

(譯文)

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傳真號碼：2868 9159

香港中區

雪廠街 11 號

中區政府合署

中座及東座 6 樓

保安局

保安局局長

(經辦人：保安局首席助理局長

黃福來先生)

黃先生：

《2000 年危險品(修訂)條例草案》

本部發現委員會審議階段修正案的英文本(第 9 稿)及中文本(第 6 稿)的草擬方式有若干不一致之處。現謹在隨附單張註明有關的不一致事項，以供閣下考慮。

助理法律顧問

(林秉文)

連附件

副本致：高級助理法律草擬專員

麥達輝先生

(傳真號碼：2869 1302)

政府律師

陳美芬女士

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總主任(1)2

劉國昌先生

(傳真號碼：2121 0420)

2002 年 1 月 31 日

m3223

條次
4(a)

(b) 在第九節中 —

(i) 刪去建議的(ma)段而代以 —

“(na) 就 —

(i) 海上的危險品試驗
海事處處長；及

(ii) 陸上的危險品試驗
消防處處長。

在海事處處長或消防處處長
指明的條款及條件的規限
下，就某個別個案或個別人士，准予不受本條例或根據
本條例訂立的規例的全部或
任何條文規限的豁免：”

(ii) 刪去建議的(mb)段；

(iii) 刪去建議的(md)段而代以 —

“(md) 須於在車輛運送危險品時發生緊急事故的情況下採取的措施；”

clause

4(a) (b) 在第九節中 —

(b) (i) By deleting the proposed paragraph (ma) and

substituting -

“(ma) empowering the -

(i) Director of Marine, in respect
of dangerous goods at sea; and

(ii) Director of Fire Services, in
respect of dangerous goods on
land,

to grant an exemption, in respect of a
specific case or a specific person, from
all or any of the provisions of this
Ordinance or a regulation, subject to
such terms and conditions as the
Director of Marine or the Director of
Fire Services may specify.”

(ii) By deleting the proposed paragraph (mb).

(iii) By deleting the proposed paragraph (md) and

substituting -

“(md) measures to be taken in the event of an
emergency occurring while dangerous
goods are being transported by a
vehicle;”

The Eng and Chi texts
are different

條次

4(a)

(b) 在第(ix)節中 —

(i) 刪去建議的(ma)段而代以 —

“(na) 就 —

(i) 海上的危險品賦權
海事處處長；及

(ii) 陸上的危險品賦權
消防處處長。

在海事處處長或消防處處長
指明的條款及條件的規限
下，就某個別個案或個別人士，批予不受本條例或根據
本條例訂立的規例的全部或
任何條文規限的豁免；”

(ii) 刪去建議的(mb)段；

(iii) 刪去建議的(md)段而代以 —

“(md) 須於在車輛運送危險品時發
生緊急事故的情況下採取的
措施；”

clause

4(a) (b) 在第(ix)節中 —

(i) By deleting the proposed paragraph (ma) and

substituting -

“(ma) empowering the -

(i) Director of Marine, in respect
of dangerous goods at sea; and

(ii) Director of Fire Services, in
respect of dangerous goods on
land,

to grant an exemption, in respect of a
specific case or a specific person, from
all or any of the provisions of this
Ordinance or a regulation, subject to
such terms and conditions as the
Director of Marine or the Director of
Fire Services may specify.”

(ii) By deleting the proposed paragraph (mb).

(iii) By deleting the proposed paragraph (md) and

substituting -

“(md) measures to be taken in the event of an
emergency occurring while dangerous
goods are being transported by a
vehicle;”

The Eng and chi texts
are different

10(a)

- (a) 在建議的第(1)(a)款中，在“條”之前加入“或
7”。
- (b) 在建議的第(1)(b)款中，刪去“7”。

10(a)

- (a) In the proposed paragraph (a), by adding "or 7"
after "section 6" _____
- (b) In the proposed paragraph (b), by deleting "7,".

在建議的第19A條中 -

- (a) 在第(1)款中，刪去“是用船隻運載或擬用船隻運載的，”而代以 -

“是 -

- (a) 用船隻從香港以外的一處地方運往香港的；或
- (b) 擬用船隻從香港運往香港以外的一處地方的。”

- (b) 在第(2)款中，刪去“某國際”而代以“從香港以外的一處地方運往香港以外的另一處地方的”。

- (c) 加入 -

“(3) 如運載或擬運載危險品的船隻抵達在香港以外的一處港口或從香港以外的一處港口離開，而該等危險品是用車輛在香港與該船隻之間運送的，則第(1)款亦適用於該等危險品。”

In the proposed section 19A -

- (a) in subsection (1), by deleting “Where dangerous goods are being carried, or intended to be carried, on board a vessel” and substituting -

“Where dangerous goods -

- (a) are being carried on board a vessel from a place outside Hong Kong to Hong Kong; or

- (b) are intended to be carried on board a vessel from Hong Kong to a place outside Hong Kong.”

- (b) in subsection (2), by deleting “as part of an international journey” and substituting “as part of a journey from a place outside Hong Kong to another place outside Hong Kong”.

- (c) by adding -

“(3) Subsection (1) also applies to dangerous goods where the vessel carrying or intended to carry such goods arrives at or departs from a port outside Hong Kong and the goods are transported by vehicle between Hong Kong and such vessel.”

13(a)

在建議的新的“危險品”的定義中 —

(a) 在(a)段的末處加入“或”

(b) 刪去(b)段而代以 —

“(b) ~~處長藉憲報公告一公布他認為
在海上運輸時其性質屬危險
者~~

處長認為在海上運輸
時,其性質屬危險者,
及處長已藉憲報公告,
公佈其如此性質。”

13(a)

In the proposed new definition of “dangerous goods” —

(a) by adding “or” at the end of paragraph (a)

(b) by repealing paragraph (b) and substituting —

“(b) the properties of which are, in the
opinion of the Director, dangerous
when carried by sea and the Director
has, by notice in the Gazette,
declared them to be so.”.