

## **LEGISLATIVE COUNCIL BRIEF**

Gas Safety Ordinance  
(Chapter 51)

### **GAS SAFETY (AMENDMENT) BILL 2025**

#### **INTRODUCTION**

A At the meeting of the Executive Council on 1 April 2025, the Council ADVISED and the Chief Executive ORDERED that the Gas Safety (Amendment) Bill 2025 (“Amendment Bill”), at **Annex A**, should be introduced into the Legislative Council (“LegCo”) to establish a legislative framework to regulate the safe use of hydrogen as fuel in order to create an environment conducive to the local development of hydrogen energy in the long run.

#### **JUSTIFICATIONS**

*Existing regulatory regime on hydrogen safety*

2. Hydrogen is currently categorised as one of the Class 2 dangerous goods regulated under the DGO. In view of the risks associated with the use of hydrogen as fuel, a more comprehensive and holistic regulatory framework to regulate the use of hydrogen as fuel is warranted to address the potential safety risks arising from combustion of hydrogen. The framework covers a range of safety aspects, including gas quality, safety of installations and facilities, personnel and emergency handling, etc.

3. Hydrogen as fuel is relatively new. To help Hong Kong seize the environmental and economic opportunities arising from the development of hydrogen economy, the Environment and Ecology Bureau set up in 2022 the Inter-departmental Working Group on Using Hydrogen as Fuel (the “Working Group”) to promote the local application of hydrogen as fuel. It gives agreement-in-principle to and technical advice on the launching of

hydrogen energy trial applications on a case-by-case basis before a proper regulatory framework is in place. The Working Group also formulates best practices, regulations and standards for the safe application of hydrogen energy.

#### *Proposed regulatory framework*

4. With the commencement of more trial projects on hydrogen as fuel, there is urgency to provide a proper regulatory regime for the importation, manufacture, storage, transport, supply and use of 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) to create an environment conducive to the local hydrogen development in the longer run.

5. The GSO provides for, in the interests of safety, a framework to regulate the importation, manufacture, storage, transport, supply and use of town gas, natural gas, liquefied petroleum gas (“LPG”) and a mixture of them, and matters incidental thereto or connected therewith (details in paragraphs 17 and 18). Bringing the gas mentioned in paragraph 4 above under the regulation of the GSO is proper, legislatively and administratively efficient, and supported by the industry which is familiar with the operation of the GSO.

### **OTHER OPTIONS**

6. To ensure public safety, the use of fuel gases should be subject to statutory regulation. Legislation is the only way to ensure the safe use of hydrogen fuel and to deter non-compliance with the safety requirements. There is no other option.

### **THE AMENDMENT BILL**

7. The main provisions of the Amendment Bill are as follows -

(a) to amend section 2 of the GSO —

- i. to define “regulated hydrogen” as any gas that is primarily hydrogen, used, or intended to be used, as fuel for (1) the propulsion of a vehicle or train; or (2) the operation of any machinery (other than machinery of a vessel or aircraft);
  - ii. to add new definitions for the interpretation of provisions amended by the Amendment Bill (key definitions include “hydrogen container”, “hydrogen conveyance vehicle”, “hydrogen fuel cell”, “hydrogen installation”, “hydrogen pipe”, “hydrogen system” and “specified entity”);
  - iii. to amend the existing definition of “gas” to cover “regulated hydrogen” so that certain relevant existing provisions would also apply to “regulated hydrogen”;
  - iv. to amend the existing definitions of “decommission”, “manufacture”, “owner”, “store”, etc. to cover the scenarios in relation to “regulated hydrogen”; and
  - v. 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;
- (b) to amend section 8 of the GSO to empower the Chief Executive in Council to make regulations in relation to “regulated hydrogen” and related matters;
  - (c) to amend section 12 of the GSO 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”;
  - (d) to amend section 13AA of the GSO so that the improvement notice issued by the Gas Authority (i.e. the Director of Electrical and Mechanical Services) may include instructions in relation to a hydrogen installation or hydrogen system;

- (e) to amend section 14 of the GSO to empower the Gas Authority to obtain information from a specified entity of a hydrogen system, or an owner of a hydrogen installation or hydrogen conveyance vehicle;
- (f) to amend section 17 of the GSO to include persons representing the interests of the business in relation to “regulated hydrogen” as members of the appeal board panel; and
- (g) to amend section 6 of the DGO to exclude all gases within the meaning of the amended GSO (i.e. town gas, LPG, natural gas, any mixture of such gases, or “regulated hydrogen”) from the licensing requirement under the DGO.

8. The hydrogen energy market and its technological advancement are developing fast. As mentioned in paragraph 7(b) above, the GSO will be amended to empower the Chief Executive in Council to make new subsidiary legislation, subject to negative vetting, in relation to “regulated hydrogen” and related matters. Setting out the regulatory details specific to “regulated hydrogen” in subsidiary legislation provides flexibility for updates in tandem with the latest market and technology development. Major areas proposed to be covered by the proposed new regulation include -

- (a) the quality of “regulated hydrogen” supplied;
- (b) registration of companies which as a business importing, manufacturing or supplying “regulated hydrogen”;
- (c) the control of the construction and use of hydrogen installations;
- (d) the control of hydrogen containers;
- (e) the use of “regulated hydrogen” in hydrogen systems as defined in the Amendment Bill;

- (f) permit for “hydrogen conveyance vehicle” which will be defined to mean “a motor vehicle designed and constructed, or adapted, primarily for the conveyance of regulated hydrogen on roads”; and
- (g) registration of persons who personally carry out work involving the fabrication, connection, disconnection, testing, commissioning, decommissioning, maintenance, repair, or replacement of a hydrogen system of a vehicle.

9. Subject to the passage of the Amendment Bill, we will submit the proposed subsidiary legislation for consideration by the Chief Executive in Council before introduction into the LegCo for negative vetting.

*Related amendment to DGO*

10. Hydrogen as non-fuel will remain under the regulation of the DGO as a kind of dangerous goods. We also take the opportunity of this legislative exercise to rationalise the scope of the respective regulatory regimes under the DGO and GSO by setting out clearly that all fuel gases within the meaning of the amended GSO (i.e. town gas, liquefied petroleum gas, natural gas, any mixture of such gases, or “regulated hydrogen”) will be excluded from the licensing requirement under the DGO. Section 6 of the DGO will be amended to achieve the aforesaid effect. The amendments to both ordinances will take effect simultaneously to ensure a seamless transition.

B

11. The existing provisions being amended are at **Annex B**.

**LEGISLATIVE TIMETABLE**

12. The legislative timetable will be –

Publication in the Gazette	3 April 2025
First Reading and commencement of Second Reading debate	16 April 2025

Resumption of Second Reading To be notified  
debate, committee stage and Third  
Reading

Introduction of the new subsidiary After passage of the  
legislation into LegCo Amendment Bill

## IMPLICATIONS OF THE PROPOSAL

13. The proposal is in conformity with the Basic Law, including provisions concerning human rights. It will not affect the binding effect of existing provisions of the GSO and DGO. The proposal has some degree of financial, civil service, economic, sustainability and environmental implications as set out at **Annex C**. The proposal has no gender, family and productivity implications.

C

## PUBLIC CONSULTATION

14. The Electrical and Mechanical Services Department (“EMSD”) published a trade consultation document and conducted a series of consultation, including two consultation forums, 20 focus group meetings and survey, involving applicants of hydrogen trial projects, hydrogen supply companies, hydrogen equipment providers, certification sector, hydrogen-related associations, the relevant training institutions, hydrogen technology research and development companies, gas industry practitioners, motor sector, oil and gas companies, tunnel operators, vehicle maintenance trade, and professional bodies in Hong Kong. Stakeholders strongly support the proposed legislative amendments for providing an appropriate legal framework and enhancing public confidence in hydrogen safety, which is an important element for the successful promotion of hydrogen development in Hong Kong. The outcome of a study by the EMSD also indicates that the proposal has positive impact on the business environment. We consulted the Panel on Environmental Affairs of the LegCo on 20 January 2025. Members generally supported the legislative proposal.

## **PUBLICITY**

15. We will issue a press release on the gazettal of the Amendment Bill and will arrange a spokesperson to answer media enquiries.

## **BACKGROUND**

16. Hydrogen is highly energy-efficient and less polluting. It can be used as a fuel for transportation, mobile machinery and power generation facilities, etc. Due to its potential in promoting low-carbon and green transition, hydrogen energy is gaining traction internationally, and would be an important component of the national energy system in the future. The Government promulgated the Strategy of Hydrogen Development in Hong Kong (the “Hydrogen Strategy”) in June 2024, setting out the four major strategies of improving legislation, establishing standards, aligning with the market, and advancing with prudence to create an environment conducive to the local development of hydrogen energy, so that Hong Kong would be able to capitalise on the environmental and economic opportunities brought about by the recent development of hydrogen energy in different parts of the world, and in our country in particular. According to the Hydrogen Strategy, the Government will introduce legislative amendments to provide a legal basis for regulating the manufacture, storage, transport, supply and use of hydrogen as fuel. The Chief Executive’s 2024 Policy Address also announced that the Government would introduce a bill into the LegCo within 2025 to regulate hydrogen as fuel.

17. Under the GSO, the Director of Electrical and Mechanical Services is the Gas Authority with the principal function to promote and provide for the implementation of safe working practices for and in relation to the importation, manufacture, storage, transport, supply and use of gas. In addition to determination of applications for registration as gas supply companies in accordance with subsidiary legislation made under the GSO, the Gas Authority keeps a register of registered gas installers and registered gas contractors, and takes disciplinary action against the said registered persons when necessary. The Gas Authority is also empowered to approve the construction and use of new and existing notifiable gas installations (including a gas installation which is, or consists of, or uses high pressure gas mains and service pipes, works for the manufacture of town gas,

substitute natural gas or synthetic natural gas, stores containing LPG, etc.) in accordance with the regulations made under the GSO. It issues the permit in respect of motor vehicles designed and constructed, or adapted, primarily for the conveyance of cylinders, or LPG in bulk, on roads.

18. In addition, the GSO provides for, among other things, the making of regulations by the Chief Executive in Council in relation to any matters relevant to the importation, manufacture, storage, transport, supply and use of gas, the power of the Gas Authority to approve and issue codes of practice for the purpose of providing practical guidance in respect of any requirements under the GSO (including its subsidiary legislation), as well as the appointment of gas safety inspectors. The GSO also provides for the appointment of an appeal board panel and the conducting of hearing of appeals against a decision or action taken by the Gas Authority.

## **ENQUIRIES**

19. For any enquiries, please contact Mr WONG Lui, Eric, Assistant Director (Gas and General Legislation) of EMSD, at 2808 3645.

**Environment and Ecology Bureau**  
**Electrical and Mechanical Services Department**  
**April 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.

### 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”.

**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.

## Gas Safety (Amendment) Bill 2025

## Explanatory Memorandum

## Paragraph 6

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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.

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**code of practice** (工作守則) includes—

- (a) a standard;
- (b) a specification; and
- (c) any other documentary form of practical guidance;

**Committee** (委員會) means the Gas Safety Advisory Committee established by section 4(1);

**company** (公司) means a body corporate—

- (a) incorporated under the Companies Ordinance (Cap. 622); (*Amended 28 of 2012 ss. 912 & 920*)
- (ab) incorporated under a former Companies Ordinance as defined by section 2(1) of the Companies Ordinance (Cap. 622); (*Added 28 of 2012 ss. 912 & 920*)
- (b) incorporated by any other Ordinance; or
- (c) incorporated or established outside Hong Kong;

**container** (儲存器) means a bulk tank, mini-tank or cylinder;

**contract of employment** (僱用合約) means a contract of employment or apprenticeship, whether express or implied and, if express, whether oral or in writing;

**cylinder** (石油氣瓶) means a receptacle—

- (a) which has a water capacity of not more than 150 litres; and
- (b) used, or to be used, to contain liquefied petroleum gas;

**cylinder wagon** (石油氣瓶車) means a motor vehicle designed and constructed, or adapted, primarily for the conveyance of cylinders on roads;

**decommission** (解除運作), in relation to a notifiable gas installation, means a procedure to take the installation out of service in a safe and orderly manner; (*Added 22 of 1996 s. 2*)



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***disposable cylinder*** (祇用一次的石油氣瓶) means a cylinder which is not constructed or intended to be refilled with liquefied petroleum gas after once containing such gas, and includes an aerosol can;

***domestic premises*** (住宅房產) means any premises which are constructed or intended to be used for habitation;

***employee*** (僱員) means a person who works for another person under a contract of employment;

***exercise*** (行使), in relation to a function, includes perform and discharge;

***function*** (職能) includes a power and a duty;

***gas*** (氣體) means—

- (a) town gas;
  - (b) liquefied petroleum gas;
  - (c) natural gas; or
  - (d) any mixture of such gases,
- whether in the form of a liquid or vapour;

***gas appliance*** (氣體用具) means an appliance which uses gas to provide lighting, heating or cooling, but does not include a boiler within the meaning of the Boilers and Pressure Vessels Ordinance (Cap. 56);

***gas fitting*** (氣體配件) means a gas pipe, gas meter, gas appliance, gas valve or pressure-regulator which is supplied, or to be supplied, gas through a service pipe, and includes a service riser;

***gas main*** (供氣主喉) means a pipe, other than a service pipe or installation pipe, used, or to be used, to supply gas;

***gas meter*** (氣體錶) means a primary meter or secondary meter;

***gas pipe*** (氣體喉管) means—

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- (a) an installation pipe;
- (b) a service pipe; or
- (c) a gas main;

**gas vehicle** (氣體車輛) means a road tanker or cylinder wagon;

**gasholder** (儲氣鼓) means a receptacle—

- (a) used, or to be used, for the storage of town gas or natural gas; and
- (b) which has a storage capacity of more than 140 standard cubic metres of town gas or natural gas,

but does not include any such receptacle which is a gas main;

**improvement notice** (敦促改善通知書) means a notice under section 13(1);

**in bulk** (大量), in relation to liquefied petroleum gas, means the containment of any amount of such gas in a vessel which has a water capacity of more than 150 litres;

**inspector** (氣體安全督察) means a public officer appointed under section 11(1) to be a gas safety inspector;

**installation pipe** (用戶喉) means a pipe used, or to be used, to supply gas to a particular consumer, and includes any gas fitting used in connection with the pipe except—

- (a) a service pipe, other than a service pipe comprised in a primary meter installation; or
- (b) a pipe comprised in a gas appliance;

**issue** (發出、發給), in relation to any document, includes grant;

**kPa** means kilopascals;

**liquefied petroleum gas** (石油氣) means any gas which is a mixture of—

- (a) hydrocarbons primarily consisting of butanes, butylenes, propane or propylene; or

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- (b) all or any of the hydrocarbons referred to in paragraph (a);

**manufacture** (生產), in relation to gas, means—

- (a) the production of—
  - (i) town gas;
  - (ii) substitute natural gas; or
  - (iii) synthetic natural gas; or
- (b) the transfer of liquefied petroleum gas in liquid form from one container (except a disposable cylinder) to another container, but does not include the transfer of such gas in such form from a ship or road tanker into a tank or road tanker;

**meter bypass** (繞錶喉) means a pipe through which gas can be supplied from a service pipe to an installation pipe without passing through a gas meter, and includes any gas fitting used in connection with the pipe;

**mini-tank** (小型石油氣缸) means a receptacle—

- (a) with a water capacity of more than 150 litres but not more than 450 litres; and
- (b) used, or to be used, to contain liquefied petroleum gas;

**motor vehicle** (汽車) means a motor vehicle within the meaning of the Road Traffic Ordinance (Cap. 374);

**natural gas** (天然氣) means any gas which is primarily methane obtained from natural strata, and includes—

- (a) substitute natural gas; and
- (b) synthetic natural gas;

**non-domestic premises** (非住宅房產) means any premises other than domestic premises;

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***notifiable gas installation*** (應具報氣體裝置) means a gas installation which is, or consists of, or uses—

- (a) terminals for the importation of—
  - (i) liquefied petroleum gas; or
  - (ii) natural gas in liquid form;
- (b) works for the manufacture of town gas, substitute natural gas or synthetic natural gas;
- (c) gasholders, including the pressure-raising and control equipment used in connection therewith;
- (d) high pressure gas mains or service pipes;
- (e) pressure-regulating installations which are supplied with gas from an intermediate or high pressure gas main or service pipe, but does not include such an installation the volumetric capacity of which is less than 30 standard cubic metres per hour;
- (f) stores containing liquefied petroleum gas, including, where such gas is supplied to consumers by way of pipes from such a store, any outlet pipework, vaporisers and pressure-regulating installations used in connection therewith; or
- (g) any process which involves the transfer of liquefied petroleum gas in liquid form from one container (other than a disposable cylinder) to another container, but does not include the transfer of such gas in such form from a ship or road tanker into a tank or road tanker;  
(Added 22 of 1996 s. 2)

***occupier*** (佔用人)—

- (a) in relation to any place, means any person carrying on an occupation full-time in the place;

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(b) in relation to any domestic premises, means any person resident in such premises; and

(c) in relation to any non-domestic premises, means any person carrying on an occupation full-time in such premises;

**officer** (高級人員), in relation to a company, means an officer within the meaning of section 2(1) of the Companies Ordinance (Cap. 622); (*Amended 28 of 2012 ss. 912 & 920*)

**order** (命令) means an order under section 19(4);

**owner** (車主), in relation to a gas vehicle, means the owner within the meaning of the Road Traffic Ordinance (Cap. 374) of such vehicle;

**panel** (委員團) means the appeal board panel appointed under section 17(1);

**personal injury** (身體受傷) includes death;

**premises** (房產) means—

(a) any building where no part of the building is separately occupied, and includes any land appertaining to the building; and

(b) in any other case, any part of a building which is separately occupied, and includes any land appertaining to such part;

**pressure-regulator** (調壓器) means a device which automatically controls the pressure of gas in a gas pipe downstream of the device;

**primary meter** (主錶) means a meter connected to a service pipe for ascertaining the quantity of gas supplied through such pipe, but does not include a secondary meter;

**primary meter installation** (主錶裝置) means a primary meter and the gas fittings used in connection with it, and includes

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any meter bypass, installed between the outlet of any service valve or, where there is no such valve, the outlet of the service pipe, and—

- (a) the outlet connection of the meter; or
  - (b) the outlet of the common connection of the meter and any meter bypass or any other primary meter,
- as the case may be;

**registered person** (註冊人) means a person registered under this Ordinance;

**requirement** (規定) includes a prohibition;

**responsible person** (負責人), in relation to any place or premises, means the occupier of the place or premises or, where there is no occupier or the occupier is away, the owner of the place or premises or the person for the time being in charge of the place or premises;

**road** (道路) means a road within the meaning of the Road Traffic Ordinance (Cap. 374);

**road tanker** (缸車) means a motor vehicle designed and constructed, or adapted, primarily for the conveyance of liquefied petroleum gas in bulk on roads;

**secondary meter** (分錶) means, where any gas is supplied to a person through a primary meter, a meter for ascertaining the quantity of such gas then supplied by that person to another person;

**Secretary** (局長) means the Secretary for Environment and Ecology; (*Replaced L.N. 106 of 2002. Amended L.N. 130 of 2007; L.N. 144 of 2022*)

**service pipe** (供氣分喉) means a pipe used, or to be used, to supply gas from—

- (a) a gas main; or

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(b) a store containing liquefied petroleum gas, to not more than one building, and includes—

(i) any gas meter control valve; and

(ii) any service valve,

to which the pipe is connected;

**service riser** (上給供氣分喉) means the vertical sections of a service pipe used, or capable of being used, to supply gas to more than one floor of a building, and includes any horizontal sections of the service pipe between such vertical sections;

**service valve** (供氣分喉閥) means a valve—

(a) incorporated in a service pipe;

(b) for controlling the supply of gas through such pipe; and

(c) not situated inside any premises;

**standard cubic metre** (標準立方米), in relation to any gas, means a cubic metre of such gas when measured—

(a) at a temperature of 15.0°C;

(b) at 101.325 kPa absolute pressure; and

(c) under dry conditions;

**store** (儲存、倉庫)—

(a) when used as a verb, means the containing of—

(i) town gas or natural gas in a gasholder; or

(ii) liquefied petroleum gas in—

(A) a container which has a facility for withdrawing such gas in liquid form where such gas is, or is to be, supplied to consumers by way of gas pipes from such container; or



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- (B) any containers (including a single container) situated in the one place (including part of any premises) where the aggregated nominal water capacity of the containers is more than 130 litres,

and **storage** shall be construed accordingly; and

- (b) when used as a noun, means any place (including part of any premises) where there is or are kept—
- (i) a gasholder which contains or has contained town gas or natural gas;
  - (ii) a container which—
    - (A) contains or has contained liquefied petroleum gas; and
    - (B) has a facility for withdrawing such gas in liquid form where such gas is, or is to be, supplied to consumers by way of gas pipes from such a container; or
  - (iii) any containers (including a single container)—
    - (A) which contain or have contained liquefied petroleum gas; and
    - (B) the aggregated nominal water capacity of which is more than 130 litres;

**substance** (物品) means a natural or artificial substance, whether in the form of a solid, liquid or vapour;

**substitute natural gas** (代用天然氣) means any gas which is a mixture of liquefied petroleum gas and air such that the ratio of such gas to air in such mixture is more than 1 to 9;



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**supply** (供應), in relation to gas, 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;

**synthetic natural gas** (合成天然氣) means any gas which is primarily methane not obtained from natural strata;

**tank** (石油氣缸) means a bulk tank or mini-tank;

**town gas** (煤氣) means any gas which is primarily a mixture of hydrogen and methane;

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

**vehicle** (車輛) means a vehicle within the meaning of the Road Traffic Ordinance (Cap. 374);

**works** (工程) means construction works, that is to say, any kind of work involving or in connection with—

- (a) **building works** within the meaning assigned to that term in section 2(1) of the Buildings Ordinance (Cap. 123), and for the purposes of this paragraph reference in that section to “ground investigation in the scheduled areas” shall be read as a reference to “ground investigation”;
- (b) the laying out, construction, alteration or repair of any road, footpath, tunnel, airport runway, canal, reservoir, pipe-line, railway or tramway;
- (c) trench works carried out by or for any public utility;
- (d) the extraction of material from land or the seabed;
- (e) landfill works;
- (f) river training works; or
- (g) reclamation works. (*Added 3 of 1996 s. 2*)

### 3. Application

## Part III

### Regulations and Codes of Practice

#### 8. Regulations

- (1) The Chief Executive in Council may make such regulations as he thinks fit in relation to any matters relevant to— (*Amended 61 of 2000 s. 3*)
  - (a) the importation, manufacture, storage, transport, supply or use of gas;
  - (b) the carrying out of works in the vicinity of gas pipes, and, without prejudice to the generality of the foregoing, in particular for securing that members of the public are, so far as is practicable, protected from any personal injury, fire, explosion or other danger arising from the importation, manufacture, storage, transport, supply or use of gas or the carrying out of works in the vicinity of gas pipes. (*Amended 3 of 1996 s. 3*)
- (2) Without prejudice to the generality of subsection (1), the Chief Executive in Council may by regulation— (*Amended 61 of 2000 s. 3*)
  - (a) provide for the control of, and the safety precautions which shall be taken in relation to—
    - (i) the importation, manufacture, storage, transport, supply and use of gas;
    - (ii) the importation, manufacture, sale, installation and use of gas fittings and gas tubing;
    - (iii) work involving the fabrication, connection, disconnection, testing, commissioning, decommissioning, maintenance, repair or

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- replacement of gas fittings; (*Amended 3 of 1996 s. 3*)
- (iv) the construction and use of gas installations which are, or consist of, or use—
- (A) terminals for the importation of gas;
  - (B) works for the manufacture of gas;
  - (C) gasholders, including the pressure-raising and control equipment used in connection therewith;
  - (D) gas mains or service pipes;
  - (E) pressure-regulating installations;
  - (F) stores containing liquefied petroleum gas, including, where such gas is supplied to consumers by way of gas pipes from any such store, any outlet pipework, pressure-regulating installations or equipment used in connection therewith; or
  - (G) any process which involves the transfer of liquefied petroleum gas in liquid form from one container (except a disposable cylinder) to another container; or (*Amended 3 of 1996 s. 3*)
- (v) the carrying out of works in the vicinity of gas pipes; (*Added 3 of 1996 s. 3*)
- (b) specify the tests, examinations or inspections to be carried out for the purposes of safety on any—
- (i) gas;
  - (ii) gasholder or container;
  - (iii) gas pipe;
  - (iv) gas fitting;

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- (v) gas installation referred to in paragraph (a)(iv); or
  - (vi) gas vehicle;
- (c) provide for the registration, cancellation of registration and suspension of registration of—
  - (i) persons who as a business carry out work referred to in paragraph (a)(iii);
  - (ii) persons who personally carry out work referred to in paragraph (a)(iii); or
  - (iii) companies which as a business import, manufacture or supply any gas;
- (d) provide for the issue and cancellation of permits in respect of gas vehicles;
- (e) provide for the reporting and subsequent actions to be taken in respect of any accident or emergency involving gas;
- (f) provide for records and other documents to be kept and maintained by registered persons, owners of gas installations referred to in paragraph (a)(iv) and owners of gas vehicles;
- (g) impose requirements, for the purposes of safety, in respect of the design, construction, operation and maintenance of—
  - (i) gas installations referred to in paragraph (a)(iv);
  - (ii) gas vehicles; or
  - (iii) gas pipes;
- (h) specify fire precautions to be taken in respect of the importation, manufacture, storage, transport, supply and use of gas; and
- (i) specify the rank below which a public officer shall not be appointed as an inspector.

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- (3) Any regulations made under this section may—
- (a) impose requirements by reference to approval by the Authority or by any other specified person;
  - (b) provide for references in the regulations to any specified document to operate as a reference to such document as revised or re-issued from time to time;
  - (c) provide for exemptions from any requirement under the regulations;
  - (d) enable exemptions from any requirement under the regulations to be granted by the Authority or any other specified person;
  - (e) provide for any specified defence to be available in proceedings for any offence against the regulations;
  - (f) specify the information to be furnished to the Authority or any other specified person for the purposes of the regulations;
  - (g) provide for an appeal to be made to the appeal board against any specified decision or action taken by the Authority under the regulations;
  - (h) provide for fees to be paid in respect of—
    - (i) any application for registration;
    - (ii) the issue of any certificates, permits or other documents; or
    - (iii) the performance of any services, under the regulations;
  - (i) provide for fees to be paid in respect of—
    - (i) any search of; or
    - (ii) any copy of any entry in, any register required to be kept under the regulations;

## Gas Safety Ordinance

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- (ia) empower the Secretary to amend any Schedule to the regulations except a Schedule which provides for any fees referred to in paragraph (h) or (i); (*Added 22 of 1996 s. 4*)
  - (j) provide for the better carrying into effect of this Ordinance; and
  - (k) provide for such incidental, consequential and supplemental provisions as are necessary or expedient for the purpose of giving full effect to this Ordinance.
- (4) Any regulations made under this section may—
  - (a) make different provisions for different circumstances and provide for a particular case or class of cases; and
  - (b) be made so as to apply only in such circumstances as are specified in the regulations.
- (4A) Any regulations made under subsection (2)(b) may repeal the Gasholders Examination Ordinance\* (Cap. 54) and any subsidiary legislation made thereunder. (*Added 22 of 1996 s. 4*)
- (5) Any regulations made under subsection (3)(h) may provide for a fee to be fixed at a level which provides for the recovery of expenditure incurred or likely to be incurred in the exercise of any functions under this Ordinance and shall not be limited by reference to the amount of any administrative or other costs incurred or likely to be incurred in the exercise of any particular function under this Ordinance.
- (6) Any regulations made under this section may provide that a contravention thereof shall be an offence and may provide penalties for such offences not exceeding a fine of \$200,000 and imprisonment for 12 months and, in the case of a continuing offence, to a daily penalty not exceeding \$10,000. (*Amended 3 of 1996 s. 3*)

## **Part IV**

### **Appointment of Inspectors, Powers of Entry and Improvement Notices**

#### **11. Appointment of inspectors**

- (1) The Authority may, by notice in the Gazette, appoint public officers not below the prescribed rank to be gas safety inspectors for the purposes of this Ordinance.
- (2) The Authority shall issue to each person who is an inspector a certificate in the approved form as evidence of his appointment as an inspector.
- (3) An inspector shall, if so requested when exercising or attempting to exercise any power conferred on him under this Ordinance, produce the certificate issued to him under subsection (2).
- (4) The Authority may exercise any power under this Ordinance that an inspector may exercise and, for that purpose, the Authority shall be deemed to be an inspector.

#### **12. Powers of entry, etc.**

- (1) Subject to this section, an authorized officer may—
  - (a) enter, inspect and examine any place or premises in which any gas is manufactured, stored, supplied or used and every part of such place or premises, at all times by day and by night, but so as not unnecessarily to impede or obstruct the work in such place or premises, and may make inquiries as to the observance of any requirements under this Ordinance and all matters and things relating to the safety of members of the public or of the persons employed in or about such place or premises;



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- (b) require the responsible person for any place or premises which he is entitled under this section to enter, or a person employed in such place or premises by the responsible person, to give him samples of any substance in such place or premises;
  - (c) enter and search any place or premises in which he has reasonable grounds for suspecting that there may be anything which is liable to seizure under paragraph (e);
  - (d) stop, board and search any ship, vehicle or aircraft in which he has reasonable grounds for suspecting that there may be anything which is liable to seizure under paragraph (e); (*Amended 3 of 1996 s. 4*)
  - (e) seize, remove and detain—
    - (i) anything in respect of which he has reasonable grounds for suspecting that any offence against this Ordinance has been committed; or
    - (ii) any other thing which appears to him likely to be, or to contain, evidence of any such offence; and (*Amended 3 of 1996 s. 4*)
  - (f) enter upon the site of and inspect any works in the vicinity of a gas pipe. (*Added 3 of 1996 s. 4*)
- (2) An authorized officer may—
- (a) break open any outer or inner door of any place or premises which he is empowered to enter and search;
  - (b) forcibly enter any ship, vehicle or aircraft which he is empowered to stop, board and search and every part thereof;
  - (c) remove by force any material obstruction to, or any person obstructing any arrest, detention, entry, search, inspection, seizure or removal which he is empowered to make;



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- (d) detain any person found in any place or premises which he is empowered to enter and search until such place or premises have been searched; and
  - (e) detain any ship, vehicle or aircraft which he is empowered to stop, board and search and any person on board such vessel or vehicle and prevent any person from approaching or boarding such vessel or vehicle until such vessel or vehicle has been searched.
- (3) Without prejudice to any power of entry or search conferred by any other enactment, no authorized officer shall enter or search any domestic premises except—
  - (a) by virtue of a warrant issued by a magistrate, where the magistrate is satisfied by information on oath that there is reasonable ground for suspecting that an offence against this Ordinance has been, is being or is about to be committed in such premises or there is in such premises anything likely to be or to contain evidence of such offence; or
  - (b) without warrant, where the authorized officer is of the opinion, having regard to the circumstances of the case, that the matter to which the entry or the search relates is an imminent danger to any person or property.
- (4) An authorized officer may exercise any of his powers under this section with the assistance of such other persons as he thinks fit.
- (5) For the purposes of this section, **authorized officer** (特准人員) means—
  - (a) an inspector; or
  - (b) a police officer not below the rank of inspector in the Hong Kong Police Force. (*Amended L.N. 362 of 1997*)

**13. Improvement notices**

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8(2)(a)(v), the Authority may himself, with or without notice to the person, take such measures as reasonably appear to him to be necessary in the interests of safety.

- (2) Without limiting the generality of subsection (1), the Authority may for the purpose of taking any measures under that subsection—
- (a) enter upon the site of any works to which the improvement notice relates; and
  - (b) remove by force any person obstructing the Authority in the taking of those measures.
- (3) The cost of any measures taken by the Authority under this section shall be recoverable by the Authority from the person who has failed to comply with the improvement notice, and shall be recoverable as a civil debt due to the Government.

*(Added 3 of 1996 s. 6)*

**13AA. Ancillary provisions in relation to improvement notices**

- (1) Without prejudice to the generality of section 13(2), an improvement notice—
- (a) may include instructions as to repairs or alterations to be effected to a notifiable gas installation (whether constructed before, on or after the commencement\* of this section) the subject of the contravention or matter to which the notice relates if, but only if, the Authority states in the notice that he is satisfied that the repairs or alterations are necessary for the proper maintenance and operation of the installation for the prevention of fire, explosion or other danger arising from the installation;
  - (b) shall, where paragraph (a) is applicable, afford the person on whom the notice is served the choice of decommissioning the installation as an alternative to effecting the repairs or alterations.

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- (2) Where a person on whom an improvement notice is served to which subsection (1) applies fails to effect the repairs or alterations to, or to decommission, the notifiable gas installation the subject of the contravention or matter to which the notice relates, then the Authority—
- (a) may, with or without notice to the person—
    - (i) effect the repairs or alterations to the installation; or
    - (ii) decommission the installation until such time, if any, as the repairs or alterations are effected;
  - (b) shall, where paragraph (a)(ii) is applicable, prominently display on or near the installation a notice, in the Chinese and English languages—
    - (i) stating that the installation has been decommissioned by the Authority under this Ordinance; and
    - (ii) setting out the provisions of subsection (3) and section 27(1A) and (1B).
- (3) No person shall without the consent in writing of the Authority—
- (a) either—
    - (i) put a notifiable gas installation into service; or
    - (ii) supply gas to the installation,  
where he knows or ought reasonably to know that the installation has been decommissioned by the Authority under this Ordinance; or
  - (b) remove or mark, or damage or destroy, a notice referred to in subsection (2)(b).

## Gas Safety Ordinance

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- (4) Where under subsection (2)(a) the Authority has effected any repairs or alterations to, or the decommissioning of, a notifiable gas installation, the expenses thereof shall—
- (a) be borne by the person or whom the improvement notice concerned was served;
  - (b) be recoverable from the person as a civil debt due to the Government.

*(Added 22 of 1996 s. 5)*

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Editorial Note:

\* Commencement date: 1 April 1991.

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## **Part V**

### **Obtaining and Disclosure of Information**

#### **14. Obtaining of information by the Authority**

For the purposes of obtaining any information which the Authority is of the opinion that he needs for the exercise of his functions under this Ordinance, the Authority may serve on any registered person, owner of a gas installation referred to in section 8(2)(a)(iv) or owner of a gas vehicle a notice requiring such person or owner 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.

#### **15. Restrictions on disclosure of information**

- (1) Except in the exercise of a function under this Ordinance or in carrying a provision of this Ordinance into effect, a person appointed under this Ordinance or who exercises or assists any other person in the exercise of a function under this Ordinance—
  - (a) shall preserve and aid in preserving secrecy with regard to any matter coming to his knowledge in the exercise of a function under this Ordinance or assisting any other person in the exercise of a function under this Ordinance;
  - (b) shall not communicate any such matter to any other person; and
  - (c) shall not suffer or permit any other person to have access to any record or other document which is in his possession or under his control by virtue of his—
    - (i) appointment under this Ordinance; or

## Part VI

### Appeals to Appeal Board

#### 16. Interpretation

In this Part, *appeal* (上訴) means any appeal under any provision of this Ordinance which specifies that an appeal against a decision or action taken by the Authority, specified or referred to in that provision, may be made to the appeal board.

#### 17. Appeal board panel

- (1) The Secretary may appoint persons to be the members of an appeal board panel in accordance with the following numbers and categories—
- (a) not less than 3 persons who represent the interests of consumers of gas;
  - (b) not less than 3 persons who are corporate members of the Hong Kong Institution of Engineers;
  - (c) not less than 3 persons from tertiary educational institutions;
  - (d) not less than 3 persons who represent the interests of persons who as a business import, manufacture or supply town gas or natural gas;
  - (e) not less than 3 persons who represent the interests of persons who as a business import, manufacture or supply liquefied petroleum gas;
  - (f) 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) which relates to the supply of town gas or natural gas; and

## Gas Safety Ordinance

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- (g) 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) which relates to the supply of liquefied petroleum gas.
- (2) A public officer is not eligible for appointment to the panel.
- (3) A member of the panel may resign at any time by notice in writing delivered to the Secretary and the Secretary may at any time and for any reason revoke the appointment of any person as a member of the panel.
- (4) An appointment under subsection (1) shall be notified in the Gazette.

**18. Appeal board**

- (1) The Secretary shall, not later than 30 days after an appeal is made, appoint an appeal board to hear the appeal.
- (2) The appeal board shall consist of—
  - (a) a public officer who does not work in the same department of the Government as the Authority; and
  - (b) one member from each category of the panel.
- (3) Subject to subsection (4), the members of the appeal board shall elect a chairman from among themselves.
- (4) No member of the appeal board shall be the chairman of the appeal board at any hearing of an appeal in respect of which such member has made a disclosure under section 19(2).
- (5) The quorum at any meeting of the appeal board shall be 6 members.

**19. Determination of appeal**

- (1) The appeal board shall conduct a hearing into the grounds for the Authority's decision or action to which the appeal before it relates.

## Dangerous Goods Ordinance

Part II

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**Part II****Control of Dangerous Goods***(Added 9 of 1971 s. 6)***6. Licence required for manufacture, etc. of dangerous goods**

- (1) Except under and in accordance with a licence granted under this Ordinance, no person shall manufacture, store, convey or use any dangerous goods:

Provided that, except as may be otherwise provided by regulations made under section 5, nothing in this subsection shall be construed to apply to any dangerous goods— *(Amended 49 of 1990 s. 38)*

- (a) while in the course of transit as cargo in any vessel, aircraft or vehicle; or
  - (b) while being loaded into or discharged from any vessel by any person or his servants or agents, licensed for that purpose under this Ordinance; or
  - (c) while being loaded onto or discharged from any aircraft or vehicle; or
  - (d) in respect of any possession of, or dealing in, such goods by any person which is authorized by a licence under section 27 of the Firearms and Ammunition Ordinance (Cap. 238) or to which that Ordinance does not apply by virtue of any provision (except sections 9 and 10) in Part II thereof. *(Replaced 68 of 1981 s. 56)*
- (2) Without prejudice to the other provisions of this Ordinance, this section, and regulations made under section 5 which relate to licences, shall not apply to or in relation to any dangerous goods which are liquefied petroleum gas within



## Dangerous Goods Ordinance

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the meaning of the Gas Safety Ordinance (Cap. 51) except to the extent, if any, specified in regulations made under that Ordinance. (*Added 49 of 1990 s. 38*)

*(Replaced 8 of 1964 s. 4)*

**7. Prohibited goods**

No person shall manufacture or cause to be manufactured any prohibited goods or have any prohibited goods in his possession, custody or control or in the possession, custody or control of any servant, agent or warehouse owner.

*(Added 8 of 1959 s. 5)*

**8. Licence required for supplying labour, etc. for handling dangerous goods on vessels**

No person shall hire out or supply labour, vessels or equipment for loading, discharging or moving dangerous goods on vessels except under and in accordance with a licence issued under this Ordinance.

**8A. Forms of licences**

- (1) If a regulation made under section 5(1)(n) empowers a public officer to issue a licence, the public officer may specify the form of the licence.
- (2) If the public officer specifies the form of the licence under subsection (1), the public officer must make copies of the form available—
  - (a) at the office of the public officer during normal office hours; and
  - (b) in any other way the public officer considers appropriate.

*(Added 29 of 2021 s. 6)*

**9. Grant and revocation of licences**

## **Implications of the Proposal**

### **Financial and Civil Service Implications**

The Environment and Ecology Bureau (“EEB”) and the Electrical and Mechanical Services Department (“EMSD”) will work together on the implementation of the Gas Safety (Amendment) Bill 2025 (the “Amendment Bill”). The resource requirement will be absorbed internally by EEB and EMSD.

### **Economic Implications**

2. Progressive adoption of hydrogen as a cleaner energy source to replace fossil fuels could help Hong Kong expedite the low-carbon transition and achieve the targets to reduce carbon emissions by half before 2035 (from the 2005 level) and carbon neutrality before 2050. The Amendment Bill and its subsidiary legislation to be made under the amended Gas Safety Ordinance (Cap. 51) will provide a credible and familiar regulatory framework for the use of hydrogen as fuel, and facilitate planning by potential market participants to unlock new economic opportunities in the hydrogen energy market. This framework will also facilitate the development of hydrogen-related businesses (such as storage, transportation, and related innovation and technologies via research and development, etc.).

3. Given our proximity to the neighbouring cities in the Guangdong- Hong Kong-Macao Greater Bay Area (“GBA”) and the large number of companies entering the hydrogen market, Hong Kong may secure the supply of hydrogen energy from many different sources, including the extraction of hydrogen from the towngas network, manufacturing of hydrogen from waste management facilities (such as landfills and green hydrogen production plants at restored landfills), and the importation of hydrogen from the GBA, etc. In view of the multiple sources of supply, the hydrogen energy market is expected to be highly competitive, and the likelihood of price fixing would be very small. Moreover,

the prices of hydrogen in the GBA are highly transparent. This will further enhance market oversight and help prevent any possible price fixing behaviour.

### **Sustainability Implications**

4. The Amendment Bill would promote the safe application of hydrogen as fuel in various sectors. Use of hydrogen as fuel can help combat climate change by expediting the green energy transition which is conducive to sustainable development.

### **Environmental Implications**

5. As a secondary carrier of energy, hydrogen can be produced from renewable energy (such as solar energy and wind energy) through electrolysis, and transported through compressed storage, refrigerated storage or pipeline to provide clean energy to users. It is highly energy-efficient and less polluting, and would be reduced to water only after combustion without emissions. It can be used as a fuel for transportation, heating and power generation, etc. In the field of transportation, compared to pure electric vehicles, hydrogen fuel cell vehicles require less batteries, and the batteries are smaller and lighter. That being the case, hydrogen energy can help reduce the demand for battery disposal in future and support wider application to heavy vehicles. Hence, the proposal has positive environmental implications and the development of green hydrogen application would help achieve carbon neutrality and carbon emission reduction.