

Table of Provisions Amended under Part 2 and Part 3 (Clauses 3 to 37)

Item no.	Clause no in the Bill	Page ref. in CB(2)1550/07-08(01)	Relevant provisions containing “to the satisfaction of” formula	Effect of amendment
1.	3	0001	<p><u>Insurance Companies Ordinance (Cap. 41)</u></p> <p>35. Residual power to impose requirements, etc. (1) Subject to section 26(5), the Insurance Authority may require an insurer to take such action in respect of its affairs, business or property as the Insurance Authority considers appropriate.</p> <p>35A. Requirement under section 35 to make deposit (1) Without limiting the generality of section 35(1), a requirement imposed under that section on an insurer may include a requirement that the insurer-</p> <ul style="list-style-type: none"> (a) shall make a deposit- <ul style="list-style-type: none"> (i) of an amount of money specified in that requirement; (ii) with a bank, or a bank belonging to a class of banks, specified in that requirement; (iii) in the name of the Insurance Authority as trustee for the insurer; and (iv) on a date not later than the date specified in that requirement; (b) shall place in the custody of the Insurance Authority, on a date not later than the date specified in that requirement, a receipt, or other 	<p>An insurer will not be convicted for contravening section 35(1) or 35AA because he fails to comply with a requirement specified in section 35A(1)(b) or 35AA(1)(b) or (2)(b) unless the prosecution proves that –</p> <ul style="list-style-type: none"> (a) the Insurance Authority has, before or as soon as practicable after imposing the requirement, specified to the insurer how the Insurance Authority is to be satisfied for the purposes of section 35A(1)(b) or 35AA(1)(b) or (2)(b); or (b) after the requirement is imposed on the insurer, the insurer has carried on its business in or from Hong Kong without writing to the Insurance Authority to ascertain, and ascertaining from the Insurance Authority, as to how the Insurance Authority is to be satisfied for the purposes of section 35A(1)(b) or 35AA(1)(b) or (2)(b).

			<p>document, that evidences, to the satisfaction of the Insurance Authority, that the deposit referred to in paragraph (a) has been made;</p> <p>(c)</p> <p>35AA.Maintenance of excess of assets over liabilities etc.</p> <p>(1) If an insurer fails to maintain an excess of the value of its assets over the amount of its liabilities of such amount as may be prescribed by or determined in accordance with regulations made under section 59(1)(aa), the Insurance Authority may require the insurer- (Amended 29 of 1997 s. 8)</p> <p>(a) to submit to him a plan for the restoration of a sound financial position;</p> <p>(b) where the insurer has submitted a plan under paragraph (a), to propose modifications to the plan to the satisfaction of the Insurance Authority if the Insurance Authority considers it inadequate; and</p> <p>(c) to give effect to any such plan accepted by him as adequate.</p> <p>(2) If any excess of the value of its assets over the amount of its liabilities maintained by an insurer falls below such amount as may be prescribed by or determined in accordance with regulations made under section 59(1)(aa), the Insurance Authority may require the insurer-</p> <p>(a) to submit to him a short term financial scheme;</p>	
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			<p>(b) where the insurer has submitted a scheme under paragraph (a), to propose modifications to the scheme to the satisfaction of the Insurance Authority if the Insurance Authority considers it inadequate; and</p> <p>(c) to give effect to any such scheme accepted by him as adequate.</p>	
2.	4	0002-0006	<p><u>Buildings Ordinance (Cap. 123)</u></p> <p>24A. Order to cease or remedy dangerous works</p> <p>(1) Where any building works or street works have been or are being, carried out in such a manner as, in the opinion of the Building Authority, will cause, or will be likely to cause, a risk of injury to any person or damage to any property, the Building Authority may, by order in writing, require that such work as he may specify therein be carried out, to ensure that the works will cease to constitute such a risk.</p> <p>(2) An order made under subsection (1)-</p> <p>(a) may specify-</p> <p>(i) the manner in which the work specified in the order shall be carried out;</p> <p>(ii) the time before which the work shall be commenced and the time by which it shall be completed;</p> <p>(iii) that the work shall be carried out with due diligence to the satisfaction of the Building</p>	<p>A person will not be convicted for contravening section 24A because he fails to comply with a requirement specified under section 24A(2)(a)(iii) unless the prosecution proves that –</p> <p>(a) the Building Authority has, before or as soon as practicable after serving the order, specified to the person how the Building Authority is to be satisfied for the purposes of section 24A(2)(a)(iii); or</p> <p>(b) after the order is served on the person, the person has caused or permitted the building works or street works to be carried out without writing to the Building Authority to ascertain, and ascertaining from the Building Authority, as to how the Building Authority is to be satisfied for the purposes of section 24A(2)(a)(iii).</p>

			<p>Authority; and</p> <p>(b) shall be addressed to and served on-</p> <p>(i) in the case of completed works, the owner thereof; and</p> <p>(ii) in any other case, the person for whom the works are being carried out or his agent.</p> <p>28A. Groundwater drainage works in scheduled area</p> <p>(3) Any approval by the Building Authority of plans showing the relevant works shall include a requirement to maintain the relevant works to the satisfaction of the Building Authority for any period specified in the requirement; and section 28B shall apply in relation to the maintenance of the relevant works as it applies in relation to the carrying out of the works.</p>	<p>A person will not be convicted for failing to comply with a requirement imposed under section 28A(3) unless the prosecution proves that –</p> <p>(a) the Building Authority has, before the failure, specified to the person how the Building Authority is to be satisfied for the purposes of section 28A(3); or</p> <p>(b) the person has not, before the failure, written to the Building Authority to ascertain, and ascertained from the Building Authority, as to how the Building Authority is to be satisfied for the purposes of section 28A(3).</p>
3.	5	0007	<p><u>Public Health and Municipal Services Ordinance (Cap. 132)</u></p> <p>14. Power to require limewashing, etc. of premises</p> <p>(1) If the Authority is of the opinion that any premises or any part of any premises are in such a state as to be-</p> <p>(a) a nuisance; or</p> <p>(b) injurious or dangerous to health,</p> <p>or are in such a state as to affect injuriously or disfigure the amenities of any place or locality, the Authority may cause a notice to be served upon the</p>	<p>A person will not be convicted for failing to comply with a requirement to the satisfaction of the *Authority pursuant to section 14(1) unless the prosecution proves that the Authority has, before or as soon as practicable after serving the notice, specified to the person how the Authority is to be satisfied for the purposes of subsection (1).</p> <p>* “Authority” means the Director of Food and</p>

			owner or occupier of the premises requiring him to limewash, paint, cleanse, disinfect or disinfest such premises or any part thereof to the satisfaction of the Authority within such period as may be specified in the notice.	Environmental Hygiene.
4.	6	0008	<p>20. Removal of litter or waste and cleaning of area</p> <p>(2) A notice under subsection (1) shall require the person on whom it is served to remove the litter or waste, and may require him also to clean to the satisfaction of the Authority the area in which the litter or waste is found, within such period, not being less than 24 hours after the service of the notice, as may be specified therein.</p>	<p>A person will not be convicted for contravening section 20(3)(b) because he fails to comply with a notice to the satisfaction of the *Authority pursuant to section 20(2) unless the prosecution proves that the Authority has, before or as soon as practicable after serving the notice, specified to the person how the Authority is to be satisfied for the purposes of subsection (2).</p> <p>* “Authority” means the Director of Food and Environmental Hygiene.</p>
5.	7	0009	<p><u>Aerial Ropeways (Safety) Ordinance (Cap. 211)</u></p> <p>20. Control and safety of aerial ropeway</p> <p>(1) The owner of an aerial ropeway shall, to the satisfaction of the Director, provide personnel and facilities for the control and safety of persons using, or being in the vicinity of, the ropeway.</p> <p>(2) The provision of such personnel and facilities shall be at the expense of the owner of the ropeway.</p>	<p>A person will not be convicted for contravening section 20(1) unless the prosecution proves that –</p> <p>(a) the *Director has, before the contravention, specified to the person how the Director is to be satisfied for the purposes of section 20(1); or</p> <p>(b) the person has caused or permitted the aerial ropeway to be used, or has permitted persons to be in the vicinity of the ropeway, without writing to the</p>

				<p>Director to ascertain, and ascertaining from the Director, before the contravention, as to how the Director is to be satisfied for the purposes of section 20(1).</p> <p>* “Director” means the Director of Electrical and Mechanical Services.</p>
6.	8	0010	<p><u>Waste Disposal Ordinance (Cap. 354)</u></p> <p>20F. Seizure and disposal of waste following conviction</p> <p>(1) Where a person is convicted of an offence under section 20E in respect of the import or export of any waste, or the disposal of any imported waste referred to in section 20DA(2), the waste disposal authority may-</p> <p>(a) seize and dispose of the waste; or</p> <p>(b) by notice in writing require the convicted person, within a specified time-</p> <p>(i) in the case of a conviction in respect of the import of waste or the disposal of any imported waste referred to in section 20DA(2), to return the waste to the state of export, or to dispose of the waste in Hong Kong to the satisfaction of the waste disposal authority; or</p> <p>(ii) in the case of a conviction in</p>	<p>A person will not be convicted for contravening section 20F(2) because he fails to satisfy the *waste disposal authority pursuant to section 20F(1)(b)(i) unless the prosecution proves that –</p> <p>(a) the waste disposal authority has, before or as soon as practicable after giving the notice, specified to the person how the waste disposal authority is to be satisfied for the purposes of subsection (1)(b)(i); or</p> <p>(b) after the notice is given to the person, the person has managed the waste without writing to the waste disposal authority to ascertain, and ascertaining from the waste disposal authority, as to how the waste disposal authority is to be satisfied for the purposes of subsection (1)(b)(i).</p> <p>* “waste disposal authority” means the Director of Environmental Protection.</p>

			<p>respect of the export of waste, to take back the waste into Hong Kong, or, if that is not reasonably practicable, to dispose of the waste in an environmentally sound manner,</p> <p>and may, by such notice or by any other notice in writing, require the convicted person to furnish the waste disposal authority within a specified time with documentary evidence to show that the requirements made under subparagraph (i) or (ii) have been complied with.</p>	
7.	9	0011	<p><u>Mass Transit Railway Ordinance (Cap. 556)</u></p> <p>11. Records</p> <p>(1) The Corporation shall keep, to the satisfaction of the Secretary, records in respect of the following matters relating to the railway-</p> <ul style="list-style-type: none"> (a) the number and carrying capacity of trains in use or under maintenance; (b) the number of journeys undertaken and the total distance travelled; (c) the number of passengers carried; (d) the receipts; (e) details of any incident causing a service breakdown of 20 minutes or more; (f) the maintenance of trains; (g) the number and types of trains, and their carrying capacity, on order or 	<p>The corporation will not be convicted for contravening section 11(1) unless the prosecution proves that –</p> <ul style="list-style-type: none"> (a) the *Secretary has, before the failure, specified to the Corporation how the Secretary is to be satisfied for the purposes of subsection (1); or (b) the Corporation has operated the railway without writing to the Secretary to ascertain, and ascertaining from the Secretary, before the failure, as to how the Secretary is to be satisfied for the purposes of subsection (1). <p>* “Secretary” means the Secretary for Transport and Housing.</p>

			under construction together with details of the likely availability of such trains for use in the operation of the railway.	
8.	10	0012	<p><u>Boilers and Pressure Vessels Regulations (Cap. 56A)</u></p> <p>12. Steam pipes and water pipes to be protected against weather, etc. Every pipe that conveys oil, steam or water under pressure to or from a boiler, steam receiver or steam container shall be protected to the satisfaction of the Authority against the effect of weather and damp and against external damage.</p> <p>13. Steam pipes to be lagged Every pipe that conveys oil or steam under pressure shall be lagged to the satisfaction of the Authority with fire-proof material.</p>	<p>A person will not be convicted for contravening regulation 12 or 13 unless the prosecution proves that –</p> <p>(a) the *Authority has, before the contravention, specified to the person how the Authority is to be satisfied for the purposes of regulation 12 or 13; or</p> <p>(b) the person has caused or permitted the pipe to be used for the purpose of conveyance without writing to the Authority to ascertain, and ascertaining from the Authority, before the contravention, as to how the Authority is to be satisfied for the purposes of regulation 12 or 13.</p> <p>* “Authority” means the Boilers and Pressure Vessels Authority.</p>
9.	11	0013-0015	<p><u>Dutiable Commodities Regulations (Cap. 109A)</u></p> <p>30. Factory construction Every factory shall be enclosed, constructed, maintained and cleansed to the satisfaction of the Commissioner.</p>	<p>A person will not be convicted for contravening regulation 30, 34 or 38(1), (4), (5) or (6)(a) unless the prosecution proves that –</p> <p>(a) the *Commissioner has, before the contravention, specified to the person how the Commissioner is to be</p>

			<p>33. Storage All goods in a factory shall be stored to the satisfaction of the Commissioner and manufactured goods shall be stored apart from unmanufactured goods and dutiable goods shall be stored apart from duty-paid goods.</p> <p>34. Manufacturers' books In every factory the manufacturer shall, to the satisfaction of the Commissioner, keep, and at least once in any day on which manufacturing is carried on in that factory make due entry of the particulars prescribed in, a stock book and a factory book which shall be in such form as the Commissioner may specify.</p> <p>38. Construction (1) The licensed premises shall be enclosed by walls or fences to the satisfaction of the Commissioner. (2) The door of each portion of the premises shall carry on the outside thereof a permanent description in English and Chinese of the purpose for which such portion is used which use shall be in accordance with the plans submitted to the Commissioner together with the application upon which the licence appertaining to the said premises was issued. (3) No structural alteration of the premises, or change in the use to which any portion of the premises is put, shall be made without the consent in writing of the Commissioner.</p>	<p>satisfied for the purposes of regulation 30, 34 or 38(1), (4), (5) or (6)(a); or (b) the person has caused or permitted the place or premises to be used as a factory or brewery without writing to the Commissioner to ascertain, and ascertaining from the Commissioner, before the contravention, as to how the Commissioner is to be satisfied for the purposes of regulation 30, 34 or 38(1), (4), (5) or (6)(a).</p> <p>A person will not be convicted for contravening regulation 33, 41 or 52 because he fails to satisfy the *Commissioner pursuant to the regulation concerned unless the prosecution proves that – (a) the *Commissioner has, before the contravention, specified to the person how the Commissioner is to be satisfied for the purposes of regulation 33, 41 or 52; or (b) in the case of – (i) a contravention of regulation 33, the person has caused or permitted goods to be stored in the factory without writing to the Commissioner to ascertain,</p>
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			<p>(4) Every part of the premises shall be illuminated to the satisfaction of the Commissioner.</p> <p>(5) The premises shall at all times be kept in good and substantial repair and in sanitary condition to the satisfaction of the Commissioner.</p> <p>(6) (a) The licensee shall provide and maintain in the premises, to the satisfaction of the Commissioner, office accommodation, with all necessary furniture, writing materials, heating and cooling equipment, cleaning and lighting, and lavatory accommodation, for the use of members of the Customs and Excise Service on duty at the premises.</p> <p>(b) No charge shall be levied for the facilities required by this paragraph.</p> <p>40. Machinery, etc.</p> <p>(4) All machinery, apparatus, utensils, vessels or receptacles of every kind shall be kept in a clean and sanitary condition to the satisfaction of the Commissioner.</p> <p>41. Weights and measures</p> <p>The licensee shall provide and maintain upon the premises, and permit any and every member of the Customs and Excise Service to use, sufficient and just beams, scales or weighing machines and standard weights, gauges and measures (including glass measures graduated in millilitres for the determination of the contents of bottles, and also a</p>	<p>and ascertaining from the Commissioner, before the contravention, as to how the Commissioner is to be satisfied for the purposes of regulation 33;</p> <p>(ii) a contravention of regulation 41, the person has caused or permitted the premises to be used as a brewery without writing to the Commissioner to ascertain, and ascertaining from the Commissioner, before the contravention, as to how the Commissioner is to be satisfied for the purposes of regulation 41; or</p> <p>(iii) a contravention of regulation 52, the person has caused or permitted the premises to be used as a distillery or has caused or permitted the part of the distillery, or the fixture in or on the distillery, to be used without writing to the Commissioner to ascertain, and ascertaining from the Commissioner, before the contravention, as to how the Commissioner is to be satisfied for the purposes of regulation</p>
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			<p>cask or vessel capable of containing the contents of the largest cask or container intended to be sent out from the brewery) and other necessary and reasonable appliances to the satisfaction of the Commissioner.</p> <p>52. Construction of distilleries</p> <p>Every distillery shall be enclosed by walls or fences and every part thereof and every fixture therein or thereon constructed and maintained in good and substantial repair and in sanitary condition, to the satisfaction of the Commissioner, and in particular-</p> <ul style="list-style-type: none"> (a) access to the distillery may be obtained only from a street or road to which the public has access; (b) the distillery shall be illuminated and ventilated to the satisfaction of the Commissioner; (c) necessary precautions to prevent the outbreak of fire shall be taken in the distillery and such fire extinguishers and other fire fighting appliances as the Commissioner may require shall be provided; (d) in the distillery there shall be one or more stores (hereinafter called spirit stores) for the collection and storage of all dutiable liquor; (e) the stills shall be of a type approved by the Commissioner and shall be so arranged, and the stills and the spirit stores so constructed, that all spirit produced in the distillery must pass from every still either directly into a 	<p>52.</p> <p>A person will not be convicted for contravening regulation 40(4) or 55(1) unless the prosecution proves that –</p> <ul style="list-style-type: none"> (a) the *Commissioner has, before the contravention, specified to the person how the Commissioner is to be satisfied for the purposes of regulation 40(4) or 55(1); or (b) in the case of – <ul style="list-style-type: none"> (i) a contravention of regulation 40(4), the person has caused or permitted the machinery, apparatus, utensils, vessels or receptacles to be used in the brewing or making, maturing or storing of beer without writing to the Commissioner to ascertain, and ascertaining from the Commissioner, before the contravention, as to how the Commissioner is to be satisfied for the purposes of regulation 40(4); or (ii) a contravention of regulation 55(1), the person has caused or permitted the containers or utensils to be used for
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			<p>spirit store or first into a locked receiver and then into a spirit store, but in either case so that no access can be had to the spirit except by a member of the Customs and Excise Service, the spirit receiver shall have no outlet except through a cock fitted with a lock affixed and sealed by a member of the Customs and Excise Service;</p> <p>(f) no alterations or repairs, and no change in the use to which any part of the premises is put, shall be made without the consent of the Commissioner;</p> <p>(g) the distiller shall provide and maintain, to the satisfaction of the Commissioner, clean office accommodation and all necessary furniture, writing materials, heating and cooling equipment, lighting, and lavatory accommodation, for the use of members of the Customs and Excise Service on duty at the premises and no charge shall be levied for the facilities required by this paragraph.</p> <p>55. Containers (1) All containers and utensils for distillation and storage of liquor shall be kept clean to the satisfaction of the Commissioner</p>	<p>distillation and storage of liquor without writing to the Commissioner to ascertain, and ascertaining from the Commissioner, before the contravention, as to how the Commissioner is to be satisfied for the purposes of regulation 55(1).</p> <p>A person will not be convicted for contravening regulation 81 because he fails to satisfy the *Commissioner pursuant to this regulation unless the prosecution proves that –</p> <p>(a) the Commissioner has, before the contravention, specified to the person how the Commissioner is to be satisfied for the purposes of regulation 81; or</p> <p>(b) the person has caused or permitted the premises to be used as a warehouse or has caused or permitted the part of the warehouse, or the fixture in or on the warehouse, to be used without writing to the Commissioner to ascertain, and ascertaining from the Commissioner, before the contravention, as to how the Commissioner is to be satisfied for</p>
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		<p>81. Construction of warehouses</p> <p>Every warehouse and every part thereof and every fixture therein or thereon shall be constructed and maintained in good and substantial repair and sanitary condition to the satisfaction of the Commissioner, and in particular-</p> <ul style="list-style-type: none"> (a) the warehouse shall be illuminated and ventilated to the satisfaction of the Commissioner; (b) the windows shall be suitably secured; (c) the warehouse shall be so constructed, and the door shall have such fastenings capable of being fitted with locks affixed and sealed by a member of the Customs and Excise Service, that when such locks are fitted no person except a member of the Customs and Excise Service can have any access to the warehouse; (d) the Commissioner may cause locks to be fitted to any warehouse; (e) no alterations or repairs shall be made without the consent of the Commissioner. <p>83. Accommodation for members of the Customs and Excise Service</p> <p>(1) When required so to do by the Commissioner, the warehouse-keeper shall provide and maintain in the premises to the satisfaction of the Commissioner, office and lavatory accommodation, with heating and cooling equipment, lighting, furniture and writing materials, for the use</p>	<p>the purposes of regulation 81.</p> <p>A person will not be convicted for contravening regulation 83(1) or 84 unless the prosecution proves that –</p> <ul style="list-style-type: none"> (a) the Commissioner has, before the contravention, specified to the person how the Commissioner is to be satisfied for the purposes of regulation 83(1) or 84; or (b) the person has caused or permitted the premises to be used as a warehouse without writing to the Commissioner to ascertain, and ascertaining from the Commissioner, before the contravention, as to how the Commissioner is to be satisfied for the purposes of regulation 83(1) or 84. <p>* “Commissioner” means the Commissioner of Customs and Excise and any Deputy or Assistant Commissioner of Customs and Excise.</p>
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			<p>of the members of the Customs and Excise Service on duty at the warehouse.</p> <p>84. Facilities for examination, etc., of goods Every warehouse-keeper, to the satisfaction of the Commissioner, shall provide and maintain, in a suitable place in the warehouse-</p> <p>(a) adequate receptacles, accurate measures, beams and scales or weighing machines, for examining, testing, sampling, bottling, blending, mixing, denaturing, repacking, grading, reconditioning and otherwise treating dutiable goods; and</p> <p>(b) adequate receptacles for refuse.</p>	
10.	12	0016-0017	<p><u>Miscellaneous Licences Regulations (Cap. 114A)</u></p> <p>59. Outdoor sign Every person licensed to keep a public dance hall shall exhibit and keep exhibited the words "Licensed for dancing" in English and in Chinese the characters "已領有跳舞牌照" in some conspicuous place near the door and on the outside of the premises to the satisfaction of the licensing authority.</p> <p>71. Fire appliances and escape (1) Every person licensed to keep a public dance hall shall provide and maintain on the premises to the satisfaction of the Director of Fire Services- (L.N. 391 of 1984)</p> <p>(a) fire appliances adequate for the</p>	<p>A person will not be convicted for contravening regulation 59, 71(1) or (2), 75, 108, 121(1) or (2) or 125 unless the prosecution proves that –</p> <p>(a) the *enforcement agency has, before the contravention, specified to the person how the enforcement agency is to be satisfied for the purposes of regulation 59, 71(1) or (2), 75, 108, 121(1) or (2) or 125; or</p> <p>(b) the person has caused or permitted the premises to be kept as a public dance hall or dancing school without writing to the enforcement agency to ascertain, and ascertaining from the</p>

			<p>protection of the premises, at all times free from obstruction and ready for use;</p> <ul style="list-style-type: none"> (b) (Repealed L.N. 391 of 1984) (c) an adequate shade or guard for every lamp and fire; and (d) fire resisting screens, shutters, curtains or other adequate means of fire protection for every window or opening which adjoins any place or premises where any inflammable substance is kept or stored. <p>(2) Every person licensed to keep a public dance hall shall provide and maintain on the premises to the satisfaction of the Building Authority adequate means of escape in case of fire for all persons from every part of the premises.</p> <p>75. Latrines Every person licensed to keep a public dance hall shall provide and shall maintain in a clean and wholesome condition on the premises adequate latrine, urinal or watercloset accommodation to the satisfaction of the Director of Food and Environmental Hygiene.</p> <p>76. Hygiene Every person licensed to keep a public dance hall shall provide adequate measures for ventilating, cleansing and otherwise securing hygienic conditions in the premises and shall maintain the premises in a hygienic condition to the satisfaction of the Director of Food and Environmental Hygiene.</p>	<p>enforcement agency, before the contravention, as to how the enforcement agency is to be satisfied for the purposes of regulation 59, 71(1) or (2), 75, 108, 121(1) or (2) or 125.</p> <p>A person will not be convicted for contravening regulation 76 or 126 because he fails to satisfy the *enforcement agency pursuant to the regulation concerned unless the prosecution proves that –</p> <ul style="list-style-type: none"> (a) the enforcement agency has, before the contravention, specified to the person how the enforcement agency is to be satisfied for the purposes of regulation 76 or 126; or (b) the person has caused or permitted the premises to be kept as a public dance hall or dancing school without writing to the enforcement agency to ascertain, and ascertaining from the enforcement agency, before the contravention, as to how the enforcement agency is to be satisfied for the purposes of regulation 76 or 126. <p>* “enforcement agency” means the licensing</p>
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			<p>108. Outdoor sign Every person licensed to keep a dancing school shall exhibit and keep exhibited "Licensed for Dancing Instruction" in English and in Chinese the characters "特許教授跳舞" in some conspicuous place near the door and on the outside of the premises to the satisfaction of the licensing authority.</p> <p>121. Fire appliances and escape (1) Every person licensed to keep a dancing school shall provide and maintain on the premises to the satisfaction of the Director of Fire Services-</p> <ul style="list-style-type: none"> (a) fire appliances adequate for the protection of the premises, at all times free from obstruction and ready for use; (b) (Repealed L.N. 391 of 1984) (c) an adequate shade or guard for every lamp and fire; and (d) fire resisting screens, shutters, curtains or other adequate means of fire protection for every window or opening which adjoins any place or premises where any inflammable substance is kept or stored. <p>(2) Every person licensed to keep a dancing school shall provide and maintain on the premises to the satisfaction of the Building Authority adequate means of escape in case of fire for all persons from every part of the premises.</p> <p>126. Hygiene</p>	<p>authority, Director of Fire Services, Building Authority or Director of Food and Environmental Hygiene, as the case may be (see new regulation 17(6) in clause 12 of the Bill).</p>
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			Every person licensed to keep a dancing school shall provide adequate measures for ventilating, cleansing and otherwise securing hygienic conditions in the premises and shall maintain the premises in a hygienic condition to the satisfaction of the Director of Food and Environmental Hygiene.	
11.	13	0018	<p><u>Funeral Parlours Regulation (Cap. 132AD)</u></p> <p>7. Funeral parlours to comply with certain provisions The following provisions shall apply to every funeral parlour-</p> <p>(a) every part of the premises shall be adequately lighted and ventilated to the satisfaction of the Director, either by natural means or mechanical means or partly by natural means and partly by mechanical means;</p> <p>(b) no part of the premises shall have direct access to any premises used for domestic purposes or to any premises not wholly concerned with and used for the purposes of the funeral parlour; and</p> <p>(c) not less than one room shall be used exclusively for the purpose of embalming any body or preparing any body for burial, encoffining or cremation, and every such room shall comply with the following requirements-</p> <p>(i) a rectangular area of floor space, not less than 3 by 4.5 m, shall be</p>	<p>A licensee will not be convicted for contravening section 7(a) unless the prosecution proves that –</p> <p>(a) the *Director has, before the contravention, specified to the licensee how the Director is to be satisfied for the purposes of section 7(a); or</p> <p>(b) the licensee has caused or permitted the premises to be used as a funeral parlour without writing to the Director to ascertain, and ascertaining from the Director, before the contravention, as to how the Director is to be satisfied for the purposes of section 7(a).</p> <p>A licensee will not be convicted for contravening section 12 unless the prosecution proves that –</p> <p>(a) the *Director has, before the contravention, specified to the licensee how the Director is to be satisfied for the purposes of section</p>

			<p>provided for each embalming or preparation table installed in the room;</p> <ul style="list-style-type: none"> (ii) the floor shall be surfaced with smooth non- absorbent material and the junction between the walls and the floor shall be coved; (iii) the floor shall be laid with proper falls so that liquid may drain towards one or more vents in the walls of the room, and each such vent shall be so constructed as to discharge by way of a covered surface channel or waste pipe into one or more trapped gullies situated in the open air and within the curtilage of the funeral parlour and shall, at all times, be protected by a removable grating; (iv) the internal surface of the walls shall be tiled or faced with smooth impervious material to a height of not less than 2 m; (v) ventilation of the room in compliance with paragraph (a) shall be by a separate system of ventilation which has direct access to the open air and does not connect with or give or have access to any room in, or the 	<p>12; or</p> <p>(b) the licensee has caused or permitted the premises to be used as a funeral parlour without writing to the Director to ascertain, and ascertaining from the Director, before the contravention, as to how the Director is to be satisfied for the purposes of section 12.</p> <p>* “Director” means the Director of Food and Environmental Hygiene.</p>
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			<p>means of ventilation of any other part of, the premises;</p> <p>(vi) no window shall open, and no exhaust fan shall discharge, otherwise than directly into the open air at a height above ground level of not less than 2 m and so as to ensure that no nuisance is caused to any neighbouring or adjoining premises or in any public place;</p> <p>(vii) every door shall be fitted with a self-closing device and screened or otherwise rendered fly-proof, and every window shall be screened or otherwise rendered fly-proof;</p> <p>(viii) every door opening into any part of the premises to which the public have access shall be clearly marked on the outside in English and Chinese-</p> <p>"NO ADMITTANCE 不准進入";</p> <p>(ix) not less than one embalming or preparation table shall be provided therein;</p> <p>(x) the surface of every embalming or preparation table shall be not less than 2100 by 750 mm, and every such table shall be so sited</p>	
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			<p>in the room as to leave an unobstructed space of not less than 600 mm on every side thereof;</p> <p>(xi) every such table shall be constructed of or lined with smooth impervious material and shall be fitted with a raised edge on every side not less than 50 mm in height, and the whole table shall slope towards one end so as to drain any liquid falling thereon towards a waste pipe or channel so constructed as to lead into vents required by the provisions of subparagraph (iii) to be provided;</p> <p>(xii) in respect of each such table, there shall be provided one washhand basin of glazed stone ware, which shall be supplied with water from the public mains or from such other source as the Director may approve and drain either into the vents required by the provisions of subparagraph (iii) to be provided or into a trapped gully situated in the open air and within the curtilage of the funeral parlour; and</p> <p>(xiii) one tap therein shall be so constructed that a hose-pipe</p>	
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			<p>may be fitted thereto so as to enable every part of the room to be hosed down as necessary, and a hose-pipe suitable for such purpose shall be kept available at all times.</p> <p>12. Cleanliness of premises The licensee of any funeral parlour shall, at all times, keep the premises, including all fittings, equipment, furniture, utensils and apparatus therein, in a clean and sanitary condition to the satisfaction of the Director.</p>	
12.	14	0019	<p><u>Offensive Trades Regulation (Cap. 132AX)</u></p> <p>17. Use of sleeping purposes No persons other than 2 caretakers (or such greater number of caretakers as the Director may in writing permit) in respect of each block of buildings shall pass the night in any part of the premises used in connexion with the trade. Where any part of the premises is used for sleeping purposes such part shall be partitioned off from the remainder of the premises to the satisfaction of the Director, and no part of the trade shall be carried on and no storage of raw materials or finished products shall be permitted therein.</p>	<p>A person will not be convicted for contravening section 17 because he fails to satisfy the *Director pursuant to the section unless the prosecution proves that –</p> <p>(a) the Director has, before the contravention, specified to the person how the Director is to be satisfied for the purposes of section 17; or</p> <p>(b) the person has caused or permitted the part of the premises to be used for sleeping purposes without writing to the Director to ascertain, and ascertaining from the Director, before the contravention, as to how the Director is to be satisfied for the purposes of section 17.</p>

				* "Director" means the Director of Food and Environmental Hygiene.
13.	15	0020	<p><u>Places of Amusement Regulation (Cap. 132BA)</u></p> <p>15. Sanitary conveniences The licensee shall to the satisfaction of the Director provide adequate urinal and watercloset accommodation in the licensed premises and shall maintain such accommodation in a clean and wholesome condition.</p> <p>22. Outdoor sign and notice The licensee of a billiard establishment shall exhibit and keep exhibited-</p> <p>(a) the words "Licensed for billiards" in English and in Chinese the characters "已領有桌球館牌照" in some conspicuous place near the door and on the outside of the licensed premises to the satisfaction of the Director; and</p> <p>24. Outdoor sign The licensee of a public bowling-alley shall exhibit and keep exhibited the words "Licensed bowling-alley" in English and in Chinese the characters "已領有保齡球場牌照" in some conspicuous place near the door and on the outside of the licensed premises to the satisfaction of the Director.</p>	<p>A person will not be convicted for contravening section 15 because he fails to satisfy the *Director pursuant to the section unless the prosecution proves that –</p> <p>(a) the Director has, before the contravention, specified to the person how the Director is to be satisfied for the purposes of section 15; or</p> <p>(b) the person has caused or permitted the premises to be used for the purpose authorized by the licence without writing to the Director to ascertain, and ascertaining from the Director, before the contravention, as to how the Director is to be satisfied for the purposes of section 15.</p> <p>A person will not be convicted for contravening section 22(a), 24 or 26 unless the prosecution proves that –</p> <p>(a) the *Director has, before the contravention, specified to the person how the Director is to be satisfied for the purposes of section 22(a), 24 or</p>

			<p>26. Outdoor sign</p> <p>The licensee of a public skating rink shall exhibit and keep exhibited the words "Licensed for skating" in English and in Chinese the characters "已領有溜冰場牌照" in some conspicuous place near the door and on the outside of the licensed premises to the satisfaction of the Director.</p>	<p>26; or</p> <p>(b) the person has caused or permitted the premises to be used as a billiard establishment, public bowling-alley or public skating rink without writing to the Director to ascertain, and ascertaining from the Director, before the contravention, as to how the Director is to be satisfied for the purposes of section 22(a), 24 or 26.</p> <p>* "Director" means the Director of Leisure and Cultural Services.</p>
14.	16	0021	<p><u>Public Cleansing and Prevention of Nuisances Regulation (Cap. 132BK)</u></p> <p>5. Occupier of premises required to keep surroundings clean</p> <p>(1) If any litter or waste is found-</p> <p>(a) in a street or public place, within 6 m of any premises fronting, adjoining or abutting on such street or public place and having direct access thereto; or</p> <p>(b) in any common part of a building as is specified in paragraphs 4 and 6 of the First Schedule, within 6 m of any premises fronting, adjoining or abutting on such common part and having direct access thereto,</p> <p>a public officer authorized in writing in that behalf by the Director may by notice in writing served on the</p>	<p>A person will not be convicted for contravening section 5(1) or (2) because he fails to satisfy the public officer for the purposes of section 5(3) unless the prosecution proves that the *Director has, before or as soon as practicable after the notice is served, specified to the person how such a public officer is to be satisfied for the purposes of section 5(3).</p> <p>A person will not be convicted for contravening section 19(2)(f) or (4)(a) unless the prosecution proves that –</p> <p>(a) the *Director has, before the failure, specified to the person how the</p>

			<p>occupier of such premises, require him to remove therefrom the litter or waste within one hour or such longer period as may be specified in the notice.</p> <p>(2) If any litter or waste is found in any common part of a building other than a part specified in paragraphs 4 and 6 of the First Schedule, a public officer authorized in writing in that behalf by the Director may by notice in writing served on-</p> <p>(a) the person responsible for the management or cleansing of the building; or</p> <p>(b) if there is no such person or such person cannot be found or ascertained, the owner or occupier of the building,</p> <p>require him to remove therefrom the litter or waste within one hour or such longer period as may be specified in the notice.</p> <p>(3) A notice under subsection (1) or (2) may also require the person on whom it is served-</p> <p>(a) to clean the area or common part of a building specified therein to the satisfaction of the public officer serving the notice within such period as may be prescribed in the notice; and</p> <p>(b) thereafter to keep such area or common part of a building clean to the satisfaction of the public officer serving the notice for such period not exceeding 30 days, as may be prescribed in the notice.</p>	<p>Director is to be satisfied for the purposes of section 19(2)(f) or (4)(a); or</p> <p>(b) the person has caused or permitted household waste to be put in the dustbin without writing to the Director to ascertain, and ascertaining from the Director, before the failure, as to how the Director is to be satisfied for the purposes of section 19(2)(f) or (4)(a).</p> <p>* “Director” means the Director of Food and Environmental Hygiene.</p>
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			<p>19. Duty of occupier where waste chute is not provided</p> <p>(2) Every dustbin provided shall be-</p> <ul style="list-style-type: none"> (a) constructed of strong impervious material; (b) cylindrical in shape, or tapered towards the bottom, with smooth internal surfaces; (c) fitted with handles in such a manner that the bin may easily be lifted by hand; (d) provided with a close fitting lid or cover so as to prevent the emission of dust or stench therefrom and the access thereto of flies; (e) of a capacity not exceeding 100L and not less than 30L; and (f) generally made to the satisfaction of the Director. <p>(3) Notwithstanding subsection (2), any receptacle intended for the storage of waste, for which receptacle approval in writing has been obtained from the Director, may be used as a dustbin.</p> <p>(4) The occupier of any premises or part of any premises in which no waste chute is provided shall-</p> <ul style="list-style-type: none"> (a) at all times maintain every dustbin provided by him in good repair and in a clean condition to the satisfaction of the Director; (b) keep every dustbin provided by him covered except when required to be opened for the purpose of using it; and 	
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			(c) at least once in every 24 hours, deliver or cause to be delivered to a public waste collection loader at a public waste collection vehicle all the contents of every dustbin provided by him.	
15.	17	0022	<p><u>Sanitation and Conservancy Regulation (Cap. 132BT)</u></p> <p>7. Duty of occupier of premises not having latrine accommodation</p> <p>(1) In any premises in which no latrine accommodation can be provided the occupier of such premises or part thereof shall provide sufficient sanitary pails or containers for the use of the inmates of the premises so that there shall be not less than 1 sanitary pail or container for each 25 inmates or part thereof.</p> <p>(2) Every such sanitary pail or container shall-</p> <p>(a) be of a size suitable to its purpose;</p> <p>(b) be constructed of smooth impervious material; and</p> <p>(c) have either a close-fitting lid or cover, or be enclosed in a box or structure, so made as to prevent the emission of smell therefrom or the access of flies thereto and constructed to the satisfaction of the Director.</p> <p>(3) Every sanitary pail or container and all fittings or appliances appurtenant thereto shall, at all times, be maintained in good repair and in a</p>	<p>A person will not be convicted for contravening section 7(2)(c) or (3) because he fails to satisfy the *Director pursuant to the section unless the prosecution proves that –</p> <p>(a) the Director has, before the contravention, specified to the person how the Director is to be satisfied for the purposes of section 7(2)(c) or (3); or</p> <p>(b) the person has caused or permitted the sanitary pail or container to be used without writing to the Director to ascertain, and ascertaining from the Director, before the contravention, as to how the Director is to be satisfied for the purposes of section 7(2)(c) or (3).</p> <p>* “Director” means the Director of Food and Environmental Hygiene.</p>

			clean and hygienic condition to the satisfaction of the Director by the occupier of the premises in which it is installed	
16.	18	0023	<p><u>Slaughterhouses Regulation (Cap. 132BU)</u></p> <p>26. Lighting A licensee shall install and maintain-</p> <ul style="list-style-type: none"> (a) adequate lighting in the licensed slaughterhouse to the satisfaction of the Director; (b) artificial lighting of an overall intensity of at least 220 lux if artificial lighting is provided in the slaughterhall or workrooms of the licensed slaughterhouse; and (c) artificial lighting of an overall intensity of at least 550 lux if artificial lighting is provided in any place in the licensed slaughterhouse where examinations are carried out under section 21(1). 	<p>A person will not be convicted for contravening section 26(a) unless the prosecution proves that –</p> <ul style="list-style-type: none"> (a) the *Director has, before the contravention, specified to the person how the Director is to be satisfied for the purposes of section 26(a); or (b) the person has caused or permitted the premises to be used or occupied as a licensed slaughterhouse without writing to the Director to ascertain, and ascertaining from the Director, before the contravention, as to how the Director is to be satisfied for the purposes of section 26(a). <p>* “Director” means the Director of Food and Environmental Hygiene.</p>
17.	19	0024	<p><u>Public Health (Animals and Birds) (Animal Traders) Regulation (Cap. 139B)</u></p> <p>9. Husbandry and sanitation A licensed animal trader shall comply with the following requirements-</p> <ul style="list-style-type: none"> (a) the housing facilities, primary 	<p>A person will not be convicted for contravening regulation 9 because he fails to satisfy the *Director pursuant to regulation 9(c) unless the prosecution proves that –</p> <ul style="list-style-type: none"> (a) the Director has, before the contravention, specified to the person

			<p>enclosure and outdoor area shall be maintained in a clean and sanitary condition;</p> <p>(b) all excretal and other waste matter shall be removed from the licensed premises not less than once a day;</p> <p>(c) a programme for the control and destruction of insects, ectoparasites, avian and mammalian pests on the licensed premises shall be approved by, and maintained to the satisfaction of, the Director;</p> <p>(d) the food served to the animals or birds shall be adequate, free from contamination, wholesome and nutritive;</p> <p>(e) the water supplied to the animals or birds shall be potable and uncontaminated;</p> <p>(f) food and water receptacles shall be-</p> <p>(i) readily accessible to animals and birds;</p> <p>(ii) kept clean; and</p> <p>(iii) sanitized at such intervals as may be necessary to prevent contamination of the food and water; and</p> <p>(g) a supply of disinfectants shall be available for purposes of sanitation.</p>	<p>how the Director is to be satisfied for the purposes of regulation 9(c); or</p> <p>(b) the person has caused or permitted animals to be kept in the premises for the purpose of his business as an animal trader without writing to the Director to ascertain, and ascertaining from the Director, before the contravention, as to how the Director is to be satisfied for the purposes of regulation 9(c).</p> <p>* “Director” means the Director of Agriculture, Fisheries and Conservation and any Assistant Director of Agriculture, Fisheries and Conservation.</p>
18.	20	0025	<p><u>Dairies Regulations (Cap. 139D)</u></p> <p>12. Provisions as to construction of premises at which</p>	<p>A person will not be convicted for contravening regulation 12(4)(b)(iii) or 14</p>

			<p>dairy is maintained, etc.</p> <p>(4) The following provisions shall apply to every building or other place in which cattle are kept in any dairy-</p> <ul style="list-style-type: none"> (a) the height of such building or place, at its lowest part, shall be not less than 3.6 metres; and (b) the floor thereof shall- <ul style="list-style-type: none"> (i) be raised not less than 200 millimetres above the level of the ground surrounding such building or place; (ii) have a slope of not less than one in sixty; and (iii) communicate directly, by means of an independent drain, constructed to the satisfaction of the Director, with a covered cement catch-pit. <p>14. Disposal of effluent</p> <p>The effluent from any building or other place in which cattle are kept in any dairy or which is a milk room shall at all times be disposed of to the satisfaction of the Director.</p> <p>16. Cleansing, etc. of dairies</p> <p>(1) Every building or other place in which cattle are kept in any dairy or to which cattle have access or which is a milk room shall be thoroughly cleansed as often as may be necessary to ensure that the same is at all times clean to the satisfaction of an inspector.</p>	<p>unless the prosecution proves that –</p> <ul style="list-style-type: none"> (a) the *Director has, before the contravention, specified to the person how the Director is to be satisfied for the purposes of regulation 12(4)(b)(iii) or 14; or (b) the person has caused or permitted any cattle to be kept in any dairy in the building or place, or has caused or permitted the building or place to be used as a milk room, without writing to the Director to ascertain, and ascertaining from the Director, before the contravention, as to how the Director is to be satisfied for the purposes of regulation 12(4)(b)(iii) or 14. <p>A person will not be convicted for contravening regulation 16(1) unless the prosecution proves that –</p> <ul style="list-style-type: none"> (a) the *Director has, before the contravention, specified to the person how an inspector is to be satisfied for the purposes of regulation 16(1); or (b) the person has caused or permitted any cattle to be kept in any dairy in, to have access to, the building or place, or has caused or permitted the
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				<p>building or place to be used as a milk room, without writing to the Director to ascertain, and ascertaining from the Director, before the contravention, as to how an inspector is to be satisfied for the purposes of regulation 16(1).</p> <p>* “Director” means the Director of Agriculture, Fisheries and Conservation and any Assistant Director of Agriculture, Fisheries and Conservation.</p>
19.	21	0026	<p><u>Public Health (Animals and Birds) (Exhibitions) Regulations (Cap. 139F)</u></p> <p>7. Husbandry and sanitation</p> <p>Except as may reasonably be justified for the purpose of veterinary treatment, a person to whom a licence has been granted shall comply with the following requirements-</p> <p>(a) the animals or birds shall be fed at least once daily with wholesome, palatable and nutritious food which shall be of sufficient quantity to meet the normal daily requirements of the animals or birds, having regard to their species, size and condition;</p> <p>(b) all food and water receptacles for the animals or birds shall be-</p> <p>(i) readily accessible to the animals or birds;</p> <p>(ii) so located as to minimize</p>	<p>A person will not be convicted for contravening regulation 7 because he fails to satisfy the *Director pursuant to regulation 7(f) unless the prosecution proves that –</p> <p>(a) the Director has, before the contravention, specified to the person how the Director is to be satisfied for the purposes of regulation 7(f); or</p> <p>(b) the person has caused or permitted an exhibition of animals or birds to be held at the place without writing to the Director to ascertain, and ascertaining from the Director, before the contravention, as to how the Director is to be satisfied for the purposes of regulation 7(f).</p> <p>* “Director” means the Director of Agriculture,</p>

			<p>contamination by excreta or otherwise;</p> <p>(iii) cleaned at regular intervals so as to be kept in a sanitary condition at all times; and</p> <p>(iv) kept in good condition at all times;</p> <p>(c) the animals or birds shall be supplied with adequate and potable water and, if no constant supply of potable water is available, they shall be supplied with potable liquid at least twice daily for a period of not less than one hour each time;</p> <p>(d) all excreta and other waste matter shall be removed not less than once daily from the place at which the animals or birds are kept;</p> <p>(e) the primary enclosures, housing facilities and outdoor areas shall be maintained in a sanitary condition;</p> <p>(f) a programme for the control and destruction of insects, ectoparasites, avian and mammalian pests at the place at which the animals or birds are kept shall be established and maintained to the satisfaction of the Director;</p> <p>(g) animals or birds shall not be housed in the same primary enclosure unless they are of the same or a compatible genus; and</p> <p>(h) notwithstanding that the animals or</p>	<p>Fisheries and Conservation and any Assistant Director of Agriculture, Fisheries and Conservation.</p>
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			<p>birds are of the same or a compatible genus-</p> <ul style="list-style-type: none"> (i) females in season (oestrus) shall not be housed in the same primary enclosure with males except for breeding purposes; and (ii) they shall be housed individually in separate primary enclosures if they are of vicious disposition. 	
20.	22	0027	<p><u>Public Health (Animals) (Boarding Establishment) Regulations (Cap. 139I)</u></p> <p>8. Husbandry and sanitation</p> <p>Except as may reasonably be justified for the purpose of veterinary treatment, a person to whom a licence has been granted shall comply with the following requirements-</p> <ul style="list-style-type: none"> (a) the animals shall be fed at least once daily with wholesome, palatable and nutritious food which shall be of sufficient quantity to meet the normal daily requirement of the animals having regard to their species, size and condition; (L.N. 162 of 1993) (b) all food and water receptacles for the animals shall be- <ul style="list-style-type: none"> (i) readily accessible to the animals; (ii) so located as to minimize contamination by excreta or 	<p>A person will not be convicted for contravening regulation 8 because he fails to satisfy the *Director pursuant to regulation 8(f) unless the prosecution proves that –</p> <ul style="list-style-type: none"> (a) the Director has, before the contravention, specified to the person how the Director is to be satisfied for the purposes of regulation 8(f); or (b) the person has caused or permitted any boarding establishment for animals to be kept at the place without writing to the Director to ascertain, and ascertaining from the Director, before the contravention, as to how the Director is to be satisfied for the purposes of regulation 8(f). <p>* “Director” means the Director of Agriculture,</p>

			<p>otherwise;</p> <p>(iii) cleaned at regular intervals so as to be kept in a sanitary condition at all times; and</p> <p>(iv) kept in good condition at all times;</p> <p>(c) the animals shall be supplied with adequate and potable water and, if no constant supply of potable water is available, they shall be supplied with potable liquid at least twice daily for a period of not less than one hour each time;</p> <p>(d) all excreta and other waste matter shall be removed not less than once daily from the place at which the animals are accommodated;</p> <p>(e) the primary enclosures, housing facilities and outdoor areas shall be maintained in a sanitary condition and shall contain adequate and dry bedding;</p> <p>(f) a programme for the control and destruction of insects, ectoparasites, avian and mammalian pests at the place at which the animals are accommodated shall be established and maintained to the satisfaction of the Director;</p> <p>(g) animals shall not be housed in the same primary enclosure unless they are of the same or a compatible genus;</p> <p>(h) notwithstanding that the animals are</p>	<p>Fisheries and Conservation and any Assistant Director of Agriculture, Fisheries and Conservation.</p>
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			<p>of the same or compatible genus-</p> <ul style="list-style-type: none"> (i) female animals in season (oestrus) shall not be housed in the same primary enclosure with male animals, except for breeding purposes; and (ii) animals of vicious disposition shall be housed individually in separate primary enclosures; (i) young animals shall not be housed in the same primary enclosure with adult animals, except- <ul style="list-style-type: none"> (i) when permanently maintained in breeding colonies; or (ii) where the adult animals are their dams or equivalent; (j) dogs and cats shall not be housed in the same primary enclosure; (k) dogs or cats shall not be housed with any other species of animals; and (l) animals under treatment for a communicable disease shall be kept separate from other animals. 	
21.	23	0028	<p><u>Places of Public Entertainment Regulations (Cap. 172A)</u></p> <p>53. Fire appliances, etc. (1) Fire Service installations and equipment shall be provided to the satisfaction of the Director of Fire Services.</p> <p>87. Projector lamps, etc., in auditorium</p>	<p>A person will not be convicted for contravening regulation 53(1) unless the prosecution proves that –</p> <ul style="list-style-type: none"> (a) the Director of Fire Services has, before the failure, specified to the person how the Director of Fire Services is to be satisfied for the purposes of regulation 53(1); or

			<p>If it is desired to instal in the auditorium or main hall any lamp or apparatus for the purposes of stage illumination, advertisement or special effects, such lamp or apparatus shall be contained in a suitable enclosure arranged to the satisfaction of the licensing authority.</p> <p>88. Lamps for special purposes</p> <p>Except with the consent of the licensing authority and subject to any conditions of such consent, any lamp which may be used in the auditorium for projecting advertisements, stage illumination, special effects or for any other purpose shall be contained in a suitable enclosure to the satisfaction of the licensing authority.</p>	<p>(b) the person has caused or permitted the premises to be used as a place of public entertainment without writing to the Director of Fire Services to ascertain, and ascertaining from the Director of Fire Services, before the failure, as to how the Director of Fire Services is to be satisfied for the purposes of regulation 53(1).</p> <p>A person will not be convicted for contravening regulation 87 or 88 because he fails to satisfy the licensing authority pursuant to the regulation unless the prosecution proves that –</p> <p>(a) the *licensing authority has, before the failure, specified to the person how the licensing authority is to be satisfied for the purposes of regulation 87 or 88; or</p> <p>(b) the person has caused or permitted the premises to be used as a place of public entertainment without writing to the licensing authority to ascertain, and ascertaining from the licensing authority, before the failure, as to how the licensing authority is to be satisfied for the purposes of regulation 87 or 88.</p>
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				<p>* “licensing authority” means the Secretary for Home Affairs or a public officer authorized in writing by the Secretary under section 3B of Cap. 172.</p>
22.	24	0029	<p><u>Public Bus Services Regulations (Cap. 230A)</u></p> <p>6. General duties of grantees Every grantee shall ensure that-</p> <p>(a) every bus used by it in connection with its franchise is, at all times when the bus is so used, properly equipped to the satisfaction of the Commissioner with such signs and destination indicators as are referred to in regulation 7; and</p> <p>(b) every driver, conductor and authorized person employed by it is equipped with such uniform as is referred to in regulation 8.</p> <p>7. Sign boards and notices on buses (1) A driver and conductor of a bus when acting as such shall ensure that-</p> <p>(a) there is displayed on the front and rear of the bus signs, of a design and construction approved by the Commissioner, showing the route number;</p> <p>(b) there is displayed on the front of the bus a destination indicator, of a design and construction approved by the</p>	<p>A person will not be convicted for contravening regulation 6(a) or 7(1)(e) unless the prosecution proves that –</p> <p>(a) the *Commissioner has, before the contravention, specified to the person how the Commissioner is to be satisfied for the purposes of regulation 6(a) or 7(1)(e); or</p> <p>(b) the person has caused or permitted the bus to be used in connection with the franchise without writing to the Commissioner to ascertain, and ascertaining from the Commissioner, before the contravention, as to how the Commissioner is to be satisfied for the purposes of regulation 6(a) or 7(1)(e).</p> <p>* “Commissioner” means the Commissioner for Transport.</p>

			<p>Commissioner, showing in English and Chinese characters the destination of the bus;</p> <p>(c) the signs and indicator required to be displayed under paragraphs (a) and (b) are adequately illuminated at all times when, under the provisions of any other enactment, the lights of the bus are required to be illuminated;</p> <p>(d) a sign board with the words "BUS FULL" and the characters "滿座" displayed thereon, of a size and design approved by the Commissioner, is exhibited on the bus in such manner as to be easily visible by intending passengers, both by day and by night, whenever the maximum number of passengers which the bus is permitted to carry are travelling thereon, but on no other occasion and at no other time;</p> <p>(e) there is displayed on the bus, to the satisfaction of the Commissioner,-</p> <p>(i) a statement, in English and Chinese characters, of the maximum number of seated and standing passengers authorized to be carried on the bus;</p> <p>(ii) the authorized fare for passengers boarding on the section of the route on which the bus is currently operating; and</p> <p>(f) there are available on the bus written</p>	
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			<p>details, in both English and Chinese characters, of the fares and charges authorized to be taken on that route, such details to be available for inspection by passengers on reasonable request being made.</p>	
23.	25	0030	<p><u>Child Care Services Regulations (Cap. 243A)</u></p> <p>43. First aid (3) First aid boxes shall be maintained fully equipped to the satisfaction of the Director at all times and so placed as to be inaccessible to the children.</p>	<p>A supervisor of a registered child care centre will not be convicted for contravening regulation 43(3) unless the prosecution proves that –</p> <p>(a) the *Director has, before the contravention, specified to the supervisor how the Director is to be satisfied for the purposes of regulation 43(3); or</p> <p>(b) the supervisor has caused or permitted the premises to be used as a centre without writing to the Director to ascertain, and ascertaining from the Director, before the contravention, as to how the Director is to be satisfied for the purposes of regulation 43(3).</p> <p>* “Director” means the Director of Social Welfare.</p>
24.	26	0031	<p><u>Peak Tramway (Safety) Regulations (Cap. 265A)</u></p> <p>25. Company not to operate tramway without</p>	<p>The Peak Tramway Company Limited will not be convicted for contravening regulation 25(1) or 27(1) unless the prosecution proves that –</p>

			<p>adequate rescue facilities and equipment (1) The company shall, to the satisfaction of the Director, provide adequate equipment and facilities for the rescue of passengers in the event of an accident or emergency.</p> <p>27. Company to maintain safety of persons using or being in vicinity of tramway (1) The company shall, to the satisfaction of the Director, provide reasonable numbers of personnel and facilities for the control and safety of persons using, or being in the vicinity of, the tramway.</p>	<p>(a) the *Director has, before the failure, specified to the company how the Director is to be satisfied for the purposes of regulation 25(1) or 27(1); or</p> <p>(b) the company has caused or permitted the tramway to be used, or has permitted persons to be in the vicinity of the tramway, without writing to the Director to ascertain, and ascertaining from the Director, before the failure, as to how the Director is to be satisfied for the purposes of regulation 25(1) or 27(1).</p> <p>* “Director” means the Director of Electrical and Mechanical Services.</p>
25.	27	0032	<p><u>Mining (General) Regulations (Cap. 285A)</u></p> <p>12. Duty to fill in excavations The holder of a prospecting licence shall fill in or otherwise render secure, to the satisfaction of the Superintendent of Mines, all unproductive shafts, excavations or trenches made by him in the course of prospecting.</p>	<p>A person will not be convicted for contravening regulation 12 unless the prosecution proves that –</p> <p>(a) the Superintendent of Mines has, before the contravention, specified to the person how the Superintendent of Mines is to be satisfied for the purposes of regulation 12; or</p> <p>(b) the person has caused or permitted the area to be prospected without writing to the Superintendent of Mines to ascertain, and ascertaining from the</p>

				Superintendent of Mines, before the contravention, as to how the Superintendent of Mines is to be satisfied for the purposes of regulation 12.
26.	28	0033	<p><u>Mines (Safety) Regulations (Cap. 285B)</u></p> <p>8. Duty to keep boilers, etc. in good condition and repair All engines, ladders, windlasses, brakes, ropes, winding gear and other mechanical appliances shall be kept in good condition and repair to the satisfaction of a mines officer.</p> <p>9. Duty to fence off dangerous machinery prohibition against repairing, etc. when risk of personal injury exists (2) Efficient safety guards shall be provided to the satisfaction of a mines officer to such parts of machinery as may in his opinion be a source of possible danger to persons.</p> <p>41. Duty to provide satisfactory ladders and ways of exit (1) The manager shall provide and maintain to the satisfaction of a mines officer such ladders or other ways as will furnish effectual means of exit or ascent of persons from any underground workings without the assistance of winding machinery.</p> <p>62. Ventilation requirement All parts of every underground working shall be</p>	<p>A person will not be convicted for contravening regulation 8 or 9(2) unless the prosecution proves that –</p> <p>(a) the mines officer has, before the contravention, specified to the person how the mines officer is to be satisfied for the purposes of regulation 8 or 9(2); or</p> <p>(b) the person has caused or permitted the engine, ladder, windlass, brake, rope, winding gear, mechanical appliance or machinery to be used in the prospecting or mining operation without writing to the mines officer to ascertain, and ascertaining from the mines officer, before the contravention, as to how the mines officer is to be satisfied for the purposes of regulation 8 or 9(2).</p> <p>A person will not be convicted for contravening regulation 41(1) or 62 unless the prosecution proves that –</p>

			properly and sufficiently ventilated to the satisfaction of a mines officer.	<p>(a) the mines officer has, before the contravention, specified to the person how the mines officer is to be satisfied for the purposes of regulation 41(1) or 62; or</p> <p>(b) the person has caused or permitted the underground workings to be used without writing to the mines officer to ascertain, and ascertaining from the mines officer, before the contravention, as to how the mines officer is to be satisfied for the purposes of regulation 41(1) or 62.</p>
27.	29	0034-0035	<p><u>Dangerous Goods (General) Regulations (Cap. 295B)</u></p> <p>31. Alterations to and maintenance of factory premises, etc. after grant of licence After the grant or renewal of any licence for the manufacture of explosives-</p> <p>(a) no material alteration shall be made to the factory, its fittings or equipment, except with the permission in writing of the Authority; and</p> <p>(b) all parts of the factory, its fittings and equipment, shall be maintained in good repair to the satisfaction of the Authority.</p>	<p>A licensee of a factory in respect of which regulation 31(1) is contravened will not be convicted unless the prosecution proves that –</p> <p>(a) the *Authority has, before the contravention, specified to the licensee how the Authority is to be satisfied for the purposes of regulation 31(b); or</p> <p>(b) the licensee has caused or permitted the manufacture of explosives to be carried on at the factory without writing to the Authority to ascertain, and ascertaining from the Authority, before the contravention, as to how the Authority is to be satisfied for the</p>

				<p>purposes of regulation 31(b).</p> <p>* “Authority” means the Commissioner of Mines.</p>
28.	30	0036	<p>78C. Alterations to and maintenance of distribution pipelines</p> <p>(1) After the grant or renewal of any licence for the storage of gas-</p> <p>(a) no alteration or addition to any distribution pipeline leading from the store shall, except with the permission in writing of the Authority, be made which results in a deviation in any material particular from the plan of such pipeline as is, for the time being, approved by the Authority;</p> <p>(b) every distribution pipeline leading from the store shall be maintained at all times in good order and condition to the satisfaction of the Authority.</p>	<p>A licensee of a store in respect of which regulation 78C(1)(b) is contravened will not be convicted unless the prosecution proves that –</p> <p>(a) the *Authority has, before the contravention, specified to the licensee how the Authority is to be satisfied for the purposes of paragraph (1)(b); or</p> <p>(b) the licensee has caused or permitted the store to be used for storage of gas without writing to the Authority to ascertain, and ascertaining from the Authority, before the contravention, as to how the Authority is to be satisfied for the purposes of paragraph (1)(b).</p> <p>* “Authority” means the Authority by whom the licence was granted or renewed.</p>
29.	31	0037	<p>73. Storage of cylinders containing liquid oxygen or liquid nitrogen</p> <p>(1) No container containing liquid oxygen or liquid nitrogen shall be stored otherwise than in a place approved by the Authority and marked, to the satisfaction of the Authority, by one or more</p>	<p>A person will not be convicted for contravening regulation 73(1) because he fails to satisfy the *Authority pursuant to that regulation unless the prosecution proves that –</p>

			<p>notices, in English and Chinese, indicating the storage of liquid oxygen or liquid nitrogen, as the case may be.</p> <p>74. General provisions relating to storage, etc.</p> <p>(4) No person shall store, or cause or permit to be stored, any cylinder containing any gas specified in the first column of the table to this regulation-</p> <ul style="list-style-type: none"> (a) otherwise than in a cool place and protected from the direct rays of the sun or other direct source of heat; (b) above or nearer than 600 mm from any gas or other burner, whether connected therewith or not; (c) except when stored under licence in accordance with the provisions of the Ordinance and these regulations otherwise than resting on the floor of any premises or on the ground or on a stand constructed to the satisfaction of the Authority and resting on the floor or on the ground; (d) in any common passageway, stairway or doorway; (e) below ground level, except with the permission in writing of the Authority; or (f) in any place which is not provided with adequate low level ventilation. 	<ul style="list-style-type: none"> (a) the Authority has, before the contravention, specified to the person how the Authority is to be satisfied for the purposes of regulation 73(1); or (b) the person has caused or permitted the place to be used for storage of containers containing liquid oxygen or liquid nitrogen without writing to the Authority to ascertain, and ascertaining from the Authority, before the contravention, as to how the Authority is to be satisfied for the purposes of regulation 73(1). <p>A person will not be convicted for contravening regulation 74(4)(c) because he fails to satisfy the *Authority pursuant to that regulation unless the prosecution proves that –</p> <ul style="list-style-type: none"> (a) the Authority has, before the contravention, specified to the person how the Authority is to be satisfied for the purposes of regulation 74(4)(c); or (b) the person has caused or permitted the stand to be used for storage of the cylinder without writing to the Authority to ascertain, and ascertaining from the Authority, before the contravention, as to how
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				<p>the Authority is to be satisfied for the purposes of regulation 74(4)(c).</p> <p>* “Authority” means the Director of Fire Services.</p>
30.	32	0038	<p>147. Electrical equipment in stores containing calcium carbide</p> <p>No electrical equipment shall be installed or used in any store containing calcium carbide unless such equipment is installed to the satisfaction of the Authority and is of a type approved by him.</p>	<p>A person will not be convicted for contravening regulation 147 because he fails to satisfy the *Authority pursuant to that regulation unless the prosecution proves that –</p> <p>(a) the Authority has, before the contravention, specified to the person how the Authority is to be satisfied for the purposes of regulation 147; or</p> <p>(b) the person has caused or permitted the store to contain calcium carbide without writing to the Authority to ascertain, and ascertaining from the Authority, before the contravention, as to how the Authority is to be satisfied for the purposes of regulation 147.</p> <p>* “Authority” means the Director of Fire Services.</p>
31.	33	0039	<p>160. Special conditions for storage of celluloid or nitrocellulose based film</p> <p>(1) No person shall store, or cause or permit to be stored, in the same compartment of any store more than 1 t, in the aggregate, of celluloid or film at any one time.</p>	<p>A person will not be convicted for contravening regulation 160 because he fails to satisfy the *Authority pursuant to that regulation unless the prosecution proves that –</p>

			<p>(2) For the purposes of paragraph (1), no part of a store shall be deemed to be a compartment unless it is separated from any other part of the store by fireproof walls or partitions constructed to the satisfaction of the Authority.</p>	<p>(a) the Authority has, before the contravention, specified to the person how the Authority is to be satisfied for the purposes of regulation 160(2); or</p> <p>(b) the person has caused or permitted more than 1 t of celluloid or film to be stored in the compartment without writing to the Authority to ascertain, and ascertaining from the Authority, before the contravention, as to how the Authority is to be satisfied for the purposes of regulation 160(2).</p> <p>* “Authority” means the Director of Fire Services.</p>
32.	34	0040	<p>178. Alterations to and maintenance of stores after grant or renewal of licence</p> <p>(1) After the grant or renewal of any licence for the storage of dangerous goods in any category-</p> <p>(a) no alteration or addition to the store or to its fittings or equipment shall, except with the permission in writing of the Authority, be made which results in a deviation in any material particular from the plan of such store, or from the fittings or equipment thereof, as is, for the time being, approved by the Authority; and</p> <p>(b) the store, and its fittings and equipment, shall be maintained at all times in good order and condition to the satisfaction of the Authority.</p>	<p>A licensee of a store will not be convicted for contravening regulation 178(1)(b) unless the prosecution proves that –</p> <p>(a) the *Authority has, before the contravention, specified to the licensee how the Authority is to be satisfied for the purposes of paragraph (1)(b); or</p> <p>(b) the licensee has caused or permitted the store to be used for storage of dangerous goods without writing to the Authority to ascertain, and ascertaining from the Authority, before the contravention, as to how the Authority is to be satisfied for the</p>

				<p>purposes of paragraph (1)(b).</p> <p>* “Authority” means the Authority by whom the licence was granted or renewed.</p>
33.	35	0041	<p><u>Reserved Commodities (Control of Imports, Exports and Reserve Stocks) Regulations (Cap. 296A)</u></p> <p>18. Duty to maintain stock (3) Such stock shall be maintained in good condition to the satisfaction of the Director.</p>	<p>A stockholder will not be convicted for contravening regulation 18(3) unless the prosecution means that –</p> <p>(a) the *Director has, before the failure, specified to the stockholder how the Director is to be satisfied for the purposes of regulation 18(3); or</p> <p>(b) the stockholder has caused or permitted any reserved commodity to be maintained by him as stock without writing to the Director to ascertain, and ascertaining from the Director, before the failure, as to how the Director is to be satisfied for the purposes of regulation 18(3).</p> <p>* “Director” means the Director-General of Trade and Industry and any Deputy or Assistant Director-General of Trade and Industry.</p>
34.	36	0042	<p><u>Air Pollution Control (Dry-Cleaning Machines) (Vapour Recovery) Regulation (Cap. 311T)</u></p> <p>8. Use of dry-cleaning machine (1) The owner of a dry-cleaning laundry shall</p>	<p>An owner of a dry-cleaning laundry will not be convicted for contravening regulation 8(1) because he fails to comply with 8(2)(a) unless the prosecution proves that –</p> <p>(a) the *Authority has, before the failure,</p>

			<p>not use, or permit any person to use, a dry-cleaning machine installed in the laundry unless-</p> <ul style="list-style-type: none"> (a) the machine is an approved machine; or (b) the machine is an existing machine and- <ul style="list-style-type: none"> (i) the specified period has not expired; or (ii) the specified period has expired but- <ul style="list-style-type: none"> (A) the machine is a non-vented type machine equipped with a vapour recovery system capable of reducing the perchloroethylene concentration in the drum to 300 ppmv (that is, 2034 mg/m³ at 298 K and 101.325 kPa) or below at the end of the drying cycle, prior to the opening of the machine's door; (B) a competent examiner has signed a certificate under section 9 in respect of the machine; (C) the Authority has registered the certificate under section 10(2); (D) the competent examiner has issued the certificate under section 10(3); and 	<p>specified to the owner how the Authority is to be satisfied for the purposes of section 8(2)(a); or</p> <ul style="list-style-type: none"> (b) the owner has not, before the failure, written to the Authority to ascertain, and ascertained from the Authority, as to how the Authority is to be satisfied for the purposes of section 8(2)(a). <p>* “Authority” means the public officer appointed under section 4(1) of Cap. 311 to be the air pollution control authority.</p>
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			<p>(E) the certificate is displayed in a conspicuous position on the machine.</p> <p>(2) The owner of a dry-cleaning laundry in which is installed a dry-cleaning machine which cannot be used by virtue of subsection (1) shall, as soon as is reasonably practicable after the machine cannot be used by virtue of that subsection but, in any case, not later than 14 days after the machine cannot be used by virtue of that subsection-</p> <p>(a) render the machine, or cause the machine to be rendered, permanently inoperable to the satisfaction of the Authority; or</p> <p>(b) remove the machine, or cause the machine to be removed, from the laundry.</p>	
35.	37	043	<p><u>Marine Fish Culture Regulations (Cap. 353A)</u></p> <p>7. Marking and lighting of rafts and impoundments A licensee or permittee shall-</p> <p>(a) to the satisfaction of the Director, cause the number of his licence or permit to be permanently marked in conspicuous lettering upon each raft or impoundment used by him; and</p> <p>(b) if required by the Director, cause to be exhibited on or near any raft or impoundment used by him, between sunset and sunrise, a fixed white light of sufficient intensity so as to be visible all round in clear atmosphere</p>	<p>A licensee or permittee will not be convicted for contravening regulation 7(a) unless the prosecution proves that –</p> <p>(a) the *Director has, before the contravention, specified to the licensee or permittee how the Director is to be satisfied for the purposes of regulation 7(a); or</p> <p>(b) the licensee or permittee has caused or permitted the raft or impoundment to be used without writing to the Director to ascertain, and ascertaining from the Director, before the</p>

			on a dark night at a distance of not less than 2 km and situated in such position as may be required by the Director.	contravention, as to how the Director is to be satisfied for the purposes of regulation 7(a). * “Director” means the Director of Agriculture, Fisheries and Conservation.
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