

立法會
Legislative Council

LC Paper No. CB(1) 1164/09-10
(These minutes have been seen
by the Administration)

Ref : CB1/SS/4/09/1

**Subcommittee on Energy Efficiency (Labelling of Products) Ordinance
(Amendment of Schedules) Order 2009**

**Minutes of second meeting
held on Tuesday, 1 December 2009, at 10:45 am
in Conference Room A of the Legislative Council Building**

Members present : Hon Audrey EU Yuet-mee, SC, JP (Chairman)
Hon Vincent FANG Kang, SBS, JP
Hon Andrew LEUNG Kwan-yuen, SBS, JP
Hon WONG Ting-kwong, BBS, JP
Hon KAM Nai-wai, MH
Hon CHAN Hak-kan
Hon Tanya CHAN

Member absent : Hon Cyd HO Sau-lan

Members attending : Hon CHIM Pui-chung
Hon Jeffrey LAM Kin-fung, SBS, JP

**Public officers
attending** : **For item II**

Environment Bureau

Miss Katharine CHOI
Principal Assistant Secretary for the Environment
(Energy)

Electrical and Mechanical Services Department

Mr WONG Sek-cheung
Chief Engineer/Energy Efficiency A

Mr WONG Lap-chi
Senior Engineer/Energy Efficiency A4

Department of Justice

Miss KWOK Man-yi
Government Counsel

**Attendance by
invitation**

: For item II

Hong Kong Electrical Appliances Manufacturers
Association

Dr Edward CHAN
Honorary President

Consumer Council

Mr Brian CHENG
Chief Research & Trade Practices Officer

Radio Association of Hong Kong

Mr Kinson LEUNG
Chairman

Hong Kong & Kowloon Electrical Appliances Merchants
Association Ltd.

Mr Peter K L CHU
Chairman

WWF Hong Kong

Mr Angus WONG
Senior Campaign Officer (Climate)

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

Staff in attendance : Miss Kitty CHENG
Assistant Legal Adviser 5

Mr Franco KWONG
Council Secretary (1)1

Miss Mandy POON
Legislative Assistant (1)4

I. Confirmation of minutes

(LC Paper No. CB(1) 482/09-10 — Minutes of the meeting held on 16 November 2009)

The minutes of the meeting held on 16 November 2009 were confirmed.

II. Meeting with deputations and the Administration

Meeting with deputations

2. The Chairman invited views from the following deputations -

- (a) Hong Kong Electrical Appliances Manufacturers Association
- (b) Consumer Council
- (c) Radio Association of Hong Kong
- (d) Hong Kong & Kowloon Electrical Appliances Merchants Association Ltd
- (e) WWF Hong Kong

Meeting with the Administration

(LC Paper No. CB(1) 483/09-10(01) — List of follow-up actions arising from the discussion at the meeting on 16 November 2009

LC Paper No. CB(1) 483/09-10(02) — Administration's response to CB(1) 483/09-10(01)

LC Paper No. CB(1) 483/09-10(03) — Marked-up copy of the Order (Restricted to Members)

Relevant papers

(Energy Efficiency (Labelling of Products) Ordinance (Amendment of Schedules) Order 2009 (L.N. 204 of 2009)

The Legislative Council Brief (Ref: ENB 24/26/24 Pt.6)

LC Paper No. LS8/09-10 — Legal Service Division Report

LC Paper No. CB(1) 359/09-10(01) — Background brief on Energy Efficiency (Labelling of Products) Ordinance (Amendment of Schedules) Order 2009)

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

4. The Administration was requested to -
- (a) advise the rationales for setting the thresholds for washing machines at a rated washing capacity not exceeding 7 kilograms, and dehumidifiers at a rated dehumidifying capacity not exceeding 87 litres per day. To also advise whether consideration would be given to adjusting these thresholds after taking into account members' and deputations' views;
 - (b) consider providing a label for collection points of spent compact fluorescent lamps (CFLs) to enhance public awareness. To also advise how the Administration could ensure that spent CFLs so collected would be transferred to the Chemical Waste Treatment Centre (CWTC) for proper treatment before disposal, and that CWTC would have sufficient capacity to treat the anticipated increase in spent CFLs following the implementation of the Mandatory Energy Efficiency Labelling Scheme; and
 - (c) conduct tests for toxic mercury across the territory to avoid inadvertent release of such chemical into the environment due to improper disposal of spent CFLs.

III. Any other business

5. There being no other business, the meeting ended at 12:45 pm.

**Subcommittee on Energy Efficiency (Labelling of Products) Ordinance
(Amendment of Schedules) Order 2009**

**Proceedings of the second meeting
on Tuesday, 1 December 2009, at 10:45 am
in Conference Room A of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action required
<i>Agenda Item I - Confirmation of minutes</i>			
000500 - 000655	Chairman	The minutes of meeting held on 16 November 2009 (LC Paper No. CB(1) 482/09-10) were confirmed.	
<i>Agenda Item II - Meeting with deputations and the Administration</i>			
000656 - 001208	Mr Brian CHENG Consumer Council (CC)	Expression of views (LC Paper No. CB(1) 668/09-10(01)).	
001209 - 001343	Mr Kinson LEUNG Radio Association of Hong Kong (RAHK)	Expression of views - (a) dehumidifiers for commercial and industrial uses should be exempted from the mandatory Energy Efficiency Labelling Scheme (EELS); and (b) standard for testing the energy performance of dehumidifiers should take into account local practice i.e. multiplying the measured power consumption at 30°C and 80% relative humidity (RH) by an average of 450 hours per year rather than 26.7°C and 60% RH as stated in the Order.	
001344 - 001839	Mr Peter CHU Hong Kong & Kowloon Electrical Appliances Merchants Association Ltd. (EAMAL)	Expression of views (LC Paper No. CB(1) 514/09-10(01)).	
001840 - 002225	Mr Angus WONG WWF Hong Kong (WWF)	Expression of views - (a) support for extension of the coverage of mandatory EELS to washing machines and dehumidifiers, and adoption of a grading type labelling system for dehumidifiers;	

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		<p>(b) consideration should be given to raise the threshold for washing machines to a rated washing capacity exceeding 7 kilograms (kg) given that washing machines with a rated washing capacity of 8 kg were not uncommon in the market; and</p> <p>(c) consideration should also be given to including televisions (TVs) in the mandatory EELS in view of their high energy consumption, and possible surge in sales of TVs upon complete change to digital broadcasting. Given the high market penetration rate of TVs, significant energy saving could be achieved even if the existing testing standard only applied to stand-by mode as in the case of compact fluorescent lamps (CFLs). Besides, the United States and Australia had developed standard for testing the on-mode power of TVs.</p>	
002226 - 002455	Dr Edward CHAN Hong Kong Electrical Appliances Manufacturers Association (HKEAMA)	The decision to include certain products under the mandatory EELS should be made taking into account emerging technology. By way of illustration, dehumidifiers without built-in compressors were already available in the market. The Order might not be applicable to these dehumidifiers.	
002456 - 003205	Administration	<p>Administration's response -</p> <p>(a) the mandatory EELS would be reviewed taking into account latest development of similar schemes in the international arena;</p> <p>(b) Measuring and evaluating only the washing function of the combined washers/dryers were in line with the practice of mandatory EELS in other economies, including Australia and the Mainland;</p> <p>(c) a survey conducted in 2008 showed that there were over 410 models of washing machines in the local market, and the annual sales volume</p>	

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		<p>of washing machines with a rated washing capacity exceeding 7kg was only around 1%</p> <p>(d) the threshold for dehumidifiers at a rated dehumidifying capacity not exceeding 87 litres was agreed by the trades in the consultation meetings of the trade task force;</p> <p>(e) reference to other countries had been made before adopting the current testing standard for dehumidifiers, which was also in conformity to the Agreement on Technical Barriers to Trade of the World Trade Organization;</p> <p>(f) efforts would be stepped up to promote public awareness on the difference in energy performance of dehumidifiers arisen as a result of the change in testing standard; and</p> <p>(g) international standard for testing the on-mode power of TVs had only been launched recently. Besides, there was no accredited test laboratory in Hong Kong to conduct the test for TVs in accordance with the international standard.</p>	
003206 - 004019	Mr Vincent FANG Administration	<p>Mr Vincent FANG's enquiries -</p> <p>(a) whether the grading of dehumidifiers would be affected as a result of the change in testing standard; and</p> <p>(b) whether the testing standard for dehumidifiers could change from 80% RH to 60% RH to take account of the local situation.</p> <p>Administration's response -</p> <p>(a) dehumidifiers were subject to the "Recognition Type" energy label under the voluntary EELS without any grading for energy performance;</p> <p>(b) the testing standard for dehumidifiers was in line with the</p>	

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		<p>international standard to help consumers from other countries to assess the energy performance of dehumidifiers. Places with similar weather conditions as Hong Kong, such as the Mainland, Taiwan and Japan, also adopted the same testing standard of 26.7°C/27°C and 60% RH;</p> <p>(c) while the rated dehumidifying capacity might be different under the proposed testing standard, this would not affect the performance of dehumidifiers as they were all subject to the same testing standard.</p>	
004020 - 005104	<p>Chairman Mr Vincent FANG Administration Dr Edward CHAN / HKEAMA</p>	<p>Chairman and Mr Vincent FANG's queries that the energy consumption level would go up if dehumidifiers were to meet the standard of 60% RH.</p> <p>Administration's response that -</p> <p>(a) the energy performance of dehumidifiers would vary depending on RH of surrounding environment; and</p> <p>(b) as all dehumidifiers would be tested with the same standard, their energy efficiency grading would not be affected.</p> <p>Dr Edward CHAN's concern that the trade would need to revise the existing specifications for dehumidifiers as consumers might not be aware of the change in testing standard.</p> <p>Administration's response that the energy label would provide information on energy performance of the products to enable consumers to make an informed choice.</p>	
005105 - 005949	<p>Mr KAM Nai-wai Administration Dr Edward CHAN / HKEAMA Mr Brian CHENG /CC Mr Peter CHU/</p>	<p>Mr KAM Nai-wai's enquiries -</p> <p>(a) when the international testing standard for dehumidifiers were launched; and</p>	

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	EAMAL	<p>(b) feasibility of adjusting the test standard of 30°C and 80% RH to take account of the local situation; and</p> <p>(c) the trades' views on inclusion of clothes dryers in mandatory EELS.</p> <p>Administration's response -</p> <p>(a) the international testing standard for dehumidifiers had been in operation for a long time. For example, the United Kingdom/Europe had adopted the standard since 1997. This was also adopted under the voluntary EELS; and</p> <p>(b) so far, no other places had adopted the testing standard of 30°C and 80% RH for dehumidifiers; and</p> <p>Mr Brian CHENG's views -</p> <p>(a) dehumidifiers usually operated in a closed environment where RH would drop drastically below 80% after operating for a while; and</p> <p>(b) clothes dryers should only be included in the mandatory EELS when international testing standard was available.</p>	
005950 - 010354	Mr WONG Ting-kwong Chairman	Mr WONG Ting-kwong's support for adopting the international testing standard for dehumidifiers to ensure consistency.	
010355 - 012108	Chairman Administration Mr WONG Ting-kwong Mr Kinson LEUNG / RAHK Mr Peter CHU/ EAMAL Dr Edward CHAN /HKEAMA	<p>Chairman's enquiries -</p> <p>(a) models of dehumidifiers in the market with a rated dehumidifying capacity exceeding 87 litres per day; and</p> <p>(b) distribution of energy efficiency grading of existing dehumidifiers under the mandatory EELS.</p> <p>Administration's response -</p> <p>(a) the threshold of 87 litres per day was in line with the EELS in other countries;</p>	

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		<p>(b) it was expected that most of the dehumidifiers available in the market would come under the mandatory EELS, including those for commercial use; and</p> <p>(c) grading distribution of dehumidifiers was as follows -</p> <table border="0"> <tr> <td>Grade 1</td> <td>over 10%</td> </tr> <tr> <td>Grade 2</td> <td>about 40%</td> </tr> <tr> <td>Grade 3</td> <td>about 25%</td> </tr> <tr> <td>Grade 4</td> <td>about 15%</td> </tr> <tr> <td>Grade 5</td> <td>less than 10%</td> </tr> </table> <p>This was considered a normal distribution with most of dehumidifiers fell under Grades 2 and 3.</p> <p>Chairman's enquiry on whether the trade supported to set the threshold for dehumidifiers at 87 litres per day.</p> <p>Mr Kinson LEUNG's concern that the mandatory EELS would cover almost all dehumidifiers in the market which normally had a rated humidifying capacity of about 20 to 30 litres per day. His view was shared by Mr Peter CHU.</p> <p>Dr Edward CHAN's remark that he was not in a position to represent manufacturers of heavy duty dehumidifiers with high dehumidifying capacity.</p> <p>Chairman's further enquiry on whether the Administration had consulted the relevant manufacturers.</p> <p>Administration's confirmation that the list of consultees comprised associations of manufacturers/suppliers of all types of dehumidifiers.</p>	Grade 1	over 10%	Grade 2	about 40%	Grade 3	about 25%	Grade 4	about 15%	Grade 5	less than 10%	
Grade 1	over 10%												
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Grade 5	less than 10%												
012109 - 012314	Miss Tanya CHAN Administration	<p>Miss Tanya CHAN's enquiry about the usage of dehumidifiers with a high rated dehumidifying capacity.</p> <p>Administration's response -</p> <p>(a) dehumidifiers with a high rated dehumidifying capacity were usually</p>											

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		<p>used in premises of large area, basements or in places for storage of fur and food; and</p> <p>(b) the threshold was set to enable consumers to make an informed choice of dehumidifiers regardless of whether these were used for domestic or commercial purposes.</p>	
012315 - 013201	<p>Mr WONG Ting-kwong Administration Mr Peter CHU/ EAMAL Dr Edward CHAN / HKEAMA Mr Kinson LEUNG/ RAHK Mr Brian CHENG /CC Mr Angus WONG / WWF</p>	<p>Mr WONG Ting-kwong's enquiry on the threshold for dehumidifiers in other countries.</p> <p>Administration's response that the United States and Canada also adopted the threshold of 87 litres per day for dehumidifiers.</p> <p>Dr Edward CHAN's concern that suppliers would be reluctant to import heavy duty dehumidifiers given the high cost of compliance with the labelling requirement and the low demand for these dehumidifiers. His view was shared by Mr Kinson LEUNG.</p> <p>Mr Brian CHENG's view that in setting the thresholds for products under the mandatory EELS, the Administration should be prudent to take account of emerging new products. By way of illustration, washing machines with a rated washing capacity exceeding 7 kg had become more common in the market.</p> <p>Mr Angus WONG's view that heavy duty washing machines for commercial use should also be included in the mandatory EELS as in the case of heavy duty dehumidifiers.</p>	<p>The Administration to advise the rationales for setting the thresholds for washing machines at a rated washing capacity not exceeding 7 kg, and dehumidifiers at a rated dehumidifying capacity not exceeding 87 litres per day. The Administration to also advise whether consideration would be given to adjusting these thresholds after taking into account members' and deputations' views.</p>
013202 - 013321	<p>Miss Tanya CHAN Administration</p>	<p>Miss Tanya CHAN's enquiry on the rationale for setting the threshold for washing machines at a rated washing capacity not exceeding 7 kg.</p> <p>Administration's response that the annual sales volume of such washing machines was very small and the same threshold was normally adopted under the voluntary EELS. Continuing the use of the</p>	

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		threshold in the mandatory EELS would facilitate compliance by the trade.	
013322 - 014007	Chairman Mr WONG Ting-kwong Administration Mr Peter CHU/ EAMAL Mr Kinson LEUNG / RAHK Dr Edward CHAN / HKEAMA Mr Angus WONG /WWF	<p>Chairman and Mr WONG Ting-kwong's enquiries on whether consideration would be given to set a higher threshold for washing machines.</p> <p>Administration's response that the trades' support would be required if a higher threshold was to be set.</p> <p>Mr Peter CHU's view that it was appropriate to set the threshold at 7 kg given the limited availability of washing machines with a rated washing capacity of 8 kg in the market. His view was shared by Mr Kinson LEUNG.</p> <p>Dr Edward CHAN's concern that suppliers would be reluctant to import heavy duty washing machines given the high cost of compliance with the labelling requirement and the low demand for these washing machines.</p> <p>Mr Angus WONG's view that the Administration should adopt the same approach in setting the thresholds for both washing machines and dehumidifiers.</p>	
014008 - 014300	Mr WONG Ting-kwong Dr Edward CHAN / HKEAMA	<p>Given the dissenting views between the trades and the Administration, Mr WONG Ting-kwong's query whether the Administration had taken into account the trades' views in formulating the proposed Order.</p> <p>Dr Edward CHAN's remark that there were fruitful exchanges during the consultation. The differences only involved minor technical issues.</p>	
014301 - 014554	Chairman Administration	<p>Chairman's enquiry on the threshold for washing machines under the mandatory EELS in other countries.</p> <p>Administration's response -</p> <p>(a) different countries adopted different thresholds. For example, the Mainland adopted a threshold of</p>	

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		<p>13 kg while South Korea adopted a threshold ranging from 2 to 15 kg; and</p> <p>(b) the threshold of 7 kg under the Order was consistent with the voluntary EELS, and had taken into account the situation of the local market.</p> <p>Chairman's request assistance from CC to provide information on the market penetration rates of washing machines with different rated washing capacities in the local market.</p>	
014555 - 015017	Chairman Dr Edward CHAN /HKEAMA	<p>Chairman's enquiry on whether the trades would agree to the need for additional information in the energy label regarding the optimal areas to be covered by dehumidifiers with different rated dehumidifying capacities.</p> <p>Dr Edward CHAN's remark that in general, dealers would inform consumers the optimal areas to be covered by dehumidifiers.</p>	
015018 - 015159	Administration	Administration's elaboration on its response to concerns raised at the meeting on 16 November 2009 (LC Paper No. CB(1) 483/09-10(02)).	
015200 - 015414	Miss Tanya CHAN Administration	<p>Miss Tanya CHAN's enquiry on the plan to include TVs as well as computer monitors in the mandatory EELS.</p> <p>Administration's response that the international testing standard for on-mode power for TVs had only been recently launched. It would keep abreast of the latest development, including the availability of accredited test laboratory in Hong Kong to conduct tests for TVs, before considering the way forward.</p>	
015410 - 015804	Mr WONG Ting-kwong Administration Chairman	<p>Mr WONG Ting-kwong's enquiries -</p> <p>(a) progress of setting up collection points for spent CFLs; and</p> <p>(b) percentage of shops inspected under the initial phase of the mandatory EELS.</p>	

Time marker	Speaker	Subject(s)	Action required
		<p>Administration's response -</p> <p>(a) over 700 collection points were set up at residential estates and shops; and</p> <p>(b) about 500 out of around 3500 shops (or 14%) had been inspected as at 20 November (about two week since the full implementation on 9 November 2009).</p>	
015805 - 015844	Chairman Administration	<p>Chairman's view and enquiry -</p> <p>(a) consideration should be given to provide a label for collection points of spent CFLs to enhance public awareness;</p> <p>(b) how the Administration could ensure that all spent CFLs collected would be transferred to Chemical Waste Treatment Centre (CWTC) for treatment, and that CWTC would have sufficient capacity to treat the anticipated increase in spent CFLs following the implementation of mandatory EELS; and</p> <p>(c) consideration should be given to conducting tests for toxic mercury across the territory to avoid inadvertent release of such chemical into the environment due to improper disposal of spent CFLs.</p>	<p>The Administration to consider providing a label for collection points of spent CFLs to enhance public awareness, to advise how the Administration could ensure that spent CFLs so collected would be transferred to the CWTC for proper treatment before disposal and that CWTC would have sufficient capacity to treat the anticipated increase in spent CFLs following the implementation of mandatory EELS, and to conduct tests for toxic mercury across the territory to avoid inadvertent release of such chemical into the environment due to improper disposal of spent CFLs.</p>
015845 - 015924	Chairman	Date of next meeting	