



**1996年空氣污染管制
(露天焚燒)規例
指南**

**A Guide to the
Air Pollution Control
(Open Burning)
Regulation 1996**



1. What is the purpose of this guide?

The purpose of this guide is to describe the problems of open burning and explain the provisions for its control under the Air Pollution Control (Open Burning) Regulation (Cap. 311O) (the Regulation). The Regulation can be viewed and downloaded from the Hong Kong e-Legislation (HKeL) at <https://www.elegislation.gov.hk/> or ordered at the Online Government Bookstore at <https://www.isd.gov.hk/eng/bookorder.htm>. Enquiries concerning the Regulation may be made to the Regional Offices (see Annex).

2. What is Open Burning?

Open burning means burning of any materials in the open air without any enclosure nor any chimney to direct the smoke away so generated. For example, recovering metal from used electric wires or tyres, and disposal of wastes in construction sites and countryside by open burning are the common malpractice.

3. How does it affect us?

Open burning of wastes generates excessive emissions of pollutants such as dense and odorous smoke, dust, and toxic fumes. These emissions often cause serious nuisance and may threaten the health of the people in the neighbourhood.

4. How do we deal with the problem?

The Regulation is introduced to prohibit open burning for the disposal of construction waste, the disposal of tyres, the salvage of metal and the clearance of a site in preparation for construction work. Under very special circumstances where open burning is absolutely necessary to be carried out, the burning operation will be subjected to the control of a permit. Some open burning activities not causing any substantial emissions are exempted from the control of the Regulation.

5. May I still barbecue in designated barbecue sites?

Yes, you may still enjoy barbecue. The following open burning activities are also exempted from the control of the Regulation:

- burning of candle-sticks, joss paper, incense, sacrificial articles and ritual offerings to the deceased, spirits or gods in customary or religious rites, festivals and on festival occasions;
- fires used solely for cooking of food for human consumption, or fires used solely for recreational purposes using wood or charcoal or a small amount of firestarter;
- fires set for the purpose of fire testing, training and education by any Government fire fighting force or agency;
- agricultural burning of materials grown on the site, solely for weeding, land disinfection, pest control, or burning to make firebreaks in the countryside; and

- any open burning which in the opinion of the Director of Environmental Protection is required in an emergency for the purpose of ensuring public safety.

6. What types of open burning activities are prohibited?

Open burning activities for the following purposes are prohibited:

- the disposal of construction waste;
- the clearance of a site in preparation for construction work;
- the disposal of tyres; and
- the salvage of metal.

7. Under what circumstances can I obtain a permit?

The purpose of the Regulation is to stop all open burning. Therefore, a permit will be granted only if the Authority is fully satisfied that there is no viable alternative to achieve the purpose. If such a case arises, you may obtain the application form and submit it to any of our Regional Offices (see Annex). A fee of \$2,250 will be charged for each application.

8. What are the penalties?

Offenders will be liable to a maximum fine of \$50,000 on first conviction, plus \$500 for every 15 minutes for which the offence continues. For subsequent conviction, offenders will be liable to a maximum fine of \$50,000 and 3-month imprisonment, plus \$500 for every 15 minutes for which the offence continues.

9. How can I help protect the environment?

As a member of society, you can help protect the environment by refraining from carrying out prohibited open burning activities, and to advise your staff and others to abide by the Regulation. Any waste should be properly disposed of at landfills or recycled at a recycling plant with emission control equipment. If you notice any open burning activities, please report the incident to our Regional Offices (see Annex) immediately so that our enforcement staff can take necessary legal action under the Regulation to stop further burning.

Annex

Regional Offices

Districts / Address	Telephone No. / Facsimile No.
<p>Regional Office (East) (Kwun Tong, Wong Tai Sin, Sai Kung & Kowloon City) 5/F., Nan Fung Commercial Centre, 19 Lam Lok Street, Kowloon Bay, Kowloon.</p> <p>(Yau Tsim Mong) 8/F., Cheung Sha Wan Government Offices, 303 Cheung Sha Wan Road, Kowloon</p>	<p>Tel.: 2755 5518 Fax: 2756 8588</p> <p>Tel.: 2402 5200 Fax: 2402 8272</p>
<p>Regional Office (South) (Hong Kong Island & Islands) 2/F., Chinachem Exchange Square, 1 Hoi Wan Street, Quarry Bay, Hong Kong.</p>	<p>Tel.: 2516 1718 Fax: 2960 1760</p>
<p>Regional Office (West) (Tuen Mun, Tsuen Wan, Kwai Tsing & Sham Shui Po) 8/F., Tsuen Wan Government Office, 38 Sai Lau Kok Road, Tsuen Wan, N.T.</p>	<p>Tel.: 2417 6116 Fax: 2411 3073</p>
<p>Regional Office (North) (Yuen Long, Shatin, Tai Po & North) 10/F., Shatin Government office, No. 1 Sheung Wo Che Road, Shatin, N.T.</p>	<p>Tel.: 2158 5757 Fax: 2685 1133</p>

(August 2022)