

L.N. 85 of 2020

**Air Pollution Control (Air Pollutant Emission)
(Controlled Vehicles) (Amendment) Regulation 2020**

(Made by the Secretary for the Environment under section 43 of the Air Pollution Control Ordinance (Cap. 311) after consultation with the Advisory Council on the Environment)

1. Commencement

This Regulation comes into operation on 1 September 2020.

2. Air Pollution Control (Air Pollutant Emission) (Controlled Vehicles) Regulation amended

The Air Pollution Control (Air Pollutant Emission) (Controlled Vehicles) Regulation (Cap. 311 sub. leg. X) is amended as set out in sections 3, 4 and 5.

3. Section 3 amended (controlled vehicles)

(1) Section 3—

Renumber the section as section 3(1).

(2) Section 3(1)(d)—

Repeal

“or”.

(3) After section 3(1)(d)—

Add

“(da) a designated vehicle first registered within the period specified in column 3(d) of the Schedule opposite to the vehicle’s permitted gross vehicle weight specified in column 2 of the Schedule (except an excluded vehicle); or”.

Section 4

- (4) After section 3(1)—

Add

- “(2) In this section—

excluded vehicle (豁除車輛) means a designated vehicle that on its date of first registration has complied with the applicable requirements relating to construction and on-board diagnostic system as set out in regulations 7E(5), (7) or (10) and 14(10) or (12) of the pre-amended VDS Regulations;

pre-amended VDS Regulations (《修訂前的VDS規例》) means the Air Pollution Control (Vehicle Design Standards) (Emission) Regulations (Cap. 311 sub. leg. J) as in force immediately before 1 October 2020.”.

4. Section 4 amended (requirements to conform to emission standards)

- (1) Section 4(2)—

Repeal

“3” (wherever appearing)

Substitute

“3(1)”.

- (2) Section 4(2)(d)—

Repeal

“or”.

- (3) After section 4(2)(d)—

Add

“(da) for a controlled vehicle within the meaning of section 3(1)(da) that was first registered in 2006, 1 January 2022;

Section 5

- (db) for a controlled vehicle within the meaning of section 3(1)(da) that was first registered in 2007, 1 January 2023;
- (dc) for a controlled vehicle within the meaning of section 3(1)(da) that was first registered in 2008, 1 January 2024;
- (dd) for a controlled vehicle within the meaning of section 3(1)(da) that was first registered in 2009, 1 January 2025;
- (de) for a controlled vehicle within the meaning of section 3(1)(da) that was first registered in 2010, 1 January 2026;
- (df) for a controlled vehicle within the meaning of section 3(1)(da) that was first registered in 2011, 1 January 2027;
- (dg) for a controlled vehicle within the meaning of section 3(1)(da) that was first registered in 2012, 1 January 2028; or”.

5. Schedule amended (controlled vehicles)

The Schedule—

Repeal column 3(c)

Substitute

“

(c) Period	(d) Period
From 1 January 2001 to 31 December 2005	From 1 January 2006 to 30 December 2012

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(c) Period	(d) Period
From 1 January 2002 to 31 December 2006	From 1 January 2007 to 30 December 2012
From 1 October 2001 to 30 September 2006	From 1 October 2006 to 31 May 2012
From 1 January 2001 to 31 December 2005	From 1 January 2006 to 31 May 2012
From 1 January 2002 to 31 December 2006	From 1 January 2007 to 31 May 2012
From 1 August 2003 to 30 September 2006	From 1 October 2006 to 31 May 2012
From 1 October 2001 to 30 September 2006	
From 1 October 2001 to 30 September 2006	From 1 October 2006 to 31 May 2012

”.

WONG Kam-sing
Secretary for the Environment

15 May 2020

Explanatory Note

This Regulation amends the Air Pollution Control (Air Pollutant Emission) (Controlled Vehicles) Regulation (Cap. 311 sub. leg. X) (*principal Regulation*) so that certain designated vehicles (as defined in section 2 of the principal Regulation) are required to conform to the applicable vehicle design standards as set out in the Air Pollution Control (Vehicle Design Standards) (Emission) Regulations (Cap. 311 sub. leg. J).

2. The new requirement does not apply to an excluded vehicle (as defined in the newly added section 3(2) of the principal Regulation).