

# 《2025 年氣體安全（修訂）條例草案》

**Gas Safety (Amendment) Bill 2025**

Gas Safety (Amendment) Bill 2025

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# A BILL

## To

Amend the Gas Safety Ordinance to establish a regulatory framework governing the importation, manufacture, storage, transport, supply and use of hydrogen that is used or intended to be used as fuel; and to provide for related amendments.

Enacted by the Legislative Council.

### Part 1

#### Preliminary

**1. Short title and commencement**

- (1) This Ordinance may be cited as the Gas Safety (Amendment) Ordinance 2025.
- (2) This Ordinance comes into operation on a day to be appointed by the Secretary for Environment and Ecology by notice published in the Gazette.

**2. Enactments amended**

The enactments specified in Parts 2 and 3 are amended as set out in those Parts.

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## Part 2

### Amendments to Gas Safety Ordinance and Related Technical Amendments

#### Division 1—Gas Safety Ordinance (Cap. 51)

##### 3. Section 2 amended (interpretation)

- (1) Section 2, definition of *decommission*, after “notifiable gas installation,”—

**Add**

“hydrogen installation or hydrogen system,”.

- (2) Section 2, definition of *decommission*, after “the installation”—

**Add**

“or system”.

- (3) Section 2, definition of *gas*, paragraph (c)—

**Repeal**

“or”.

- (4) Section 2, definition of *gas*—

**Repeal paragraph (d)**

**Substitute**

“(d) a mixture of all or any of the gases referred to in paragraphs (a), (b) and (c); or

(e) regulated hydrogen,”.

- (5) Section 2, definition of *gas appliance*, after “uses gas”—

**Add**

“(other than regulated hydrogen)”.

- 
- (6) Section 2, definition of *gas fitting*, after “supplied, gas”—  
**Add**  
“(other than regulated hydrogen)”.
- (7) Section 2, definition of *gas main*, after “supply gas”—  
**Add**  
“(other than regulated hydrogen)”.
- (8) Section 2, definition of *installation pipe*, after “supply gas”—  
**Add**  
“(other than regulated hydrogen)”.
- (9) Section 2, definition of *manufacture*, paragraph (a)(ii)—  
**Repeal**  
“or”.
- (10) Section 2, definition of *manufacture*, after paragraph (a)(iii)—  
**Add**  
“(iv) regulated hydrogen;”.
- (11) Section 2, English text, definition of *manufacture*, paragraph (b)—  
**Repeal**  
“ship or road tanker into a tank”  
**Substitute**  
“vessel or road tanker to a tank”.
- (12) Section 2, definition of *manufacture*, paragraph (b)—  
**Repeal**  
“tanker;”  
**Substitute**

“tanker; or”.

- (13) Section 2, definition of *manufacture*, after paragraph (b)—

**Add**

“(c) the transfer of regulated hydrogen from one hydrogen container to another hydrogen container (except a transfer of regulated hydrogen from a vessel or hydrogen conveyance vehicle to a hydrogen container or hydrogen conveyance vehicle);”.

- (14) Section 2, definition of *meter bypass*, after “which gas”—

**Add**

“(other than regulated hydrogen)”.

- (15) Section 2, definition of *notifiable gas installation*, paragraph (e), after “with gas”—

**Add**

“(other than regulated hydrogen)”.

- (16) Section 2, English text, definition of *notifiable gas installation*, paragraph (g)—

**Repeal**

“ship or road tanker into a tank”

**Substitute**

“vessel or road tanker to a tank”.

- (17) Section 2, Chinese text, definition of 應具報氣體裝置, paragraph (g)—

**Repeal**

“另一輛”.

- (18) Section 2, definition of *owner*, after “gas vehicle”—

**Add**

“or hydrogen conveyance vehicle”.

- 
- (19) Section 2, definition of *pressure-regulator*, after “of gas”—  
**Add**  
“(other than regulated hydrogen)”.
- (20) Section 2, definition of *primary meter*, after “of gas”—  
**Add**  
“(other than regulated hydrogen)”.
- (21) Section 2, definition of *secondary meter*, after “any gas”—  
**Add**  
“(other than regulated hydrogen)”.
- (22) Section 2, definition of *service pipe*, after “supply gas”—  
**Add**  
“(other than regulated hydrogen)”.
- (23) Section 2, definition of *service riser*, after “supply gas”—  
**Add**  
“(other than regulated hydrogen)”.



- (24) Section 2, definition of *service valve*, paragraph (b), after “supply of gas”—

**Add**

“(other than regulated hydrogen)”.

- (25) Section 2, definition of *standard cubic metre*, after “any gas”—

**Add**

“(other than regulated hydrogen)”.

- (26) Section 2, definition of *store*, paragraph (a)(i)—

**Repeal**

“; or”

**Substitute a semicolon.**

- (27) Section 2, definition of *store*, paragraph (a)(ii)(B)—

**Repeal the comma**

**Substitute**

“; or”.

- (28) Section 2, definition of *store*, after paragraph (a)(ii)—

**Add**

“(iii) regulated hydrogen in any hydrogen containers (including a single hydrogen container) situated in a place (including part of any premises) where the aggregated nominal water capacity of the containers is more than 75 litres.”.

- (29) Section 2, English text, definition of *store*, paragraph (a)—

**Repeal**

“shall”

**Substitute**

“is to”.

- (30) Section 2, definition of *store*, paragraph (b)(ii)(B)—

**Repeal**

“; or”

**Substitute a semicolon.**

- (31) Section 2, definition of *store*, paragraph (b)(iii)(B)—

**Repeal the semicolon**

**Substitute**

“; or”.

- (32) Section 2, definition of *store*, after paragraph (b)(iii)—

**Add**

“(iv) any hydrogen containers (including a single hydrogen container)—

(A) that contain or have contained regulated hydrogen; and

(B) the aggregated nominal water capacity of which is more than 75 litres;”.

- (33) Section 2—

**Repeal the definition of *supply***

**Substitute**

“*supply* (供應)—

(a) in relation to gas (other than regulated hydrogen), means the supply of any gas through gas pipes or in containers, whether by sale or otherwise, to consumers of such gas, but does not include the supply of liquefied petroleum gas in disposable cylinders; and

(b) in relation to regulated hydrogen, means the supply of regulated hydrogen through hydrogen pipes or in hydrogen containers, whether by sale or otherwise, to consumers of such regulated hydrogen;”.

(34) Section 2—

**Repeal the definition of *transport***

**Substitute**

“*transport* (運送)—

(a) in relation to liquefied petroleum gas, means the conveyance of such gas by a gas vehicle; and

(b) in relation to regulated hydrogen, means the conveyance of regulated hydrogen by a hydrogen conveyance vehicle;”.

(35) Section 2, Chinese text, definition of 煤氣—

**Repeal**

“和甲烷的混合物”

**Substitute**

“氣和甲烷的混合物的氣體”.

(36) Section 2—

**Add in alphabetical order**

“*hydrogen container* (氫氣儲存器) means a receptacle used, or to be used, to contain regulated hydrogen, but does not include a hydrogen pipe;

*hydrogen conveyance vehicle* (運載氫氣車輛) means a motor vehicle designed and constructed, or adapted, primarily for the conveyance of regulated hydrogen on roads;

***hydrogen fuel cell*** (氫燃料電池) means an electrochemical device that, without any consumption of the electrodes or electrolytes of the device, converts the chemical energy of hydrogen, in the presence of an oxidant, into electrical output that is used for the propulsion of a vehicle or train or for the operation of any machinery (other than machinery of a vessel or aircraft);

***hydrogen installation*** (氫氣裝置) means an installation that—

- (a) is a receiving terminal for the importation of regulated hydrogen;
- (b) consists of one or more facilities for the supply of regulated hydrogen;
- (c) consists of one or more hydrogen pipes, the aggregated nominal water capacity of which is more than 75 litres;
- (d) consists of one or more facilities for the manufacture of regulated hydrogen;
- (e) consists of one or more facilities for the operation of any machinery (other than machinery of a vessel or aircraft) using regulated hydrogen;
- (f) consists of—
  - (i) one or more stores containing regulated hydrogen; and
  - (ii) (if regulated hydrogen is supplied to consumers through hydrogen pipes from such a store) the outlet pipework, vaporiser and pressure-regulating installation in relation to the supply;

- (g) consists of one or more installations for the servicing of—
  - (i) a hydrogen system of a vehicle, train or any machinery (other than machinery of a vessel or aircraft); or
  - (ii) a hydrogen container; or
- (h) uses any process that involves the transfer of regulated hydrogen from one hydrogen container to another hydrogen container (except a transfer of regulated hydrogen from a vessel or hydrogen conveyance vehicle to a hydrogen container or hydrogen conveyance vehicle);

***hydrogen pipe*** (氫氣喉管) means any pipe used, or to be used, to convey regulated hydrogen;

***hydrogen system*** (氫氣系統)—

- (a) in relation to a vehicle or train, means a system that consists of the following and is used, or intended to be used, for the propulsion of the vehicle or train—
  - (i) a hydrogen container;
  - (ii) a hydrogen fuel cell or combustion chamber of the vehicle or train; and
  - (iii) an assembly of equipment (including pipes, hoses and pressure-regulating devices) connecting the hydrogen container to the hydrogen fuel cell or combustion chamber; or

- (b) in relation to any machinery (other than machinery installed on a vehicle or train for the propulsion of the vehicle or train or machinery of a vessel or aircraft), means a system that consists of the following and is used, or intended to be used, for the operation of the machinery—
  - (i) a hydrogen container;
  - (ii) a hydrogen fuel cell of the machinery; and
  - (iii) an assembly of equipment (including pipes, hoses and pressure-regulating devices) connecting the hydrogen container to the hydrogen fuel cell;

***regulated hydrogen*** (受規管氫氣) means any gas that is primarily hydrogen, used, or intended to be used, as fuel for—

- (a) the propulsion of a vehicle or train; or
- (b) the operation of any machinery (other than machinery of a vessel or aircraft);

***specified entity*** (指明實體) in relation to a hydrogen system, means—

- (a) if the hydrogen system is used, or intended to be used, for the propulsion of a vehicle—the owner within the meaning of the Road Traffic Ordinance (Cap. 374) of the vehicle;
- (b) if the hydrogen system is used, or intended to be used, for the propulsion of a train—the owner of the train; or

- (c) if the hydrogen system is used, or intended to be used, for the operation of any machinery (other than machinery installed on a vehicle or train for the propulsion of the vehicle or train or machinery of a vessel or aircraft)—the owner of the machinery;

***train*** (列車) means any train on premises specified in paragraphs (a)(i) and (b)(i) of the definition of ***railway premises*** in section 2(1) of the Mass Transit Railway Ordinance (Cap. 556);”.

#### 4. Section 8 amended (regulations)

- (1) Section 8(1)—

**Repeal**

“such regulations as he thinks fit”

**Substitute**

“regulations”.

- (2) Section 8(1)(b), after “pipes”—

**Add**

“or hydrogen pipes”.

- (3) Section 8(1)—

**Repeal**

“pipes.”

**Substitute**

“pipes or hydrogen pipes.”.

- (4) Section 8(2)(a), English text—

**Repeal**

“which shall”

**Substitute**

“that must”.

- (5) Section 8(2)(a), Chinese text—

**Repeal**

“以下事項的管制，及須對以下事項採取的安全措施”

**Substitute**

“管制以下事項以及須就以下事項採取的安全措施，”。

- (6) Section 8(2)(a)(ii)—

**Repeal**

“fittings”

**Substitute**

“fittings, fittings for regulated hydrogen”.

- (7) Section 8(2)(a)(iii)—

**Repeal**

everything after “replacement”

**Substitute**

“of—

(A) gas fittings; or

(B) a hydrogen system of a vehicle;”.

- (8) Section 8(2)(a)(iv)(A), after “gas”—

**Add**

“(other than regulated hydrogen)”.

- (9) Section 8(2)(a)(iv)(B), after “gas”—



**Add**

“(other than regulated hydrogen)”.

- (10) Section 8(2)(a)(iv)(E), after “installations”—

**Add**

“supplied with gas (other than regulated hydrogen) from an intermediate or high pressure gas main or service pipe”.

- (11) Section 8(2)(a)(iv)(G)—

**Repeal**

“or”.

- (12) After section 8(2)(a)(iv)—

**Add**

“(iva) the construction and use of hydrogen installations; or”.

- (13) Section 8(2)(a)(v), after “pipes”—

**Add**

“or hydrogen pipes”.

- (14) Section 8(2)(b)(v)—

**Repeal**

“or”.

- (15) After section 8(2)(b)(vi)—

**Add**

- “(vii) hydrogen container;
- (viii) hydrogen pipe;
- (ix) fitting for regulated hydrogen;
- (x) hydrogen installation;

- (xi) hydrogen system; or
- (xii) hydrogen conveyance vehicle;”.

(16) Section 8(2)(c)(i)—

**Repeal**

“paragraph (a)(iii)”

**Substitute**

“paragraph (a)(iii)(A)”.

(17) Section 8(2)(d), after “vehicles”—

**Add**

“and hydrogen conveyance vehicles”.

(18) Section 8(2)(f)—

**Repeal**

everything after “maintained”

**Substitute**

“by—

- (i) registered persons;
- (ii) owners of gas installations referred to in paragraph (a)(iv);
- (iii) owners of gas vehicles;
- (iv) owners of hydrogen installations;
- (v) specified entities of hydrogen systems; or
- (vi) owners of hydrogen conveyance vehicles;”.

(19) Section 8(2)(g)(ii)—

**Repeal**

“or”.

(20) After section 8(2)(g)(iii)—

**Add**

- “(iv) hydrogen installations;
- (v) hydrogen systems;
- (vi) hydrogen conveyance vehicles; or
- (vii) hydrogen pipes;”.

- (21) Section 8(3)(h), Chinese text—

**Repeal**

“以下各項須繳費用”

**Substitute**

“須在規例之下就以下事宜繳付的費用，”.

- (22) Section 8(4)(a)—

**Repeal**

“; and”

**Substitute a semicolon.**

- (23) After section 8(4)(a)—

**Add**

- “(ab) make different provisions for different types of gases; and”.

**5. Section 12 amended (powers of entry, etc.)**

- (1) Section 12(1)(d), English text—

**Repeal**

“ship”

**Substitute**

“vessel”.

- (2) Section 12(1)(f), after “pipe”—

**Add**

“or hydrogen pipe”.

- (3) Section 12(2)(b), English text—

**Repeal**

“ship”

**Substitute**

“vessel”.

- (4) Section 12(2)(e), English text—

**Repeal**

“ship”

**Substitute**

“vessel”.

**6. Section 13AA amended (ancillary provisions in relation to improvement notices)**

- (1) Section 13AA—

**Repeal subsection (1)**

**Substitute**

“(1) Without limiting section 13(2)—

- (a) an improvement notice may include instructions as to repairs or alterations to be effected to a notifiable gas installation, hydrogen installation or hydrogen system (whether constructed before, on or after the commencement of this section) the subject of the contravention or matter to

which the notice relates, and an improvement notice may only do so if the Authority states in the notice that the Authority is satisfied that the repairs or alterations are necessary for the proper maintenance and operation of the installation or system for the prevention of fire, explosion or other danger arising from the installation or system; and

- (b) an improvement notice, where paragraph (a) is applicable, must afford the person on whom the notice is served the choice of decommissioning the installation or system as an alternative to effecting the repairs or alterations.”.

- (2) Section 13AA(2)—

**Repeal everything before paragraph (a)**

**Substitute**

- “(2) Where a person on whom an improvement notice to which subsection (1) applies is served fails to effect the repairs or alterations to, or to decommission, the notifiable gas installation, hydrogen installation or hydrogen system the subject of the contravention or matter to which the notice relates, then—”.

- (3) Section 13AA(2)(a), English text—

**Repeal**

“may”

**Substitute**

“the Authority may”.

- (4) Section 13AA(2)(a)(i), after “installation”—

**Add**

“or system”.

- (5) Section 13AA(2)(a)(ii)—

**Repeal**

everything after “installation”

**Substitute**

“or system until such time, if any, as the repairs or alterations are effected; and”.

- (6) Section 13AA(2)(b), English text—

**Repeal**

“shall”

**Substitute**

“the Authority must”.

- (7) Section 13AA(2)(b), after “near the installation”—

**Add**

“or system”.

- (8) Section 13AA(2)(b)(i), after “installation”—

**Add**

“or system”.

- (9) Section 13AA(3), English text—

**Repeal**

“shall”

**Substitute**

“may”.

- (10) Section 13AA(3)(a)(i)—

**Repeal**

“installation”

**Substitute**

“installation, hydrogen installation or hydrogen system”.

- (11) Section 13AA(3)(a)(ii), after “installation”—

**Add**

“or system”.

- (12) Section 13AA(3)(a)—

**Repeal**

“where he knows or ought reasonably to know that the installation”

**Substitute**

“if the person knows, or ought reasonably to know that, the installation or system”.

- (13) Section 13AA(4)—

**Repeal**

“installation, the expenses thereof shall”

**Substitute**

“installation, hydrogen installation or hydrogen system, the expenses of the repairs, alternations or decommissioning”.

- (14) Section 13AA(4)(a)—

**Repeal**

“be borne by the person or whom”

**Substitute**

“must be borne by the person on whom”.

- (15) Section 13AA(4)(b), English text—

**Repeal**

“be”

**Substitute**

“is”.

**7. Section 14 amended (obtaining of information by the Authority)**

- (1) Section 14—

**Repeal**

“he”

**Substitute**

“the Authority”.

- (2) Section 14, English text—

**Repeal**

“his”

**Substitute**

“the Authority’s”.

- (3) Section 14—

**Repeal**

everything after “serve”

**Substitute**

“on—

- (a) a registered person;
- (b) an owner of a gas installation referred to in section 8(2)(a)(iv);
- (c) an owner of a gas vehicle;
- (d) an owner of a hydrogen installation;



(e) a specified entity of a hydrogen system; or

(f) an owner of a hydrogen conveyance vehicle,

a notice requiring such person, owner or entity to furnish to the Authority such information about such matters as are specified in the notice, and to do so in such form and manner and within such period as are specified in that notice.”.

## 8. Section 17 amended (appeal board panel)

(1) After section 17(1)(e)—

### **Add**

“(ea) not less than 3 persons who represent the interests of persons who as a business import, manufacture or supply regulated hydrogen;”.

(2) Section 17(1)(f)—

### **Repeal**

“8(2)(a)(iii)”

### **Substitute**

“8(2)(a)(iii)(A)”.

(3) Section 17(1)(f)—

### **Repeal**

“and”.

(4) Section 17(1)(g)—

### **Repeal**

“8(2)(a)(iii)”

### **Substitute**

“8(2)(a)(iii)(A)”.

(5) Section 17(1)(g)—

**Repeal the full stop**

**Substitute**

“; and”.

- (6) After section 17(1)(g)—

**Add**

“(h) not less than 3 persons who represent the interests of persons who as a business carry out work referred to in section 8(2)(a)(iii)(B).”.

**9. “只” substituted for “祇”**

- (1) Section 2, definition of *disposable cylinder*—

**Repeal**

“祇”

**Substitute**

“只”.

- (2) The following provisions, Chinese text—

- (a) section 2, definition of 生產, paragraph (b);
- (b) section 2, definition of 應具報氣體裝置, paragraph (g);
- (c) section 8(2)(a)(iv)(G) and (4)(b)—

**Repeal**

“祇” (wherever appearing)

**Substitute**

“只”.

## **Division 2—Related Technical Amendments**

### **Subdivision 1—Gas Safety (Gas Supply) Regulations (Cap. 51 sub. leg. B)**

**10. “只” substituted for “祇”**

**(1) The following provisions, Chinese text—**

- (a) regulation 8(2);**
- (b) regulation 10(1);**
- (c) regulation 21(1)(a);**
- (d) Schedule 2, Part 1, paragraph 10(c);**
- (e) Schedule 2, Part 2, paragraph 5(c)—**

**Repeal**

“祇” (wherever appearing)

**Substitute**

“只”.

**(2) The following provisions, Chinese text—**

- (a) regulation 7, heading;**
- (b) regulation 25, heading—**

**Repeal**

“祇” (wherever appearing)

**Substitute**

“只”.

**Subdivision 2—Gas Safety (Installation and Use) Regulations  
(Cap. 51 sub. leg. C)**

**11. “只” substituted for “祇”**

The following provisions, Chinese text—

- (a) regulation 8(2)(b)(ii);
- (b) regulation 14(2)(a)(i);
- (c) regulation 21(2)—

**Repeal**

“祇” (wherever appearing)

**Substitute**

“只”.

**Subdivision 3—Gas Safety (Registration of Gas Supply  
Companies) Regulations (Cap. 51 sub. leg. E)**

**12. “只” substituted for “祇”**

Regulation 11(2), Chinese text—

**Repeal**

“祇”

**Substitute**

“只”.

**Subdivision 4—Energy Efficiency (Labelling of Products)  
Ordinance (Cap. 598)**

**13. “只” substituted for “祇”**

Schedule 1, Chinese text, Part 2, Division 10, section 2,  
definition of 手提卡式煮食爐—

**Repeal**

“祇”

**Substitute**

“只”.

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## Part 3

### Amendment to Dangerous Goods Ordinance (Cap. 295)

- 14. Section 6 amended (licence required for manufacture, etc. of dangerous goods)**

Section 6(2)—

**Repeal**

“liquefied petroleum gas”

**Substitute**

“gases”.

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## Explanatory Memorandum

The object of this Bill is to amend the Gas Safety Ordinance (Cap. 51) (*principal Ordinance*) to establish a regulatory framework governing the importation, manufacture, storage, transport, supply and use of hydrogen that is used or intended to be used as fuel.

2. Clause 1 sets out the short title and provides for commencement.
3. Clause 3 amends section 2 of the principal Ordinance—
  - (a) to add new definitions for the interpretation of provisions amended by the Bill (key definitions include *hydrogen container*, *hydrogen conveyance vehicle*, *hydrogen fuel cell*, *hydrogen installation*, *hydrogen pipe*, *hydrogen system*, *regulated hydrogen* and *specified entity*);
  - (b) to amend the existing definition of *gas* to cover regulated hydrogen so that certain relevant existing provisions would also apply to regulated hydrogen;
  - (c) to amend the existing definitions of *decommission*, *manufacture*, *owner*, *store*, etc. to cover the scenario in relation to regulated hydrogen; and
  - (d) to exclude regulated hydrogen from the definitions of *gas main*, *installation pipe*, *notifiable gas installation*, *service pipe*, etc. so that regulated hydrogen would not be regulated under the provisions in relation to those matters.

4. Clause 4 amends section 8 of the principal Ordinance to empower the Chief Executive in Council to make regulations in relation to regulated hydrogen and related matters.
5. Clause 5 amends section 12 of the principal Ordinance so that the power of an authorized officer (being a gas safety inspector or a police officer not below the rank of inspector in the Hong Kong Police Force) is exercisable in relation to regulated hydrogen.
6. Clause 6 amends section 13AA of the principal Ordinance so that the improvement notice issued by the Gas Authority (**Authority**) may include instructions in relation to a hydrogen installation or hydrogen system.
7. Clause 7 amends section 14 of the principal Ordinance to empower the Authority to obtain information from a specified entity of a hydrogen system, or an owner of a hydrogen installation or hydrogen conveyance vehicle.
8. Clause 8 amends section 17 of the principal Ordinance to include persons representing the interests of the business in relation to regulated hydrogen as members of the appeal board panel.
9. Clauses 9 to 13 contain technical amendments to the principal Ordinance, its subsidiary legislation and a related Ordinance to achieve consistency in terminology.
10. Clause 14 amends section 6 of the Dangerous Goods Ordinance (Cap. 295) so that all gases regulated under the principal Ordinance are excluded from the licensing requirements in that section.