

**Bills Committee on  
Air Pollution Control (Amendment) Bill 2008**

**List of follow-up actions arising from the discussion  
at the meetings on 3 June 2008**

- (1) To define a scope for “special event” under proposed section 26K(2)(b) and to limit scope to events which occurred for reasons beyond the control of and unforeseeable by the applicant. To also make it clear that special events specified in the relevant specified licence under proposed section 26K(5) are part and parcel of proposed section 26K(2)(b).
- (2) To consider setting a time frame within which the “practicable measures” under the proposed new section 26K(2)(d) should be carried out. To also advise the effects if the term “due diligence” is to be included or to replace “practicable measures” in proposed new section 26K(2)(d).
- (3) To advise whether the fine for non-compliance with the emission caps by a power company would be paid out from the company’s profit and loss account rather than the recurrent operational account. To also advise whether the cost for acquisition of allocated allowances would be paid out from its recurrent operational account, the cost of which will eventually be passed on to the consumers.
- (4) To advise if the court’s decision on a dispute regarding transfer of allocated allowances between two specified licence holders will affect the Administration’s determination on their compliance with the emission caps.
- (5) To consider rephrasing the title of proposed section 26M to make it clear that the section is related to the emission trading scheme entered into with the Guangdong Province.
- (6) To consider allowing local power companies to acquire emission credits only if they fail to meet the emission caps with all due diligence. To also consider limiting the amount of emission credits to be acquired by local power companies to a certain percentage of their allocated allowances.
- (7) To provide the conditions in the specified licence governing the intensity of specified pollutants in every unit of electricity generated.