

LN077-E

Electrical Products (Safety) (Amendment)

Regulation 2000

(Made by the Chief Executive in Council under section 59
of the Electricity Ordinance (Cap. 406))

1. Commencement

This Regulation shall come into operation on a day to be appointed by the Secretary for Economic Services by notice in the Gazette.

2. Interpretation

Section 2(1) of the Electrical Products (Safety) Regulation (Cap. 406 sub. leg.) is amended---

(a) in the definition of "accreditation body", by adding "or the HKAS Executive" after "HOKLAS Executive";

(b) in the definition of "HOKLAS", by repealing "Fourth Edition) of the Hong Kong Laboratory Accreditation Scheme under the charge of the Director-General of Industry on behalf of the Government" and substituting ") of the Hong Kong Laboratory Accreditation Scheme as amended from time to time";

(c) by repealing the definition of "safety requirements";

(d) by adding---

" "applicable safety requirements" (適用的安全規格), in relation to an electrical product, means the requirements that apply to that electrical product by virtue of sections 4, 5 and 6;

"HKAS" (香港認可處) has the same meaning as in Regulations for Laboratory Accreditation (HOKLAS 002) of the Hong Kong Laboratory Accreditation Scheme as amended from time to time;

"HKAS Executive" (香港認可處的執行人員) has the same meaning as in Regulations for Laboratory Accreditation (HOKLAS 002) of the Hong Kong Laboratory Accreditation Scheme as amended from time to time;"

3. Application to electrical products

Section 3 is amended by adding---

"(3) This Regulation does not apply to an electrical product which is supplied as part of or in connection with a disposition of any premises unless the disposition is the first disposition made prior to the first occupation of the premises.

(4) In this section, "disposition" (處置) includes a sale, lease, licence and permission to occupy."

4. Applicable safety requirements

for particular types of

electrical products

Section 6 is amended---

(a) in subsection (3), by adding "applicable" before "safety requirements";

(b) in subsection (4)(b)(i), by adding "applicable" before "safety requirements".

5. Certificate of safety compliance

Section 7(1) is amended by repealing "is in compliance with the safety requirements for electrical products specified in Part II" and substituting "complies with the applicable safety requirements".

6. Issue of certificate of safety compliance

Section 8 is amended---

(a) in subsection (1)---

(i) in paragraph (c), by repealing "or" at the end;

(ii) in paragraph (d), by repealing the full stop and substituting "; or";

(iii) by adding---

"(e) a certificate or test report which, in the opinion of the Director, demonstrates that an electrical product complies with the applicable safety requirements.";

(b) in subsection (2), by repealing "paragraph" and substituting "paragraphs (a) and";

(c) in subsection (3)(a), by adding "applicable" before "safety requirements".

7. Director's powers

Section 11(1) is amended by adding "applicable" before "safety requirements".

8. Offences

Section 12(a) is amended by repealing "any of the" and substituting "the applicable".

9. Essential safety requirements for electrical products

Schedule 1 is amended---

(a) within the square brackets, by repealing "ss. 2, 4" and substituting "ss. 4";

(b) in section 1(2)(b), by repealing "or kilowatts and amperes" and substituting ", kilowatts, amperes".

10. Specific safety requirements for prescribed products

Schedule 2 is amended---

(a) in item 1, in column 2---

(i) by repealing "Any plug" and substituting---

"(1) Subject to paragraph (2), any plug";

(ii) by adding---

"(2) The requirements in subparagraphs (a)(ii) and (b)(ii) of column 3 do not apply to a non-rewirable plug or a plug fitted to an electrical product." ;

(b) in item 1, in column 3---

(i) by repealing subparagraph (a)(i) and substituting---

"(i) the plug shall be legibly and durably marked with---

(A) the number of BS to which the plug conforms;

(B) its rated current in amperes (A), identities of plug pins (line (L), neutral (N) and earth (E or 三)) and availability of fuse in accordance with BS 1363 Part 1; and

(C) the word "FUSED" or "FUSE" or equivalent symbol (旄) together with the standard to which the fuse-link conforms and the rated current of the fuse-link in amperes

(A) in accordance with BS 1363 Part 1;"

(ii) by repealing subparagraph (b)(i) and substituting---

"(i) the plug shall be legibly and durably marked with---

(A) the number of BS to which the plug conforms; and

(B) its rated current in amperes (A), identities of plug pins (line (L), neutral (N) and earth (E or 三)) in accordance with BS 546;"

(c) in item 4, in column 2---

(i) by repealing "Any flexible cord" and substituting---

"(1) Subject to paragraph (2), any flexible cord";

(ii) by adding---

"(2) The requirement in paragraph (1)(a) of column 3 does not apply to a flexible cord fitted to an electrical product." .

11. Organizations qualified to apply
for recognition as recognized
certification bodies

Schedule 4 is amended, in section 2, by adding "or the HKAS Executive" after "HOKLAS Executive".

12. Requirements for recognition
as recognized manufacturers

Schedule 5 is amended, in paragraph (a)(ii), by adding "or the HKAS Executive" after "HOKLAS Executive".

CHENG Mei-sze, Maisie

Clerk to the Executive Council

Council Chamber

28 March 2000

Explanatory Note

This Regulation amends the Electrical Products (Safety) Regulation

(Cap. 406 sub. leg.) ("the principal Regulation") by---

- (a) amending the definitions of "accreditation body" and "HOKLAS", and repealing the definition of "safety requirements" and substituting "applicable safety requirements" and adding new definitions of "HKAS" and "HKAS Executive";
- (b) specifying that the Regulation does not apply to electrical products which are supplied as part of a disposition of a premises unless the disposition is a first disposition made prior to the first occupation of the premises;
- (c) specifying that a document may be accepted as a certificate of safety compliance if it is a certificate or test report which, in the opinion of the Director of Electrical and Mechanical Services, demonstrates that an electrical product complies with the applicable safety requirements;
- (d) specifying that a declaration of conformity issued by a manufacturer of certain products need not contain information required under section 7(2)(a) of the principal Regulation to be accepted by the Director as a certificate of safety compliance;
- (e) specifying that the rated input can either be stated in watts, kilowatts, amperes or milliamperes;
- (f) amending the marking requirements on a 3-rectangular-pin fused plug rated at 13A and a 3-round-pin plug rated at 5A or 15A;
- (g) specifying that certain safety requirements in column 3 of item 1 of Schedule 2 do not apply to non-rewirable plug or a plug fitted to an electrical product;
- (h) specifying that certain requirements in column 3 of item 4 of Schedule 2 do not apply to flexible cord fitted to an electrical product.