

香港法例第 607 章基因改造生物（管制釋出）條例
Genetically Modified Organisms (Control of Release) Ordinance, Cap. 607

有關輸出擬向環境釋出基因改造生物的聲明

Declaration in relation to Export of GMO Intended for Release into Environment

有關輸出擬向環境釋出基因改造生物聲明的注意事項

1. 作出聲明的注意事項

- (a) 根據《基因改造生物（管制釋出）條例》（下稱《條例》）第 24 條第（1）及（2）款的規定，申請人輸出擬向環境釋出的基因改造生物須向漁農自然護理署（下稱署長）送交相關通知書 / 核准的副本 及採用指明表格作出聲明。此表格是為符合有關規定而制定。
- (b) 所有資料必須以正楷填寫。
- (c) 一份聲明只供一份輸出擬向環境釋出基因改造生物事先通知書之用。
- (d) 除特別指明外，必須填寫本表格所有部分。
- (e) **此聲明應聯同輸出擬向環境釋出基因改造生物通知書 / 核准的副本**，以親身或郵寄方式遞交至香港九龍長沙灣道 303 號長沙灣政府合署 6 樓漁農自然護理署。

2. 輸出擬向環境釋出基因改造生物

- (a) 如根據基因改造生物的輸出目的地的法律或規定，無須就輸出該生物往當地而向主管當局送交事先通知書或獲得事先核准，則不需送交輸出通知書 / 核准的副本及此聲明。
- (b) 任何人要輸出擬向環境釋出的基因改造生物，須向該生物的輸出目的地的主管當局，送交關於該輸出的通知書（須載有《條例》附表 4 列明的資料）及獲得核准。
- (c) 任何人在送交通知書後 14 天內，須向署長送交（i）**該通知書的副本一份**、及（ii）**本份聲明**以述明該副本為該通知書的真實副本，及（iii）盡該人所知及所信，該通知書所載的資料屬**真實無誤**。
- (d) 如任何人從該生物的輸出目的地的主管當局獲得對該項輸出的核准，須在接獲該核准後 14 天內，向署長送交（i）**該核准的副本一份**及（ii）**本份聲明**以述明該副本為該核准的真實副本。
- (e) 包含擬向環境釋出的基因改造生物的相關貨物批次，在輸出時必須附同訂明文件。詳細的文件要求可從本署或基因改造生物網頁取得。

3. 個人資料收集聲明

- (a) 你所提供的資料將用作處理與該聲明有關的事宜。
- (b) 個人資料的提供純屬自願性質。若你未能提供足夠的資料，本署可能無法辦理你的申請。
- (c) 本署可能會將你的資料的任何部分提供給其他政府部門作為調查或統計之用途。
- (d) 除個人資料（私隱）條例所訂明的豁免外，你有權查閱和更正你的個人資料。
- (e) 查閱和更正個人資料的要求應以書面形式向本署提出。同時請註明該聲明在本署的檔案號碼。

4. 查詢

漁農自然護理署

地址：九龍長沙灣道 303 號 長沙灣政府合署 6 樓

電話：2150 6918

傳真：2314 2802

電郵：biosafety@afcd.gov.hk

基因改造生物網頁：<https://www.afcd.gov.hk/gmo>

警告

- 1. 任何人明知而輸出擬向環境釋出的基因改造生物，卻沒有根據該生物的輸出目的地的法律或規管性規定，事先向該地的主管當局送交關於該項輸出的通知書及獲得主管當局對該項輸出的核准，即屬犯罪，可被處罰款港幣 100,000 元及監禁一年。
- 2. 任何人明知而輸出擬向環境釋出的基因改造生物，卻沒有在規定時間內送交署長關於該項輸出的通知書和核准的副本及有關聲明，即屬犯罪，可被處罰款港幣 50,000 元。

Notes to declaration in relation to export of GMO intended for release into the environment

1. Notes to submitting the declaration

- (a) Subsections (1) & (2) of Section 24 of the Genetically Modified Organisms (Control of Release) Ordinance (“The Ordinance”) requires that a declaration in the specified form to be submitted to the Director of Agriculture, Fisheries and Conservation (the Director) together with the copy of export notification / approval for export of GMOs intended for release into environment. This form is prepared for the purpose of compliance with the above-mentioned requirement.
- (b) The form should be filled in block letters.
- (c) Each declaration form should be made for only one export notification on genetically modified organism (GMO) intended for release into environment.
- (d) Unless otherwise indicated, all sections of this form must be completed.
- (e) **This declaration** should be submitted together with a **copy** of the export notification / approval by post or in person to Agriculture, Fisheries and Conservation Department, 6/F, Cheung Sha Wan Government Offices, 303 Cheung Sha Wan Road, Kowloon, Hong Kong .

2. Export of GMO intended for release into environment

- (a) If prior export notification / approval from the competent authority for exporting the GMO to the place is not required under the legal or regulatory requirements of that place, it would not be necessary to submit a copy of export notification / approval and this declaration.
- (b) To export a GMO that is intended for release into the environment, a person must send to the competent authority of the place to which the GMO is to be exported a notification of the export (which must contain the information set out in Schedule 4 of the Ordinance), and obtain approval.
- (c) Within 14 days after sending the export notification a person must send to the Director (i) **a copy of the export notification** and (ii) **this declaration** that the copy is a true copy of the export notification, and (iii) the information contained is **true and correct** to the best of the person’s knowledge and belief.
- (d) Within 14 days after receiving an approval from the competent authority of the place to which the GMO is to be exported for that export, a person must send to the Director (i) **a copy of the approval**, and (ii) **this declaration** that the copy is a true copy of the approval.
- (e) The relevant shipments containing GMOs intended for release into the environment, when being exported, must be accompanied by the prescribed documents. Details of the documentation requirements are available from this department upon request or from the GMO website.

3. Personal information collection statement

- (a) The information provided by you will be used for the purposes relating to the processing of the declaration.
- (b) The provision of personal data is voluntary. However, if you do not provide sufficient information, this department may not be able to process your notification.
- (c) The information may be supplied by this department to other government departments for investigation or statistics purposes.
- (d) Subject to exemptions under the Personal Data (Privacy) Ordinance, you have a right of access and correction with respect to personal data.
- (e) Request for personal data access and correction should be addressed to this department. Please also quote the file reference number of the declaration.

4. Enquiries

Agriculture, Fisheries and Conservation Department

Address: 6/F, Cheung Sha Wan Government Offices,
303 Cheung Sha Wan Road, Kowloon

Tel: 2150 6918

Fax: 2314 2802

E-mail: biosafety@afcd.gov.hk

GMO website: <https://www.afcd.gov.hk/gmo>

WARNING

1. A person knowingly exports a GMO that is intended for release into the environment without sending a prior export notification to the competent authority of the place and obtaining the approval for that export from the authority, as required under the legal or regulatory requirements of that place, commits an offence and is liable to a fine of HK\$100,000 and to imprisonment for one year.
2. A person who knowingly exports a GMO that is intended for release into the environment and does not send copies of the export notification and approval, as well as their declarations to the Director within the required time limits, commits an offence and is liable to a fine of HK\$50,000.

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有關輸出擬向環境釋出基因改造生物的聲明

[基因改造生物（管制釋出）條例第 24 條第（1）及（2）款]

Declaration in relation to Export of GMO Intended for Release into Environment

[Subsections (1) & (2) of Section 24 of the Genetically Modified Organisms (Control of Release) Ordinance]

填寫此表格前請先詳閱附加的注意事項內容
Please read the attached notes before filling in this form

1. 申請人／機構資料 Information of applicant/organisation

(a) 申請人姓名／機構名稱 Name of applicant/organisation

(b) 申請人身分證／護照號碼或機構的註冊號碼 Identity card/passport number of applicant or registration number of organisation

(c) 電話號碼 Telephone number

傳真號碼 Fax number

電郵 Email

(d) 申請人／機構地址 Address of applicant/organisation

2. 基因改造生物的資料 Information of the GMO

(a) 該生物的名稱 Name of the GMO

(b) 該生物的識別屬性 Identity of the GMO

(c) 輸出擬向環境釋出基因改造生物聲明的檔案編號（如有的話）

File reference number of the declaration of export of GMO for release into the environment (if any)

3. 聲明 Declaration

本人已閱畢附加的應注意事項及警告，並作出以下聲明（請選擇）：

I have read the attached notes and warnings and I declare that (please select):

- ☐ 輸出擬向環境釋出基因改造生物通知書 Export notification on GMO intended for release into environment
- (i) 附上的副本為該輸出擬向環境釋出基因改造生物通知書的真實副本；
the attached copy is a true copy of the export notification on GMO Intended for Release into Environment;
- (ii) 盡本人所知及所信，該輸出通知書所載的資料屬真實無誤。
the information contained in the export notification is true and correct to the best of the my knowledge and belief.
- ☐ 輸出擬向環境釋出基因改造生物核准 Approval on export of GMO intended for release into environment
- (i) 附上的副本為該輸出擬向環境釋出基因改造生物核准的真實副本。
the attached copy is a true copy of the approval on GMO Intended for Release into Environment.

申請人簽署 / 機構印鑑 Signature of applicant / organisation chop	日期 Date

此欄由辦理機關填寫 For official use only

Date received	Remarks/additional information
Officer	Follow up action