

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

釋出基因改造生物的書面通知
Written Notice on Release of GMO

釋出基因改造生物的書面通知的注意事項

1. 遞交書面通知的注意事項

- (a) 根據《基因改造生物（管制釋出）條例》（下稱《條例》）第 6 條第（2）款及（5）款的規定，通報若干基因改造生物的釋出的書面通知須載有《條例》附表 1 列明的資料。此表格是為便利相關人士符合有關規定而制定。
- (b) 所有資料必須以正楷填寫。
- (c) 一份書面通知只供一種基因改造生物之用，如有多於一種基因改造生物，請使用額外的書面通知表格。
- (d) 如空位不夠，請另附紙張填寫，並具清晰標記，以附頁形式與表格一同遞交。
- (e) 除特別指明外，必須填寫本表格所有部分。
- (f) 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，或電郵至 biosafety@afcd.gov.hk。

2. 遞交書面通知後的運作程序

漁農自然護理署署長（下稱署長）接獲通知後，可指示獲授權人員，於合理時間進入釋出上述基因改造生物所在的地方或處所處置該生物，或給予你指示以處置該生物。

3. 個人資料收集聲明

- (a) 你所提供的資料只會用作處理與該書面通知有關的事宜。
- (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書面通知。
- (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。同時請註明有關書面通知在本署的檔案號碼。

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. 如控制基因改造生物的人知道有下列情況，
 - (a) 該基因改造生物已獲核准或批予豁免但在不符合基因改造生物紀錄冊列明核准或豁免該生物的任何條件的情況下向環境釋出；或
 - (b) 該生物向環境釋出時，既非核准或獲豁免的基因改造生物，也非供人類使用的藥劑製品。須在知道有關釋出後，在切實可行範圍內，盡快以書面通知將該項釋出告知署長，除非有另一人亦控制該基因改造生物及該另一人已將有關釋出告知署長釋出告知署長。
2. 任何人違反上述要求，即屬犯罪，可被處罰款港幣 50,000 元 及監禁六個月。

Notes to written notice on release of GMO

1. Notes to submitting the written notice

- (a) Subsections (2) and (5) of Section 6 of the Genetically Modified Organisms (Control of Release) Ordinance (the Ordinance) requires that a written notification in relation to certain releases of GMOs must contain the information set out in Schedule 1 of the Ordinance. This form is prepared to facilitate the compliance with the above-mentioned requirement.
- (b) The form should be filled in block letters.
- (c) A written notice should be made for one type of genetically modified organism (GMO) only. If there is more than one type of GMO, please use additional notice forms.
- (d) If additional space is needed, please continue on a separate sheet, which must be clearly labelled and included as appendix to the notice form.
- (e) Unless otherwise indicated, all sections of this form must be completed.
- (f) A written notice should be submitted 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, or email to biosafety@afcd.gov.hk.

2. Process after the submission of the written notice

On receiving the notice, the Director of Agriculture, Fisheries and Conservation (the Director) may direct an authorized officer to enter, during reasonable hours, the place or premises in or on which the GMO was released to dispose of the GMO, or direct you to dispose of the GMO.

3. Personal information collection statement

- (a) The information provided by you will be used for the purposes relating to the processing of the written notice.
- (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 provided of any part thereof 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 written notice.

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. If a person who has control of a GMO knows that:
 - (a) the GMO has been approved or exempted but it was released without complying with the condition for the approval or exemption of the GMO, as set out in the GMOs Register; or
 - (b) the GMO, which is not approved or exempted or is not a pharmaceutical product for use by human beings, has been released into the environment

the person must inform the Director of the release by written notice as soon as practicable after he knows of the release. It is not required for the person to inform the Director of the release if there is another person who also has control of the GMO and has informed the Director of the release.

2. Non-compliance is liable to a fine of HK\$50,000 and to imprisonment for 6 months.

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[基因改造生物（管制釋出）條例第 6 條第 (2) 及 (5) 款]

Written Notice on Release of GMO

[Subsections (2) and (5) of Section 6 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. 通報人資料 Information of the person making the notification

(a) 姓名 Name of the person

(b) 電話號碼 Telephone number

傳真號碼 Fax number

電郵 Email

(c) 地址 Address

2. 請選擇該書面通知的性質 Please select nature of this written notice

- 該被釋出的基因改造生物已獲核准向環境釋出但有不符合基因改造生物紀錄冊列明核准該生物的任何條件的情況
The released GMO has been approved for release into the environment, but the condition for the approval of the GMO, as set out in the GMOs Register, has not been complied with.
- 該被釋出的基因改造生物已獲批予豁免而不受條例有關環境釋出的規限，但有不符合基因改造生物紀錄冊列明豁免該生物的任何條件的情況
The released GMO has been exempted from the application of the Ordinance in relation to the restriction on release into the environment, but the condition for the exemption of the GMO, as set out in the GMOs Register, has not been complied with.
- 該被釋出的基因改造生物並未獲核准向環境釋出或獲批予豁免而不受條例關於向環境釋出的規限
The released GMO has not been approved for release into the environment or exempted from the application of the Ordinance in relation to the restriction on release into the environment

3. 該釋出所不符合的條件 Condition(s) which was not complied with

4. 已釋出的基因改造生物的資料 Information of the released GMO

- (a) 該生物的名稱 Name of the GMO

- (b) 該生物的識辨屬性 Identity of the GMO

- (c) 向環境釋出該生物的地點、日期及時間 Location, date and time of release into the environment of the GMO

- (d) 基因改造生物在何種情況下釋出 Circumstances under which the GMO was released

- (e) 該生物的用途 Use of the GMO

- (f) 釋出的該生物的數量或體積 Quantity or volume of the GMO released

- (g) 關於該生物的釋出的任何其他可得的資料 Any other available information relating to the release of the GMO

5. 已釋出的基因改造生物的生物安全資料 Biosafety information of the released GMO

- (a) 生物分類狀況 Taxonomic status

- (b) 該生物的特徵及特性 Characteristics and traits of the GMO

- (c) 該生物可能帶來的生物安全不利影響的任何可得的資料
Any available information on the possible adverse biosafety effect of the GMO

(d) 針對向環境釋出該生物而可能採取的任何風險管理措施

Any possible risk management measures on the release of the GMO into the environment

(e) 關於該生物的任何其他可得的資料 Any other available information relating to the GMO

6. 聲明 Declaration

本人已閱畢附加的應注意事項及警告，並聲明上面各項填報詳情均為正確無訛。

I have read the attached notes and warnings and I declare that all the particulars given above are true and correct.

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