

第 37/2019 號行政長官公告

Aviso do Chefe do Executivo n.º 37/2019

鑑於一九九八年九月十日在鹿特丹簽署的《關於在國際貿易中對某些危險化學品和農藥採用事先知情同意程序的鹿特丹公約》（“下稱《公約》”）適用於澳門特別行政區；

二零零四年九月召開的《公約》締約方大會第一次會議，透過決定RC-1/3和RC-1/11通過了對《公約》附件三的修正案和《公約》附件六，而根據《公約》第二十二條第三款的規定，《公約》附件三的修正案和附件六分別於二零零五年二月一日和二零零六年一月十日對所有締約方生效，包括對中華人民共和國及澳門特別行政區生效；

分別於二零零八年十月、二零一一年六月、二零一三年五月及二零一五年五月召開的《公約》締約方大會第四、第五、第六和第七次會議，透過決定RC-4/5、RC-5/3、RC-5/4、RC-5/5、RC-6/4、RC-6/5、RC-6/6、RC-6/7和RC-7/4通過了對《公約》附件三的修正案，而根據《公約》第二十二條第三款的規定，上述《公約》附件三的修正案分別於二零零九年二月一日、二零一一年十月二十四日、二零一三年八月十日、二零一五年九月十五日對所有締約方生效，包括對中華人民共和國及澳門特別行政區生效；

行政長官根據第3/1999號法律《法規的公佈與格式》第五條（一）項和第六條第一款的規定，命令公佈上指決定RC-1/11、RC-1/3、RC-4/5、RC-5/3、RC-5/4、RC-5/5、RC-6/4、RC-6/5、RC-6/6、RC-6/7和RC-7/4的中文及英文正式文本。

《公約》已透過第12/2005號行政長官公告公佈於六月八日第二十三期《澳門特別行政區公報》第二組。

二零一九年十月二十三日發佈。

行政長官 崔世安

Considerando que a Convenção de Roterdão sobre o Procedimento de Prévia Informação e Consentimento para Determinados Produtos Químicos e Pesticidas Perigosos no Comércio Internacional, adoptada em Roterdão, em 10 de Setembro de 1998 (adiante designada por Convenção), é aplicável na Região Administrativa Especial de Macau;

Considerando igualmente que a Conferência das Partes na Convenção adoptou, na sua 1.ª reunião realizada em Setembro de 2004, através das Decisões RC-1/3 e RC-1/11, emendas ao Anexo III da Convenção e o Anexo VI da Convenção e que em conformidade com o disposto no n.º 3 do artigo 22.º da Convenção, as emendas ao Anexo III e ao Anexo VI da Convenção entraram, respectivamente, em vigor para todas as Partes em 1 de Fevereiro de 2005 e 10 de Janeiro de 2006, incluindo a República Popular da China e a sua Região Administrativa Especial de Macau;

Considerando ainda que a Conferência das Partes na Convenção adoptou, nas suas 4.ª, 5.ª, 6.ª e 7.ª reuniões realizadas em Outubro de 2008, Junho de 2011, Maio de 2013 e Maio de 2015, através das Decisões RC-4/5, RC-5/3, RC-5/4, RC-5/5, RC-6/4, RC-6/5, RC-6/6, RC-6/7 e RC-7/4, emendas ao Anexo III da Convenção e que em conformidade com o disposto no n.º 3 do artigo 22.º da Convenção, as emendas ao Anexo III entraram, respectivamente, em vigor para todas as Partes em 1 de Fevereiro de 2009, 24 de Outubro de 2011, 10 de Agosto de 2013 e 15 de Setembro de 2015, incluindo a República Popular da China e a sua Região Administrativa Especial de Macau;

O Chefe do Executivo manda publicar, nos termos da alínea 1) do artigo 5.º e do n.º 1 do artigo 6.º da Lei n.º 3/1999 (Publicação e formulário dos diplomas), as *supra* referidas Decisões RC-1/11, RC-1/3, RC-4/5, RC-5/3, RC-5/4, RC-5/5, RC-6/4, RC-6/5, RC-6/6, RC-6/7 e RC-7/4, nos seus textos autênticos em línguas chinesa e inglesa.

A Convenção encontra-se publicada, através do Aviso do Chefe do Executivo n.º 12/2005, no *Boletim Oficial da Região Administrativa Especial de Macau* n.º 23, II Série, de 8 de Junho.

Promulgado em 23 de Outubro de 2019.

O Chefe do Executivo, *Chui Sai On*.

RC-1/11：爭端的解決

締約方大會，

決定通過本決定的附件中所載列的、分別列有為《鹿特丹公約》第 20 條第 2 (a) 款的目的訂立的仲裁程序和為《公約》第 20 條第 6 款的目的訂立的調解程序的《公約》附件六。

附件

爭端的解決

A. 仲裁規則

為《關於在國際貿易中對某些危險化學品和農藥採用事先知情同意程序的鹿特丹公約》第 20 條第 2 (a) 款之目的，茲訂立仲裁程序如下：

第 1 條

1. 任何締約方均可根據本公約第 20 條以書面形式通知爭端的另一當事方，將爭端交付仲裁。此種書面通知應附有關於追索要求的說明以及任何佐證文件，同時闡明仲裁的主題事項並特別列明在解釋或適用方面引發爭端的本公約條款。

2. 原告一方應向秘書處發出通知，說明當事雙方正在依照第 20 條的規定將爭端提交仲裁。通知中應附有原告一方的書面通知、追索聲明以及以上第 1 款所述及的佐證文件。秘書處應將所收到的資料轉送本公約所有締約方。

第 2 條

1. 如果兩個締約方之間發生爭端，應即為此設立仲裁庭。仲裁庭應由三名仲裁員組成。

2. 爭端所涉的每一方均應指派仲裁員一名，且以此種方式指派的這兩名仲裁員應共同協議指定第三名仲裁員，並應由該名仲裁員擔任仲裁庭庭長。仲裁庭庭長不應是爭端的任何一方的國民，其慣常居所亦不應在爭端的任何一方境內或受僱於其中任何一方，且從未以任何其他身份涉及該案件。

3. 對於涉及兩個以上當事方的爭端，所涉利害關係相同的當事方應通過協議共同指派一名仲裁員。

4. 仲裁員的任何空缺均應以最初的指派方式予以填補。

5. 若當事各方在仲裁庭庭長指定之前對爭端的主題事項持不同意見，仲裁庭應有權決定所涉的主題事項。

第 3 條

1. 如果爭端當事方之一於被告一方接獲仲裁通知後兩個月之內仍未指派其仲裁員，則另一當事方可就此通知聯合國秘書長；聯合國秘書長應於其後兩個月內指定一名仲裁員。

2. 如自指派了第二名仲裁員的日期起兩個月內仍未指定仲裁庭庭長，則應由聯合國秘書長，經任何一方的請求，在其後的兩個月內指定仲裁庭庭長。

第 4 條

仲裁庭應依照本公約的條款以及國際法的規定作出裁決。

第 5 條

除非爭端各方另有協議，仲裁庭應自行確定其審理程序。

第 6 條

仲裁庭可應一當事方提出的請求，建議採取必要的臨時保護措施。

第 7 條

爭端所涉各方應便利仲裁庭的工作，尤應以一切可用手段：

(a) 向仲裁庭提供所有相關文件、資料和便利；和

(b) 於必要時使仲裁庭得以傳喚證人或專家並接受其提供的證詞。

第 8 條

當事各方和仲裁員均有義務保護其在仲裁庭審理案件期間秘密所收到的任何資料的機密性。

第 9 條

除非仲裁庭因案情特殊而另有決定，否則仲裁庭的費用應由爭端所涉各方平均分擔。仲裁庭應負責保存所涉全部費用的記錄，並應向各當事方送交一份費用決算表。

第 10 條

任何因其與爭端主題事項有法律性質的利害關係而可能由於該案件裁決結果而受到影響的締約方，經仲裁庭同意可介入仲裁過程。

第 11 條

仲裁庭可就爭端的主題事項所直接引起的反訴聽取陳訴並作出裁決。

第 12 條

仲裁庭關於程序和實質問題的裁決均應以其仲裁員的多數票作出。

第 13 條

1. 如果爭端的當事方之一不出庭或未能作出答辯，則另一當事方可要求仲裁庭繼續進行仲裁程序並作出裁決。一方缺席或未能作出答辯，不得成為停止仲裁程序的理由。

2. 仲裁庭在作出最後裁決之前，必須確切查明所提出的追索要求在事實和法律上均有確切的依據。

第 14 條

除非仲裁庭認定有必要延長作出最後裁決的期限，否則它應在正式組庭後五個月之內作出最後裁決；決定予以延長的期限不得超過其後五個月。

第 15 條

仲裁庭的最後裁決應以爭端所涉主題事項的範圍為限，並應闡明其裁決所依據的理由。裁決書應載明參與作出裁決的仲裁員姓名和作出最後裁決的日期。仲裁庭的任何仲裁員均可在最後裁決書中附上單獨的意見或異議。

第 16 條

裁決應對爭端各方具有約束力。對於上文第 10 條所述介入仲裁過程的當事方，在其介入所涉事項上，裁決書中對《公約》的解釋也應對該當事方具有約束力。裁決不得上訴，除非爭端各方已事前議定了上訴程序。

第 17 條

按照上文第 16 條受最後裁決約束的當事方之間如對最後裁決的解釋或其執行方式發生任何爭執，其中任何一方均可就此提請作出裁決的仲裁庭對之作出裁定。

B. 調解規則

為《公約》第 20 條第 6 款之目的，茲訂立調解程序如下：

第 1 條

1. 爭端任何一方如按《公約》第 20 條第 6 款提出設立調解委員會要求，應以書面形式向秘書處提出此種要求。秘書處應旋即將此事通知所有締約方。

2. 除非各當事方另有協議，否則調解委員會應由五名成員組成，由每一有關締約方分別指定其中的兩名成員並由這些成員共同選定一名委員會主席。

第 2 條

對於涉及兩個以上當事方的爭端，所涉利害關係相同的當事方應通過協議共同指派其調解委員會成員。

第 3 條

如自秘書處收到第 1 條提到的書面要求之日起兩個月內，尚有任何當事方未指定其委員會成員，則應由聯合國秘書長根據任一當事方的請求，於其後兩個月內指定這些成員。

第 4 條

如自任命了調解委員會第四名成員之日起兩個月內尚未選定委員會主席，則應由聯合國秘書長根據一當事方的請求，於其後兩個月內指定委員會主席。

第 5 條

1. 除非各當事方另有協議，調解委員會應確定其議事規則。
2. 當事各方及調解委員會成員有義務對委員會議事期間所收到的機密材料保守機密。

第 6 條

調解委員會應按其成員的多數票作出決定。

第 7 條

調解委員會應在其設立後的十二個月內提出一份報告，就解決爭端的辦法提出建議，各當事方應認真考慮那些建議。

第 8 條

對於調解委員會是否對所涉事項擁有審理權限的意見分歧，應由委員會予以裁定。

第 9 條

調解委員會的費用應由爭端各方按商定的份額分攤支付。調解委員會應負責保存其所有費用的記錄，並向各方提供一份最後的費用決算表。

RC-1/3：對附件三的修正

締約方大會，

讚賞地注意到 政府間談判委員會和臨時化學品審查委員會所開展的工作，

1. 決定 按照《鹿特丹公約》第 8 條和第 22 條第 5 款規定的程序通過本決定的附件中載列的對附件三的各项修正；

2. 決定 所有修正均將於 2005 年 2 月 1 日開始生效，但本決定附件第 1 (a) 和 (b) 段所列述的修正將另行於 2006 年 1 月 1 日開始生效。

附件**對《鹿特丹公約》附件三的修正**

1. 以下現有條目應予刪除：

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|-----|--|------------|---------------|
| (a) | 久效磷（有效成份含量超過 600 g/l 的可溶性液劑） | 6923-22-4 | 極為危險的
農藥製劑 |
| (b) | 對硫磷（除懸浮劑（CS）以外的所有制劑—氣溶膠、可粉化的粉劑（DP）、乳油（EC）、顆粒劑（GR）、和可濕性粉劑（WP）—均在此列） | 56-38-2 | 極為危險的
農藥製劑 |
| (c) | 青石棉 | 12001-28-4 | 工業用 |

2. 在第一欄中，應以“2, 4, 5-涕及其各種鹽類和酯類”取代其中“2, 4, 5-涕”的條目。

3. 應把以下條目列入“艾氏劑”條目之後的三欄內：

樂殺蟎	485-31-4	農藥
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4. 應把以下條目列入“狄氏劑”條目之後的三欄內：

二硝基－鄰－甲酚（DNOC）	534-52-1	農藥
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及其各種鹽類（例如銨鹽、鉀鹽	2980-64-5	
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和鈉鹽）	5787-96-2	
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	2312-76-7	
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5. 第一欄中，應以“地樂酚及其鹽類和和酯類”取代“地樂酚和地樂酚鹽”條目。

6. 應把以下條目列入“1,2 二溴乙烷”條目之後的三欄內：

二氯化乙烷	107-06-2	農藥
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環氧乙烷	75-21-8	農藥
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7. 應把以下條目列入“汞化合物”條目之後的三欄內：

久效磷	6923-22-4	農藥
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對硫磷	56-38-2	農藥
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8. 在第一欄中，應以“五氯苯酚及其鹽類和和酯類”取代“五氯苯酚”條目。

9. 應把以下條目列入“五氯苯酚”條目之後的三欄內：

毒殺芬	8001-35-2	農藥
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含有以下成份的可粉化混合粉劑 極為危險的農藥製劑

- | | | |
|-------------------|------------|--|
| - 含量等於或高於 7%的苯菌靈 | 17804-35-2 | |
| - 含量等於或高於 10%的蟲蟊威 | 1563-66-2 | |
| - 含量等於或高於 15%的福美雙 | 137-26-8 | |

10. 在第一欄中，應以“甲基對硫磷（有效成份含量等於或高於 19.5%的乳油（EC）及有效成份含量等於或高於 1.5%的粉劑）”條目取代“甲基對硫磷（有效成份含量為 19.5%、40%、50%和 60%的乳油（EC）及有效成份含量為 1.5%、2%和 3%的粉劑）”條目。

11. 應把以下條目列入“甲基對硫磷”條目之後的三欄內：

石棉：

- | | | |
|---------|------------|-----|
| - 陽起石石棉 | 77536-66-4 | 工業用 |
| - 鐵石棉 | 77536-67-5 | 工業用 |
| - 透閃石石棉 | 12172-73-5 | 工業用 |
| - 青石棉 | 12001-28-4 | 工業用 |
| - 直閃石石棉 | 77536-68-6 | 工業用 |

12. 應把以下條目列入“多氯三聯苯”條目之後的三欄內：

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|------|---------|-----|
| 四乙基鉛 | 78-00-2 | 工業用 |
| 四甲基鉛 | 75-74-1 | 工業用 |

13. 在“2,4,5-涕”條目的第二欄中，應以“93-76-5*”取代其

中的“93-76-5”；在“地樂酚和地樂酚鹽”條目的第二欄中，應以“88-85-7*”取代“88-85-7”；在“五氯苯酚”條目的第二欄中，應以“87-86-5*”取代其中的“87-86-5”；此外，還應在附件三末尾處添加下列腳註：

* 僅列出了原生化合物的化學文摘編號。關於其他相關的化學文摘編號清單，可參閱與之相關的決定指導文件。

第 RC-4/5 號決定：把三丁錫化合物列入《鹿特丹公約》附件三

締約方大會，

讚賞地注意到 化學品審查委員會所開展的工作，

審議了 化學品審查委員會關於對三丁錫化合物採用事先知情同意程序、並據此將其列入《鹿特丹公約》附件三的建議，

認定 關於把三丁錫化合物列入《鹿特丹公約》附件三的所有要求均已得到滿足，

1. 決定 對《鹿特丹公約》附件三進行修正，以便把下列化學品列入毒殺芬條目之後的三欄之中：

化學品	相關的化學文摘社編號	類別
所有三丁錫化合物		農藥
包括：		
三丁錫氧化物	CAS 56-35-9	
三丁錫氟化物	CAS 1983-10-4	
三丁錫甲基丙烯酸	CAS 2155-70-6	
三丁錫苯甲酸	CAS 4342-36-3	
三丁錫氯化物	CAS 1461-22-9	
三丁錫亞油酸	CAS 24124-25-2	
三丁錫環烷酸	CAS 85409-17-2	

2. 決定 此項修正將自 2009 年 2 月 1 日起對所有締約方開始生效。

第 RC-5/3 號決定：將甲草胺列入《鹿特丹公約》附件三

締約方大會，

讚賞地注意到 化學品審查委員會的工作，

審議了 化學品審查委員會關於對甲草胺適用事先知情同意程序並據此將之列入《關於在國際貿易中對某些危險化學品和農藥採用事先知情同意程序的鹿特丹公約》附件三的建議，

確信 將該化學品列入《鹿特丹公約》附件三的所有必要條件均已滿足，

1. 決定 修正《鹿特丹公約》附件三，以列入以下化學品：

化學品	相關化學文摘社編號	類別
甲草胺	15972-60-8	農藥

2. 亦決定 本修正應於 2011 年 10 月 24 日對所有締約方生效。

3. 批准 有關甲草胺的決定指導文件。

第 RC-5/4 號決定：將涕滅威列入《鹿特丹公約》附件三

締約方大會，

讚賞地注意到 化學品審查委員會的工作，

審議了 化學品審查委員會關於對涕滅威適用事先知情同意程序並據此將之列入《關於在國際貿易中對某些危險化學品和農藥採用事先知情同意程序的鹿特丹公約》附件三的建議，

確信 將該化學品列入《鹿特丹公約》附件三的所有必要條件均已滿足，

1. 決定 修正《鹿特丹公約》附件三，以列入以下化學品：

化學品	相關化學文摘社編號	類別
涕滅威	116-06-3	農藥

2. 亦決定 本修正應於 2011 年 10 月 24 日對所有締約方生效。

3. 批准 有關涕滅威的決定指導文件。

第 RC-5/5 號決定：將硫丹列入《鹿特丹公約》附件三

締約方大會，

讚賞地注意到 化學品審查委員會的工作，

審議了 化學品審查委員會關於對硫丹適用事先知情同意程序並據此將之列入《關於在國際貿易中對某些危險化學品和農藥採用事先知情同意程序的鹿特丹公約》附件三的建議，

確信 將該化學品列入《公約》附件三的所有必要條件均已滿足，

1. 決定 修正《公約》附件三，以列入以下化學品：

化學品	相關化學文摘社編號	類別
硫丹	115-29-7	農藥

2. 亦決定 本修正應於 2011 年 10 月 24 日對所有締約方生效。

3. 批准 有關硫丹的決定指導文件。

第 RC-6/4 號決定：在《鹿特丹公約》附件三中增列谷硫磷

締約方大會，

讚賞地注意到 化學品審查委員會的工作，

審議了 化學品審查委員會關於對谷硫磷適用事先知情同意程序並據此將之列入《關於在國際貿易中對某些危險化學品和農藥採用事先知情同意程序的鹿特丹公約》附件三的建議，

滿意地看到 將該化學品列入《鹿特丹公約》附件三的所有必要條件均已滿足，

1. 決定 修正《鹿特丹公約》附件三，列入以下化學品：

化學品	相關化學文摘社編號	類別
谷硫磷	86-50-0	殺蟲劑

2. 還決定 本修正應於 2013 年 8 月 10 日對所有締約方生效；

3. 批准 有關谷硫磷的決定指導文件草案。

第 RC-6/5 號決定：在《鹿特丹公約》附件三中增列商業五溴二苯醚

締約方大會，

讚賞地注意到 化學品審查委員會的工作，

審議了 化學品審查委員會關於對五溴二苯醚（化學文摘社編號：32534-81-9）和五溴二苯醚商業混合物適用事先知情同意程序並據此將之列入《關於在國際貿易中對某些危險化學品和農藥採用事先知情同意程序的鹿特丹公約》附件三的建議，

滿意地看到 將該化學品列入《鹿特丹公約》附件三的所有必要條件均已滿足，

1. 決定 修正《鹿特丹公約》附件三，列入以下化學品：

化學品	相關化學文摘社編號	類別
商業五溴二苯醚，包括：		工業用
- 四溴二苯醚	40088-47-9	
- 五溴二苯醚	32534-81-9	

2. 還決定 本修正應於 2013 年 8 月 10 日對所有締約方生效；

3. 批准 有關五溴二苯醚（化學文摘社編號：32534-81-9）和五溴二苯醚商業混合物的決定指導文件草案。

第 RC-6/6 號決定：在《鹿特丹公約》附件三中增列八溴二苯醚

締約方大會，

讚賞地注意到 化學品審查委員會的工作，

審議了 化學品審查委員會關於對八溴二苯醚商業混合物適用事先知情同意程序並據此將之列入《關於在國際貿易中對某些危險化學品和農藥採用事先知情同意程序的鹿特丹公約》附件三的建議，

滿意地看到 將該化學品列入《鹿特丹公約》附件三的所有必要條件均已滿足，

1. 決定 修正《鹿特丹公約》附件三，列入以下化學品：

化學品	相關化學文摘社編號	類別
商業八溴二苯醚，包括：		工業用
- 六溴二苯醚	36483-60-0	
- 七溴二苯醚	68928-80-3	

2. 還決定 本修正應於 2013 年 8 月 10 日對所有締約方生效；

3. 批准 有關八溴二苯醚商業混合物的決定指導文件草案。

第 RC-6/7 號決定：在《鹿特丹公約》附件三中增列全氟辛基磺酸、全氟辛基磺酸鹽、全氟辛基磺酰胺和全氟辛基磺酰

締約方大會，

讚賞地注意到 化學品審查委員會的工作，

審議了 化學品審查委員會關於對全氟辛基磺酸、全氟辛基磺酸鹽、全氟辛基磺酰胺和全氟辛基磺酰適用事先知情同意程序並據此將之列入《關於在國際貿易中對某些危險化學品和農藥採用事先知情同意程序的鹿特丹公約》附件三的建議，

滿意地看到 將該化學品列入《鹿特丹公約》附件三的所有必要條件均已滿足，

1. 決定 修正《鹿特丹公約》附件三，列入以下化學品：

化學品	相關化學文摘社編號	類別
全氟辛基磺酸、全氟辛基磺酸鹽、全氟辛基磺酰胺和全氟辛基磺酰，包括：		工業用
- 全氟辛基磺酸	1763-23-1	
- 全氟辛基磺酸鉀	2795-39-3	
- 全氟辛基磺酸鋰	29457- 72-5	
- 全氟辛基磺酸銨	29081-56-9	
- 全氟辛基磺酸二乙醇胺	70225-14-8	
- 全氟辛基磺酸四乙胺	56773-42-3	

- 全氟辛基磺酸雙癸基二甲基 銨	251099-16-8	
- N-乙基全氟辛基磺酰胺	4151-50-2	
- N-甲基全氟辛基磺酰胺	31506-32-8	
- N-乙基-N-(2-羥乙基)全氟辛 基磺酰胺	1691-99-2	
- N-(2-羥乙基)-N-甲基全氟辛 基磺酰胺	24448-09-7	
- 全氟辛基磺酰氟	307-35-7	

2. *還決定* 本修正應於 2013 年 8 月 10 日對所有締約方生效；

3. *批准* 有關全氟辛基磺酸、全氟辛基磺酸鹽、全氟辛基磺酰胺和全氟辛基磺酰的決定指導文件草案。

RC-7/4：將甲胺磷列入《鹿特丹公約》附件三

締約方大會，

讚賞地注意到 化學品審查委員會的工作，

審議了 化學品審查委員會關於對甲胺磷適用事先知情同意程序並據此將之列入《關於在國際貿易中對某些危險化學品和農藥採用事先知情同意程序的鹿特丹公約》附件三的建議，

確信 列入《鹿特丹公約》附件三的所有要求均已滿足，

1. 決定 修正《鹿特丹公約》附件三，以列入以下化學品：

化學品	相關化學文摘社編號	類別
甲胺磷	10265-92-6	農藥

2. 還決定 刪除附件三中針對“甲胺磷（活性成分超過 600 克/升的該物質可溶液體製劑）”的現有條目；

3. 進一步 決定本修正應於 2015 年 9 月 15 日對所有締約方生效；

4. 批准 關於甲胺磷的決定指導文件草案。

RC-1/11: Settlement of disputes

The Conference of the Parties,

Decides to adopt Annex VI to the Rotterdam Convention setting out the arbitration procedure for purposes of paragraph 2 (a) of article 20 of the Convention and the conciliation procedure for purposes of paragraph 6 of article 20 of the Convention, as contained in the annex to the present decision.

Annex

Settlement of disputes

A. Rules on arbitration

The arbitration procedure for purposes of paragraph 2 (a) of article 20 of the Rotterdam Convention on the Prior Informed *Consent* Procedure for Certain Hazardous Chemicals and Pesticides in International Trade shall be as follows:

Article 1

1. A Party may initiate recourse to arbitration in accordance with article 20 of the Convention by written notification addressed to the other Party to the dispute. The notification shall be accompanied by a statement of the claim, together with any supporting documents, and shall state the subject matter for arbitration including, in particular, the articles of the Convention the interpretation or application of which are at issue.

2. The claimant Party shall notify the secretariat that the Parties are referring a dispute to arbitration pursuant to article 20. The written notification of the claimant Party shall be accompanied by the statement of claim and the supporting documents referred to in paragraph 1 above. The secretariat shall forward the information thus received to all Parties.

Article 2

1. In disputes between two Parties, an Arbitral Tribunal shall be established. It shall consist of three members.

2. Each of the Parties to the dispute shall appoint an arbitrator and the two arbitrators so appointed shall designate by common agreement the third arbitrator, who shall be the President of the Tribunal. The President of the Tribunal shall not be a national of one of the Parties to the dispute, nor have his or her usual place of residence in the territory of one of these Parties, nor be employed by any of them, nor have dealt with the case in any other capacity.

3. In disputes between more than two Parties, Parties in the same interest shall appoint one arbitrator jointly by agreement.

4. Any vacancy shall be filled in the manner prescribed for the initial appointment.

5. If the Parties do not agree on the subject matter of the dispute before the President of the Arbitral Tribunal is designated, the Arbitral Tribunal shall determine the subject matter.

Article 3

1. If one of the Parties to the dispute does not appoint an arbitrator within two months of the date on which the respondent Party receives the notification of the arbitration, the other Party may inform the Secretary-General of the United Nations who shall make the designation within a further two-month period.

2. If the President of the Arbitral Tribunal has not been designated within two months of the date of the appointment of the second arbitrator, the Secretary-General of the United Nations shall, at the request of a Party, designate the President within a further two-month period.

Article 4

The Arbitral Tribunal shall render its decisions in accordance with the provisions of the Convention and International law.

Article 5

Unless the parties to the dispute agree otherwise, the Arbitral Tribunal shall determine its own rules of procedure.

Article 6

The Arbitral Tribunal may, at the request of one of the Parties, recommend essential interim measures of protection.

Article 7

The Parties to the dispute shall facilitate the work of the Arbitral Tribunal and, in particular, using all means at their disposal, shall:

- (a) Provide it with all relevant documents, information and facilities; and
- (b) Enable it, when necessary, to call witnesses or experts and receive their evidence.

Article 8

The Parties and the arbitrators are under an obligation to protect the confidentiality of any information they receive in confidence during the proceedings of the Arbitral Tribunal.

Article 9

Unless the Arbitral Tribunal determines otherwise because of the particular circumstances of the case, the costs of the Tribunal shall be borne by the Parties to the dispute in equal shares. The Tribunal shall keep a record of all its costs and shall furnish a final statement thereof to the Parties.

Article 10

A Party that has an interest of a legal nature in the subject matter of the dispute which may be affected by the decision in the case, may intervene in the proceedings with the consent of the Arbitral Tribunal.

Article 11

The Arbitral Tribunal may hear and determine counterclaims arising directly out of the subject matter of the dispute.

Article 12

Decisions of the Arbitral Tribunal on both procedure and substance shall be taken by a majority vote of its members.

Article 13

1. If one of the Parties to the dispute does not appear before the Arbitral Tribunal or fails to defend its case, the other Party may request the Tribunal to continue the proceedings and to render its decision. Absence of a Party or failure of a Party to defend its case shall not constitute a bar to the proceedings.
2. Before rendering its final decision, the Arbitral Tribunal must satisfy itself that the claim is well founded in fact and law.

Article 14

The Arbitral Tribunal shall render its final decision within five months of the date on which it is fully constituted, unless it finds it necessary to extend the time limit for a period which should not exceed five more months.

Article 15

The final decision of the Arbitral Tribunal shall be confined to the subject matter of the dispute and shall state the reasons on which it is based. It shall contain the names of the members who have participated and the date of the final decision. Any member of the Tribunal may attach a separate or dissenting opinion to the final decision.

Article 16

The award shall be binding on the parties to the dispute. The interpretation of the Convention given by the award shall also be binding upon a Party intervening under article 10 above insofar as it relates to matters in respect of which that Party intervened. The award shall be without appeal unless the parties to the dispute have agreed in advance to an appellate procedure.

Article 17

Any controversy which may arise between those bound by the final decision in accordance with article 16 above, as regards the interpretation or manner of implementation of that decision, may be submitted by any of them for decision to the Arbitral Tribunal which rendered it.

B. Rules on conciliation

The conciliation procedure for purposes of paragraph 6 of article 20 of the Convention shall be as follows.

Article 1

1. A request by a party to a dispute to establish a conciliation commission in consequence of paragraph 6 of article 20 shall be addressed in writing to the Secretariat. The Secretariat shall forthwith inform all Parties accordingly.
2. The conciliation commission shall, unless the parties otherwise agree, be composed of five members, two appointed by each Party concerned and a President chosen jointly by those members.

Article 2

In disputes between more than two parties, parties in the same interest shall appoint their members of the commission jointly by agreement.

Article 3

If any appointments by the parties are not made within two months of the date of receipt by the Secretariat of the written request referred to in article 1, the Secretary-General of the United Nations shall, upon request by a party, make those appointments within a further two-month period.

Article 4

If the President of the conciliation commission has not been chosen within two months of the fourth member of the commission being appointed, the Secretary-General of the United Nations shall, upon request by a party, designate the President within a further two-month period.

Article 5

1. The conciliation commission shall, unless the parties to the dispute otherwise agree, determine its own rules of procedure.
2. The parties and members of the commission are under an obligation to protect the confidentiality of any information they receive in confidence during the proceedings of the commission.

Article 6

The conciliation commission shall take its decisions by a majority vote of its members.

Article 7

The conciliation commission shall render a report with recommendations for resolution of the dispute within twelve months of being established, which the parties shall consider in good faith.

Article 8

Any disagreement as to whether the conciliation commission has competence to consider a matter referred to it shall be decided by the commission.

Article 9

The costs of the Commission shall be borne by the parties to the dispute in shares agreed by them. The Commission shall keep the record of all its costs and shall furnish a final statement thereof to the parties.

RC-1/3: Amendments to Annex III

The Conference of the Parties,

Noting with appreciation the work of the Intergovernmental Negotiating Committee and the Interim Chemical Review Committee,

1. *Decides to adopt, in accordance with the procedure laid down in article 8 and paragraph 5 of article 22 of the Rotterdam Convention, the amendments to Annex III set out in the annex to the present decision;*
2. *Decides that all the amendments shall enter into force on 1 February 2005, except for the amendments made by paragraph 1 (a) and (b) of the annex to the present decision, which shall enter into force on 1 January 2006.*

Annex**Amendments to Annex III to the Rotterdam Convention**

1. The following existing entries shall be deleted:

(a)	Monocrotophos (Soluble liquid formulations of the substance that exceed 600 g active ingredient/l)	6923-22-4	Severely hazardous pesticide formulation
(b)	Parathion (all formulations – aerosols, dustable powder (DP), emulsifiable concentrate (EC), granules (GR) and wettable powders (WP) – of this substance are included, except capsule suspensions (CS))	56-38-2	Severely hazardous pesticide formulation
(c)	Crocidolite	12001-28-4	Industrial

2. In the first column, the entry for “2,4,5-T” shall be replaced by “2,4,5-T and its salts and esters”.

3. The following entry shall be listed in the three columns after the entry for “Aldrin”:

Binapacryl	485-31-4	Pesticide
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4. The following entry shall be listed in the three columns after the entry for “Dieldrin”:

Dinitro- <i>ortho</i> -cresol (DNOC)	534-52-1	Pesticide
and its salts (such as ammonium salt, potassium salt and sodium salt)	2980-64-5	
	5787-96-2	

2312-76-7

5. In the first column, the entry for "Dinoseb and dinoseb salts" shall be replaced by "Dinoseb and its salts and esters".

6. The following entries shall be listed in the three columns after the entry for "1,2-dibromoethane":

Ethylene dichloride	107-06-2	Pesticide
Ethylene oxide	75-21-8	Pesticide

7. The following entries shall be listed in the three columns after the entry for "Mercury compounds":

Monocrotophos	6923-22-4	Pesticide
Parathion	56-38-2	Pesticide

8. In the first column, the entry for "Pentachlorophenol" shall be replaced by "Pentachlorophenol and its salts and esters".

9. The following entries shall be listed in the three columns after the entry for "Pentachlorophenol":

Toxaphene	8001-35-2	Pesticide
Dustable powder formulations containing a combination of: hazardous		Severely
– Benomyl at or above 7 per cent,	17804-35-2	pesticide
– Carbofuran at or above 10 per cent, and	1563-66-2	formulation
– Thiram at or above 15 per cent	137-26-8	

10. In the first column, the entry for "Methyl-parathion (emulsifiable concentrates (EC) with 19.5%, 40%, 50%, 60% active ingredient and dusts containing 1.5%, 2% and 3% active ingredient)" shall be replaced by "Methyl-parathion (emulsifiable concentrates (EC) at or above 19.5% active ingredient and dusts at or above 1.5% active ingredient)".

11. The following entry shall be listed in the three columns after the entry for "Methyl-parathion":

Asbestos:		
– Actinolite	77536-66-4	Industrial
– Anthophyllite	77536-67-5	Industrial
– Amosite	12172-73-5	Industrial
– Crocidolite	12001-28-4	Industrial
– Tremolite	77536-68-6	Industrial

12. The following entries shall be listed in the three columns after the entry for "Polychlorinated terphenyls":

Tetraethyl lead	78-00-2	Industrial
Tetramethyl lead	75-74-1	Industrial

13. In the second column of the entry for "2,4,5-T", "93-76-5" shall be replaced by "93-76-5*"; in the second column of the entry for "Dinoseb and dinoseb salts", "88-85-7" shall be replaced by "88-85-7*"; in the second column of the entry for "Pentachlorophenol", "87-86-5" shall be replaced by "87-86-5*"; and the following footnote shall be inserted at the end of Annex III:

* Only the CAS numbers of parent compounds are listed. For a list of other relevant CAS numbers, reference may be made to the relevant decision guidance document.

RC-4/5: Inclusion of tributyltin compounds in Annex III of the Convention

The Conference of the Parties,

Noting with appreciation the work of the Chemical Review Committee,

Having considered the recommendation of the Chemical Review Committee to make tributyltin compounds subject to the prior informed consent procedure and accordingly to list them in Annex III of the Rotterdam Convention,

Satisfied that all the requirements for listing in Annex III of the Rotterdam Convention have been met with respect to tributyltin compounds,

1. *Decides* to amend Annex III of the Rotterdam Convention to list the following chemicals in the three columns after the entry for "Toxaphene":

Chemical	Relevant CAS number(s)	Category
All tributyltin compounds including:		Pesticide
Tributyltin oxide	CAS 56-35-9	
Tributyltin fluoride	CAS 1983-10-4	
Tributyltin methacrylate	CAS 2155-70-6	
Tributyltin benzoate	CAS 4342-36-3	
Tributyltin chloride	CAS 1461-22-9	
Tributyltin linoleate	CAS 24124-25-2	
Tributyltin naphthenate	CAS 85409-17-2	

2. *Decides* that this amendment shall enter into force for all Parties on 1 February 2009.

RC-5/3: Listing of alachlor in Annex III to the Rotterdam Convention

The Conference of the Parties,

Noting with appreciation the work of the Chemical Review Committee,

Having considered the recommendation of the Chemical Review Committee to make alachlor subject to the prior informed consent procedure and accordingly to list it in Annex III to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade,

Satisfied that all the requirements for listing in Annex III to the Rotterdam Convention have been met,

1. *Decides* to amend Annex III to the Rotterdam Convention to list the following chemical:

Chemical	Relevant CAS number(s)	Category
Alachlor	15972-60-8	Pesticide

2. Also decides that this amendment shall enter into force for all parties on 24 October 2011.

3. *Approves* the decision guidance document for alachlor.

RC-5/4: Listing of aldicarb in Annex III to the Rotterdam Convention

The Conference of the Parties,

Noting with appreciation the work of the Chemical Review Committee,

Having considered the recommendation of the Chemical Review Committee to make aldicarb subject to the prior informed consent procedure and accordingly to list it in Annex III to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade,

Satisfied that all the requirements for listing in Annex III to the Rotterdam Convention have been met,

1. *Decides* to amend Annex III to the Rotterdam Convention to list the following chemical:

Chemical	Relevant CAS number(s)	Category
Aldicarb	116-06-3	Pesticide

2. *Also decides* that this amendment shall enter into force for all parties on 24 October 2011.

3. *Approves* the decision guidance document for aldicarb.

RC-5/5: Listing of endosulfan in Annex III to the Rotterdam Convention

The Conference of the Parties,

Noting with appreciation the work of the Chemical Review Committee,

Having considered the recommendation of the Chemical Review Committee to make endosulfan subject to the prior informed consent procedure and accordingly to list it in Annex III to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade,

Satisfied that all the requirements for listing the chemical in Annex III to the Convention have been met,

1. *Decides to amend Annex III to the Convention to list the following chemical:*

Chemical	Relevant CAS number(s)	Category
Endosulfan	115-29-7	Pesticide

2. *Also decides that this amendment shall enter into force for all parties on 24 October 2011.*

3. *Approves the decision guidance document for endosulfan.*

RC-6/4: Listing of azinphos-methyl in Annex III to the Rotterdam Convention

The Conference of the Parties,

Noting with appreciation the work of the Chemical Review Committee,

Having considered the recommendation of the Chemical Review Committee to make azinphos-methyl subject to the prior Informed consent procedure and accordingly to list it in Annex III to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade,

Satisfied that all the requirements for listing in Annex III to the Rotterdam Convention have been met,

1. *Decides* to amend Annex III to the Rotterdam Convention to list the following chemical:

Chemical	Relevant CAS number(s)	Category
Azinphos-methyl	86-50-0	Pesticide

2. *Also decides* that this amendment shall enter into force for all parties on 10 August 2013;

3. *Approves* the draft decision guidance document on azinphos-methyl.

RC-6/5: Listing of commercial pentabromodiphenyl ether in Annex III to the Rotterdam Convention

The Conference of the Parties,

Noting with appreciation the work of the Chemical Review Committee,

Having considered the recommendation of the Chemical Review Committee to make pentabromodiphenyl ether (CAS No. 32534-81-9) and pentabromodiphenyl ether commercial mixtures subject to the prior Informed consent procedure and accordingly to list those chemicals in Annex III to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade,

Satisfied that all the requirements for listing in Annex III to the Rotterdam Convention have been met,

1. *Decides* to amend Annex III to the Rotterdam Convention to list the following chemicals:

Chemical	Relevant CAS number(s)	Category
Commercial pentabromodiphenyl ether including:		Industrial
– Tetrabromodiphenyl ether	40088-47-9	
– Pentabromodiphenyl ether	32534-81-9	

2. *Also decides* that this amendment shall enter into force for all parties on 10 August 2013;

3. *Approves* the draft decision guidance document on pentabromodiphenyl ether (CAS No. 32534-81-9) and pentabromodiphenyl ether commercial mixtures.

RC-6/6: Listing of commercial octabromodiphenyl ether in Annex III to the Rotterdam Convention

The Conference of the Parties,

Noting with appreciation the work of the Chemical Review Committee,

Having considered the recommendation of the Chemical Review Committee to make octabromodiphenyl ether commercial mixtures subject to the prior informed consent procedure and accordingly to list those chemicals in Annex III to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade,

Satisfied that all the requirements for listing in Annex III to the Rotterdam Convention have been met,

1. *Decides* to amend Annex III to the Rotterdam Convention to list the following chemicals:

Chemical	Relevant CAS number(s)	Category
Commercial octabromodiphenyl ether including:		Industrial
– Hexabromodiphenyl ether	36483-60-0	
– Heptabromodiphenyl ether	68928-80-3	

2. *Also decides* that this amendment shall enter into force for all parties on 10 August 2013;

3. *Approves* the draft decision guidance document on octabromodiphenyl ether commercial mixtures.

RC-6/7: Listing of perfluorooctane sulfonic acid, perfluorooctane sulfonates, perfluorooctane sulfonamides and perfluorooctane sulfonyls in Annex III to the Rotterdam Convention

The Conference of the Parties,

Noting with appreciation the work of the Chemical Review Committee,

Having considered the recommendation of the Chemical Review Committee to make perfluorooctane sulfonic acid, perfluorooctane sulfonates, perfluorooctane sulfonamides and perfluorooctane sulfonyls subject to the prior informed consent procedure and accordingly to list those chemicals in Annex III to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade,

Satisfied that all the requirements for listing in Annex III to the Rotterdam Convention have been met,

1. *Decides to amend Annex III to the Rotterdam Convention to list the following chemicals:*

Chemical	Relevant CAS number(s)	Category
Perfluorooctane sulfonic acid, perfluorooctane sulfonates, perfluorooctane sulfonamides and perfluorooctane sulfonyls including:		Industrial
– Perfluorooctane sulfonic acid	1763-23-1	
– Potassium perfluorooctane sulfonate	2795-39-3	
– Lithium perfluorooctane sulfonate	29457-72-5	
– Ammonium perfluorooctane sulfonate	29081-56-9	
– Diethanolammonium perfluorooctane sulfonate	70225-14-8	
– Tetraethylammonium perfluorooctane sulfonate	56773-42-3	
– Didecyldimethylammonium perfluorooctane sulfonate	251099-16-8	
– N-Ethylperfluorooctane sulfonamide	4151-50-2	
– N-Methylperfluorooctane sulfonamide	31506-32-8	
– N-Ethyl-N-(2-hydroxyethyl) perfluorooctane sulfonamide	1691-99-2	
– N-(2-hydroxyethyl)-N-methylperfluorooctane sulfonamide	24448-09-7	
– Perfluorooctane sulfonyl fluoride	307-35-7	

2. *Also decides that this amendment shall enter into force for all parties on 10 August 2013;*

3. *Approves the draft decision guidance document on perfluorooctane sulfonic acid, perfluorooctane sulfonates, perfluorooctane sulfonamides and perfluorooctane sulfonyls.*

RC-7/4: Listing of methamidophos in Annex III to the Rotterdam Convention

The Conference of the Parties,

Noting with appreciation the work of the Chemical Review Committee,

Having considered the recommendation of the Chemical Review Committee to make methamidophos subject to the prior informed consent procedure and accordingly to list it in Annex III to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade,

Satisfied that all the requirements for listing in Annex III to the Rotterdam Convention have been met,

1. *Decides to amend Annex III to the Rotterdam Convention to list the following chemical:*

Chemical	Relevant CAS number(s)	Category
Methamidophos	10265-92-6	Pesticide

2. *Also decides to delete the existing entry in Annex III for “methamidophos (soluble liquid formulations of the substance that exceed 600 g active ingredient/l)”;*

3. *Further decides that this amendment shall enter into force for all parties on 15 September 2015;*

4. *Approves the draft decision guidance document on methamidophos.*

二零一九年十月二十五日於行政長官辦公室

辦公室主任 柯嵐

Gabinete do Chefe do Executivo, aos 25 de Outubro de 2019.
— A Chefe do Gabinete, *O Lam.*

政府總部輔助部門

批示摘錄

透過行政長官二零一九年五月二十七日及八月五日批示：

張惠恩及莫錦笑——根據第12/2015號法律第五條第一款及第六條第一款的規定，獲聘以行政任用合同方式在政府總部輔助部門擔任第一職階勤雜人員，薪俸點110點，試用期六個月，自二零一九年十月三日生效。

透過行政長官二零一九年九月三日批示：

黃子建及麥楚鴻——根據第12/2015號法律第五條第一款及第六條第一款的規定，分別獲聘以行政任用合同方式在政府總部輔助部門擔任第一職階重型車輛司機及第一職階輕型車輛司機，薪俸點170點及150點，試用期六個月，自二零一九年十月八日生效。

SERVIÇOS DE APOIO DA SEDE DO GOVERNO

Extractos de despachos

Por despachos de S. Ex.^a o Chefe do Executivo, de 27 de Maio e 5 de Agosto de 2019:

Cheong Wai Ian e Mo Jin Xiao — admitidas em regime de contrato administrativo de provimento, pelo período experimental de seis meses, para o exercício das funções de auxiliar, 1.º escalão, índice 110, nos SASG, nos termos dos artigos 5.º, n.º 1, e 6.º, n.º 1, da Lei n.º 12/2015, a partir de 3 de Outubro de 2019.

Por despachos de S. Ex.^a o Chefe do Executivo, de 3 de Setembro de 2019:

Wong Chi Kin e Mak Cho Hong — admitidos em regime de contrato administrativo de provimento, pelo período experimental de seis meses, para o exercício das funções de motorista de pesados, 1.º escalão, e motorista de ligeiros, 1.º escalão, índices 170 e 150, respectivamente, nos SASG, nos termos dos artigos 5.º, n.º 1, e 6.º, n.º 1, da Lei n.º 12/2015, a partir de 8 de Outubro de 2019.