

Subcommittee on Improving Air Quality

A list of environmental legislation relating to air quality

A. Primary legislative framework

<i>Legislation</i>	<i>Framework</i>
1. Air Pollution Control Ordinance (Cap. 311)	Providing for the setting of air quality objectives for Hong Kong and their implementation through air pollution abatement notices, prosecutions and enforcement. Specific provisions are made in the principal Ordinance and the Regulations governing, for example, specified processes, asbestos control, construction dust and motor vehicle emissions.

B. Other legislative provisions

<i>Legislation</i>	<i>Provisions relevant to air quality</i>
2. Ozone Layer Protection Ordinance (Cap. 403)	Prohibiting the manufacture of substances that deplete the ozone layer, and controls the importation and exportation of such substances.
3. Road Traffic Ordinance (Cap. 374)	<p>Regulating road traffic, vehicles and users of roads and related matters with provisions limiting pollution from vehicles.</p> <p>Providing powers to require the registered owner of a motor vehicle to have the motor vehicle tested at a vehicle emission testing centre for the purpose of ascertaining whether the motor vehicle complies with vehicle emission standards (section 77B).</p> <p>Providing powers to police officers to stop a motor vehicle which is on a road or in any public place and test the vehicle for excessive smoke or visible vapour (section 66).</p>
4. Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap. 374A)	Providing that every motor vehicle must be so constructed and maintained that no excessive smoke or visible vapour is emitted therefrom (Regulation 31).

5. Shipping and Port Control Ordinance (Cap. 313)	It is an offence for any ocean-going vessel in the waters of Hong Kong to emit smoke in such quantity as to be a nuisance (Part VII - Pollution of air).
6. Merchant Shipping (Prevention of Air Pollution) Regulation (Cap. 413M)	Implementing the requirements of the International Convention for the Prevention of Pollution from Ships (MARPOL) Annex VI in Hong Kong to control air pollutant emissions from ships.
7. Merchant Shipping (Local Vessels) Ordinance (Cap. 548)	It is an offence for any local vessel in the waters of Hong Kong to emit smoke in such quantity as to be a nuisance (Section. 51).
8. Factories and Industries Undertakings (Asbestos) Regulation (Cap. 59AD)	Providing a regulatory framework to protect workers who are likely to be exposed to asbestos including provisions for the prevention and reduction of exposure of workers to asbestos, prevention of spread of asbestos, air monitoring and use and maintenance of control measures.
9. Dutiable Commodities Ordinance (Cap. 109)	Imposing duty on hydrocarbon oil and Euro V diesel is exempted from duty (Part III of Schedule 1) .
10. Motor Vehicles (First Registration Tax) Ordinance (Cap. 330)	Imposing first registration tax (FRT) on motor vehicles and electric vehicles are exempted from FRT (section 5).
11. Environmental Impact Assessment Ordinance (Cap. 499)	Providing for the assessment of the impact on the environment of designated projects in the early planning stages, as well as any alternatives or mitigation measures, for protecting the environment, including air quality.
12. Public Health and Municipal Services Ordinance (Cap. 132) 13. Offensive Trade Regulation (Cap. 132 AX)	Providing for the declaration and regulation of offensive trades that cause offensive or noxious effluvia, dust or are otherwise of an offensive or harmful nature or which involve the slaughtering of animals or birds (sections 48 and 49).