

核對表及指引
Check List and Instructions

《玩具及兒童產品安全規例》

(第 424 章，附屬法例 B)

TOYS AND CHILDREN'S PRODUCTS SAFETY REGULATION
(CAP. 424 sub. leg. B)

如欲確定此乃本成文法則的最新核對表及指引，請參閱第 1 冊內的總核對表及指引第 II 部所載本成文法則的核對表及指引的刊印期數，該刊印期數應與此頁右下角所示的刊印期數相同。

To verify that this is the latest Check List and Instructions for this enactment, please refer to the issue number of Check List and Instructions for this enactment shown in Part II of the Master Check List and Instructions in Volume 1. Such issue number should be the same as the issue number shown at the lower right hand corner of this page.

如欲知悉本成文法則文本切合何時的法律情況，請參閱第 1 冊內的總核對表及指引第 I 部。

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刊印期數
Issue number

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制定史

本為 1997 年第 111 號法律公告 — 2010 年第 5 號

Enactment History

Originally L.N. 111 of 1997 — 5 of 2010

尚未實施 —

對第 2(3)及 3(3)條的修訂 — 見 2012 年第 28 號第 912 及 920 條(附表 10 第 233 至 234 條)

The following are not yet in operation —

Amendments to ss. 2(3) and 3(3) — see 28 of 2012 ss. 912 and 920 (Schedule 10, ss. 233 to 234)

[附屬法例]

[Subsidiary]

玩具及兒童產品安全規例

TOYS AND CHILDREN'S PRODUCTS SAFETY REGULATION

(第 424 章第 35 條)

(Cap. 424, section 35)

[1998 年 4 月 1 日] 1998 年第 183 號法律公告

[1 April 1998] L.N. 183 of 1998

1. (已失時效而略去)

1. (Omitted as spent)

1A. 釋義

在本規例中——

“玩具”(toy)指設計供兒童玩耍或顯然是擬供兒童玩耍的產品或物料；

“兒童產品”(children's product)指本條例附表 2 第 1 欄指明的產品。

(2010 年第 5 號第 23 條)

1A. Interpretation

In this Regulation—

“children's product”(兒童產品)means a product specified in column 1 of Schedule 2 to the Ordinance;

“toy”(玩具)means a product or material that is designed or clearly intended for use in play by a child.

(5 of 2010 s. 23)

2. 玩具的識別標記

2. Identification marking for toys

(1) 任何人不得供應任何玩具，除非第 (2) 款列出的資料已在以下物品的顯眼處用中文或英文或中英文以清楚可讀的形式予以標記——

- (a) 該等玩具；
- (b) 該等玩具的任何包裝；
- (c) 穩固地加於包裝上的標籤；或
- (d) 附於包裝內的文件。

(2) 第 (1) 款所提述的資料為玩具的製造商、進口商或供應商的以下資料——

- (a) 全名、商標或其他識別標記；及
- (b) 在香港的地址。

(3) 凡任何玩具的製造商、進口商或供應商屬根據《公司條例》(第 32 章)成立為法團的公司，則根據第 (2)(b) 款所須提供的地址為該公司的註冊辦事處的地址。

(4) 本條不適用於過境貨物、轉運中的貨物或為供出口而製造的貨物。

(5) 任何人違反第 (1)、(2) 或 (3) 款，即屬犯罪。

(1) No person shall supply a toy unless the information set out in subsection (2) is legibly marked, in either the English or the Chinese language, or in both languages, in a conspicuous position on—

- (a) the toy;
- (b) any package of the toy;
- (c) a label securely affixed to the package; or
- (d) a document enclosed in the package.

(2) The information referred to in subsection (1) is—

- (a) the full name, trade or other identification mark; and
- (b) the address in Hong Kong,

of the manufacturer, the importer or the supplier of the toy.

(3) Where the manufacturer, importer or supplier of a toy is a company incorporated under the Companies Ordinance (Cap. 32), the address to be given under subsection (2)(b) is the address of the registered office of the company.

(4) This section does not apply to goods in transit, goods in the course of transshipment or goods manufactured for export.

(5) A person who contravenes subsection (1), (2) or (3) commits an offence.

[附屬法例]

[Subsidiary]

3. 兒童產品的識別標記

(1) 任何人不得供應任何兒童產品，除非第(2)款列出的資料已在以下物品的顯眼處用中文或英文或中英文以清楚可讀的形式予以標記——

- (a) 該等兒童產品；
- (b) 該等兒童產品的任何包裝；
- (c) 穩固地加於包裝上的標籤；或
- (d) 附於包裝內的文件。

(2) 第(1)款所提述的資料為兒童產品的製造商、進口商或供應商的以下資料——

- (a) 全名、商標或其他識別標記；及
- (b) 在香港的地址。

(3) 凡任何兒童產品的製造商、進口商或供應商屬根據《公司條例》(第 32 章)成立為法團的公司，則根據第(2)(b)款所須提供的地址為該公司的註冊辦事處的地址。

(4) 本條不適用於過境貨物、轉運中的貨物或為供出口而製造的貨物。

(5) 任何人違反第(1)、(2)或(3)款，即屬犯罪。

4. 玩具及兒童產品的雙語警告或警誡

(1) 凡任何玩具或兒童產品或其包裝標記有關於其安全存放、使用、耗用或處置的任何警告或警誡，或凡任何加於該包裝上的標籤或任何附於該包裝內的文件載有關於其安全存放、使用、耗用或處置的任何警告或警誡，則該等警告或警誡須以中文及英文表達。

(2) 第(1)款所提述的任何警告或警誡須是清楚可讀的，並須放置於以下物品的顯眼處——

- (a) 該等玩具或兒童產品；
- (b) 該等玩具或兒童產品的任何包裝；
- (c) 穩固地加於包裝上的標籤；或
- (d) 附於包裝內的文件，

視情況所需而定。

(3) 本條不適用於過境貨物、轉運中的貨物或為供出口而製造的貨物。

(4) 任何人供應不符合第(1)或(2)款規定的玩具或兒童產品，即屬犯罪。

3. Identification marking for children's products

(1) No person shall supply a children's product unless the information set out in subsection (2) is legibly marked, in either the English or the Chinese language, or in both languages, in a conspicuous position on—

- (a) the children's product;
- (b) any package of the children's product;
- (c) a label securely affixed to the package; or
- (d) a document enclosed in the package.

(2) The information referred to in subsection (1) is—

- (a) the full name, trade or other identification mark; and
- (b) the address in Hong Kong,

of the manufacturer, the importer or the supplier of the children's product.

(3) Where the manufacturer, importer or supplier of a children's product is a company incorporated under the Companies Ordinance (Cap. 32), the address to be given under subsection (2)(b) is the address of the registered office of the company.

(4) This section does not apply to goods in transit, goods in the course of transshipment or goods manufactured for export.

(5) A person who contravenes subsection (1), (2) or (3) commits an offence.

4. Bilingual warning or caution for toys and children's products

(1) Where a toy or children's product or its package is marked with, or where any label affixed to or any document enclosed in its package contains, any warning or caution with respect to its safe keeping, use, consumption or disposal, such warning or caution shall be in both the English and the Chinese languages.

(2) A warning or caution referred to in subsection (1) shall be legible and shall be placed in a conspicuous position on—

- (a) the toy or children's product;
- (b) any package of the toy or children's product;
- (c) a label securely affixed to the package; or
- (d) a document enclosed in the package,

as the case may require.

(3) This section does not apply to goods in transit, goods in the course of transshipment or goods manufactured for export.

(4) A person who supplies a toy or children's product which does not comply with subsection (1) or (2) commits an offence.

[附屬法例]

[Subsidiary]

5. 罰則

5. Penalties

任何人犯第 2、3 或 4 條所訂罪行——

A person who commits an offence under section 2, 3 or 4 shall be liable—

- (a) 如屬首次定罪，可處第 6 級罰款及監禁 1 年；及
- (b) 而其後各次定罪，可處罰款 \$500,000 及監禁 2 年。

- (a) on first conviction, to a fine at level 6 and to imprisonment for 1 year; and
- (b) on subsequent conviction, to a fine of \$500,000 and to imprisonment for 2 years.