

Register of Environmental Legal and Other Requirements



Approved by: Kenneth Cheung , Senior Manager - SHE

Prepared Date: Mar 2020

Next Review Date: Mar 2021

Prepared by: CS Chow, Manager - SHE
(Name & Position)

(* Sources: Statutory Clause, Legal Requirement, International Requirement / Standards, Client Requirements, etc)

| No. | Title | Descriptions | Applicable to | | Area of Applicability | Licenses / Compliance Records Required | Remarks |
|-------------|---------------------------------|--|-----------------|-----------------------|--|--|--|
| | | | HKSTP (General) | Contractor / Supplier | | | |
| Air Quality | | | | | | | |
| 311 | Air Pollution Control Ordinance | The Ordinance provides for the control of air pollution from all premises from which air pollutants are emitted from any chimney, engine, furnace, oven or industrial plant. Levels of pollutants are regulated according to Air Quality objectives. Also provides for the control of air pollutants when in the opinion of the Authority the pollutant constitutes a nuisance. Control is achieved by issuing an Abatement Notice. | X | X | Use of diesel fuel, dust and odour emitting activities, smoke emissions from emergency generator | SHE Inspection record | https://www.elegislation.gov.hk/hk/cap311 No significant air emission from office operations. |

Reference to

1. Bilingual Laws Information System: <http://www.legislation.gov.hk/eng/home.htm>
2. Environmental Protection Department: <http://www.epd.gov.hk/>
3. Agriculture, Fisheries and Conservation Department: <http://www.afcd.gov.hk/>

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| 311I | Air Pollution Control (Fuel Restriction) Regulations | <p>The purpose of the regulation is to restrict the sulphur content of both liquid and solid fuels used by industry in order to minimise SO₂ emissions to atmosphere.</p> <p>These regulations prohibit the use of fuel with high sulphur content by industry throughout the SAR. Liquid fuels with a sulphur content of more than 0.005% by weight and with a viscosity of more than 6 centistokes at 40 degrees Celsius, or of solid fuels with a sulphur content of more than 1% by weight are prohibited from use.</p> | X | X | Use of diesel for emergency generator | Emergency generator maintenance records and its license | https://www.elegislation.gov.hk/hk/cap311I |
| 311C | Air Pollution Control (Smoke) Regulations | <p>These regulations control smoke emissions from stationary combustion sources including chimney, ovens, and furnaces.</p> <p>The regulation stipulate that dark smoke emission (i.e. smoke which is as dark or darker than No.1 on the Ringlemann Chart) from any relevant plant must not exceed :-</p> <ul style="list-style-type: none"> • 6 minutes in a period of 4 hours; or • 3 minutes continuously at any one time. | X | X | Smoke emission from the operation of emergency generator | Emergency generator maintenance records and its license | https://www.elegislation.gov.hk/hk/cap311C |

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| 311A | Air Pollution Control (Furnaces, Ovens and Chimneys) (Installation and Alteration) Regulations | Prevents air pollution caused by the installation of unsuitably designed furnaces, ovens and chimneys or alternations to such plants. Prior approval from the Authority should be obtained before installation or alteration of such system (exemption: consumes not more than 25 litres of liquid fuel per hour). | X | X | Use of emergency generator | Emergency generator maintenance records and its license | https://www.elegislation.gov.hk/hk/cap311A |
| 311J | Air Pollution Control (Vehicle Design Standards) (Emission) (Amendment) Regulations 2012 | These regulations specify emission standards for vehicle engines. | X | X | Use of vehicles | -- | https://www.elegislation.gov.hk/hk/cap311J |
| 311L | Air Pollution Control (Motor Vehicle Fuel) Regulations | This regulation stipulates the requirements relating to the contents of motor vehicle to pour, place and discharge or add any fuel additive containing any amount of lead into the fuel tank. | X | X | Use of vehicles | -- | https://www.elegislation.gov.hk/hk/cap311L Use of Legal Fuel |
| 311R | Air Pollution Control (Construction Dust) Regulation | This regulation specifies the mitigation measures for specific type of construction works including road construction and building construction. | | X | Conducting general construction works | -- | https://www.elegislation.gov.hk/hk/cap311R |

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| 311W | Air Pollution Control (Volatile Organic Compounds) Regulation | This regulation prohibits the manufacture and importation of certain products (i.e. regulated paints, regulated printing inks and regulated consumer products) if the volatile organic compound content of the product exceeds the maximum limit that is prescribed by the Regulation for that product. | X | X | Use of paints | Purchasing records and its specification | https://www.elegislation.gov.hk/hk/cap311W |
| 311Z | Air Pollution Control (Non-road Mobile Machinery) (Emission) Regulation | Under the Regulation, Non-road Mobile Machinery (NRMMs), except those exempted, are required to comply with the prescribed emission standards. All regulated machines sold or leased for use in Hong Kong must be approved or exempted with a proper label in prescribed format issued by EPD | X | X | Use of regulated Non-road Mobile Machinery | NRMM label | https://www.elegislation.gov.hk/hk/cap311Z |
| 403 | Ozone Layer Protection Ordinance | Gives effect to Hong Kong's international obligations under the 1985 Vienna Convention and the 1987 Montreal Protocol. Requirements relate to restricting the import, export and manufacture of ozone depleting substances. A phase out programme for ozone depleting ('scheduled') substances is stipulated. | X | X | Use of refrigerant (R22) for air conditioners | Maintenance Records | https://www.elegislation.gov.hk/hk/cap403 |
| 374 | Road Traffic Ordinance | The Ordinance regulates road traffic, vehicles and users of road and related matters. It includes provisions to limit pollution from vehicles through maintenance requirements. | X | X | Use of vehicles | Vehicles Maintenance Records | https://www.elegislation.gov.hk/hk/cap374 |

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| 374A | Road Traffic (Construction and Maintenance of Vehicles) Regulations | These regulations specify smoke levels for vehicles, of 60* hartridge units. | X | X | Use of vehicles | Vehicles Maintenance Records | https://www.elegislation.gov.hk/hk/cap374A |
| 611 | Motor Vehicle Idling (Fixed Penalty) Ordinance | The ordinance prohibits idling of motor vehicle engines. | X | X | Use of vehicles | -- | https://www.elegislation.gov.hk/hk/cap374A |
| Noise Emissions | | | | | | | |
| 400 | Noise Control Ordinance | Provision of statutory controls to restrict and reduce the nuisance caused by environmental noise. The Ordinance deals with noise from industrial premises construction sites as well as from intruder alarm system. | X | X | Noise from industrial and commercial premises as well as construction activities. | SHE Inspection record | https://www.elegislation.gov.hk/hk/cap400 |
| 400A | Noise Control (General) Regulations | This regulation stipulates the forms required for application of a CNP, and provides examples of the CNP once issued and also of a Noise Abatement Notice. | X | X | Noise from industrial and commercial premises as well as construction activities. | -- | https://www.elegislation.gov.hk/hk/cap400A |
| 400C | Noise Control (Air Compressors) Regulations | Every air compressor shall be fitted with a noise emission label issued in respect of that air compressor | X | X | Use of air compressor | Noise emission label | https://www.elegislation.gov.hk/hk/cap400C |
| 400I | Noise Control (Motor Vehicles) Regulation | Requires all motor vehicles first registered in Hong Kong to meet with stringent noise emission standards. | X | X | Use of vehicles | -- | https://www.elegislation.gov.hk/hk/cap400I |

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| 374A | Road Traffic Ordinance Road Traffic (Construction and Maintenance of Vehicles) Regulation | The regulations prohibit the use of motor vehicles without silencers or with a modified or defective silencer. | X | X | Use of vehicles | -- | https://www.elegislation.gov.hk/hk/cap374A |
| Waste Management | | | | | | | |
| 354 | Waste Disposal Ordinance | The Ordinance prohibits the unauthorised disposal of waste and provides for the licensing of collection services and disposal facilities for all types of waste. | X | X | Production of general solid waste disposal to landfill and production of Chemical Waste | SHE Inspection record | https://www.elegislation.gov.hk/hk/cap354 |

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| 354C | Waste Disposal (Chemical Waste) (General) Regulations | <p>This regulation requires chemical waste producers to be registered with EPD and specifies requirements for control on all aspects of chemical waste disposal including storage, collection, transport, treatment and final disposal. It is an offence to indiscriminately discharge chemical waste into sewers.</p> <p>Each registered chemical waste producer has the obligation to inform EPD of any change in the particulars of the registration as soon as practicable.</p> <p>The Regulations require waste producers to arrange for proper disposal of their wastes at licensed facilities and to engage a licensed collector to remove and transport the waste. It also requires that all chemical waste must be properly stored, packaged and labelled.</p> <p>Part IV Storage of Chemical Waste, requires that waste packed/stored in a containers exceeding 450 litres requires approval from the Director of Environmental Protection.</p> | X | X | Generation storage and disposal of chemical waste | Chemical waste producer license Trip Tickets record | https://www.elegislation.gov.hk/hk/cap354C |

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| 354J | The Waste Disposal (Charges for Disposal of Chemical Waste) Regulations | This applies to the disposal of chemical waste at the Chemical Waste Treatment Centre (CWTC). Charges vary according to the type and quantity of waste treated as specified in the Regulations. | X | X | Disposal of chemical waste to CWTC | Trip Tickets record | https://www.elegislation.gov.hk/hk/cap354J!en |
| 354N | Waste Disposal (Charges for Disposal of Construction Waste) Regulations | This regulation sets charges for the disposal of construction waste at landfills, sorting facilities and public fill reception facilities. | X | X | Disposal of construction wastes | -- | https://www.elegislation.gov.hk/hk/cap354N!en |
| 354O | Waste Disposal (Clinical Waste)(General) Regulation | This provides legislative control on the handling, collection, treatment and disposal of clinical waste. | X | X | Storage and disposal of clinical wastes | Obtain a “Premise Code” and keep all waste consignment and delivery records | https://www.elegislation.gov.hk/hk/cap354O |
| 354P | Waste Disposal (Charge for Disposal of Clinical Waste) Regulation | This regulation sets charges for the disposal of clinical waste at relevant facilities. | X | X | Disposal of clinical wastes | all waste consignment and delivery records | https://www.elegislation.gov.hk/hk/cap354P |
| 603B | Product Eco-responsibility (Regulated Electrical Equipment) Regulation | This provides legislative control on import, export and disposal of regulated electrical equipment. | X | X | Disposal of waste electrical and electronic equipment | | https://www.elegislation.gov.hk/hk/cap603B |
| Wastewater Discharge | | | | | | | |

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| 358 | Water Pollution Control Ordinance | The Ordinance provides for the declaration of Water Control Zone (WCZs), and requires that effluent discharge into waters or into foul sewer in a WCZ must be licensed. | X | X | Activities giving rise to wastewater | SHE Inspection record | https://www.elegislation.gov.hk/hk/cap358 No industrial sewage and chemical were discharged into building drainage system. |
| | Technical Memorandum Standards for Effluents Discharged into Drainage and Sewerage Systems, Inland and Coastal Waters | Sets the limits that make effluents acceptable into foul sewers, storm water drains, inland and coastal waters. The limits control the physical, chemical, and microbial quality of effluents. | X | X | Relevant to all activities resulting in wastewater discharges | -- | https://www.elegislation.gov.hk/hk/cap358AK!en |
| 358D | Water Pollution Control (General) Regulations | Stipulates the requirements relating to the application and granting of Effluent Discharge Licences. | X | X | | SHE Inspection record | https://www.elegislation.gov.hk/hk/cap358D |
| 463 | Sewage Services Ordinance | This Ordinance provides for the imposition of sewage charges (SCs) and trade effluent surcharges (TESSs) and other related matters. | X | X | Use of potable water and discharge of wastewater | -- | https://www.elegislation.gov.hk/hk/cap463 |
| 463A | Sewage Services (Sewage Charge) Regulations | The Regulations specifies the charging scheme for sewage charges (SC). | X | X | Use of potable water and discharge of wastewater | -- | https://www.elegislation.gov.hk/hk/cap463A |

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| Dangerous Goods/Materials Storage | | | | | | | |
| 295 | Dangerous Goods Ordinance (DGO) | The DGO and its subsidiary regulations provide for the control of the manufacture, use, labelling, storage and transport of dangerous goods. Under the DGO, no person shall manufacture, store, convey or use any dangerous goods without a valid licence issued by the respective authority. The Ordinance applies to all explosives, compressed gases, petroleum, and other substances giving off inflammable vapours, corrosive substances, substances which become dangerous by interaction with water or air, substances liable to spontaneous combustion or of a readily combustible nature. | X | X | Use and storage of DGs including : diesel, paint and turpentine (Cat 5), refrigerant, R22 (Cat 2) | DG License SHE Inspection record | https://www.elegislation.gov.hk/hk/cap295 |
| 295A | Dangerous Goods (Application & Exemption) Regulations | This regulation details 10 categories of substances and articles to which the Dangerous Goods Ordinance applies, and which are therefore classed as Dangerous Goods. | X | X | Use and storage of DGs including : diesel, paint and turpentine (Cat 5) , refrigerant, R22 (Cat 2) | -- | https://www.elegislation.gov.hk/hk/cap295A |
| 295B | Dangerous Goods (General) Regulation | This regulation details specific requirements relating to the use, storage conveyance, manufacture etc. of dangerous goods according to the categories identified in the Dangerous Goods (Application & Exemption) Regulations. | X | X | Use and storage of DGs including : diesel, paint and turpentine (Cat 5), refrigerant, R22 (Cat 2) | SHE Inspection record | https://www.elegislation.gov.hk/hk/cap295B |

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| 295E | Dangerous Goods (Application and Exemption) Regulation 2012 | The dangerous goods under control on land will expand from about 1,100 to about 2,300 types and largely adopt the classification system of the International Maritime Dangerous Goods Code. | X | X | This Regulation has not yet come into operation. The regulations were introduced into the LegCo on May 2, 2012. They will come into operation on a day to be appointed by the Secretary for Security by notice in the Gazette. | -- | https://www.elegislation.gov.hk/hk/cap295E |
| Miscellaneous | | | | | | | |
| 132 | Public Health and Municipal Services Ordinance | The Ordinance makes provision for urban services and public health. This includes control of nuisance caused by emissions of dust and fumes, control of the discharge of hazardous materials to sewers. The Ordinance places restriction on the storage of wastes in building and to prevent mosquito breeding. | X | X | Applicable to potential nuisance claims resulting from TWGHs' activities | SHE Inspection Records | https://www.elegislation.gov.hk/hk/cap132 |
| 133 | Pesticides Ordinance | This Ordinance provides for the registration and control of pesticides used in Hong Kong. | X | X | Applies to the use, storage and conveyance of pesticides | -- | https://www.elegislation.gov.hk/hk/cap133 |

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| 133A | Pesticides Regulations | The Regulation requires all persons/companies involved in the import, manufacture and sale or supply of pesticides to apply for a licence. In addition it details specific requirements relating to the use, storage and conveyance of the pesticides. | X | X | Applies to the use, storage and conveyance of pesticides | -- | https://www.elegislation.gov.hk/hk/cap133A |
| 207 | Plant (Importation and Pest Control) Ordinance | The ordinance requires all persons/companies involved in the import of scheduled plants to apply for a Plant Import Licence and import of soil is prohibited. Soil and plants produced in and imported from China are exempted from control of the Ordinance. | X | X | Use of plants and soil available and imported from China | -- | https://www.elegislation.gov.hk/hk/cap207 |
| 95 | Fire Services Ordinance | The Ordinance and Regulations require all fire service installation or equipment (except portable equipment) shall be installed by a registered contractor. The owner of the fire service installation or equipment shall keep such installation or equipment in efficient working order at all time and shall have such installation or equipment inspected by a registered contractor at least once in every 12 months. | X | X | Use and maintenance of firefighting equipment | Annual maintenance records and license SHE Inspection record | https://www.elegislation.gov.hk/hk/cap95 |

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| 95B | Fire Service and Equipment Regulations | The Ordinance and Regulations require all fire service installation or equipment (except portable equipment) shall be installed by a registered contractor. The owner of the fire service installation or equipment shall keep such installation or equipment in efficient working order at all time and shall have such installation or equipment inspected by a registered contractor at least once in every 12 months. | X | X | Use and maintenance of firefighting equipment | Annual maintenance records and license SHE Inspection record | https://www.elegislation.gov.hk/hk/cap95B |
| 502 | FIRE SAFETY (COMMERCIAL PREMISES) ORDINANCE | To provide better protection from the risk of fire for occupants and users of, and visitors to, certain kinds of commercial premises and commercial buildings. Provision of fire service installations and equipments such as: <ul style="list-style-type: none"> - an automatic sprinkler system - emergency lighting within the common areas - manual fire alarms - adequate means of escape from the premises in the event of fire | X | X | Provision of fire safety measures | Annual maintenance records and license SHE Inspection record | https://www.elegislation.gov.hk/hk/cap502 |
| 371 | SMOKING (PUBLIC HEALTH) ORDINANCE | The Ordinance requires that no person shall smoke or carry a lighted cigarette, cigar or pipe in a no smoking area such as office, shopping mall and restaurant. | X | X | Smoking in office and building | SHE Inspection record | https://www.elegislation.gov.hk/hk/cap371 |

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| 610 | BUILDINGS ENERGY EFFICIENCY ORDINANCE | The Ordinance requires building owners of those prescribed buildings / specified types of buildings to carry out energy audit when it comes into full operation on 21 September 2012 and thereafter every 10 years | X | X | Central building services installations | -- | https://www.elegislation.gov.hk/hk/cap610 |
| 303 | Radiation Ordinance | The Ordinance controls the import, export, possession and use of radioactive substances and irradiating apparatus and disposal of radioactive substances. The Radiation Board of the Department of health is the authority to enforce the Ordinance and its subsidiary regulations. | X | | Use, storage and transport of radioactive substances and irradiating apparatus | -- | https://www.elegislation.gov.hk/hk/cap303 |
| 303B | Radiation (Control of Irradiating Apparatus) Regulations | The regulation specifies requirements on the application for licence of use of irradiating apparatus. | X | | Use of irradiating apparatus | Irradiating Apparatus License | https://www.elegislation.gov.hk/hk/cap303B |
| 51 | Gas Safety Ordinance | This Ordinance governs the design, construction, installation, use, inspection and maintenance of a Notifiable Gas Installation (NGI). Any person who constructs or uses a NGI shall obtain approval prior to its construction and use from the Gas Authority. A LPG installation shall be inspected by competent persons who are approved by the Gas Authority once every year. | X | X | Use of towngas | -- | https://www.elegislation.gov.hk/hk/cap51 |
| Other Requirements | | | | | | | |
| | A Concise Guide to the Ozone Layer Protection Ordinance | Provides Guidance on Hong Kong's Phase Out Programme for Ozone Depleting 'Scheduled' Substances. | X | X | Use and release of ozone depleting chemicals (e.g. R22) | -- | http://www.epd.gov.hk/epd/sites/default/files/epd/english/environmentinhk/air/ozone_layer_protection/files/cgto_olpo_eng_R1.pdf |

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| | Code of Practice on the Packaging, Labeling and Storage of Chemical Wastes | Provides practices for compliance with the Waste Disposal (Chemical Waste) (General) Regulations. | X | X | Production, storage and disposal of chemical waste | -- | https://www.epd.gov.hk/epd/english/environment_inhk/waste/guide_ref/gui_de_cwc_sub3.html |
| | Safe and proper use of pesticides | Provides guidance on how to properly handle pesticides. | X | X | Use of pesticides | -- | https://www.afcd.gov.hk/english/quarantine/qua_pesticide/qua_pes_safe/qua_pes_safe.html |
| | EPD Practice Notes for Professional Persons | Practice Notes developed by the Professional Persons Environmental Consultative Committee (ProPECC) covering guidance for a range of environmental issues. | X | X | -- | -- | https://www.epd.gov.hk/epd/sites/default/files/epd/english/resources_publications/files/pn93_2.pdf |
| | Air Conditioning Refrigerants – A Time for Change (PN 4/94) | This Practice note providing guidance to professional persons involved with the air-conditioning of buildings to the impending shortage of conventional CFC-based refrigerants; and provide advice on the urgent measures which need to be taken to eliminate dependence on CFC-based refrigerants. | X | X | Use of ozone depleting refrigerants | -- | https://www.epd.gov.hk/epd/sites/default/files/epd/english/resources_publications/files/pn94_4.pdf |
| | Code of Practice for the Management of Clinical Waste - Small Clinical Waste Producers | This Code of Practice is designed to provide guidance to small clinical waste producers to assist them to comply with the legal requirements. | X | X | Storage and disposal of clinical waste | -- | https://www.epd.gov.hk/epd/clinicalwaste/file/doc07_en.pdf |

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