

Permit Requirement under the Chemical Weapons (Convention) Ordinance

In accordance with Section 8 of the Chemical Weapons (Convention) Ordinance ("the Ordinance"), an operator of a facility requires a permit granted by the Director-General of Trade and Industry ("the Director") in order to operate the facility during a particular calendar year if –

- (a) **Schedule 1** chemicals (other than excluded chemicals) are likely to be produced, acquired, retained or used at, or transferred from, the facility during the year. Schedule 1 chemicals are **excluded chemicals** in relation to a facility and to a year if –
 - (i) the total amount of those chemicals likely to be acquired, retained or used at, or transferred from, the facility during the year does not exceed 100 grams; and
 - (ii) those chemicals will not be produced at the facility during that year; and
 - (iii) those chemicals are intended only to be put to research, medical or pharmaceutical purposes; OR
- (b) an amount of a **Schedule 2** chemical exceeding, in the aggregate, the Schedule 2 permit threshold for that chemical is likely to be produced, processed or consumed at a plant comprising, or comprising part of, the facility during the year. The **threshold** is –
 - (i) 1 kg for a chemical listed in Part A of Schedule 2 and designated with an "*" ; or
 - (ii) 100 kg for a chemical listed in Part A of Schedule 2 but is not designated with an "*"; or
 - (iii) 1 tonne for a chemical listed in Part B of Schedule 2; OR
- (c) an amount of a **Schedule 3** chemical exceeding, in the aggregate, 30 tonnes of that chemical is likely to be produced at a plant comprising, or comprising part of, the facility during the year.

Note: Schedule 1, 2 and 3 chemicals are listed in Annex C for reference.