

Resolution of the Legislative Council

1

Energy Efficiency (Labelling of Products) Ordinance

Resolution

(Under section 54 of the Energy Efficiency (Labelling of Products)
Ordinance (Cap. 598))

Resolved that the Energy Efficiency (Labelling of Products) Ordinance (Amendment of Schedule 1) Order 2017, made by the Secretary for the Environment on 2 May 2017, be approved.

Energy Efficiency (Labelling of Products) Ordinance (Amendment of Schedule 1) Order 2017

(Made by the Secretary for the Environment under section 54 of the Energy Efficiency (Labelling of Products) Ordinance (Cap. 598) subject to the approval of the Legislative Council)

Part 1

Preliminary

1. Commencement

This Order comes into operation on a day to be appointed by the Secretary for the Environment by notice published in the Gazette.

Part 2

Amendment to Energy Efficiency (Labelling of Products) Ordinance

- 2. Energy Efficiency (Labelling of Products) Ordinance amended**
The Energy Efficiency (Labelling of Products) Ordinance (Cap. 598) is amended as set out in section 3.
 - 3. Schedule 1 amended (prescribed products)**
Schedule 1, Part 1, after section 5—
Add
“6. Televisions within the description in Division 6 of Part 2.
7. Storage type electric water heaters within the description in Division 7 of Part 2.
8. Induction cookers within the description in Division 8 of Part 2.”.
-

Part 3

Transitional Provisions

4. Interpretation of Part 3

In this Part—

commencement date (生效日期) means the date on which this Order comes into operation;

new prescribed product (新訂明產品) means—

- (a) a television specified in section 6 in Part 1 of Schedule 1 to the Ordinance;
- (b) a storage type electric water heater specified in section 7 in that Part; or
- (c) an induction cooker specified in section 8 in that Part;

transitional period (過渡期) means the period of 18 months beginning on the commencement date;

voluntary energy efficiency labelling scheme (自願性能源效益標籤計劃) means the Hong Kong Voluntary Energy Efficiency Labelling Scheme operated in respect of energy-using products by the Electrical and Mechanical Services Department.

5. Application of sections 4, 5 and 16(1)(a) and (b) of Ordinance during transitional period

Sections 4, 5 and 16(1)(a) and (b) of the Ordinance do not apply in relation to a new prescribed product during the transitional period.

6. New prescribed products registered under voluntary energy efficiency labelling scheme

- (1) A product model of a new prescribed product is to be treated as having complied with the requirements of section 6 of the Ordinance if—
 - (a) the product model has been registered in the name of a person (*registration holder*) under the voluntary energy efficiency labelling scheme and the registration is valid at the time when the registration holder submits the relevant information;
 - (b) the relevant information is submitted before the end of the transitional period; and
 - (c) the relevant information is submitted in a form specified by the Director and includes—
 - (i) the name and business address of the registration holder;
 - (ii) the particulars of the product model, including but not limited to its brand name, model name, energy efficiency and performance characteristics as declared by the registration holder;
 - (iii) the energy efficiency and performance characteristics of the product model as measured by tests carried out by an institution;
 - (iv) the calculation of the energy efficiency grading of the product model in accordance with the method specified in the approved code of practice;
 - (v) other information, apart from the reference number and the year, that will appear on the energy label for the product model; and

(vi) the registration number under the voluntary energy efficiency labelling scheme.

(2) The Director is to make copies of the form specified under subsection (1)(c) available during the transitional period—

- (a) at the office of the Electrical and Mechanical Services Department during normal office hours; and
- (b) through such other means as the Director considers appropriate.

7. **New prescribed products already procured, manufactured or imported**

(1) If it is proved to the satisfaction of the Director that before the commencement date, a contract has been entered into for the procurement of a new prescribed product that is to be supplied as part of, or in connection with, the disposition of any specified premises, sections 4 and 5 of the Ordinance do not apply to the new prescribed product so supplied in Hong Kong whether before, on or after the commencement date.

(2) If it is proved to the satisfaction of the Director that before the commencement date, a new prescribed product has been manufactured in or imported into Hong Kong, sections 4 and 5 of the Ordinance do not apply to the new prescribed product so manufactured or imported whether it is supplied in Hong Kong before, on or after the commencement date.

8. **Section 56 of Ordinance not applicable**

To avoid doubt, section 56 of the Ordinance does not apply in relation to a new prescribed product.



Secretary for the Environment

2 May 2017

Explanatory Note

Under section 4 of the Energy Efficiency (Labelling of Products) Ordinance (Cap. 598) (*Ordinance*), a manufacturer or importer must not supply a prescribed product unless the product—

- (a) is a product of a listed model with a reference number assigned by the Director of Electrical and Mechanical Services (*Director*); and
- (b) bears an energy label.

2. A similar requirement is imposed under section 5 of the Ordinance on a person who is not a manufacturer or importer of a prescribed product.
3. This Order amends Part 1 of Schedule 1 to the Ordinance by adding televisions, storage type electric water heaters and induction cookers (*new prescribed products*) as prescribed products under the Ordinance.
4. Section 5 of the Order provides for an 18-month transitional period during which sections 4 and 5 of the Ordinance, as well as section 16(1)(a) and (b) of the Ordinance which empowers the Director to prohibit the supply of a prescribed product in certain circumstances, do not apply in relation to the new prescribed products.
5. Sections 6 and 7 of the Order contain transitional provisions for the new prescribed products—
 - (a) the product models of which have been registered under the voluntary energy efficiency labelling scheme;
 - (b) that have been procured under a contract entered into before the commencement date of the Order for supplying as part of, or in connection with, the disposition of certain premises; or

- (c) that have been manufactured in or imported into Hong Kong before the commencement date of the Order.