

**Energy Efficiency (Labelling of Products) Ordinance**

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**Resolution**

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

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**Resolved** that the Energy Efficiency (Labelling of Products) Ordinance (Amendment of Schedule 1) Order 2022, made by the Secretary for Environment and Ecology on 7 October 2022, be approved.

## **Energy Efficiency (Labelling of Products) Ordinance (Amendment of Schedule 1) Order 2022**

(Made by the Secretary for Environment and Ecology 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 Environment and Ecology by notice published in the Gazette.

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### **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 8—  
**Add**  
“9. LED lamps within the description in Division 9 of Part 2.  
10. Gas cookers within the description in Division 10 of Part 2.  
11. Gas instantaneous water heaters within the description in Division 11 of Part 2.”.
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## 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) an LED lamp specified in section 9 in Part 1 of Schedule 1 to the Ordinance;
- (b) a gas cooker specified in section 10 in that Part; or
- (c) a gas instantaneous water heater specified in section 11 in that Part;

*transitional period* (過渡期) means the period of 15 months beginning on the commencement date;

*voluntary labelling scheme* (自願性標籤計劃) means the Hong Kong Voluntary Energy Efficiency Labelling Scheme operated 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 labelling scheme

For the purposes of section 6(1) of the Ordinance, a person is regarded as having submitted the specified information and specified

documents in respect of a product model of a new prescribed product in accordance with section 6 of the Ordinance if—

- (a) the product model has been registered in the name of the person under the voluntary labelling scheme;
- (b) the person has submitted, in the specified form and during the transitional period, to the Director the following information—
  - (i) the name and business address of the person;
  - (ii) the particulars of the product model, including its brand name, model name, and (as declared by the person) energy efficiency and performance characteristics;
  - (iii) the energy efficiency, and performance characteristics, of the product model as measured by tests carried out by an institution recognized by the Director;
  - (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) information, apart from the reference number and the year, that will appear on the energy label for the product model;
  - (vi) the registration number of the registration referred to in paragraph (a); and
- (c) the registration referred to in paragraph (a) is valid when the person submits the information in accordance with paragraph (b).

**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 in Hong Kong as part of, or in connection with, the disposition of any specified premises, sections 4 and 5 of the Ordinance do not apply in relation to the product so supplied.
- (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 in relation to the product.

**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 Environment and  
Ecology

7 October 2022

**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 LED lamps, gas cookers and gas instantaneous water heaters (*new prescribed products*) as prescribed products under the Ordinance.
  4. Section 5 of the Order provides for a 15-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 Hong Kong 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

Energy Efficiency (Labelling of Products) Ordinance (Amendment of Schedule 1)  
Order 2022

Explanatory Note  
Paragraph 5

7

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