



Environmental Health & Safety Audit Protocol Hong Kong, Federal 2022

STP ComplianceEHS (STP) announces the release of its recently updated EHS audit protocol for Hong Kong. This audit protocol, which covers relevant national EHS requirements, was previously updated in July 2019. The regulatory date for the current release is April 2022.

new and noteworthy

- **Energy Efficiency of Buildings:** *The Buildings Energy Efficiency Ordinance (Cap. 610)* provides that developers or owners of certain new buildings, excluding non-common areas of industrial or residential properties, must ensure that the building's key types of installations comply with the design standards of building energy codes. The applicable installations include air-conditioning, lighting, lifts and escalators, and electrical installations. The Ordinance entered into force in September 2012. It has been added to this protocol as a result of expanding the scope of coverage to include energy efficiency of buildings and requirements related to energy audits.

This change impacts:

- **Section 2.0 – General Environmental:** New Subsection 3 – Energy Efficiency of Buildings has been added.
- **Dangerous Goods:** All legislation regarding dangerous goods has been updated to align with international standards. These updates entered into force on 31 March 2022 (with a 24-month grace period for enforcement) and include:
 - Various amendments have been made to the *Dangerous Goods (General) Ordinance (Cap. 295)*;
 - The *Dangerous Goods (Application and Exemption) Regulation 2012 (Cap. 295E)* repealed and replaced the *Dangerous Goods (Application and Exemption) Regulations (Cap. 295A)*;
 - The *Dangerous Goods (Control) Regulation (Cap. 295G)* repealed and replaced the *Dangerous Goods (General) Regulations (Cap. 295B)*;
 - The *Dangerous Goods (Shipping) Regulation 2012 (Cap. 295F)* repealed and replaced the *Dangerous Goods (Shipping) Regulations (Cap. 295C)* (these regulations are beyond the scope of this protocol); and
 - The *Code of Practice for Control of Dangerous Goods on Land* has been published to provide guidance on the new and updated legislation.

release notes

please review

These changes impact:

- **Section 6.0 – Above and Below Ground Tank Management:** Subsection 2 – Tank Storage of Dangerous Goods (previously Subsection 2 – Tanks With Category 5 Substances (Substances Giving Off Inflammable Vapour)) has been updated.
- **Section 13.0 – Fire Safety:** Subsection 1 – Storage and Handling of Dangerous Goods and Flammable Liquids (previously Subsection 1 – Storage of Flammable and other Dangerous Materials) has been updated.
- **Section 14.0 –Transportation of Dangerous Goods:** Introductory notes have been expanded upon or added to Subsections 1 – 10 to inform that although the requirements have been repealed, there is a transition period for enforcement until 31 March 2024. New Subsection 11 – Conveyance Licences for Dangerous Goods, new Subsection 12 – Conveyance of Schedule 1 Dangerous Goods (Explosives), and new Subsection 13 – Conveyance of Schedule 2 Dangerous Goods (Class 2/3/3A) have been added.
- **Section 16.0 – Chemical Management:** Introductory notes have been expanded upon or added to Subsections 1 – 9, 11, and 12 to inform that although the requirements have been repealed, there is a transition period for enforcement until 31 March 2024. Subsection 10 – Permits, Licenses and Authorizations for the Handling or Storage of Chemicals and Dangerous Goods (previously Subsection 10 – Permits, Licenses and Authorizations for the Handling or Storage of Chemicals) has been updated. New Subsection 14 – Storage and Use of Schedule 1 Dangerous Goods (Explosives) and new Subsection 15 – Storage and Use of Schedule 2 Dangerous Goods have been added.
- **Fire Safety:** The *Fire Safety (Industrial Buildings) Ordinance (Cap. 636)* has been adopted to provide requirements regarding fire prevention and protection for certain types of industrial buildings that are not covered by the *Fire Safety (Buildings) Ordinance (Cap. 572)*. It establishes the framework for authorities to issue fire safety directions, fire safety compliance orders, fire safety prohibition orders, and fire safety certificates of compliance. The Ordinance entered into force in June 2020.

This change impacts:

- **Section 13.0 – Fire Safety:** Subsection 2 – Permits/Notifications/Registrations has been updated.
- **Mercury:** The *Mercury Control Ordinance (Cap. 640)* has been published to provide requirements on the export, import, and use of mercury, mercury mixtures, and mercury compounds. It also establishes requirements regarding the export, import, manufacture and supply of certain mercury-added products. The Ordinance entered into force on 1 December 2021.

This change impacts:

- **Section 16.0 – Chemical Management:** New Subsection 16 – Mercury has been added.

highlights of this release

Section 4.0 – Solid and Hazardous Waste

- Table 4-1, “Substances and Chemical Constituents of Chemical Waste” has updated as a result of amendments to Schedule 1 of the *Waste Disposal (Chemical Waste) (General) Regulation (Cap. 354C)*. The amendments update references to classes of dangerous goods as defined by the *Dangerous Goods (Application and Exemption) Regulation 2012 (Cap. 295E)*.

Section 15.0 – Industrial Hygiene

- Subsection 4 – Workplace Ventilation has been updated with two new audit paragraphs to incorporate the requirements from the *Building (Ventilating Systems) Regulations (Cap. 123J)*.



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