

Energy Efficiency (Labelling of Products) Bill**The Administration's Response to Questions Raised at the Bills
Committee Meeting on 30 October 2007****Requirement for manufacturers and importers to apply for reference numbers individually**

As mentioned in LC Paper No. CB(1) 111/07-08(02), the Department of Justice is of the view that the Energy Efficiency (Labelling of Products) Bill (the Bill) only applies to local manufacturers, importers and other suppliers unless there is an express provision stating otherwise. Accordingly, overseas manufacturers and other suppliers should apply for the assignment of a reference number through their own local setups that perform import functions or other local import agents. In this connection, at the Bills Committee meeting on 30 October 2007, a member reflected the comments of the trade that local importers and manufacturers should apply to the Electrical and Mechanical Services Department individually. This is on account of the fact that clause 11 of the Bill imposes certain duties on the specified person (i.e. importer or manufacturer) to whom a reference number has been assigned. The reference number could be removed from the record if the specified person fails to comply with those duties. Members of the trade prefer to be held responsible only for the products supplied by them. The design of the mechanism as set out in the Bill has indeed taken into account the request of the trade. Furthermore, overseas manufacturers can provide importers with the specified document, specified information and energy labels in advance for the application of reference numbers. Moreover, the trade is generally content with the proposed free and simple application arrangement.

Review the use of word “standing” in clause 6(4)(b) of the Bill

2. The term “standing” in clause 6(4)(b) of the Bill refers to whether the institution that carries out the test meets the recognition criteria set by the Director of Electrical and Mechanical Services (the Director). Details of the relevant criteria will be set out in the Code of Practice approved and issued by the Director under clause 40 of the Bill. Under clause 6(4)(b) of the Bill, a person who wishes to have a reference

number assigned for his products has to provide documentary proof on whether the relevant institution meets the said criteria. In light of the comments of some Bills Committee members that the meaning of “standing” is not clear, we propose replacing “standing” with “the testing institution meets the criteria set by the Director”.

Testing of compact fluorescent lamps by the Consumer Council

3. We have written to the Consumer Council on 6 November 2007 to convey the suggestion of the Bills Committee (Annex 1).

Updating of energy efficiency grading

4. The energy efficiency grading of prescribed products should be determined in accordance with the criteria set out in the approved Code of Practice. Under clause 40(3) of the Bill, the Director can revise the Code of Practice, including the energy efficiency grading standards, to reflect new energy efficiency technology. On account of the need to balance the interests of the trade and consumers, we intend to provide transitional arrangements for room air-conditioners and refrigerating appliances that have been manufactured in or imported into Hong Kong before the relevant new energy efficiency grading standards take effect. Supply of these products with the original energy labels will be allowed. In this connection, the year when the reference number was assigned will be displayed in energy labels as reference for consumers. This transitional arrangement models on that adopted by other countries such as the European Union member states (please refer to Annex 2 for details). Accordingly, when updating the energy efficiency grading standards, the Director will specify in the Code of Practice that the original standards will continue to apply to room air-conditioners and refrigerating appliances manufactured in or imported into Hong Kong before the new standards take effect. New applications will be processed in accordance with the new standards specified in the Code of Practice. Specified persons are required to prepare energy labels for the relevant products in accordance with the new standards. The revised Code of Practice will be published by notice in the Gazette under clauses 40(2) and (4) of the Bill. In light of the said arrangement, we propose amending the Bill to require specified persons to prepare and display energy labels for products that are not covered by the transitional arrangement according to

the new standards.

5. Furthermore, in light of members' comments, we propose amending the design of the energy labels (Part 2 of the Bill) such that the year when the reference number was assigned will be more prominently displayed (please refer to Annex 3 for the design of the energy label).

Environment Bureau
Electrical and Mechanical Services Department
November 2007

附件一

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ENVIRONMENT BUREAU
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本函檔號 Our Ref: EP 86/08/70 (2007) Pt.8

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6 November 2007

Ms Connie Lau
Chief Executive
Consumer Council
22/F, K. Wah Centre
191 Java Road, North Point
Hong Kong

Dear Ms Lau,

Testing on Compact Fluorescent Lamps

I am writing to invite the Council to conduct testing on the energy efficiency performance of compact fluorescent lamps and publish the results in the "CHOICE" Magazine.

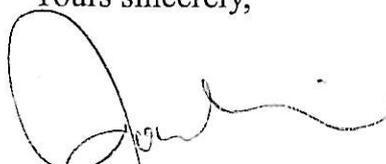
The Government introduced the Energy Efficiency (Labelling of Products) Bill into the Legislative Council in April 2007 for implementation of a mandatory Energy Efficiency Labelling Scheme (the Scheme). The mandatory Scheme requires testing on the energy efficiency performance of energy-using products including compact fluorescent lamps and provision of energy labels on those products. The Bill is now being scrutinized by the Bills Committee of the Legislative Council.

At its meeting on 30 October 2007, the Bills Committee raised the suggestion that the Council publish testing results on the energy efficiency performance and durability of compact fluorescent lamps supplied in the market. We understand that the Council had published a performance test report on compact fluorescent lamps in April 2002. With the planned implementation of the mandatory Scheme and stepped up

switching to use compact fluorescent lamps. Therefore, it will be most helpful if the Council could arrange another round of the said testing and publication in the near future. The information would facilitate consumers greatly in their selection of energy-efficient compact fluorescent lamps and thus help further promoting their use in Hong Kong.

We look forward to your favorable reply.

Yours sincerely,



(Miss Joceline CHUI)
for Secretary for the Environment

c.c.

Clerk to the Bills Committee

(Attn.: Miss Becky Yu)

**Examples of Australia and member states of European Union in
revising the energy efficiency grading**

	Australia	Member states of European Union
Year of revisions to the energy efficiency grading	2000	2004
Products covered by the new energy efficiency grading	Air conditioners, clothes dryers, clothes washers, dishwashers, refrigerators and freezers	Refrigerators and freezers
Arrangements for products covered by the original energy efficiency grading	6-month transitional period for products displayed in shops and 18-month transitional period for products delivered to consumers from warehouse direct - after the transitional period, regulated products cannot be displayed or supplied with energy labels prepared according to the original energy efficiency grading standards	6-month transitional period - products that have been in supply before the new energy efficiency grading takes effect can continue to be sold with the original energy labels

ENERGY LABEL	
能源標籤	
<p>more efficient 效益較高</p> <p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>less efficient 效益較低</p>	<p>Grade 1 級</p>
<p>Annual Energy Consumption (kWh)(Cooling) 每年耗電量 (千瓦小時)(製冷) <small>Based on 1200 hrs/yr operation 以每年使用1200小時計算</small></p>	1106
<p>Cooling Capacity (kW) 製冷量(千瓦)</p>	2.54
<p>Refrigerant 製冷劑</p>	R22
<p>Room Air Conditioner 空調機</p> <p>Brand 品牌:</p> <p>Model 型號:</p> <p>Reference Number / Year 參考編號 / 年份:</p> <p>Information Provider 資料提供者:</p>	<p>ABC 某某牌 HK1234 C080123 / 2008 XYZ 某某某</p>
<p>機電工程署  EMSD</p>	