

## 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

## 輸出擬向環境釋出基因改造生物通知書聲明

Declaration for Export Notice on GMO Intended for Release into Environment

## 輸出擬向環境釋出基因改造生物通知書聲明的注意事項

## 1. 遞交聲明的注意事項

- (a) 根據《基因改造生物（管制釋出）條例》第 24 條第（3）款的規定，與輸出通知書的副本一併遞交的聲明須採用指明表格。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或以打字機打印。
- (c) 一份聲明只供一份輸出擬向環境釋出基因改造生物通知書之用。
- (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 樓漁農自然護理署生物多樣性護理科。

## 2. 出口通知的程序

- (a) 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，送交關於該項輸出的通知書（可使用輸出擬向環境釋出基因改造生物通知書表格 GMO607-7）及關於建議在上述輸出目的地向環境釋出該生物的現有風險評估報告。
- (b) 在送交通知書後 14 天內，須向漁農自然護理署署長（下稱署長）送交（i）該通知書的副本一份及（ii）**本份聲明**。
- (c) 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）該核准通知書的副本一份及（ii）述明該副本為該核准通知書的真實副本的聲明一份。聲明必須採用指定表格（輸出擬向環境釋出基因改造生物核准通知書的聲明 GMO607-6）。
- (d) 如根據上述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上述主管當局送交事先通知書，則第 2（a）和（b）款不適用。
- (e) 如根據上述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從上述主管當局獲得事先核准，則第 2（c）款不適用。
- (f) 包含擬向環境釋出的基因改造生物的貨物批次，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紀錄冊取得。

## 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生物多樣性護理科提出。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    | 生物多樣性護理科  |
| 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   |
| 基因改造生物紀錄冊： | <a href="http://www.afcd.gov.hk/gmo">http://www.afcd.gov.hk/gmo</a> |
| 電郵：        | <a href="mailto:biosafety@afcd.gov.hk">biosafety@afcd.gov.hk</a>    |

## 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通知書的副本及有關聲明，即屬犯罪，可被處罰款港幣 50,000 元。

## Notes to declaration for export notice on GMO intended for release into the environment

### 1. Notes to submitting the declaration

- (a) Subsection (3) of section 24 of the Genetically Modified Organisms (Control of Release) Ordinance requires that a declaration to be submitted together with the copy of an export notification must be in the specified form. This form is prepared for the purpose of compliance with the above-mentioned requirement.
- (b) Information should be written in block letters or typed.
- (c) Each declaration form should be made for only one export notice 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 notice by post or in person to Biodiversity Conservation Division, Agriculture, Fisheries and Conservation Department, 6/F, Cheung Sha Wan Government Offices, 303 Cheung Sha Wan Road, Kowloon, Hong Kong .

### 2. Process for the export notification of GMO intended for release into environment

- (a) 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 can use the *Export Notice on GMO Intended for Release into Environment Form* GMO607-7) together with the current risk assessment report regarding the proposed release of the GMO into the environment in that place.
- (b) Within 14 days after sending the export notification, a person must send to the Director of Agriculture, Fisheries and Conservation (the Director) (i) a copy of the export notice and (ii) this declaration.
- (c) 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 notice and (ii) a declaration by the person that the copy is a true copy of the approval notice. The declaration must be in the specific form (*Declaration for Approval Notice on Export of GMO Intended for Release into Environment*, GMO607-6)
- (d) Section 2(a) and (b) do not apply if prior notification to the competent authority for exporting the GMO to the place is not required under the legal or regulatory requirements of that place.
- (e) Section 2(c) does not apply if prior approval from the competent authority for exporting the GMO to the place is not required under the legal or regulatory requirements of that place.
- (f) 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 GMOs Register.

### 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 Biodiversity Conservation Division of this department. Please also quote the file reference number of the declaration.

### 4. Enquiries

Biodiversity Conservation Division,  
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

GMOs Register: <http://www.afcd.gov.hk/gmo>

E-mail: [biosafety@afcd.gov.hk](mailto:biosafety@afcd.gov.hk)

#### WARNING

1. A person knowingly exports a GMO that is intended for release into the environment without sending a prior export notice 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 notice and approval notice, 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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**輸出擬向環境釋出基因改造生物通知書聲明**

〔基因改造生物（管制釋出）條例第 24 條第(1)(b)款〕

**Declaration for Export Notice on GMO Intended for Release into Environment**

[Subsection (1)(b) 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**

|  |                 |
|--|-----------------|
| <b>1. 申請人／機構資料 Information of applicant/organisation</b>   |                 |
| (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<br>Identity card/passport number of applicant or registration number of organisation   |                 |
| (c) 電話號碼 Telephone number  | 傳真號碼 Fax number |
| (d) 申請人／機構地址 Address of applicant/organisation   |                 |
| <b>2. 聲明 Declaration</b>   |                 |
| <p>本人已閱畢附加的應注意事項及警告，並聲明 (i) 上面各項填報詳情正確無訛 (ii) 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 以及 (iii) 盡本人所知及所信，該輸出通知書所載的資料屬真實無誤。</p> <p>I have read the attached notes and warnings and I declare that (i) all the particulars given above are true and correct, (ii) the attached copy is a true copy of the Export Notice on GMO Intended for Release into Environment and (iii) the information contained in the export notice is true and correct to the best of the my knowledge and belief.</p> |                 |
| 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               |
|               |                                |