

立法會
Legislative Council

LC Paper No. CB(1) 1749/06-07
(These minutes have been seen
by the Administration)

Ref: CB1/BC/4/06/2

**Bills Committee on
Energy Efficiency (Labelling of Products) Bill**

**Minutes of the first meeting
held on Tuesday, 15 May 2007, at 10:45 am
in Conference Room B of the Legislative Council Building**

- Members present** : Hon Audrey EU Yuet-mee, SC, JP (Chairman)
Hon Fred LI Wah-ming, JP
Dr Hon LUI Ming-wah, SBS, JP
Hon SIN Chung-kai, JP
Hon Emily LAU Wai-hing, JP
Hon Abraham SHEK Lai-him, JP
Hon Vincent FANG Kang, JP
Hon WONG Ting-kwong, BBS
- Member absent** : Hon CHOY So-yuk, JP
- Public officers attending** : Environmental Protection Department

Mr Eric CHAN
Assistant Director (Conservation)

Miss Joceline CHUI
Administrative Officer (Conservation Division)

Electrical and Mechanical Services Department

Mr Stephen CHAN, JP
Deputy Director/Regulatory Services (Acting)

Mr P K CHEUNG
Chief Engineer/Energy Efficiency A

Department of Justice

Ms Phyllis POON
Government Counsel

Clerk in attendance : Miss Becky YU
Chief Council Secretary (1)1

Staff in attendance : Mr Timothy TSO
Assistant Legal Adviser 2

Ms Debbie YAU
Senior Council Secretary (1)1

I Election of Chairman

Nominated by Ms Emily LAU and seconded by Mr Vincent FANG, Ms Audrey EU was elected Chairman of the Bills Committee.

II Meeting with the Administration

(LC Paper No. CB(3) 457/06-07	-- The Bill
Ref: EP 86/08/70 (07)	-- The Legislative Council Brief
LC Paper No. LS54/06-07	-- Legal Service Division Report
LC Paper No. CB(1) 1601/06-07(01)	-- Background brief on Energy Efficiency (Labelling of Products) Bill)

2. Members agreed to invite public views on the Bill by putting a notice on the LegCo's website on the Internet and writing to relevant parties. They also agreed that the Administration should provide the full list of consultees who/which had responded to the three-month public consultation on mandatory Energy Efficiency Labelling Scheme (EELS) launched in July 2005.

3. The Committee deliberated (Index of proceedings attached at **Annex A**).

4. The Administration was requested to -

- (a) Provide the latest information on the electricity consumption and penetration rates of the 18 types of energy consuming products under the voluntary EELS;

- (b) Initiate the consultation process with the trades regarding the priority of and the time frame within which the remaining 15 products under the voluntary EELS should be included in the second phase of the mandatory EELS. To also consider introducing a similar mandatory scheme for energy efficiency measures in non-domestic energy consuming products;
 - (c) Advise overseas experience, particularly the approach adopted and the difficulties encountered, on the implementation of mandatory EELS;
 - (d) Advise the annual electricity consumption in the commercial and residential sectors. To also advise the difference in electricity consumption between a residential premises and a commercial premises of the same size;
 - (e) Advise the compliance rate of the Building Energy Codes by commercial buildings; and
 - (f) Provide information on the use of heat engines in promoting energy efficiency in Hong Kong.
5. Members agreed that the next meeting would be held on Friday, 1 June 2007, at 8:30 am to meet with the Administration and deputations.

III Any other business

6. There being no other business, the meeting ended at 12:50 pm.

**Proceedings of the meeting of the
Bills Committee on Energy Efficiency (Labelling of Products) Bill
Meeting on Tuesday, 15 May 2007, at 10:45 am
in Conference Room B of the Legislative Council Building**

Time Marker	Speaker	Subject(s)	Action Required
000000 - 000119	Mr Fred LI Ms Emily LAU Mr Vincent FANG	Election of Chairman Ms Audrey EU was elected Chairman of the Bills Committee	
000120 - 000959	Chairman Mr Fred LI Ms Emily LAU Administration Mr Vincent FANG Mr WONG Ting-kwong Mr Abraham SHEK	Members' agreement to invite interested parties to express their views on the Bill at the next meeting to be held on 1 June 2007 at 8:30 am	The Administration to provide the full list of consultees who/ which had responded to the public consultation on the mandatory Energy Efficiency Labelling Scheme (EELS)
001000 - 001514	Administration	Briefing on the Energy Efficiency (Labelling of Products) Bill (the Bill)	
001515 - 002139	Ms Emily LAU Administration	Enquiry on the promotion of energy efficiency in the commercial sector and overseas experience on the implementation of EELS Administration's explanation - (a) energy efficiency in commercial sector was promoted through the Building Energy Codes (BEC) promulgated by the Electrical and Mechanical Services Department (EMSD); and (b) over 40 countries had implemented mandatory EELS on various types of products (see Annex B to the Legislative Council Brief (Ref: EP 86/08/70(07))). Drawing on their experience, Hong Kong had adopted a progressive approach, starting with a voluntary EELS	

Time Marker	Speaker	Subject(s)	Action Required
		before introducing the initial phase of the mandatory EELS	
002140 - 002309	Mr WONG Ting-kwong Administration Chairman	<p>Enquiry on the time frame and coverage of the second phase of the mandatory EELS</p> <p>Administration's explanation -</p> <p>(a) the time frame of the second phase would be subject to, inter alia, the energy saving achievements and the acceptance of the initial phase of the Scheme by the community and the trades; and</p> <p>(b) those products with higher electricity consumption and higher market penetration rates under the voluntary EELS might be considered for inclusion under the second phase</p>	
002310 - 003005	Mr WONG Ting-kwong Administration Chairman	<p>Given that only three out of the 18 products under the voluntary EELS were included in the proposed mandatory EELS, members' concern that the public might not be aware of the phased approach and thought that all the 18 products were included in the mandatory EELS</p> <p>Administration's response -</p> <p>(a) the three types of products, namely refrigerator, air-conditioner and compact fluorescent lamp, were included in the initial phase of the mandatory EELS because they accounted for more than 70% of the annual electricity consumption in the residential sector and their high penetration rates under the voluntary EELS;</p>	

Time Marker	Speaker	Subject(s)	Action Required
		<p>(b) the inclusion of the remaining 15 products in the subsequent phases of mandatory EELS would be subject to further consultation with the trades taking into account factors such as the energy consumption of the products and the acceptance of the scheme by the community;</p> <p>(c) EMSD would conduct random checks to ensure that correct energy labels were used for the products under both voluntary and mandatory EELSs; and</p> <p>(d) under the mandatory EELS, product suppliers would be required to furnish the Director of Electrical and Mechanical Services updated product information once every five years if there were no changes to the energy efficiency characteristics of the models or other information submitted to EMSD, or within 21 days after any such changes had occurred</p>	
003006 - 003829	Mr Vincent FANG Administration	<p>Enquiry on the feasibility of using energy labels already adopted by overseas countries</p> <p>Administration's response that EMSD accepted energy efficiency performance test reports issued by recognized laboratories overseas but the relevant energy labels could not be directly applied to Hong Kong because of the different grading criteria adopted by different countries</p> <p>Mr Vincent FANG said that the trades supported the Bill but were concerned about the types of domestic energy consuming</p>	

Time Marker	Speaker	Subject(s)	Action Required
		products to be included in the second phase of the mandatory EELS	
003830 - 004749	Ms Emily LAU Administration Chairman	<p>Support for accepting testing reports provided by manufacturers to minimize the cost implications arising from the implementation of the mandatory EELS to facilitate business operation</p> <p>Administration's response -</p> <p>(a) testing standards such as International Organization for Standardization and International Electrotechnical Commission were recognized; and</p> <p>(b) there might be a need for re-testing if the products concerned was tested under a power voltage different from Hong Kong</p> <p>Enquiry about the energy efficiency measures adopted overseas</p> <p>Administration's response that most countries adopted mandatory EELS similar to Hong Kong. However, Japan adopted a different scheme, which required products to meet a target energy performance standard by specified dates</p>	The Administration to advise overseas experience, particularly on the approach adopted and the difficulties encountered, on the implementation of mandatory EELS
004750 - 005259	Mr Fred LI Administration Chairman	Discussion on the selection criteria for the products to be included in the mandatory EELS	The Administration to provide latest information on the electricity consumption and penetration rates of the 18 types of energy consuming products under the voluntary EELS

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005300 - 010000	Dr LUI Ming-wah Administration	Discussion on - (a) testing standards used in Hong Kong; (b) regulation of product safety; and (c) the use of heat engines in promoting energy efficiency	The Administration to provide information on the use of heat engines in promoting energy efficiency in Hong Kong
010001 - 010956	Mr WONG Ting-kwong Administration Chairman	Discussion on - (a) testing standards and mutual recognition of test reports; (b) the need to regulate products with energy consumption level below a certain threshold; (c) the term “energy” which should include electricity and other fuels, such as gasoline and town gas; (d) the need to consult the trades before including new types of products under the mandatory EELS; and (e) the definitions of prescribed products in Schedule 1 to the Bill	
010957 - 011832	Mr Vincent FANG Administration	There was a need to work out simple conversion method for recognition of test reports done in places which adopted power voltage different from Hong Kong Administration's explanation that conversion might not be possible because in some cases the test results would be greatly varied with different supply voltages Enquiry about the Administration's energy saving targets	

Time Marker	Speaker	Subject(s)	Action Required
		Administration's explanation that 150 GWh of electricity would be saved and 105 000 tonnes of carbon dioxide emission would be reduced per annum with the implementation of the mandatory EELS	
011833 - 012726	Ms Emily LAU Administration	<p>Member's reiteration on the need to accept overseas test results as far as possible</p> <p>Administration's confirmation that flexibility would be exercised in recognizing overseas test reports to minimize compliance burden of the trades</p> <p>Enquiry on other overseas countries which had adopted energy efficiency measures similar to that by Japan</p> <p>Administration's response that a direct comparison was impracticable as different approaches were being adopted by different countries to suit their individual circumstances</p>	
012727 - 014030	Chairman Administration	<p>Chairman's concerns on the accuracy of the estimated energy saving upon the implementation of the mandatory EELS, and the efficacy of the measures to promote energy efficiency in the commercial sector in the absence of mandatory requirements</p> <p>Administration's explanation that while BEC was a voluntary scheme setting out the minimum energy performance standards for installations, such as lighting, air conditioning, lift and escalator installations in commercial buildings, efforts would be stepped up to promote its application</p>	The Administration to advise the annual electricity consumption in the commercial and residential sectors

Time Marker	Speaker	Subject(s)	Action Required
		Discussion on the types of air conditioners to be included and excluded in the Bill	
014031 - 014619	Mr Vincent FANG Administration	<p>Enquiry about the transitional arrangement under the mandatory EELS</p> <p>Administration's explanation that the mandatory EELS did not apply to procurement contracts of prescribed products for supply with new premises which had been entered into or room air conditioners/refrigerating appliances which had been manufactured in or imported into Hong Kong before the enactment of the Ordinance. Otherwise, the manufacturers/importers must submit the required information of their prescribed products to EMSD and attach energy labels on the prescribed products within 18 months after the enactment of the Ordinance</p>	
014620 - 014909	Ms Emily LAU Administration	<p>Member's urge for early announcement of the products likely to be included in the second phase of the mandatory EELS</p> <p>Administration's undertaking to consider the proposal taking into account the views of the trades</p>	The Administration to initiate the consultation process with the trades regarding the priority of and the time frame within which the remaining 15 products under the voluntary EELS should be included in the second phase of the mandatory EELS
014910 - 020249	Mr Vincent FANG Chairman Administration Ms Emily LAU	<p>Consideration should be given to targeting at non-domestic energy consuming products</p> <p>Chairman's concern about the low incentive for property developers to comply with the voluntary BEC</p>	The Administration to (a) consider introducing a similar mandatory scheme for energy efficiency

Time Marker	Speaker	Subject(s)	Action Required
		<p>Administration's advice -</p> <p>(a) measures had been taken to promote the application of BEC and positive responses had been received from the trades; and</p> <p>(b) overseas experience in implementing energy efficiency measures for commercial buildings</p>	<p>measures in non-domestic energy consuming products;</p> <p>(b) advise the difference in electricity consumption between a residential premises and a commercial premises of the same size; and</p> <p>(c) advise the compliance rate of BEC by commercial buildings</p>
020250 - 020303	Chairman	Date of next meeting	