

**Bills Committee on
Hazardous Chemicals Control Bill**

**List of follow-up actions arising from the discussion
at the meeting on 15 March 2007**

- (1) To review the policy behind clauses 16(2), 17(2), 21(1), 29(1) and 39 and, if necessary, amend those provisions to the effect that a new permit will only be issued to the permit holder upon return of his existing permit.
- (2) To review the propriety of imposing strict liability on employers under clause 41. It is also pointed out to the Administration that clause 41(a) seems to be different from the common law position - the latter seemed to be that the employer will not be liable where the employee acts outside the course of his employment.
- (3) To explain the policy behind clause 44 and clause 26; and whether or not failure to receive an actual notice served under clause 44 is a defence under clause 26.
- (4) To advise the rationale for not extending the proposed control regime to possession of scheduled chemicals, given that prosecution against unauthorized transfer and smuggling of scheduled chemicals may not be feasible if there is no control over the possession of such chemicals. To also provide overseas experience in respect of control over possession of convention chemicals.