

Gazettal of Pesticides Ordinance (Amendment of Schedule 2) Notice 2024

The Pesticides Ordinance (Amendment of Schedule 2) Notice 2024 was published in the Gazette today (January 12). The Notice aims to amend Part 1 of Schedule 2 to the Pesticides Ordinance (Cap. 133), listing a type of pesticides called terbufos, in order to give effect to the amendment to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade in 2023 (the amendment) to list terbufos in its Annex III. The amendment to the Pesticides Ordinance will tighten the regulatory regime regarding terbufos, thereby safeguarding public health and protecting the environment. The Government will table the Notice at the Legislative Council on January 17, 2024.

A spokesman for the Environment and Ecology Bureau said, "Terbufos is already regulated by pesticide Permit conditions under the Pesticides Ordinance. Any person who imports, manufactures, sells, supplies, is in possession of or uses such pesticides must hold a valid permit. After terbufos is listed in Part 1 of Schedule 2 to the Pesticides Ordinance, its exports will be further restricted."

The Convention is an international treaty for safeguarding human health and protecting the environment. The Convention, which implements a prior informed consent procedure in the international trade of specified hazardous chemicals, aims to promote shared responsibility and co-operative efforts among parties to the Convention, with a view to protecting human health and avoiding potential harm to the environment caused by such chemicals. The treaty entered into force in China in 2005 and has been applicable to the Hong Kong Special Administrative Region since 2008. The amendment entered into force for all Convention parties, including China, on October 22, 2023.

The amendment to the Pesticides Ordinance will enter into force in Hong Kong on March 20, 2024. Any person who exports, imports, manufactures, sells, supplies, possesses or uses terbufos without holding a pesticide Permit commits an offence. Offenders will be liable to a fine at level 5 (\$50,000) and imprisonment for one year upon conviction.