

Legislative Council Panel on Economic Services

Approval of Domestic Gas Appliances

INTRODUCTION

This paper informs Members of the Administration's plan to require all new domestic gas appliances manufactured or imported for use in Hong Kong to be approved by the Gas Authority and to display an approved mark.

BACKGROUND

2. In recent years, there have been a number of accidents involving domestic gas appliances. In 1997, the Gas Safety Advisory Committee (GSAC) agreed that a detailed code of practice stipulating basic safety requirements and approval procedures for domestic gas appliances should be drawn up. After consultation with the industry, the Gas Authority published in June 1998 a voluntary code of practice entitled "Approval of Domestic Gas Appliances" (GU05) drawn up with reference to similar practice in other countries like Australia, Japan, Italy etc.. The GSAC agreed that the Gas Authority's approval of domestic gas appliances should be made mandatory after the industry and the certification bodies became fully conversant with the new requirements and local facilities for quality assurance testing had been established.

Code of Practice GU05

3. GU05 prescribes the requirements for the approval of domestic gas appliances by the Gas Authority with reference to established international or national safety and quality standards (e.g. those issued by Japan Gas Appliances Inspection Association). It also contains safety requirements that gear to local circumstances, such as the flame failure protection device. The salient provisions of GU05 include -

- (a) The manufacturer shall provide initial type-test certification¹ (issued by recognised certification authority) to confirm that the model of gas appliance has successfully completed tests in accordance with recognised international or national gas appliance safety standard. The Hong Kong supplier shall submit the original or certified copies of certification to the Gas Authority for approval;

¹ Fresh type-approval will be required for previously approved models which have undergone functional modifications that are related to the operation and safety of the gas appliance.

- (b) The Hong Kong supplier shall arrange for a sample of a gas appliance model to be imported for basic safety assessment at a HOKLAS² laboratory, which may be undertaken subsequent to or in parallel with the initial type-certification requirement in (a);
- (c) Upon satisfactory completion of (a) and (b), the Gas Authority shall advise the Hong Kong supplier in writing of the initial type-approval. The supplier is authorised to advise the manufacturer to apply an approved mark to the approved model;
- (d) The Gas Authority issues biannually a list of approved gas appliances;
- (e) For each batch of appliances supplied for installation in Hong Kong, the importer of gas appliances shall produce a certificate of compliance prepared by the manufacturer to confirm that the appliances have been produced in compliance with the standard declared in the initial type-test certification;
- (f) The Hong Kong supplier shall arrange, at least once a year, for sample(s) of an appliance model to undergo quality assurance tests at a HOKLAS laboratory confirming that the basic safety requirements are met;
- (g) The approved models shall be subject to revalidation every three years to confirm their compliance with the international/national standards declared in the initial type-test certification; and
- (h) Hong Kong suppliers shall undertake to supply functional spare parts for a gas appliance for certain specified periods.

4. GU05 has been widely circulated to overseas manufacturers and major suppliers of gas appliances, gas supply companies, and overseas certification authorities. Gas appliance testing facilities are now available in HOKLAS laboratories. In February 1999, the GSAC agreed that the requirement for all new domestic gas appliances to be approved by the Gas Authority should be made mandatory by law, and that the code of practice GU05 should be gazetted to provide detailed guidance on the approval procedures. Moreover, all approved gas appliances should display an approved mark to be specified in GU05.

5. The industry and overseas manufacturers have been gearing up to comply with GU05 approval requirements since the first batch of approvals were granted in November 1999. So far 68 local companies (about 45% of the total) engaged in the supply and importation of domestic gas appliances have

² HOKLAS means the Hong Kong Laboratory Accreditation Scheme.

approached the Gas Authority concerning approval of domestic gas appliances under the code of practice GU05, and a total of 340 models of appliance have been submitted for approval. The Gas Authority estimates that this represents at least 70 % of the market. As at the end of last month, 146 models have been granted approval and applications in respect of the remaining 194 models are being processed. The Gas Authority envisages that 60-70% of all gas appliance models would have been approved by autumn this year and that by then, the remaining 20-30% would also have submitted applications for approval.

Proposed Amendments to the Gas Safety Ordinance (Cap. 51)

6. To ensure the supply of safe domestic gas appliances to consumers, it is proposed that the Gas Safety (Miscellaneous) Regulations should be amended to provide that any person who imports from whatever source or manufactures locally a domestic gas appliance for use in Hong Kong shall have to submit it to the Gas Authority for approval in accordance with the requirements stipulated in the code of practice. All approved appliances should bear the approved mark specified in the code of practice, and no person shall supply or sell any appliance without such a mark. Any person who displays the approved mark on a domestic gas appliance without the express approval of the Gas Authority shall commits an offence. It is also proposed that contravention of any of the proposed requirements shall be liable on first conviction to a fine of \$100,000 and to one year imprisonment; and on subsequent conviction to a fine of \$500,000 and to two years imprisonment. These are in line with the penalty provisions for contravening the safety requirements under the Electrical Product Safety Regulation.

7. Additional safeguards to guarantee the safety standards of the appliances will also be provided at the installation end. It is proposed that the Gas Safety (Installation and Use) Regulations be amended to provide that no gas installer shall install a domestic gas appliance unless it is of a type approved by the Gas Authority. Any person who fails to comply with the requirement shall be liable on conviction to a fine of \$10,000. To allow users to retain their gas appliances after refurbishment work or moving home, it is further proposed that the amendment regulations should not prevent the reinstallation of domestic gas appliances that were installed prior to the commencement of the new regulations.

8. The Gas Authority has consulted the major suppliers of domestic gas appliances and other traders through the Retail Management Association. They have no objection to the proposed new requirements.

WAY FORWARD

9. We plan to put forward legislative proposal to LegCo in the next session.

Economic Services Bureau/
Electrical and Mechanical Services Department
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