁止分銷未有按照上述規例加上標籤或標記的產品；
- (h) 授權環保署署長斷定某國家或某地方是否已完全遵從《蒙特利爾議定書》的規定；(由 2025 年第 7 號第 19 條代替)
- (i) 授權環保署署長以憲報公告宣布某受管制物質為受管制製冷劑；(由 1993 年第 26 號第 5 條增補。由 2025 年第 7 號第 19 條修訂)
- (j) 授權環保署署長批准何種設備可用於受管制物質的回收或循環使用，並以憲報公告示明其所批准的事宜；(由 1993 年第 26 號第 5 條增補。由 2025 年第 7 號第 19 條修訂)
- (k) 授權環保署署長對在設計上用於受管制物質的回收或循環使用的設備，以憲報公告指明其使用方式；
(由 1993 年第 26 號第 5 條增補。由 2025 年第 7 號第 19 條修訂)
- (l) 就下述事宜作出規定 ——

- (c) the prohibition of the use of a scheduled substance in any prescribed plant or process;
- (d) the issue of codes of practice relating to the use, recovery, recycling or disposal of scheduled substances for a particular process, plant or product containing or made with a scheduled substance;
- (e) the prohibition of the manufacture or import of products containing or made with a scheduled substance by a person who has not complied with a code of practice relating to the use, recovery, recycling or disposal of scheduled substances used in products manufactured or imported by that person;
- (f) the labelling or marking (including the manner of labelling or marking) of— (*Amended 7 of 2025 s. 19*)
 - (i) any equipment containing or using a scheduled substance; or
 - (ii) any product containing, made with or designed to operate on a scheduled substance; (*Amended 7 of 2025 s. 19*)
- (g) the prohibition of the distribution of products that are not labelled or marked in accordance with the regulations;
- (h) empowering the Director of EP to determine whether a country or place is in full compliance with the requirements of the Montreal Protocol; (*Replaced 7 of 2025 s. 19*)
- (i) empowering the Director of EP to declare by notice in the Gazette a scheduled substance to be a controlled refrigerant; (*Added 26 of 1993 s. 5. Amended 7 of 2025 s. 19*)

- (i) 為減少生產及消耗氫氟碳化物而被禁止或受管制(包括其生產、進口、供應及售賣的禁止及管制)的產品(**受規管氫氟碳化物產品**)的類型;
- (ii) 氫氟碳化物、含有氫氟碳化物的混合物(**相關混合物**)及存在於該混合物的其他物質的全球升溫潛能值;
- (iii) 受規管氫氟碳化物產品獲准許含有的氫氟碳化物或相關混合物的全球升溫潛能值的最高限值,或准許供該產品操作時使用的氫氟碳化物或相關混合物的全球升溫潛能值的最高限值,以及在該限值被超逾的情況下,禁止或管制該產品的事宜;及
- (iv) 該等禁止或管制生效的日期(可因不同類型的受規管氫氟碳化物產品而異);(*由 2025 年第 7 號第 19 條增補*)
- (m) 就斷定某製冷劑是否具危害性製冷劑的準則,作出規定;(*由 2025 年第 7 號第 19 條增補*)
- (n) 就擁有、管理或控制若干類型的設備(符合以下說明者)的人的責任及義務,作出規定——
 - (i) 安裝在住宅以外的處所內;
 - (ii) 在設計上用以將任何物品冷卻、冷凍或除濕,或用作熱泵;及
 - (iii) 含有或使用指明製冷劑運作;(*由 2025 年第 7 號第 19 條增補*)
- (o) 就 (n) 段所述類型的設備的註冊,以及關乎其註冊、取消註冊及設立及備存登記冊的任何事宜,作出規定;(*由 2025 年第 7 號第 19 條增補*)
- (p) 就擁有、管理或控制若干類型的設備(符合以下說明者)的人的責任及義務,作出規定——
 - (i) 安裝在住宅以外的處所內;

- (j) empowering the Director of EP to approve the type of equipment to be used for recovering or recycling a scheduled substance and to signify his or her approval by notice in the Gazette; (*Added 26 of 1993 s. 5. Amended 7 of 2025 s. 19*)
- (k) empowering the Director of EP to specify by notice in the Gazette the manner in which equipment designed for recovering or recycling a scheduled substance is to be used; (*Added 26 of 1993 s. 5. Amended 7 of 2025 s. 19*)
- (l) providing for—
 - (i) the types of products that are subject to prohibition and control (including prohibition and control in respect of their manufacture, import, supply and sale), in order to reduce the production and consumption of HFC (**regulated HFC product**);
 - (ii) the global warming potential value of an HFC, a mixture containing HFC and other substances that exist in the mixture;
 - (iii) a maximum limit on the global warming potential value of an HFC or a mixture containing HFC that a regulated HFC product is allowed to contain or operate on, and the prohibition and control that a regulated HFC product is subject to if the limit is exceeded; and
 - (iv) the dates by which the prohibition and control are to take effect (which may be different for different types of regulated HFC product); (*Added 7 of 2025 s. 19*)
- (m) providing for the criteria to determine whether a refrigerant is a hazardous refrigerant; (*Added 7 of 2025 s. 19*)

- (ii) 在設計上用以將任何物品冷卻、冷凍或除濕，或用作熱泵；及
- (iii) 含有或使用具危害性製冷劑運作；(由 2025 年第 7 號第 19 條增補)
- (q) 就擁有、管理或控制若干類型的設備(符合以下說明者)的人的責任及義務，作出規定——
 - (i) 安裝在住宅以外的處所內；
 - (ii) 在設計上用以滅火；及
 - (iii) 含有或使用指明滅火劑運作；(由 2025 年第 7 號第 19 條增補)
- (r) 就 (q) 段所述類型的設備的註冊，以及關乎其註冊、取消註冊及設立及備存登記冊的任何事宜，作出規定；(由 2025 年第 7 號第 19 條增補)
- (s) 規定任何人凡承辦以進行與 (n)、(p) 或 (q) 段所述的任何設備有關，並涉及指明製冷劑、具危害性製冷劑或指明滅火劑的工作，須按照根據本條訂立的規例註冊，並就該等人士的责任及義務，作出規定；(由 2025 年第 7 號第 19 條增補)
- (t) 就關乎 (s) 段所述的人的註冊、取消註冊及恢復註冊，以及設立及備存登記冊的任何事宜，作出規定；(由 2025 年第 7 號第 19 條增補)
- (u) 規定在 (s) 段所述的任何工作進行時，該段所述的人須確保有按照根據本條訂立的規例而獲核證的技術員(核證技術員)在場，並就核證技術員的責任及義務，以及關乎培訓及核證擬成為核證技術員的人的事宜，作出規定；(由 2025 年第 7 號第 19 條增補)
- (v) 成立製冷劑技術諮詢委員會，就關乎以下項目的事宜向機電署署長提出意見——
 - (i) 在 (n) 或 (p) 段所述類型的設備含有或使用製冷劑時，對該等製冷劑的使用、管理及處理；及

- (n) providing for the duties and obligations of persons who own, manage or control certain types of equipment—
 - (i) that are installed in premises other than domestic premises;
 - (ii) that are designed to cool, freeze or dehumidify anything or to function as a heat pump; and
 - (iii) that contain or use a specified refrigerant to perform their function; (Added 7 of 2025 s. 19)
- (o) providing for the registration of those types of equipment mentioned in paragraph (n) and any matter in relation to their registration, the cancellation of registration and the establishment and maintenance of a register; (Added 7 of 2025 s. 19)
- (p) providing for the duties and obligations of persons who own, manage or control certain types of equipment—
 - (i) that are installed in premises other than domestic premises;
 - (ii) that are designed to cool, freeze or dehumidify anything or to function as a heat pump; and
 - (iii) that contain or use a hazardous refrigerant to perform their function; (Added 7 of 2025 s. 19)
- (q) providing for the duties and obligations of persons who own, manage or control certain types of equipment—
 - (i) that are installed in premises other than domestic premises;
 - (ii) that are designed to extinguish fire; and
 - (iii) that contain or use a specified fire suppressant to perform their function; (Added 7 of 2025 s. 19)
- (r) providing for the registration of those types of equipment mentioned in paragraph (q) and any matter

- (ii) 對擬成為核證技術員的人的培訓；(由 2025 年第 7 號第 19 條增補)
 - (w) 授權機電署署長就以下事宜發出工作守則，以提供實務指引——
 - (i) 在 (n) 或 (p) 段所述類型的設備含有或使用製冷劑時，對該等製冷劑的使用、管理及處理；及
 - (ii) 為施行第 (i) 節而須進行的、關乎上述類型的設備的任何附帶工作；及 (由 2025 年第 7 號第 19 條增補)
 - (x) 授權環保署署長或機電署署長在一般情況下或個別個案中、有條件或無條件地，就任何根據本條訂立的規例而訂明的規定批予豁免。(由 2025 年第 7 號第 19 條增補)
 - (1A) (由 1997 年第 6 號第 7 條廢除)
 - (2) 根據本條訂立的規例，可規定對觸犯規例的人處以下列刑罰——
 - (a) 就每次觸犯規例，處以罰款不超過 \$1,000,000，及按觸犯規例的行為持續的日數，每日另處罰款不超過 \$10,000；及
 - (b) 監禁不超過 2 年。
 - (3) 除祇作為訂明費用的規例外，根據本條訂立的其他規例，均須獲立法會批准。(由 2000 年第 34 號第 3 條修訂)
 - (4) 根據第 (1)(w) 款發出的工作守則，不是附屬法例。(由 2025 年第 7 號第 19 條增補)
- (由 1993 年第 26 號第 5 條修訂)

- in relation to their registration, the cancellation of registration and the establishment and maintenance of a register; (Added 7 of 2025 s. 19)
- (s) requiring any persons who undertake to carry out any work that involves a specified refrigerant, a hazardous refrigerant or a specified fire suppressant in relation to any equipment mentioned in paragraph (n), (p) or (q) be registered in accordance with the regulations made under this section, and providing for the duties and obligations of those persons; (Added 7 of 2025 s. 19)
- (t) providing for any matter in relation to the registration, the cancellation and reinstatement of registration of those persons mentioned in paragraph (s) and the establishment and maintenance of a register; (Added 7 of 2025 s. 19)
- (u) requiring any persons mentioned in paragraph (s) to ensure that a technician certified in accordance with the regulations made under this section (**certified technician**) be present on site when any work mentioned in that paragraph is carried out, and providing for the duties and obligations of certified technicians, and matters relating to the training and certification of persons who wish to be certified technicians; (Added 7 of 2025 s. 19)
- (v) the establishment of a Refrigerant Technical Advisory Committee to advise the Director of EMS on matters relating to—
 - (i) the use, management and handling of refrigerants when the refrigerants are contained or used in those types of equipment mentioned in paragraph (n) or (p); and
 - (ii) the training of persons who wish to be certified technicians; (Added 7 of 2025 s. 19)

- (w) empowering the Director of EMS to issue codes of practice to provide practical guidance in respect of—
- (i) the use, management and handling of refrigerants when the refrigerants are contained or used in those types of equipment mentioned in paragraph (n) or (p); and
 - (ii) any ancillary work that is required to be carried out in relation to the above equipment for the purposes of subparagraph (i); and *(Added 7 of 2025 s. 19)*
- (x) empowering the Director of EP or the Director of EMS to grant exemptions from any requirement imposed under the regulations made under this section, either generally or in a particular case, and either conditionally or unconditionally. *(Added 7 of 2025 s. 19)*
- (1A) *(Repealed 6 of 1997 s. 7)*
- (2) Regulations made under this section may in respect of any contravention of the regulations provide for—
- (a) a fine not exceeding \$1,000,000 for each contravention and in addition a fine not exceeding \$10,000 for each day on which a contravention continues; and
 - (b) imprisonment not exceeding 2 years.
- (3) Regulations made under this section, other than regulations that only prescribe fees, are subject to the approval of the Legislative Council.
- (4) A code of practice issued under subsection (1)(w) is not subsidiary legislation. *(Added 7 of 2025 s. 19)*
- (Amended 26 of 1993 s. 5)*

17. 局長可修訂附表

局長可在諮詢環境諮詢委員會後，藉在憲報刊登的公告修訂附表。

17. Secretary may amend Schedule

The Secretary may, after consultation with the Advisory Council on the Environment, by notice published in the Gazette, amend the

(由 1997 年第 6 號第 8 條修訂；由 1997 年第 362 號法律公告修訂；由 1997 年第 631 號法律公告修訂；由 1999 年第 78 號第 7 條修訂)

17A. 給予或送達文件的日期

就本條例而言，在沒有相反證據的情況下，給予或送達的通知或其他文件，須視為在以下時間給予或送達——

- (a) 如藉郵遞寄往某地址——在該通知或其他文件經一般郵遞程序應可寄達該地址之時；或
- (b) 如藉電郵傳送往某電子地址——在該通知或其他文件經一般電子郵遞程序應可在該地址接獲之時。

(由 2025 年第 7 號第 21 條增補)

18. 本條例對政府適用

- (1) 在符合本條的規定下，本條例對政府具約束力。
- (2) 第 3、4、5(8)、6(6)、7(5) 及 13 條及根據第 16 條訂立的任何規例，並無准許任何人對政府採取法律程序或向政府施加任何刑事法律責任的效力。
- (3) 要求根據第 5 條註冊或根據第 6 條發出許可證的申請，如須由或可由政府或代表政府的人提出，該申請可由任何公職人員代表政府提出。
- (4) 政府無須繳付為施行本條例而訂明的任何費用。

Schedule.

(Amended 6 of 1997 s. 8; 7 of 2025 s. 20)

17A. Date of giving or service of documents

For the purposes of this Ordinance, a notice or other document given or served is taken, in the absence of evidence to the contrary, to have been given or served—

- (a) if sent by post to an address—at the time when it would in the ordinary course of post be delivered to that address; or
- (b) if sent by electronic mail to an electronic address—at the time when it would in the ordinary course of transmission by electronic mail be received at that address.

(Added 7 of 2025 s. 21)

18. Application of Ordinance to Government

- (1) Subject to this section, this Ordinance shall bind the Government.
- (2) Sections 3, 4, 5(8), 6(6), 7(5) and 13 and any regulations made under section 16 shall not have effect to permit proceedings to be taken against, or to impose any criminal liability on, the Government.
- (3) Any application for registration under section 5 or the issue of a licence under section 6 which is to be made or may be made by or on behalf of the Government may be made by any public officer on behalf of the Government.
- (4) No fee or charge prescribed for the purposes of this Ordinance shall be payable by the Government.

(由 1997 年第 6 號第 9 條增補)

(Added 6 of 1997 s. 9)

S-1
第 403 章

附表 —— 第 1 部

Schedule—Part 1

S-2
Cap. 403**附表**[第 2、3、4、5 及 17 條]
(由 2025 年第 7 號第 22 條修訂)**受管制物質**

(附表由 2009 年第 114 號法律公告代替)

除非另行述明，否則本附表所列的物質包括該物質的異構體。

第 1 部**氟氯化碳 (CFCs)**

化學名稱	化學程式
三氯氟甲烷	CFCl_3
二氯二氟甲烷	CF_2Cl_2
三氯三氟乙烷	$\text{C}_2\text{F}_3\text{Cl}_3$
二氯四氟乙烷	$\text{C}_2\text{F}_4\text{Cl}_2$
氯五氟乙烷	$\text{C}_2\text{F}_5\text{Cl}$

第 2 部**哈龍****Schedule**[ss. 2, 3, 4, 5 & 17]
(Amended 7 of 2025 s. 22)**Scheduled Substances**

(Schedule replaced L.N. 114 of 2009)

A substance listed in this Schedule includes, except as otherwise stated, the substance's isomers.

Part 1**Chlorofluorocarbons (CFCs)**

Chemical Name	Chemical Formula
Trichlorofluoromethane	CFCl_3
Dichlorodifluoromethane	CF_2Cl_2
Trichlorotrifluoroethane	$\text{C}_2\text{F}_3\text{Cl}_3$
Dichlorotetrafluoroethane	$\text{C}_2\text{F}_4\text{Cl}_2$
Chloropentafluoroethane	$\text{C}_2\text{F}_5\text{Cl}$

Part 2**Halons**

S-3

附表 —— 第 3 部

第 403 章

Schedule—Part 3

S-4

Cap. 403

化學名稱	化學程式	Chemical Name	Chemical Formula
溴氯二氟甲烷	CF_2BrCl	Bromochlorodifluoromethane	CF_2BrCl
溴三氟甲烷	CF_3Br	Bromotrifluoromethane	CF_3Br
二溴四氟乙烷	$\text{C}_2\text{F}_4\text{Br}_2$	Dibromotetrafluoroethane	$\text{C}_2\text{F}_4\text{Br}_2$

第 3 部

Part 3

其他全鹵代氟氯化碳

Other Fully Halogenated Chlorofluorocarbons

化學名稱	化學程式	Chemical Name	Chemical Formula
氯三氟甲烷	CF_3Cl	Chlorotrifluoromethane	CF_3Cl
五氯氟乙烷	C_2FCl_5	Pentachlorofluoroethane	C_2FCl_5
四氯二氟乙烷	$\text{C}_2\text{F}_2\text{Cl}_4$	Tetrachlorodifluoroethane	$\text{C}_2\text{F}_2\text{Cl}_4$
七氯氟丙烷	C_3FCl_7	Heptachlorofluoropropane	C_3FCl_7
六氯二氟丙烷	$\text{C}_3\text{F}_2\text{Cl}_6$	Hexachlorodifluoropropane	$\text{C}_3\text{F}_2\text{Cl}_6$
五氯三氟丙烷	$\text{C}_3\text{F}_3\text{Cl}_5$	Pentachlorotrifluoropropane	$\text{C}_3\text{F}_3\text{Cl}_5$
四氯四氟丙烷	$\text{C}_3\text{F}_4\text{Cl}_4$	Tetrachlorotetrafluoropropane	$\text{C}_3\text{F}_4\text{Cl}_4$
三氯五氟丙烷	$\text{C}_3\text{F}_5\text{Cl}_3$	Trichloropentafluoropropane	$\text{C}_3\text{F}_5\text{Cl}_3$
二氯六氟丙烷	$\text{C}_3\text{F}_6\text{Cl}_2$	Dichlorohexafluoropropane	$\text{C}_3\text{F}_6\text{Cl}_2$
氯七氟丙烷	$\text{C}_3\text{F}_7\text{Cl}$	Chloroheptafluoropropane	$\text{C}_3\text{F}_7\text{Cl}$

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第 403 章

附表 —— 第 4 部

Schedule—Part 4

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第 4 部

甲基氯仿

化學名稱	化學程式
1, 1, 1- 三氯乙烷 (1, 1, 2- 三氯乙烷除外)	$C_2H_3Cl_3$

第 5 部

四氯化碳

化學名稱	化學程式
四氯甲烷	CCl_4

第 6 部

甲基溴

Part 4

Methyl Chloroform

Chemical Name	Chemical Formula
1,1,1-Trichloroethane (except 1,1,2-Trichloroethane)	$C_2H_3Cl_3$

Part 5

Carbon Tetrachloride

Chemical Name	Chemical Formula
Tetrachloromethane	CCl_4

Part 6

Methyl Bromide

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附表 —— 第 7 部

第 403 章

Schedule—Part 7

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Cap. 403

化學名稱

化學程式

溴代甲烷

CH₃Br

Chemical Name

Chemical Formula

Bromomethane

CH₃Br

第 7 部

氟溴烴 (HBFCs)

化學名稱

化學程式

二溴氟甲烷

CHFBr₂

溴二氟甲烷

CHF₂Br

溴氟甲烷

CH₂FBr

四溴氟乙烷

C₂HFBBr₄

三溴二氟乙烷

C₂HF₂Br₃

二溴三氟乙烷

C₂HF₃Br₂

溴四氟乙烷

C₂HF₄Br

三溴氟乙烷

C₂H₂FBr₃

二溴二氟乙烷

C₂H₂F₂Br₂

溴三氟乙烷

C₂H₂F₃Br

二溴氟乙烷

C₂H₃FBr₂

溴二氟乙烷

C₂H₃F₂Br

溴氟乙烷

C₂H₄FBr

六溴氟丙烷

C₃HFBBr₆

五溴二氟丙烷

C₃HF₂Br₅

Part 7

Hydrobromofluorocarbons (HBFCs)

Chemical Name

Chemical Formula

Dibromofluoromethane

CHFBr₂

Bromodifluoromethane

CHF₂Br

Bromofluoromethane

CH₂FBr

Tetrabromofluoroethane

C₂HFBBr₄

Tribromodifluoroethane

C₂HF₂Br₃

Dibromotrifluoroethane

C₂HF₃Br₂

Bromotetrafluoroethane

C₂HF₄Br

Tribromofluoroethane

C₂H₂FBr₃

Dibromodifluoroethane

C₂H₂F₂Br₂

Bromotrifluoroethane

C₂H₂F₃Br

Dibromofluoroethane

C₂H₃FBr₂

Bromodifluoroethane

C₂H₃F₂Br

Bromofluoroethane

C₂H₄FBr

Hexabromofluoropropane

C₃HFBBr₆

Pentabromodifluoropropane

C₃HF₂Br₅

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附表 —— 第 8 部

第 403 章

Schedule—Part 8

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Cap. 403

化學名稱	化學程式
四溴三氟丙烷	$C_3HF_3Br_4$
三溴四氟丙烷	$C_3HF_4Br_3$
二溴五氟丙烷	$C_3HF_5Br_2$
溴六氟丙烷	C_3HF_6Br
五溴氟丙烷	$C_3H_2FBr_5$
四溴二氟丙烷	$C_3H_2F_2Br_4$
三溴三氟丙烷	$C_3H_2F_3Br_3$
二溴四氟丙烷	$C_3H_2F_4Br_2$
溴五氟丙烷	$C_3H_2F_5Br$
四溴氟丙烷	$C_3H_3FBr_4$
三溴二氟丙烷	$C_3H_3F_2Br_3$
二溴三氟丙烷	$C_3H_3F_3Br_2$
溴四氟丙烷	$C_3H_3F_4Br$
三溴氟丙烷	$C_3H_4FBr_3$
二溴二氟丙烷	$C_3H_4F_2Br_2$
溴三氟丙烷	$C_3H_4F_3Br$
二溴氟丙烷	$C_3H_5FBr_2$
溴二氟丙烷	$C_3H_5F_2Br$
溴氟丙烷	C_3H_6FBr

Chemical Name	Chemical Formula
Tetrabromotrifluoropropane	$C_3HF_3Br_4$
Tribromotetrafluoropropane	$C_3HF_4Br_3$
Dibromopentafluoropropane	$C_3HF_5Br_2$
Bromohexafluoropropane	C_3HF_6Br
Pentabromofluoropropane	$C_3H_2FBr_5$
Tetrabromodifluoropropane	$C_3H_2F_2Br_4$
Tribromotrifluoropropane	$C_3H_2F_3Br_3$
Dibromotetrafluoropropane	$C_3H_2F_4Br_2$
Bromopentafluoropropane	$C_3H_2F_5Br$
Tetrabromofluoropropane	$C_3H_3FBr_4$
Tribromodifluoropropane	$C_3H_3F_2Br_3$
Dibromotrifluoropropane	$C_3H_3F_3Br_2$
Bromotetrafluoropropane	$C_3H_3F_4Br$
Tribromofluoropropane	$C_3H_4FBr_3$
Dibromodifluoropropane	$C_3H_4F_2Br_2$
Bromotrifluoropropane	$C_3H_4F_3Br$
Dibromofluoropropane	$C_3H_5FBr_2$
Bromodifluoropropane	$C_3H_5F_2Br$
Bromofluoropropane	C_3H_6FBr

第 8 部

氟氯烴 (HCFCs)

Part 8

Hydrochlorofluorocarbons (HCFCs)

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第 403 章

附表 —— 第 8 部

Schedule—Part 8

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Cap. 403

化學名稱	化學程式	Chemical Name	Chemical Formula
二氯氟甲烷	CHFCl_2	Dichlorofluoromethane	CHFCl_2
氯二氟甲烷	CHF_2Cl	Chlorodifluoromethane	CHF_2Cl
氯氟甲烷	CH_2FCl	Chlorofluoromethane	CH_2FCl
四氯氟乙烷	C_2HFCl_4	Tetrachlorofluoroethane	C_2HFCl_4
三氯二氟乙烷	$\text{C}_2\text{HF}_2\text{Cl}_3$	Trichlorodifluoroethane	$\text{C}_2\text{HF}_2\text{Cl}_3$
二氯三氟乙烷	$\text{C}_2\text{HF}_3\text{Cl}_2$	Dichlorotrifluoroethane	$\text{C}_2\text{HF}_3\text{Cl}_2$
氯四氟乙烷	$\text{C}_2\text{HF}_4\text{Cl}$	Chlorotetrafluoroethane	$\text{C}_2\text{HF}_4\text{Cl}$
三氯氟乙烷	$\text{C}_2\text{H}_2\text{FCl}_3$	Trichlorofluoroethane	$\text{C}_2\text{H}_2\text{FCl}_3$
二氯二氟乙烷	$\text{C}_2\text{H}_2\text{F}_2\text{Cl}_2$	Dichlorodifluoroethane	$\text{C}_2\text{H}_2\text{F}_2\text{Cl}_2$
氯三氟乙烷	$\text{C}_2\text{H}_2\text{F}_3\text{Cl}$	Chlorotrifluoroethane	$\text{C}_2\text{H}_2\text{F}_3\text{Cl}$
二氯氟乙烷	$\text{C}_2\text{H}_3\text{FCl}_2$	Dichlorofluoroethane	$\text{C}_2\text{H}_3\text{FCl}_2$
氯二氟乙烷	$\text{C}_2\text{H}_3\text{F}_2\text{Cl}$	Chlorodifluoroethane	$\text{C}_2\text{H}_3\text{F}_2\text{Cl}$
氯氟乙烷	$\text{C}_2\text{H}_4\text{FCl}$	Chlorofluoroethane	$\text{C}_2\text{H}_4\text{FCl}$
六氯氟丙烷	C_3HFCl_6	Hexachlorofluoropropane	C_3HFCl_6
五氯二氟丙烷	$\text{C}_3\text{HF}_2\text{Cl}_5$	Pentachlorodifluoropropane	$\text{C}_3\text{HF}_2\text{Cl}_5$
四氯三氟丙烷	$\text{C}_3\text{HF}_3\text{Cl}_4$	Tetrachlorotrifluoropropane	$\text{C}_3\text{HF}_3\text{Cl}_4$
三氯四氟丙烷	$\text{C}_3\text{HF}_4\text{Cl}_3$	Trichlorotetrafluoropropane	$\text{C}_3\text{HF}_4\text{Cl}_3$
二氯五氟丙烷	$\text{C}_3\text{HF}_5\text{Cl}_2$	Dichloropentafluoropropane	$\text{C}_3\text{HF}_5\text{Cl}_2$
氯六氟丙烷	$\text{C}_3\text{HF}_6\text{Cl}$	Chlorohexafluoropropane	$\text{C}_3\text{HF}_6\text{Cl}$
五氯氟丙烷	$\text{C}_3\text{H}_2\text{FCl}_5$	Pentachlorofluoropropane	$\text{C}_3\text{H}_2\text{FCl}_5$
四氯二氟丙烷	$\text{C}_3\text{H}_2\text{F}_2\text{Cl}_4$	Tetrachlorodifluoropropane	$\text{C}_3\text{H}_2\text{F}_2\text{Cl}_4$
三氯三氟丙烷	$\text{C}_3\text{H}_2\text{F}_3\text{Cl}_3$	Trichlorotrifluoropropane	$\text{C}_3\text{H}_2\text{F}_3\text{Cl}_3$
二氯四氟丙烷	$\text{C}_3\text{H}_2\text{F}_4\text{Cl}_2$	Dichlorotetrafluoropropane	$\text{C}_3\text{H}_2\text{F}_4\text{Cl}_2$

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附表 —— 第 9 部

第 403 章

Schedule—Part 9

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化學名稱	化學程式
氯五氟丙烷	$C_3H_2F_5Cl$
四氯氟丙烷	$C_3H_3FCl_4$
三氯二氟丙烷	$C_3H_3F_2Cl_3$
二氯三氟丙烷	$C_3H_3F_3Cl_2$
氯四氟丙烷	$C_3H_3F_4Cl$
三氯氟丙烷	$C_3H_4FCl_3$
二氯二氟丙烷	$C_3H_4F_2Cl_2$
氯三氟丙烷	$C_3H_4F_3Cl$
二氯氟丙烷	$C_3H_5FCl_2$
氯二氟丙烷	$C_3H_5F_2Cl$
氯氟丙烷	C_3H_6FCl

Chemical Name	Chemical Formula
Chloropentafluoropropane	$C_3H_2F_5Cl$
Tetrachlorofluoropropane	$C_3H_3FCl_4$
Trichlorodifluoropropane	$C_3H_3F_2Cl_3$
Dichlorotrifluoropropane	$C_3H_3F_3Cl_2$
Chlorotetrafluoropropane	$C_3H_3F_4Cl$
Trichlorofluoropropane	$C_3H_4FCl_3$
Dichlorodifluoropropane	$C_3H_4F_2Cl_2$
Chlorotrifluoropropane	$C_3H_4F_3Cl$
Dichlorofluoropropane	$C_3H_5FCl_2$
Chlorodifluoropropane	$C_3H_5F_2Cl$
Chlorofluoropropane	C_3H_6FCl

第 9 部

溴氯甲烷 (BCM)

化學名稱	化學程式
溴氯甲烷	CH_2BrCl

Part 9

Bromochloromethane (BCM)

Chemical Name	Chemical Formula
Bromochloromethane	CH_2BrCl

第 10 部

Part 10

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第 403 章

附表 —— 第 10 部

Schedule—Part 10

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Cap. 403

氫氟碳化物 (HFCs)

(第 10 部由 2025 年第 7 號第 22 條增補)

第 1 欄	第 2 欄	第 3 欄
項	化學名稱	化學程式
1.	1,1,2,2- 四氟乙烷	CHF_2CHF_2
2.	1,1,1,2- 四氟乙烷	CH_2FCF_3
3.	1,1,2- 三氟乙烷	CH_2FCHF_2
4.	1,1,1,3,3- 五氟丙烷	$\text{CHF}_2\text{CH}_2\text{CF}_3$
5.	1,1,1,3,3- 五氟丁烷	$\text{CF}_3\text{CH}_2\text{CF}_2\text{CH}_3$
6.	1,1,1,2,3,3,3- 七氟丙烷	$\text{CF}_3\text{CHFCHF}_3$
7.	1,1,1,2,2,3- 六氟丙烷	$\text{CH}_2\text{FCF}_2\text{CF}_3$
8.	1,1,1,2,3,3- 六氟丙烷	$\text{CHF}_2\text{CHFCHF}_3$
9.	1,1,1,3,3,3- 六氟丙烷	$\text{CF}_3\text{CH}_2\text{CF}_3$
10.	1,1,2,2,3- 五氟丙烷	$\text{CH}_2\text{FCF}_2\text{CHF}_2$
11.	1,1,1,2,2,3,4,5,5,5- 十氟戊烷	$\text{CF}_3\text{CHFCHFCF}_2\text{CF}_3$
12.	二氟甲烷	CH_2F_2
13.	五氟乙烷	CHF_2CF_3
14.	1,1,1- 三氟乙烷	CH_3CF_3
15.	一氟甲烷	CH_3F
16.	1,2- 二氟乙烷	$\text{CH}_2\text{FCH}_2\text{F}$
17.	1,1- 二氟乙烷	CH_3CHF_2
18.	三氟甲烷	CHF_3

Hydrofluorocarbons (HFCs)

(Part 10 added 7 of 2025 s. 22)

Column 1	Column 2	Column 3
Item	Chemical Name	Chemical Formula
1.	1,1,2,2-Tetrafluoroethane	CHF_2CHF_2
2.	1,1,1,2-Tetrafluoroethane	CH_2FCF_3
3.	1,1,2-Trifluoroethane	CH_2FCHF_2
4.	1,1,1,3,3-Pentafluoropropane	$\text{CHF}_2\text{CH}_2\text{CF}_3$
5.	1,1,1,3,3-Pentafluorobutane	$\text{CF}_3\text{CH}_2\text{CF}_2\text{CH}_3$
6.	1,1,1,2,3,3,3-Heptafluoropropane	$\text{CF}_3\text{CHFCHF}_3$
7.	1,1,1,2,2,3-Hexafluoropropane	$\text{CH}_2\text{FCF}_2\text{CF}_3$
8.	1,1,1,2,3,3-Hexafluoropropane	$\text{CHF}_2\text{CHFCHF}_3$
9.	1,1,1,3,3,3-Hexafluoropropane	$\text{CF}_3\text{CH}_2\text{CF}_3$
10.	1,1,2,2,3-pentafluoropropane	$\text{CH}_2\text{FCF}_2\text{CHF}_2$
11.	1,1,1,2,2,3,4,5,5,5-decafluoropentane	$\text{CF}_3\text{CHFCHFCF}_2\text{CF}_3$
12.	Difluoromethane	CH_2F_2
13.	Pentafluoroethane	CHF_2CF_3
14.	1,1,1-Trifluoroethane	CH_3CF_3
15.	Fluoromethane	CH_3F
16.	1,2-Difluoroethane	$\text{CH}_2\text{FCH}_2\text{F}$
17.	1,1-Difluoroethane	CH_3CHF_2
18.	Trifluoromethane	CHF_3