

L.N. 220 of 2022

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

(Made by the Secretary for Environment and Ecology under section 54
of the Energy Efficiency (Labelling of Products) Ordinance (Cap. 598)
subject to the approval of the Legislative Council)

Part 1

Preliminary

1. Commencement

This Order comes into operation on a day to be appointed by
the Secretary for Environment and Ecology by notice published
in the Gazette.

Part 2

Amendment to Energy Efficiency (Labelling of Products) Ordinance

2. **Energy Efficiency (Labelling of Products) Ordinance amended**
The Energy Efficiency (Labelling of Products) Ordinance (Cap. 598) is amended as set out in section 3.
 3. **Schedule 1 amended (prescribed products)**
Schedule 1, Part 1, after section 8—
Add
 - “9. LED lamps within the description in Division 9 of Part 2.
 10. Gas cookers within the description in Division 10 of Part 2.
 11. Gas instantaneous water heaters within the description in Division 11 of Part 2.”.
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Part 3

Transitional Provisions

4. Interpretation of Part 3

In this Part—

commencement date (生效日期) means the date on which this Order comes into operation;

new prescribed product (新訂明產品) means—

- (a) an LED lamp specified in section 9 in Part 1 of Schedule 1 to the Ordinance;
- (b) a gas cooker specified in section 10 in that Part; or
- (c) a gas instantaneous water heater specified in section 11 in that Part;

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

voluntary labelling scheme (自願性標籤計劃) means the Hong Kong Voluntary Energy Efficiency Labelling Scheme operated by the Electrical and Mechanical Services Department.

5. Application of sections 4, 5 and 16(1)(a) and (b) of Ordinance during transitional period

Sections 4, 5 and 16(1)(a) and (b) of the Ordinance do not apply in relation to a new prescribed product during the transitional period.

6. New prescribed products registered under voluntary labelling scheme

For the purposes of section 6(1) of the Ordinance, a person is regarded as having submitted the specified information and specified documents in respect of a product model of a new prescribed product in accordance with section 6 of the Ordinance if—

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

- (c) the registration referred to in paragraph (a) is valid when the person submits the information in accordance with paragraph (b).

7. New prescribed products already procured, manufactured or imported

- (1) If it is proved to the satisfaction of the Director that before the commencement date, a contract has been entered into for the procurement of a new prescribed product that is to be supplied in Hong Kong as part of, or in connection with, the disposition of any specified premises, sections 4 and 5 of the Ordinance do not apply in relation to the product so supplied.
- (2) If it is proved to the satisfaction of the Director that before the commencement date, a new prescribed product has been manufactured in or imported into Hong Kong, sections 4 and 5 of the Ordinance do not apply in relation to the product.

8. Section 56 of Ordinance not applicable

To avoid doubt, section 56 of the Ordinance does not apply in relation to a new prescribed product.

TSE Chin-wan
Secretary for Environment and
Ecology

7 October 2022

Explanatory Note

Under section 4 of the Energy Efficiency (Labelling of Products) Ordinance (Cap. 598) (*Ordinance*), a manufacturer or importer must not supply a prescribed product unless the product—

- (a) is a product of a listed model with a reference number assigned by the Director of Electrical and Mechanical Services (*Director*); and
 - (b) bears an energy label.
2. A similar requirement is imposed under section 5 of the Ordinance on a person who is not a manufacturer or importer of a prescribed product.
3. This Order amends Part 1 of Schedule 1 to the Ordinance by adding LED lamps, gas cookers and gas instantaneous water heaters (*new prescribed products*) as prescribed products under the Ordinance.
4. Section 5 of the Order provides for a 15-month transitional period during which sections 4 and 5 of the Ordinance, as well as section 16(1)(a) and (b) of the Ordinance which empowers the Director to prohibit the supply of a prescribed product in certain circumstances, do not apply in relation to the new prescribed products.
5. Sections 6 and 7 of the Order contain transitional provisions for the new prescribed products—
 - (a) the product models of which have been registered under the Hong Kong Voluntary Energy Efficiency Labelling Scheme;

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- (b) that have been procured under a contract entered into before the commencement date of the Order for supplying as part of, or in connection with, the disposition of certain premises; or
- (c) that have been manufactured in or imported into Hong Kong before the commencement date of the Order.