

The Amended Dangerous Goods Ordinance

March 31, 2022

Effective

Exempt Quantity and Other Exemptions

**Proper Regulation of Dangerous Goods
Better Protection for Our Home and Lives**



Hong Kong Fire Services Department

For more information, please visit
Hong Kong Fire Services Department
Dangerous Goods Thematic Website

www.hkfsd.gov.hk/dg



Know More About Exempt Quantity

The amended Dangerous Goods Ordinance ("DGO") came into operation on March 31, 2022, and the amended Dangerous Goods ("DG") classification is now aligned with international standards. In this way, the amended DGO can enhance the safety standard of the regulatory control of DG in Hong Kong, as well as facilitate the trade and the public.

According to the amended DGO:

1. Except under and in accordance with a valid licence granted under this ordinance, no person shall manufacture, store, convey or use any DG.
2. If the quantity of the DG does not exceed its Exempt Quantity ("EQ"), the storage, conveyance and use of this DG are exempt from the regulation of this ordinance.



How is EQ formulated?

The new regulation formulates EQ according to the level of hazard of the DG. The higher the hazardous level, the lower the EQ.

Example :

UN No.	Proper Shipping Name / Packing Group (if any)	Class	Subsidiary Hazard	General EQ (Unit)	Industrial EQ (Unit)	Specifications
1796	Nitrating acid mixture / PG I	8	5.1	None	None	With more than 50% nitric acid
1796	Nitrating acid mixture / PG II	8	None	25	50	With not more than 50% nitric acid

Taking the above DG as an example, the higher the hazardous level of the DG (e.g. the higher the concentration of the DG), the lower the EQ.



Types of EQ under New Regulatory Control

The EQ of a DG is determined according to its class and hazardous levels. Under the new regulatory regime, EQ is categorized into 3 types: General EQ ("GEQ"), Industrial EQ ("IEQ") and Special EQ ("SEQ").

1. GEQ

GEQ applies when IEQ and SEQ are not applicable. In general, this EQ applies to any premises (except if the premises are required to comply with IEQ or SEQ).

2. IEQ

IEQ applies to industrial premises, such as buildings for industrial undertaking and construction sites.

Industrial Premises

means —

- A. a building meeting the following description: a building the whole or any part of which —
 - i. is intended for the use of an industrial undertaking as shown on the plan of the building approved by the Building Authority under the Building Ordinance (Cap. 123); and
 - ii. is used exclusively for the purposes of the industrial undertaking; or

- B. a construction site.

Industrial Undertaking

includes —

- A. a godown;
- B. any industry in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed, including shipbuilding; and
- C. the generation, transformation and transmission of electricity or motive power of any kind.

3. SEQ

SEQ applies to laboratories or medical establishments.

* Regarding the definition of laboratories or medical establishments, please refer to the Dangerous Goods (Application and Exemption) Regulation 2012 ("Cap. 295E"), Laws of Hong Kong.

Under the New Regulation, the EQ of DG have been updated.

Example :

1. Diesel

New Regulation			Old Regulation
GEQ	IEQ	SEQ	EQ
500 L	2,500 L	500 L	2,500 L

2. Ethanol

New Regulation			Old Regulation
GEQ	IEQ	SEQ	EQ
25 L	150 L	None	20 L

3. Oxygen*

New Regulation			Old Regulation
GEQ	IEQ	SEQ	EQ
150 L	300 L	None	2 cylinders

4. Dichlorodifluoromethane (also known as refrigerant gas R12)*

New Regulation			Old Regulation
GEQ	IEQ	SEQ	EQ
150 L	300 L	None	2 cylinders

* Under the new regulation, the unit of the EQ for Class 2 DG is revised to the water capacity of the pressure receptacle (litre), while the number of the pressure receptacles is not limited.

For storing or conveying multiple classes of DG, citizens shall pay attention to the amount of "aggregate EQ". A person shall obtain a DG licence from the Fire Services Department ("FSD") if he/she stores or conveys more than one type of DG exceeding the aggregate EQ.

Example :

Storage of multiple classes of DG:

	General premises and Special premises	Industrial premises
Class 2 DG	300 L (water capacity)	450 L (water capacity)
Class 3 DG	100 L	150 L
Class 4, 5, 6.1, 8 or 9 DG	100/ L (liquid) kg (solid)	1,000/ L (liquid) kg (solid)
Special Class 5.1, 6.1 or 8 DG	250/ L (liquid) kg (solid)	1,000/ L (liquid) kg (solid)
Paint materials	250 L	

* For more information on the aggregate EQ, please refer to Chapter 2 of "A Guide to Application for Dangerous Goods Licence and Approval".

Arrangement for EQ during the Transitional Period

Under the new regulatory regime, the number of types of DG under FSD's regulation has increased from about 400 to about 1,700. The public should note the types of DG under the new regulatory regime.

Besides, the public should also be aware of the updated EQ under the new regulation. A licence must be obtained from FSD for any manufacture of DG. A DG licence is also required for any storage and use of DG exceeding their EQ.

How should the public deal with DG with no EQ??

EQ does not apply to all types of DG. A licence is required for any conveyance, storage and use of such DG.









Please refer to Cap. 295E for details on the EQ of DG



Other Exemptions

In order to facilitate the operation of the trades and the daily use of the public, the following items have been exempt from the regulation of the amended DGO. Application for a DG licence from FSD is NOT required.

Products Containing DG

- 
 DG forming part of machinery (e.g. refrigerant in air conditioner)
- 
 DG in form of elements that animals or plants are made up of (e.g. toxins from plant or animal)
- 
 DG as ingredients of food (e.g. gas-filled in packages for food such as potato chips)
- 
 Class 2 DG contained in inflated pneumatic tyres
- 
 Class 2 DG contained in inflated balls or balloons
- 
 Class 2 DG contained in lighting devices (e.g. argon)
- 
 Class 2 DG contained in inflated rubber cushions
- 
 Storage and use of Class 2.2 DG forming part of fire service installations or equipment

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