

**立法會**  
**Legislative Council**

LC Paper No. LS42/13-14

**Paper for the House Committee Meeting  
on 11 April 2014**

**Legal Service Division Report on  
Subsidiary Legislation Gazetted on 28 March 2014**

**Tabling in LegCo** : Council meeting of 9 April 2014

**Amendment to be made by :** Council meeting of 7 May 2014 (or that of 28 May 2014 if extended by resolution)

**Pesticides Ordinance (Amendment of Schedule 1) Notice 2014** **(L.N. 43)**

This Notice is made by the Secretary for Food and Health under section 19A of the Pesticides Ordinance (Cap. 133) (the Ordinance).

2. The Notice adds six pesticides to Schedule 1 to the Ordinance. At present, Schedule 1 sets out nine of the pesticides regulated by the Stockholm Convention on Persistent Organic Pollutants (the Stockholm Convention)<sup>1</sup>.

3. According to the LegCo Brief, The People's Republic of China (PRC) is signatory to the Stockholm Convention and the Central People's Government has applied the Convention to Hong Kong since November 2004. In order to regulate the export or use of Convention-regulated pesticides as required by the Stockholm Convention, the Ordinance was amended by the Pesticides (Amendment) Ordinance 2013 (14 of 2013) to, inter alia, implement the requirements of the Convention. The Amendment Ordinance came into operation on 27 January 2014. At the time of its introduction as a Bill, the Stockholm Convention covered 22 chemicals, of which 15 were pesticides and seven were non-pesticide chemicals. Of the 15 pesticides, six were added more

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<sup>1</sup> The Stockholm Convention aims to protect human health and the environment from the potentially harmful persistent organic pollutants. In implementing the Convention, governments will take measures to restrict the production/use and/or reduction/ultimate elimination of the persistent organic pollutants identified by the United Nations Environment Programme.

recently to the Stockholm Convention and the PRC had yet to accede to their inclusion. As such, only nine of the 15 pesticides were covered by the new Schedule 1 added by the Amendment Ordinance and the other six pesticides were not included. As their inclusion is now acceded to by the PRC, the Notice amends Schedule 1 to the Ordinance to include these six pesticides to fully meet the requirements of the Stockholm Convention.

4. The Notice comes into operation on 1 June 2014.

5. As advised by the Clerk to the Panel on Food Safety and Environmental Hygiene, the Panel has not been consulted on the Notice.

6. It is noted, according to paragraph 8 of the LegCo Brief, that Members of the Bills Committee to the Pesticides (Amendment) Bill 2013 were informed that Schedule 1 would be amended as and when the ratification for the inclusion of the six pesticides by the PRC had been completed and that the Bills Committee had not raised any concern.

7. No difficulties have been identified in the legal or drafting aspects of the Notice.

Prepared by

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