

本署檔號  
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**Environmental Protection Department  
Revenue Tower Office**

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環境保護署  
稅務大樓辦事處

香港  
灣仔告士打道五號  
稅務大樓三十三樓

6 July 2018

Dear Sir/ Madam,

### **Air Pollution Control (Fuel for Vessels) Regulation**

We would like to inform you that the Government published today in the Gazette the Air Pollution Control (Fuel for Vessels) Regulation (the Regulation), which requires all vessels to use compliant fuel within the waters of Hong Kong for reducing their emissions so as to improve air quality. The Regulation will be tabled at the Legislative Council on 11 July 2018. If approved by the Council, the Regulation will take effect on 1 January 2019.

2. The Government has been implementing the Air Pollution Control (Ocean Going Vessels) (Fuel at Berth) Regulation (the “Fuel at Berth” Regulation) (Cap. 311AA) since 1 July 2015, requiring ocean-going vessels (OGVs) to switch to compliant fuel while berthing in Hong Kong to reduce their emissions. The Regulation seeks to extend the mandatory use of compliant fuel in OGVs while at berth to all vessels (including OGVs and non-OGVs) within the waters of Hong Kong, irrespective of whether they are sailing or berthing. Compliant fuel required by the Regulation includes low-sulphur marine fuel (sulphur content not exceeding 0.5 per cent), liquefied natural gas or any other fuel approved by the Director of Environmental Protection, which has the same requirements as set out in the current “Fuel at Berth” Regulation.

3. The type of vessels affected by the Regulation is mainly OGVs that are using heavy fuel oil (with an average sulphur content of 2.6 per cent). Other non-OGVs (including river trade and local vessels) normally use locally supplied marine light diesel with a sulphur content not exceeding 0.05 per cent and therefore are not affected by the Regulation.

4. When the Regulation comes into effect, OGVs that are using heavy fuel oil are required to switch to compliant fuel before entering Hong Kong waters. The owner and master of an OGV are required to record the date and time of fuel switching and keep the relevant records for three years. If an OGV uses technology that can achieve the same or less emission of sulphur dioxide (SO<sub>2</sub>) when compared with using low-sulphur marine fuel, the OGV may be exempted from using compliant fuel. As the Regulation will cover the scope of control under the current “Fuel at Berth” Regulation, upon the commencement of the Regulation, the “Fuel at Berth” Regulation will be repealed.

5. When the Regulation comes into effect, except for specified vessel types as set out in the Regulation, the master and owner concerned of any vessel using non-compliant fuel within the waters of Hong Kong will be liable to a maximum fine of \$200,000 and imprisonment for six months. Shipmasters and ship owners of OGVs who fail to record or keep the required particulars will also be liable to a maximum fine of \$50,000 and imprisonment for three months.

6. Should you have any questions about the Regulation, please feel free to contact me at 2594 6376 or our Mr. Wing CHAN at 2594 6430. Thank you.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'P. Louie', is centered on a light gray rectangular background.

(Dr. Peter K K LOUIE )  
for Director of Environmental Protection

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敬啟者,

### 《空氣污染管制（船用燃料）規例》

政府今日在憲報刊登《空氣污染管制（船用燃料）規例》（《規例》）。該《規例》旨在規定所有在香港水域內的船隻必須使用合規格燃料，以減少船隻的排放，從而改善空氣質素。政府將於二〇一八年七月十一日向立法會提交《規例》。如獲立法會通過，《規例》將由二〇一九年一月一日起生效。

2. 政府自二〇一五年七月一日起實施《空氣污染管制（遠洋船隻）（停泊期間所用燃料）規例》（「停泊轉油」規例）（第 311AA 章），規定遠洋船在香港停泊期間必須使用合規格燃料，以減少遠洋船的排放。《規例》將會把強制遠洋船停泊時須使用合規格燃料的規定，擴展至所有在香港水域內的船隻（包括遠洋船及非遠洋船），不論該船隻正在航行或停泊。《規例》指定的合規格燃料包括含硫量不超過 0.5% 的低硫船用燃料、液化天然氣或環境保護署署長認可的其他燃料，與現行的「停泊轉油」規例指定的合規格燃料要求相同。

3. 受《規例》影響的船隻主要是以重油（含硫量平均為 2.6%）為燃料的遠洋船。至於其他非遠洋船（包括內河船和本地船隻），它們通常會使用含硫量不超過 0.05% 的本地供應的船用輕質柴油，因此不會受《規例》影響。

4. 當《規例》生效後，使用重油的遠洋船必須在進入香港水域前轉用合規格燃料。遠洋船的船長和船東必須記錄轉用燃料的日期和時間，並保存有關記錄三年。如遠洋船使用減排技術使其二氧化硫的排放至少等同於使用低硫船用燃料，將可獲豁免該遠洋船須使用合規格燃料的規定。由於《規例》將涵蓋「停泊轉油」規例的管制，當《規例》生效時，現行的「停泊轉油」規例將會被廢除。

5. 《規例》生效後，除《規例》訂明的若干船隻類型外，任何在香港水域內的船隻使用不合規格的燃料，即屬違法，一經定罪，有關船隻的擁有人和船長最高可被判處罰款廿萬元及監禁六個月。如遠洋船的擁有人和船長沒有按《規例》要求記錄或備存所需資料，亦屬違法，一經定罪，最高可被判處罰款五萬元及監禁三個月。

6. 如對《規例》有任何問題，請致電 2594 6376 與本人或 2594 6430 與陳偉榮先生聯絡，謝謝。

環境保護署署長

Handwritten signature in black ink, reading '雷國強' (Raymond Ho).

(雷國強博士

代行)

二〇一八年七月六日