

INTERPRETATION AND GENERAL CLAUSES ORDINANCE

RESOLUTION

(Under section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1))

AIR POLLUTION CONTROL (VOLATILE ORGANIC COMPOUNDS) (AMENDMENT) REGULATION 2009

RESOLVED that the Air Pollution Control (Volatile Organic Compounds) (Amendment) Regulation 2009, published in the Gazette as Legal Notice No. 107 of 2009 and laid on the table of the Legislative Council on 27 May 2009, be amended –

(a) in section 2(2), by repealing the new definition of “importer” and substituting –

““importer” (進口商) means a person by or for whom a regulated product is or was brought, or caused to be brought, into Hong Kong, and includes a person who, at or immediately after the time a regulated product is or was brought, or caused to be brought, into Hong Kong, is or was in possession of or entitled to the custody or control of the product, whether as owner, consignee, agent or broker;”;

(b) in section 2(11), in the new definition of “exempt compound”, by repealing paragraph (f);

- (c) in section 14, in the new section 16A, by repealing “1 October 2010” and substituting “1 October 2011”;
- (d) in section 14, in the new section 16B(1), by repealing “1 October 2010” and substituting “1 October 2011”;
- (e) in section 14, in the new section 16B(1)(d), by adding “and” at the end;
- (f) in section 14, by repealing the new section 16B(1)(e);
- (g) in section 14, in the new section 16C(2), by repealing “31 March 2011” and substituting “31 March 2012”;
- (h) in section 14, in the new section 16C(3), by repealing “1 October 2010 to 31 December 2010” and substituting “1 October 2011 to 31 December 2011”;
- (i) in section 14, in the new section 16C(4), by repealing “1 October 2010” and substituting “1 October 2011”;
- (j) in section 14, in the new section 16C(4)(f)(ii), by repealing “and volume of exempt compounds”;
- (k) in section 20, in the new Part 1 of Schedule 5, by repealing the definitions of “exempt compound” and “Method 303”;
- (l) in section 20, in the new Part 1 of Schedule 5, in the definition of “volatile organic compound”, by repealing everything after “metallic carbonates” and substituting “and ammonium carbonate.”;
- (m) in section 20, in the new Part 1 of Schedule 5, by adding –
““textured and flexibilized coatings” (紋理及柔軟效果塗料) means coatings that are labelled and formulated to be applied exclusively on a flexible plastic substrate or on the lower part of the body of a motor vehicle to provide textured or flexibilized effect on the substrate or part;”;

- (n) in section 20, in the new section 1 of Part 2 of Schedule 5, by repealing everything after “condition –” and substituting –

“Item	Regulated vehicle refinishing paints	Maximum limits of volatile organic compound content
1.	Adhesion promoters	840
2.	Clear coatings (non-matt finish)	420
3.	Clear coatings (matt finish)	840
4.	Colour coatings	420
5.	Multi-colour coatings	680
6.	Pre-treatment coatings	780
7.	Primers	540
8.	Single-stage coatings	420
9.	Temporary protective coatings	60
10.	Textured and flexibilized coatings	840
11.	Truck bed liner coatings	310
12.	Underbody coatings	430
13.	Uniform finish coatings	840”;

- (o) in section 20, in the new Part 3 of Schedule 5, by repealing everything after “formula –” and substituting –

$$\frac{W_a - W_b}{V_d - V_e}$$

where –

- W_a represents the weight of volatile matters in grams as determined by Method 24;
- W_b represents the weight of water in grams as determined by Method 24;

- Vd represents the volume of material in litres as determined by Method 24;
- Ve represents the volume of water in litres, calculated by dividing the weight of water as determined by Method 24 by the density of water.”.