

# LCQ10: Non-compliant electrical products

Following is a question by the Hon Shiu Ka-fai and a written reply by the Secretary for Environment and Ecology, Mr Tse Chin-wan, in the Legislative Council today (May 14):

Question:

Under the Hong Kong legislation, electrical products supplied in Hong Kong are required to carry a certificate of safety compliance, and energy labels are required to be shown on certain prescribed products supplied in Hong Kong. In the case of regulated electrical equipment, suppliers of such equipment are even required to register with the Environmental Protection Department (EPD) as registered suppliers and pay a recycling levy (the levy) to the EPD for the regulated electrical equipment distributed by them. However, it is learnt that quite a number of electrical products purchased online in Hong Kong through cross-border e-commerce platforms have not complied with the requirements of the aforesaid legislation, thus posing potential safety hazards to Hong Kong consumers and causing unfairness to local law-abiding merchants. In this connection, will the Government inform this Council:

(1) of the measures taken by the authorities to intercept the import of non-compliant electrical products into Hong Kong in each of the past three years;

(2) as it has been reported that some cross-border e-commerce platforms intend to set up physical shops in Hong Kong, whereby goods are displayed for customers to experience in person, and customers may conduct transactions on online platforms and have the goods delivered directly by manufacturers outside Hong Kong, whether the authorities have studied if such selling approach has circumvented the existing laws of Hong Kong or if there are grey areas; if it has studied, of the details; if not, the reasons for that;

(3) as there are views that the operation mode of offline experience mentioned in (2) may render the laws and regulations relating to electrical products in Hong Kong (including the requirements on safety specifications, energy labels and payment of the levy, etc) virtually non-existent, and seriously affect the merchants selling electrical products, whether the authorities have assessed the impact of the continuous development of this operation mode on local merchants;

(4) as it is learnt that some lawbreakers will make use of cross-border e-commerce platforms to solicit business and then arrange for non-Hong Kong residents who are not qualified as electricians in Hong Kong (commonly known as "illegal workers") for on-site installation of electrical products, whether the authorities had investigated or discovered such cases in the past three years; if so, of the details; if not, whether in-depth follow-up investigations will be conducted; and

(5) whether it will seek the advice of the Department of Justice on the importation of non-compliant electrical products into Hong Kong, and expeditiously introduce legislative amendments to plug the loopholes in the law (if any); if so, of the details; if not, the reasons for that?

Reply:

President,

The Electrical and Mechanical Services Department (EMSD) is responsible for the enforcement of the Energy Efficiency (Labelling of Products) Ordinance (Cap. 598) and the Electrical Products (Safety) Regulation (the Regulation) made under the Electricity Ordinance (Cap. 406), with a view to promoting the energy efficiency of prescribed products and ensuring the safety of household electrical products. Besides, to minimise the environmental impact of various electrical and electronic products, the Environmental Protection Department (EPD) has fully implemented the Producer Responsibility Scheme on Waste Electrical and Electronic Equipment (WPRS) since 2018. The reply to the question raised by the Hon Shiu Ka-fai is as follows:

(1) Since 2019, a Cross-border E-commerce Working Group (the Working Group) was established under the Cooperation Arrangement on Electrical and Mechanical Products Safety and Energy Efficiency between the EMSD and the General Administration of Customs of the People's Republic of China. The Working Group focuses on controlling the risks arisen from cross-border e-commerce platforms, including the reporting of unsafe electrical products supplied through these platforms. Upon receiving notifications, the Mainland Authority will conduct follow-up actions according to the case merits, including proactive measures like order interception and product delisting to prevent unsafe electrical products from entering Hong Kong. The EMSD also co-organises annual policy and regulation briefings with the relevant Mainland Authority to explain to cross-border e-commerce platform businesses, electrical product manufacturers, and testing personnel the relevant laws and instructions for the supply of electrical products in Hong Kong, enhancing their understanding of regulations related to exporting household electrical products to Hong Kong. To date, 12 such briefings have been conducted.

Besides, the EMSD has conducted sample checks on 16 types for 180 household electrical products supplied in Hong Kong in the past three years. It also engages third party testing and certification bodies to conduct testing on the relevant safety standards. Around 160 prescribed products were also checked for compliance with the energy efficiency information on the energy label over the same period. If the relevant products are suspected to be in violation of the Regulation or the Energy Efficiency (Labelling of Products) Ordinance, the EMSD will conduct follow-up investigations.

The EMSD also conducts inspections at retail stores supplying household electrical products, local e-commerce platforms, and their suppliers. Prosecutions will be carried out against non-compliant products. In the past three years, around 14 000 inspections were conducted, uncovering about 230

cases of violations of the Regulations or the Energy Efficiency (Labelling of Products) Ordinance, which have resulted in fines totalling at around \$500,000.

(2) and (3) Regarding the situation described in question (2), the EMSD has maintained communication with cross-border e-commerce platforms in the Mainland to remind them that household electrical products supplied in Hong Kong must comply with the local legal requirements. The EMSD will continue to monitor the operations of these platforms in Hong Kong, consult the Department of Justice regarding potential violations of the Regulations and the Energy Efficiency (Labelling of Products) Ordinance, and take further actions including prosecution as necessary.

Regarding the recycling levy arrangement, the EPD has noted recent operational models of certain cross-border e-commerce platform may involve the distribution or sale of regulated electrical equipment in Hong Kong. The EPD has approached the relevant platform to understand the situation and explain the relevant regulations. The platform concerned has also submitted to the EPD the applications for supplier registration endorsement of removal service plan. The EPD will continue to monitor the operational models of these platforms in Hong Kong and follow up on suspected violations.

The EPD and the EMSD have established a communication mechanism since 2024 to exchange intelligence on suspected offences relating to the Regulation, the Mandatory Energy Efficiency Labelling Scheme and WPRS. A joint enforcement operation was conducted in July 2024, resulting in prosecutions for violations that led to convictions and fines totalling at \$22,500 in February 2025. Meanwhile, the EPD regularly inspects suppliers, sellers, and collectors under the WPRS, and has conducted over 1 600 inspections in the past three years, with summons issued to prosecute 28 non-compliant cases.

(4) Over the past three years, the EMSD has not received any reports on unregistered electrical workers installing household appliances arranged by cross-border e-commerce platforms. The EMSD will communicate with cross-border e-commerce platforms about the situation, and will follow up and investigate in accordance with the Electricity Ordinance as necessary.

(5) Having considered the relevant regulatory arrangements in other regions and the need to balance the actual enforcement situations with the prevailing business environment, the Government currently has no plan to amend the relevant regulations to cover the purchase of imported electrical products from cross-border e-commerce platforms and products imported in person. The EMSD will continue to take enforcement actions under a "risk-based" approach, and enhance public awareness of electrical products safety and energy efficiency through education and promotion. The EPD and the EMSD will continue to monitor market developments, review the implementation of the relevant regulations and enhance the enforcement arrangements in response to changing business models.