

立法會
Legislative Council

LC Paper No. CB(1) 1660/09-10
(These minutes have been seen
by the Administration)

Ref : CB1/PL/EA/1

Panel on Environmental Affairs

Minutes of meeting
held on Monday, 22 February 2010, at 1:30 pm
in the Chamber of the Legislative Council Building

- Members present** : Hon Audrey EU Yuet-mee, SC, JP (Chairman)
Hon CHAN Hak-kan (Deputy Chairman)
Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
Hon James TO Kun-sun
Hon Miriam LAU Kin-ye, GBS, JP
Hon Andrew CHENG Kar-foo
Hon LEE Wing-tat
Hon Jeffrey LAM Kin-fung, SBS, JP
Hon CHEUNG Hok-ming, GBS, JP
Hon KAM Nai-wai, MH
Hon Cyd HO Sau-lan
Hon CHAN Kin-por, JP
- Members attending** : Hon Fred LI Wah-ming, SBS, JP
Hon Vincent FANG Kang, SBS, JP
Hon IP Wai-ming, MH
- Members absent** : Hon WONG Yung-kan, SBS, JP
Prof Hon Patrick LAU Sau-shing, SBS, JP
- Public officers attending** : **For item IV**

Dr Kitty POON, JP
Acting Secretary for the Environment

Mr TANG Kin-fai
Assistant Director (Environmental Compliance)
Environmental Protection Department

Ms Margaret HSIA
Assistant Director (Waste Management Policy)
Environmental Protection Department

Mr Jonathan LEUNG
Chief Assistant Secretary (Works) 5
Development Bureau

Ms Karen CHAN
Assistant Director (Estate Management)
(Lands Administration Office, Headquarter)
Lands Department

Ms Phyllis LI
Assistant Director of Planning (Special Duties)
Planning Department

Mr Kelvin CHAN
Chief Town Planner (Central Enforcement and
Prosecution)
Planning Department

Mr CHEUNG Kwok-wai
Senior Conservation Officer (Technical Services)
Agriculture, Fisheries and Conservation
Department

Mr Fedrick KAN
Chief Engineer (Mainland North)
Drainage Services Department

For item V

Dr Kitty POON, JP
Acting Secretary for the Environment

Dr Lawrence WONG
Acting Assistant Director (Special Duty)
Environmental Protection Department

Dr Alain LAM
Principal Environmental Protection Officer
(Waste Management Policy)
Environmental Protection Department

For item VI

Dr Kitty POON, JP
Acting Secretary for the Environment

Dr Lawrence WONG
Acting Assistant Director (Special Duty)
Environmental Protection Department

Dr Alain LAM
Principal Environmental Protection Officer
(Waste Management Policy)
Environmental Protection Department

**Attendance by
invitation**

: For item VI

Friends of the Earth (HK)

Ms Michelle AU
Senior Environmental Affairs Officer

HK WEEE Alliance / The Hong Kong Electronic
Industries Association

Mr CHAN Kei-biu

Lion Rock Institute

Mr Peter WONG
Executive Director

Radio Association of Hong Kong

Mr Kinson LEUNG
Chairman

Hong Kong & Kowloon Electrical Appliances
Merchants Association Ltd.

Mr Peter K L CHU
Chairman

Hong Kong Retail Management Association

Mr Ken NG
Representative

Green Council

Ms Linda W P HO
Chief Executive Officer

Individual

Mr Martin OEI
Political Commentator

Environmental Contractors Management Association

Dr Kelvin CHENG
Vice President

Hong Kong Green Manufacturing Alliance

Mr Sunny CHAI
Chairman

Hong Kong Suppliers Association Ltd

Mr Albert TANG
Chairman, Government Policy Committee

The Hong Kong Polytechnic University

Prof POON Chi-sun

Hong Kong General Association of Recycling
Business

Mr LO Yiu-chuen
Chairman

Hong Kong WEEE Recycling Association

Mr Raymond HO
Vice President

Tai Po Environment Association

Mr Thomas CHEUNG
Vice-Chairman

The Federation of Hong Kong Industries

Ir Daniel CHENG
Deputy Chairman

E.Tech Management (HK) Ltd

Ms Winnie SIU
Marketing Manager

EcoSage Ltd

Mr TAM Wai-kit
Environmental Specialist

The Chamber of HK Computer Industry

Mr Jacky CHEUNG
Founding President

Caritas Hong Kong

Mr CHAN Chi-kwong
Supervisor

Consumer Council

Ms Rosa WONG
Head of Research and Trade Practices Division

Greeners Action

Mr Angus HO
Executive Director

Li Tong Group

Mr James PEARSON
Advisor

St. James' Settlement

Ms LEE Yuk-chi
Senior Manager

Hong Kong Association of Property Management
Companies

Mr Sanford Y F POON
Vice President

On Kee (HK) Environmental Recycling Ltd

Ms Queenie LAU
Director

Hong Kong Environmental Protection Policy Council

Mr FAN Hai-tai
Chairman

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

Staff in attendance : Mrs Mary TANG
Senior Council Secretary (1)2

Miss Mandy POON
Legislative Assistant (1)4

Action

- I. Confirmation of minutes**
(LC Paper No. CB(1) 1154/09-10 — Minutes of the meeting held on
15 December 2009)

The minutes of the meeting held on 15 December 2009 were confirmed.

II. Information paper issued since last meeting

2. Members noted the following information papers which had been issued since last meeting -

LC Paper Nos. CB(1) 1159/09-10(01) — Copied letter from the Hong Kong
and 1159/09-10(02) Retail Management Association
together with the Administration's
response regarding the
Environmental Levy Scheme for
Plastic Shopping Bags – Related
Statistics

III. Items for discussion at the next meeting

(LC Paper No. CB(1) 1155/09-10(01) — List of follow-up actions

LC Paper No. CB(1) 1155/09-10(02) — List of outstanding items for discussion)

3. Members agreed to discuss the following items at the next regular meeting scheduled for Monday, 29 March 2010, at 2:30 pm -

- (a) 230DS - Outlying Islands sewerage, stage 1 phase 1 part 2 - Yung Shue Wan sewerage, sewage treatment works and outfall and 234DS - Outlying Islands sewerage, stage 1 phase 2 - Sok Kwu Wan sewage collection, treatment and disposal facilities; and
- (b) Update on the progress of the key initiatives in the “Policy Framework for the Management of Municipal Solid Waste (2005-2014).

4. Referring to some media reports on the progress of control of excessive glare from external lightings, the Chairman asked if the subject could be included in the agenda for the next meeting. Mr KAM Nai-wai supported for early discussion of the subject as the Building Energy Efficiency Bill, which was being scrutinized by the Legislature, only dealt with lightings within buildings and not external lightings. The Acting Secretary for the Environment (SEN(Atg)) said that a consultancy study on external lightings was underway and more time would be required before completion of the study. In response to Mr KAM’s further enquiry on the deferral of the discussion item on "Findings of the public consultation on the Air Quality Objectives Review" from March to April 2010, SEN(Atg) said that the Administration was analyzing the views collected from the public consultation exercise, and would report the findings to the Panel as soon as possible.

IV. Proposal to further enhance the regulation of depositing of abandoned construction and demolition materials on private land

(LC Paper No. CB(1) 1094/09-10(01) — Administration's paper on proposal to further enhance the regulation of depositing of abandoned construction and demolition materials on private land

LC Paper No. CB(1) 1180/09-10(01) — Submission from Designing Hong Kong (English version only)

LC Paper No. CB(1) 1180/09-10(02) — Submission from The Conservancy Association (Chinese version only))

5. SEN(Atg) said that in recent years, cases of fly-tipping of construction and demolition (C&D) materials and illegal land filling in rural areas of the New Territories had aroused public concern. Improper deposition of C&D materials on

private land might violate land use and planning control, and cause environmental hygiene problems, drainage/water course blockage, noise/dust nuisance and pollution. While section 16A of the Waste Disposal Ordinance (Cap 354) (WDO) provided that a person would commit an offence if he deposited waste on any land without the permission of the landowner, there were difficulties in adducing evidence when enforcing WDO as the parties concerned would not normally inform the Environmental Protection Department (EPD) of the depositing activity beforehand. It would take some time for EPD to get in touch with the landowners to ascertain whether the depositors had obtained the required permission. To this end, the Administration proposed to amend the relevant provisions of WDO in order to enhance the effectiveness of enforcement against unauthorized depositing of abandoned C&D materials on private land. The amended provisions would require any person who intended to carry out depositing activity on land held under private ownership to obtain prior written permission of all landowner(s) concerned, and to carry such written permission or its copy during the depositing activity for inspection at the request of the control authority. On the other hand, the landowner should give the written permission using the form specified by the control authority and submit the completed form together with the prescribed documents to EPD 15 working days before the commencement of the intended activity. A person would commit an offence if he failed to produce the valid written permission for inspection on request by enforcement officers. Public views would be sought on the proposed legislative amendments.

6. While agreeing that the proposed amendments were a step forward in the right direction, Mr CHEUNG Hok-ming pointed out that the lack of coordination among relevant departments, including the Planning Department (PlanD), Lands Department (LandsD) and EPD, had undermined the effectiveness of enforcement actions in the past. Despite that EPD had since assumed a coordinating role, he was still concerned about the coordination among various departments in enforcing the proposed amendments. There was a need to clearly define the inter-departmental coordination on enforcement actions taking into account that the public would likely call the Police first when they spotted any illegal depositing activities. SEN(Atg) said that the proposed notification mechanism would serve as a platform for relevant departments to make advanced assessment of the information on intended depositing activities. If such intended activities were found to possibly contravene existing legislation, the relevant departments would remind and advise the parties concerned to prevent any contravention of existing legislation. EPD would affix a seal on the specified permission form and return it to the landowner within 15 working days if the information on landowner's identity tallied with the record of the Land Registry or the Home Affairs Department (HAD) and where all the requisite documents were available.

7. The Chairman noted that while EPD would notify the relevant departments upon receipt of the written permission form, it might take some time for the departments to take follow-up and enforcement actions. She questioned if EPD would be able to coordinate the necessary assessment and enforcement actions within 15 working days. SEN(Atg) said that under the proposed amendments, a landowner

should submit the completed permission form together with the prescribed documents (which included documents certifying the landowner's identity, a site plan showing clearly the rivers/streams/watercourse/ponds on the land and the boundary of the affected area, etc) 15 working days before the commencement of the intended deposition. The information would then be passed to the relevant departments for advanced assessment of the intended depositing activities. The relevant departments were expected to make assessment and to take follow-up actions expeditiously.

8. The Chairman asked if enforcement actions could be taken against depositing activities in areas not covered by Development Permission Areas (DPA) plans. The Assistant Director of Planning (Special Duties) confirmed that planning enforcement actions could be taken against unauthorized developments related to land filling in areas currently or previously covered by DPA plans. However, the Town Planning Ordinance (Cap. 131) did not confer enforcement authority in respect of areas not within DPAs. The progress of preparation of statutory plans for the rural New Territories would be submitted for consideration by the Subcommittee on Combating Fly-tipping set up under the Panel.

Definition of waste

9. Mr CHEUNG Hok-ming enquired about the definition of waste under WDO. Mr CHAN Kin-por also enquired about the authority to adjudicate whether any deposited C&D materials should be regarded as waste. The Chairman cautioned that landowners might circumvent the new notification requirement by claiming that the C&D materials deposited on their land were for storage purposes. SEN(Atg) said that under WDO, waste meant any substance or article which was abandoned. C&D waste was usually mixed with other waste substances. Where it was argued that the deposited C&D materials were not wastes, the circumstantial situation and evidence collected would be taken into account in accordance with the provisions of WDO. It would be for the courts to decide on the contravention of WDO based on the evidence produced. The proposed amendments to WDO aimed to enhance the regulation of depositing of abandoned C&D materials on private land. The Assistant Director of Environmental Protection (Waste Management Policy) (ADEP(WMP)) supplemented that under the current provisions of WDO, construction waste referred to any substance, matter or thing that was generated from construction, maintenance, refurbishment and demolition of buildings, roads and drainage works etc and was abandoned.

Exemptions

10. Mr CHAN Kin-por and Mr KAM Nai-wai shared the concern of the Conservancy Association that the proposed exemption for depositing activities involving an aggregate area of less than 100 square metres on the same lot over a period of time might encourage smaller-scale depositing activities to be scattered in different areas. SEN(Atg) said that the proposed exemption was put forward under the principle of reasonableness. While depositors involved in small-scale deposition might be exempted from the requirement for seeking the written permission in

specified form, the landowner's prior consent for carrying out such activity was still required in accordance with the existing requirement of section 16A of WDO. The threshold for exempting deposition involving an aggregate area of less than 100 square metres aimed to provide a right balance between protection of environment and land ownership rights. Public views would be sought on the proposed exemption.

Penalties

11. Mr CHAN Kin-por enquired about the penalties for providing false information, for example, by impersonating a landowner and submitting a false specified form, or producing a forged written permission to the authority during deposition. SEN(Atg) advised that the proposed amendment would adopt existing penalties under section 16A of WDO i.e. an offender would be liable to a fine of \$200,000 and imprisonment for six months on first conviction, and a fine of \$500,000 and imprisonment for six months on subsequent conviction. For offences related to providing false information, consideration would be given to referring to relevant existing legislation on similar offences. The Chairman asked whether consideration would be given to increasing the penalties for illegal depositing activities. She also enquired about the prosecution statistics for such activities. SEN(Atg) said that it would be for the courts to decide on the level of penalties. Supplementary information on the prosecution statistics for depositing activities would be provided in more detail if necessary. In response to Mr CHAN's further question on whether additional manpower resources would be required for implementing the proposed control on depositing activities, SEN(Atg) said that manpower resources would be flexibly deployed in the light of actual circumstances.

Ho Sheung Heung incident

12. Mr LEE Wing-tat said that the problem of fly-tipping had been discussed for over two years. While the effectiveness of the proposed amendments remained unknown, he agreed that this was a step in the right direction to assist landowners in combating the problem. Referring to the depositing activities at Ho Sheung Heung, he was disappointed that the problem had yet to be resolved since the case was reported over nine months ago. There was a need for concerted efforts of the Police, EPD, PlanD, LandsD, and HAD to resolve the problem expeditiously in order to demonstrate the Government's commitment to tackling the problem of fly-tipping in both urban and rural areas. SEN(Atg) said that the control of depositing activities was a complex issue involving various policy areas. If any deposition was found to have contravened the relevant legislation, the departments concerned would take actions accordingly. As there were constraints under the existing provisions of WDO in regulating depositing activities, the Administration had proposed to amend WDO to enhance control. However, continuous cooperation and coordination among the relevant departments would still be required.

13. Noting that nine departments were involved in handling the illegal depositing activities at Ho Sheung Heung, Mr KAM Nai-wai expressed concern about the substantial resources involved. While not opposing the proposed amendments to

WDO, he held the view that the depositor should be held responsible for obtaining the necessary approvals from different departments before the actual deposition. This would facilitate the Administration in enforcing control against illegal depositing activities. SEN(Atg) said that under the proposed amendments, any person who intended to carry out depositing activity would need to obtain prior written permission from all landowner(s) concerned, and to carry such written permission or its copy during the depositing activity for inspection at the request of the control authority. The proposed notification mechanism would enable the relevant departments to make advanced assessment of the information on intended depositing activities. The information contained in the specified form as set out in the Annex to the Administration's paper would facilitate the relevant departments to know the size, source, period of deposition, as well as identity of owners, land lease and related documents etc.

14. In concluding, the Chairman informed members that the Subcommittee on Combating Fly-tipping would invite deputations to attend its meeting on 13 April 2010 to exchange views on measures to combat fly-tipping and illegal land filling activities, including the proposed amendment to section 16A of WDO and the need to amend the definition of "waste" under WDO.

V. Clinical Waste Control Scheme – Subsidiary Legislation and Code of Practice under the Waste Disposal Ordinance (Cap. 354)

(LC Paper No. CB(1) 1155/09-10(03) — Administration's paper on Clinical Waste Control Scheme – Subsidiary Legislation and Code of Practice under the Waste Disposal Ordinance (Cap. 354)

LC Paper No. CB(1) 1155/09-10(04) — Paper on Clinical Waste Control Scheme prepared by the Legislative Council Secretariat (updated background brief)

15. SEN(Atg) briefed members on the proposed implementation of the Clinical Waste Control Scheme (the Control Scheme) through enactment of subsidiary legislation under the Waste Disposal (Amendment) Ordinance 2006 (the Amendment Ordinance), and the promulgation of Code of Practice (CoP) to provide the affected parties with detailed guidance on the handling and management of clinical waste.

16. Given the adverse health impact associated with the generation of dioxins during incineration of clinical waste, Mr CHAN Hak-kan enquired about the latest technological development in the treatment of clinical waste which could be adopted to replace the incineration option recommended in 2006 when the Amendment Ordinance was enacted. He also enquired about the measures to deal with fly-tipping of clinical waste which was expected to worsen after the introduction of charges for the treatment of clinical waste. Expressing similar views, Mr LEE Wing-tat said that

residents of Kwai Chung and Tsing Yi were concerned about the possible adverse impact arising from the treatment of clinical waste at the Chemical Waste Treatment Centre (CWTC) at Tsing Yi, particularly when there were past cases where dioxin emission from CWTC had exceeded tolerable limits. He also stressed the need for careful selection of waste collectors to ensure proper handling and delivery of clinical waste, given the serious consequences arising from improper disposal. Consideration could be given to implementing a surveillance system to monitor the delivery of clinical waste.

17. In reply, SEN(Atg) said that the Administration would ensure proper handling and delivery of clinical waste by waste collectors. A statutory licensing arrangement would be established for clinical waste collectors. Two sets of CoP would be promulgated to provide detailed guidance for clinical waste producers and waste collectors on segregation, packaging, labeling, storage, collection, transportation and disposal of clinical waste. A trip ticket system would be set up to track clinical waste from source to disposal facility. Besides, non-compliance with the Control Scheme would be an offence under the General Regulation. On disposal end, SEN(Atg) said that the Administration had examined other treatment methods, including autoclaving, microwaving, gastrification, pyrolysis etc, but decided against them because they were either not proven or unreliable, or there was not yet any international control parameter. High-temperature incineration remained the best guarantee for all pathogens to be destroyed. The Administration had consulted the Kwai Tsing District Council (K&TDC) which had raised no objection to the time table for implementing the Control Scheme, emissions monitoring arrangements by independent experts and monthly reporting on the monitoring results of (CWTC) to K&TDC. The Principal Environmental Protection Officer (Waste Management Policy) added that high-temperature incineration remained the prevailing technology adopted in many advanced countries, and EPD would keep abreast of the development of the alternative technologies for treatment of clinical waste in the international arena.

VI. A new producer responsibility scheme for waste electrical and electronic equipment

Meeting with Friends of the Earth (HK)(FOE)
(LC Paper No. CB(1) 1180/09-10(03))

18. Ms Michelle AU, Senior Environmental Affairs Officer, presented some photos to show how unsatisfactory the present means through which useful materials from waste electrical and electronic equipment (WEEE) were recovered, which involved the use of highly toxic chemicals. As an international city, Hong Kong should not allow the export of toxic WEEE to developing countries that lacked the safety, environmental awareness and proper technology to handle WEEE safely. Given that over 40 countries in the world had implemented or indicated intention to gradually implement producer responsibility scheme (PRS) on WEEE, including China which would implement the scheme on 1 January 2011, manufacturers, distributors and retailers of electrical and electronic equipment in Hong Kong could

not longer evade the responsibility for proper handling of WEEE. FOE considered that manufacturers should shoulder the financial responsibility for treating and recycling WEEE. Through a registration system, importers and distributors should be required to pre-pay the cost for the treatment and recycling of WEEE. Overseas experience in the European Union, Taiwan and Korea had proven that the pre-payment mechanism could reduce administrative costs, improve cost-effectiveness, and deter illegal disposal. On the other hand, the end-of-life fee adopted in Japan whereby manufacturers were required to set up operations for the collection and treatment of WEEE might not be feasible in Hong Kong given its small industrial base. She also stressed that the fee collected from the PRS on WEEE (the WEEE Scheme) should be used solely for the treatment and recycling of WEEE.

Meeting with HK WEEE Alliance/The Hong Kong Electronic Industries Association
(LC Paper Nos. CB(1) 990/09-10(01) and CB(1) 1212/09-10(01))

19. Mr CHAN Kei-biu said that the HK WEEE Alliance supported the collection and proper treatment of WEEE to ensure recovery of usable materials and removal of toxic materials from WEEE before disposal without adding pressure to landfills. As compared to Japan, the detoxification and recovery processes for WEEE in Hong Kong were much simpler. More protection should be provided for local workers engaged in the dismantling of WEEE. To this end, the Government should take a lead to establish, fund and operate a WEEE Management Contractor (WMC) for the collection and recycling of regulated WEEE as in the case of Japan. He pointed out that importers/exporters and distributors would find it difficult to accept the introduction of permit controls for the import and export of WEEE. Lastly, he considered it fair that an end-of life fee should be imposed on consumers who had used the products for a number of years.

Meeting with Lion Rock Institute

20. Mr Peter WONG, Executive Director, said that according to a survey conducted by the Institute, old air-conditioners and refrigerators would consume 2.5 times and 1.8 times more electricity than new ones respectively. As coal was mainly used for power generation in Hong Kong, old air-conditioners and refrigerators would no doubt give rise to more carbon emissions. However, the proposed imposition of an environmental levy, according to the polluter-pays principle, for the collection and treatment of WEEE upon purchase of new electronic and electrical equipment might discourage consumers to switch to newer and more energy efficient models. The WEEE Scheme would also interfere with the existing arrangement for the collection and treatment of WEEE by waste recyclers and second hand dealers. Therefore, the Lion Rock Institute would not support the Scheme.

Meeting with Radio Association of Hong Kong

21. Mr Kinson LEUNG, Chairman, pointed out that the information contained in the Consultation Document was not entirely correct. By way of illustration, it stated that Japan was the only country that adopted an end-of-life fee for the disposal of

WEEE. In actual case, the end-of-life fee was also adopted in South Korea. It also failed to point out that the free take-back service provided by retailers in the Netherlands was subsidized by the Government to facilitate recycling of WEEE, and that the collection of WEEE at designated points in Alberta, Canada was not entirely free of charge as consumers were required to pay a disposal charge. He further clarified that while there was no mandatory requirement for retailers in Taiwan to take back WEEE, those who did so would receive subsidies from the Government for the proper treatment of WEEE. Referring to paragraph 3.3(a) of the Consultation Document which stated that the WEEE Scheme would "suitably engage manufacturers, importers, wholesalers, retailers, consumers and any relevant parties", he failed to see why the Administration could absolve from its responsibility when overseas Governments, particularly Canada, were assuming a leading role in taking forward similar schemes.

Meeting with Hong Kong & Kowloon Electrical Appliances Merchants Association Ltd. (HKKEAMA)
(LC Paper No. CB(1) 1212/09-10(02))

22. Mr Peter K L CHU, Chairman, said that HKKEAMA supported the introduction of a licensing system for treatment of WEEE such that all recyclers of WEEE would be subject to control. A centralized recycling and treatment centre for WEEE should be set up by the Government, and different charges should be imposed for treatment of different types of WEEE. While the fees collected could be used to subsidize the operating cost of the centre, Government subsidy would still be required as experience in Japan showed that recycling of WEEE was not a financially viable business. He added that HKKEAMA would strongly object to the proposal to hold importers and distributors responsible for collecting the fees for treatment of WEEE, which would be in the form of upfront payment to be paid by importers and distributors when the relevant products were brought into Hong Kong for local use. The proposal would inevitably increase the financial burden and operating cost of importers and distributors as they might not be able to recover the upfront payment if the products could not sell. The proposal to incorporate the fees into the retail price at the time of sale would not help improve consumers' awareness on environmental protection, but rather increase the prices of products and lead to inflationary pressure. Besides, the proposed WEEE Scheme was contrary to the polluter-pays principle since consumers who purchased new electrical and electronic equipment would in certain way subsidize others in treating WEEE. To facilitate implementation of the WEEE Scheme, consideration should be given to adopting a phased approach to gradually include the five types of regulated WEEE i.e. television sets, washing machines, refrigerators, air conditioners, and computer products in the Scheme. Computer products should be the start since these contained highly toxic materials and were replaced more frequently.

Meeting with Hong Kong Retail Management Association (HKRMA)

23. Mr Ken NG, Representative, said that HKRMA shared the views and concerns of the Radio Association of Hong Kong and HKKEAMA. He was not convinced that

the Administration was open about the options for the WEEE Scheme since paragraph 6.5 of the Consultation Document had already stated in that "To enhance our collection system, we propose to require mandatory take-back by retailers free of charge on a 'new for old' basis". Consumers would indeed opt for the proposed free take-back service but this would be very unfair to retailers. In addition, paragraph 2.3(b) stated that "most schemes mandate retailers to offer a take-back programme in which they take back WEEE that consumers bring to their stores" was misleading. Besides, the Consultation Document only focused on the cost sharing of the WEEE Scheme without details on how the fees collected should be used. It also failed to explain the availability of technology in the treatment and recycling of WEEE.

Meeting with Green Council

(LC Paper No. CB(1) 1212/09-10(03))

24. Ms Linda W P HO, Chief Executive Officer, said that the Green Council was supportive of the WEEE Scheme. She pointed out that the Consultation Document only focused on how WEEE should be treated, without details on how these should be recycled, or how the import and export of WEEE should be monitored. It also failed to fully explain the feasibility and efficacy of the Scheme. As manufacturers were most familiar with the potential and methodology for reusing and recycling their products, the Government should encourage manufacturers to devise and deploy a local or regional WEEE collection and treatment programme, and to train and guide appointed WMCs on how to dismantle, reuse and recycle the components of their products. A more desirable way to address the WEEE problem was for manufacturers to produce and market more environmentally preferable (i.e. lower and less harmful waste/reusable/recoverable/recyclable/longer life, etc) products and bear the costs involved. A green procurement policy should also be adopted to promote the use of more environment friendly equipment.

Meeting with Mr Martin OEI

(LC Paper No. CB(1) 1180/09-10(04))

25. Mr Martin OEI, Political Commentator, considered it necessary for the Secretary for the Environment to explain the following -

- (a) the percentage of domestic electricity consumption by regulated WEEE;
- (b) the percentage of domestic electricity consumption by lighting equipment;
- (c) the rationale for the Government to subsidize the use of compact fluorescent lamps (CFLs) but not refrigerators when the replacement of the latter with more energy efficient models could achieve greater energy savings; and

- (d) the rationale for imposing a levy on consumers who purchased new electrical and electronic equipment which were likely to be more energy efficient.

Given the mercury contained in CFLs and the toxic materials in WEEE were equally hazardous to the environment, he failed to see why a levy should be imposed on the treatment of WEEE but not CFLs, particularly when the service lives of the latter were comparatively shorter.

Meeting with Environmental Contractors Management Association (ECMA)
(LC Paper No. CB(1) 1212/09-10(04))

26. While supporting the WEEE Scheme, which was based on a polluter-pays principle, Dr Kelvin CHENG, Vice President, said that ECMA would like to make the following comments about the Scheme -

- (a) the WEEE Scheme should cover everything that had a plug for electricity or battery connection;
- (b) an end-of life fee should be collected by the retailers upon purchase of the relevant products to help encourage proper disposal of WEEE;
- (c) a licensing system should be introduced for the storage, treatment and recycling of regulated WEEE, but assistance should be provided to facilitate compliance with the license requirements by small local recyclers;
- (d) the Government should take the lead in establishing a collection and treatment centre for WEEE, and provide the necessary subsidy to ensure financial viability of the centre;
- (e) the Government should appoint highly qualified WMC in the collection, dismantling, transfer and recycling of WEEE; and
- (f) efforts should be made to reduce waste generation as far as possible.

Meeting with Hong Kong Green Manufacturing Alliance (HKGMA)

27. Mr Sunny CHAI, Chairman, said that HKGMA had exchanged views with the Administration on the WEEE Scheme. While agreeing that the Scheme should cover the five specified types of WEEE as a start, consideration could be given to expanding the coverage after the Scheme had been implemented for some time. There was also the need for treatment of toxic materials of WEEE, reference of which could be made to the Mainland.

Meeting with Hong Kong Suppliers Association Ltd (HKSA)

28. While supporting the treatment and recycling of WEEE, Mr Albert TANG, Chairman of Government Policy Committee, said that HKSA considered it necessary for Government input in implementing the WEEE Scheme. The two pilot recycling programmes for computers and electrical equipment operated by Caritas and St. James Settlement had only dealt with the collection and segregation of WEEE, but not the treatment and recycling of WEEE. The Consultation Document only stated that a WMC would be appointed for the recovery and treatment of WEEE, but not the actual processes, which were indeed the essential part of the Scheme. The WEEE Scheme might also run contrary to the Government's policy to improve energy efficiency, since the levy under the Scheme would likely dampen consumers' interest in replacing existing electrical and electronic equipment with more energy efficient models. HKSA was concerned that the Scheme would be difficult to be implemented as this would involve a large number of distributors, retailers and importers. Overseas experience showed that European Union countries encountered a host of problems in implementing PRS on WEEE.

Meeting with Prof POON Chi-sun

29. Prof POON Chi-sun, said that the WEEE Scheme was first outlined in Government's Policy Framework for the Management of Municipal Solid Waste in Hong Kong (2005-2014) for implementation in 2007. As the Scheme was way behind the intended schedule, he stressed the need to expedite the scrutiny of the relevant legislation, without which it would be very difficult to provide for the proper management of WEEE. Given the unsatisfactory environment, such as potential fire hazards, of the sites in the New Territories currently used for storage of WEEE, he supported the introduction of a licensing system for the storage and treatment of WEEE. As regards the collection arrangement for levy, he supported that the proposed levy to be collected by retailers at the point of sale when a transaction was completed to prevent illegal disposal of WEEE on the one hand and facilitate enforcement. While agreeing that the Government should provide the initial funding for setting up the WEEE treatment plant, he stressed that its modus operandi should not be modelled after that of the Chemical Waste Treatment Centre in Tsing Yi which had proved to be not cost-effective. The fees collected should be used to subsidize the treatment and recycling of WEEE, which would otherwise be financially non-viable.

Meeting with Hong Kong General Association of Recycling Business

30. Mr LO Yiu-chuen, Chairman, said that the large amount of WEEE contributed to the fact that people in Hong Kong were keen to upgrade and replace their electrical and electronic equipment. Since most WEEE could be recycled with very little treatment required, he failed to see the need to charge consumers for around \$100 for a small WEEE and around \$200 to \$250 for a bulky one. Instead of imposing a levy on WEEE, the Government should provide funding for the development of WEEE recycling industries, and introduce a licensing system for waste recyclers to ensure

proper treatment and recycling of WEEE.

Meeting with Hong Kong WEEE Recycling Association (HKWRA)

31. Mr Raymond HO, Vice President, said that HKWRA, which comprised 20 local and overseas computer companies, was first set up in August 2008 to promote the voluntary recycling of computer products. Hence, HKWRA supported the WEEE Scheme to provide for mandatory recycling of WEEE, sharing of cost, banning of disposal of WEEE at landfills and control of import/import of electrical and electronic equipment. However, separate systems should be worked out for electrical appliances and computer products as the respective treatment and recycling processes were quite different. The level of fees for treatment of WEEE should be determined by the trades as they would be in a better position to decide on the cost-effectiveness of the treatment required. The fees collected from the designated types of equipment should only be used for treatment and recycling such equipment and not others. The Administration should also make it clear that the Scheme would apply only to computers for domestic uses and not computer systems used on a commercial scale.

Meeting with Tai Po Environment Association (TPEA)

32. While supporting the WEEE Scheme, which was based on a polluter-pays principle, Mr Thomas CHEUNG, Vice-Chairman, said that TPEA was concerned that the Scheme might not be able to keep pace with the latest development in computer technology, which might involve the use of highly toxic chemicals during the production process and hence hazardous to the environment. To promote public awareness on the proper management of WEEE, there was a need to provide incentives in the form of tax concessions and coupons etc. More publicity and promotional efforts would also be required to take forward the Scheme. Care should be taken in working out the implementation details of the Scheme given its far-reaching implications on various trades. The applicability of the Scheme to parallel imports of electrical and electronic equipment should also be looked into. Given that many storage sites for WEEE were exposed to fire and other safety hazards which were detrimental to the surrounding environment, there was a need for the Government to resolve the storage problem, and to ensure proper treatment and recycling for WEEE which would be vital to the success of the Scheme. Consideration should also be given to implementing the WEEE Scheme after the levy scheme on plastic shopping bags had been extended to cover all retailers in Hong Kong.

Meeting with The Federation of Hong Kong Industries (FHKI)
(LC Paper No. CB(1) 1212/09-10(05))

33. Ir Daniel CHENG, Deputy Chairman, said that FHKI held the view that the meaning of producer under PRS should refer to all parties involved in the supply chain, including manufacturers, distributors, importers, retailers and consumers, and not just producers of products. While supporting the need for permit control on the storage, dismantling, recycling and import of WEEE, as well as the ban on the disposal of WEEE in landfills, FHKI was disappointed that the Consultation Document did not

define the role of the Government under the Scheme. There was also a need to clarify the applicability of the Scheme to WEEE used on a commercial scale. As for the fee collection arrangement, FHKI supported the collection of fees by retailers at the point of sale. The fees collected should be used to set up a fund for the development of the WEEE treatment plant to be operated by the trades.

Meeting with E.Tech Management (HK) Ltd

34. Ms Winnie SIU, Marketing Manager, said that as a company involved in environmental technology, the E.Tech Management (HK) Ltd considered it necessary for the Government to earmark more land and subsidies for the development of environmental industries which were experiencing much difficulty in sustaining financial viability. The Government should also take the lead in promoting producer responsibility by adopting green procurement policies taking into account the environmental performance of products in addition to cost-effectiveness.

Meeting with EcoSage Ltd

35. While supporting the principles of the WEEE Scheme, Mr TAM Wai-kit, Environmental Specialist, pointed out that local recyclers of WEEE were facing keen competition as the market for recycling of WEEE was very small compared to other countries such as Japan. He also considered it inappropriate for the Government to own and operate the WEEE treatment plant as this would undermine the efficiency of waste recycling. The Consultation Document had set out the responsibilities of consumers to pay and retailers to provide take-back services for WEEE, but the role of manufacturers seemed to have been left out. He opined that manufacturers should have the duty to advise on the contents of the electrical and electronic equipment and the means to treat and dispose of WEEE.

Meeting with The Chamber of HK Computer Industry (CHKCI) (LC Paper No. CB(1) 1212/09-10(06))

36. Mr Jacky CHEUNG, Founding President, said that CHKCI supported the environmental policies as well as the principles of the WEEE Scheme. It had jointly organized a six-month pilot computer recycling programme with the Environmental Protection Department (EPD) in 2005 which concluded that the unit cost for treating and recycling a waste computer was about \$60. It had also launched a voluntary computer recycling programme in January 2008, under which 20 computer companies had taken part in the programme. It was worth noting that apart from promotional cost, the programme did not incur any additional cost as the income from sale of recyclable computer parts could fully cover the cost for treating the waste computers. Based on the outcome of the voluntary computer recycling programme over the past two years, it was anticipated that the impact of the WEEE Scheme on the trades should be acceptable. Given that the service lives, sizes and treatment methods of electrical appliances and computer products were quite different, CHKCI considered that separate arrangements for these products should be worked out under the WEEE Scheme. The cost of the Scheme should be shared along the supply chain from

manufacturers, distributors, retailers to consumers. On the fee collection arrangement, CHKCI would need to consult the trades but incline to support pre-payment by importers/distributors when the relevant products were brought into Hong Kong, rather than requiring retailers to collect the fees from consumers at the point of sale as this might incur much administrative cost. To strengthen the management of WEEE, the Administration should make available for public reference the list of eligible WMCs. Collection points should be set up to facilitate recycling of WEEE. Educational and publicity efforts should be stepped up to promote the Scheme. Legislation should also be introduced to ban disposal of WEEE in landfills and control the import of WEEE. In concluding, CHKCI supported the early implementation of the polluter-pays principle and PRS which should be a shared responsibility of the community. The Administration should be more open to public views on the recycling of computer products under the WEEE Scheme. Consideration should be given to setting up of a Computer Producer Responsible Organization to help delineate the responsibilities of the Government, trades and public in the implementation of the WEEE Scheme.

Meeting with Caritas Hong Kong

(LC Paper No. CB(1) 1180/09-10(05))

37. Mr CHAN Chi-kwong, Supervisor, said that the Caritas Hong Kong agreed to the need to delineate eco-responsibility for WEEE, introduction of a licensing system for storage and import of WEEE, as well as sharing of cost by manufacturers, distributors, retailers and consumers under the WEEE Scheme. However, consideration should be given to including all electrical and electronic equipment for domestic and commercial uses under the Scheme. Also, it might not be a good idea to collect a fee for treatment of WEEE at the point of purchase of a prescribed product. Reference should be made to the successful experience of Japan and Taiwan in the treatment of WEEE, and more proactive efforts should be made by EcoPark in the treatment and recycling of waste products. As a non-profit making organization devoted to serving the underprivileged, Caritas Hong Kong would encourage the refurbishment of all undamaged electrical and electronic equipment for reuse by the under-privileged.

Meeting with Consumer Council (CC)

38. Ms Rosa WONG, Head of Research and Trade Practices Division, said that CC supported the introduction of a new producer responsibility scheme for the proper management of WEEE. While acknowledging that the proposed WEEE Scheme aimed to regulate bulky electrical and electronic equipment and computer products, the Government should not overlook the emerging environmental concern brought about by the increasing use of small household appliances, lighting equipment and other products, such as mobile phones, digital cameras and video games, which consumers were more inclined to replace rather than maintain/repair. Hence, consideration should be given to review the coverage of the Scheme from time to time to ensure effective reduction of WEEE. On the proposed appointment of WMCs through open tender for collection and processing of WEEE, CC considered that conditions had to

be incorporated in the tender to safeguard against anti-competitive conduct. As regards the charging mechanism, CC considered that the preference for charging methods was not immediately apparent when the level of contribution had yet to be determined. Notwithstanding, the following principles should be taken into account when deciding the charging method -

- (a) the fee should be reasonable;
- (b) the charging method must be fair to all parties in the supply chain, including manufacturers, importers, brand agents, distributors, retailers and consumers;
- (c) the charging system should be accountable; and
- (d) the charging system should be subject to review to take account of changing circumstances.

CC also supported the proposed licensing for handling of WEEE, permit controls for import of used regulated products and export of WEEE, banning of regulated WEEE from disposal as ordinary trash, and separation of WEEE for recycling. A convenient channel should be provided for collection of regulated WEEE. While supporting the proposed free of charge mandatory take-back by retailers on a "new for old" basis, CC was concerned that retailers might pass the take-back cost onto consumers obliquely instead of absorbing the costs involved. Measures might need to be put in place to prevent abuse in this respect.

Meeting with Greeners Action (GA)

39. Mr Angus HO, Executive Director, said that GA supported the early implementation of the WEEE Scheme by 2011. He concurred that the coverage of the Scheme should not be confined to the five regulated products and should be extended to cover other electrical and electronic equipment such as mobile phones, computer keyboards and mouse, etc. GA also supported the banning of disposal of WEEE at landfills. As for the fee collection arrangement, it would support the pre-payment by importers/distributors when the relevant products were brought into Hong Kong, as an end-of life fee might encourage illegal disposal of WEEE. The end-of-life fee should be shared by importers and consumers, and sufficient to cover the cost of treatment of WEEE. To ensure that WEEE was properly recycled, consideration could be given to requiring consumers to pay an additional deposit fee, which would be redeemed upon return of WEEE to recyclers for disposal. The fee to be collected under the Scheme should be used to subsidize the recycling industries rather than becoming a part of government revenue as in the case of the levy on plastic shopping bags. Lastly, the Government should closely monitor the treatment and recovery of WEEE.

Meeting with Li Tong Group

40. Mr James PEARSON, Advisor, said that the Li Tong Group supported the licensing of collection agencies and contractors to enable a fair level playing field for all contractors. It also supported the promotion of recycling industries which should be subject to strict health, safety and environmental control. On fee collection, it should be an administratively simple and transparent mechanism to be set up at the point of sale. Different rates should be applied to different products since larger products would require more efforts in transportation and recycling and hence a higher fee. Consideration should be given to introducing a progressive take-back charge such that new products would be exempted while used products would be subject to a fee upon return to recyclers, thereby putting more innovation into the recycling system. The WEEE Scheme should be extended to cover all electrical and electronic products in the long run. There was also a need to press manufacturers to include green features in their products in order to reduce the amount of waste generated.

Meeting with St. James' Settlement

41. Ms LEE Yuk-chi, Senior Manager, said that St. James' Settlement supported the WEEE Scheme. In fact, it had participated in the Computer Recycling Programme since 2003 and assisted in distributing used electrical and electronic equipment donated by corporations and individuals to many needy families. The increase in donation had reflected the increased awareness on the need for recycling, which had not only prevented WEEE from being disposed of in landfills, but also created employment opportunities in the waste recycling industries. The recycling of WEEE would need the support and cooperation from various parties, including property management companies, which provided the transport of WEEE to waste recyclers.

Meeting with Hong Kong Association of Property Management Companies (HKAPMC)

(LC Paper No. CB(1) 1212/09-10(07))

42. Mr Sanford Y F POON, Vice President, said that HKAPMC supported the introduction of the WEEE Scheme to cover the five regulated products which comprised 86% of all WEEE in Hong Kong and were growing at a pace of 2% per year, causing significant pressure on landfills. It also supported the licensing of contractors engaged in the recycling, dismantling, treatment and storage of WEEE. As regards the cost sharing mechanism, HKAPMC supported that manufacturers, importers, distributors, retailers and consumers should all share the cost of treatment and recycling of WEEE. However, the fee to be payable by consumers should not exceed 3% of the selling price and should be clearly set out in the sales receipt. Meanwhile, a fund should be set up by Government for taking forward the WEEE Scheme. Mr POON added that HKAPMC had been actively engaged in various recycling schemes, including the computer recycling schemes, and had assisted in storing and delivering used computers for use by needy families. These activities had indeed promoted public awareness on the need for recycling. As a step forward,

consideration should be given to soliciting assistance from district councils to provide collection points for the recycling of WEEE from smaller housing developments which did not engage the services of property management companies.

Meeting with On Kee (HK) Environmental Recycling Ltd

43. Ms Queenie LAU, Director, said that the On Kee (HK) Environmental Recycling Ltd was concerned that existing waste recyclers, who were mostly elderly persons, would lose their jobs with the appointment of one or multiple WMCs for the recycling of WEEE. To this end, the Administration should provide more financial assistance to these elderly persons as otherwise they might have to rely on Comprehensive Social Security Assistance. She also considered that the Government should subsidize the cost of treatment and recycling of WEEE.

Meeting with Hong Kong Environmental Protection Policy Council (HKEPPC)

44. Mr FAN Hai-tai, Chairman, said that HKEPPC did not support the levy for the collection and treatment of WEEE since at present about 86% of WEEE in Hong Kong were recycled for local use. Given that the frequent replacement of non-regulated WEEE, such as mobile phones and computer games, had created a waste problem, he supported that the coverage of the Scheme should be extended to all cover all other types of WEEE. Meanwhile, more consultation on the WEEE Scheme should be held.

Submissions from deputations not attending the meeting

- | | |
|-----------------------------------|--|
| LC Paper No. CB(1) 1155/09-10(05) | — Submission from Dr YANG Mo, member of the Southern District Council (Chinese version only) |
| LC Paper No. CB(1) 1155/09-10(06) | — Submission from The Hong Kong Institution of Engineers (English version only)) |
| LC Paper No. CB(1) 1122/09-10(08) | — Submission from Veolia Environmental Services Hong Kong Ltd. |

Meeting with the Administration

- | | |
|------------------------------------|---|
| (LC Paper No. CB(1) 1123/09-10(01) | — Administration's paper on a new producer responsibility scheme for waste electrical and electronic equipment |
| LC Paper No. CB(1) 1123/09-10(02) | — Paper on a new producer responsibility scheme for waste electrical and electronic equipment prepared by the Legislative Council Secretariat (updated background brief)) |

Relevant papers

(LC Paper No. CB(1) 915/09-10(07)

— Administration's paper on a new producer responsibility scheme for waste electrical and electronic equipment)

45. At the invitation of the Chairman, the Secretary for the Environment (Acting) (SEN(Atg)) responded to the views and concerns raised by deputations. She explained that the primary objectives of the WEEE Scheme were to provide for the proper management of WEEE, and to boost the local recycling industry. As the Scheme would aim at enhancing the collection network for WEEE, the existing recyclers and second-hand dealers would still be able to continue their services and contribute to the Scheme. The Administration had an open mind on the setting up of a WEEE treatment plant. Consideration could be given for the Government to provide land for the treatment plant, similar to the arrangement applicable to the EcoPark. The specific land requirement would vary with the option to be taken. The Administration would welcome views from existing and potential operators on the appointment of one or multiple contractors through open tender, or procurement of services from a network of existing operators to undertake WMC functions. Where necessary, expression of interest would be invited to ascertain the market reaction as the consultation evolved. As a start, the Scheme could cover television sets, washing machines, refrigerators, air-conditioners and computer products. While there were divergent views on whether pre-payment by retailers or an end-of life fee should be adopted under the WEEE Scheme, it was intended that consumers, retailers etc along the supply chain should share the cost of the WEEE Scheme in line with polluter-pays principle. Notwithstanding, the Administration would welcome more views in this respect. As to whether the fees collected should be used to finance the Scheme, SEN(Atg) said that while the Scheme was not intended to be a revenue-raising measure, it was expected to be self-financing in the long term. Hence, consideration would be given to using the fees collected to subsidize the operating cost of the WEEE treatment plant. A licensing system would also be introduced for the storage and treatment of WEEE. Last but not the least, SEN(Atg) said that the Government would be heavily involved in the Scheme as evidenced in the Consultation Document.

46. Ms Cyd HO noted that most concerns raised by deputations were in relation to the operation of the Scheme, such as the coverage of the Scheme, cost recovery mechanism and the Government's role etc. As these concerns should have been put forward by stakeholders during prior exchanges before the Consultation Document was prepared, she queried why such views/concerns were not adequately reflected in the Consultation Document, which in her view contained very limited information on the Scheme. She considered that the Administration should arrange for a meeting with stakeholders, including the trades and political parties, to further exchange views on the implementation of the Scheme, in particular on the cost sharing mechanism. SEN(Atg) confirmed that the Administration had met with the affected trades to solicit their views on the Scheme before the commencement of the public consultation in January 2010, some of their views had already been incorporated in the Consultation Document. The Administration would continue to consult the affected trades on the

implementation details of the Scheme during the consultation period over the next few months. Through the chair, Mr Kinson LEUNG/Radio Association of Hong Kong said that the affected trades had submitted their views on the Scheme during past meetings with EPD. However, their views had not been reflected in the Consultation Document. Expressing similar concern, Mr CHAN Kei-biu/HK WEEE Alliance/The Hong Kong Electronic Industries Association said that they had conducted a five-day visit to Japan last year to observe the recycling operation for WEEE. It was found that an investment in the order of \$500 million would be required to set up a treatment plant, similar to that in Japan, to manage and treat the 1.5 million units of regulated WEEE generated in Hong Kong per year. The number of staff to be engaged in the operation of the plant was expected to be around 300 to 500. Details of the Japan experience had been provided to the Administration for reference. Another visit to Taiwan for the same purpose would be conducted in April 2010.

Admin

47. Ms Miriam LAU thanked deputations for their views on the Consultation Document. Noting from Mr Kinson LEUNG/Radio Association of Hong Kong that some of the information pertaining to overseas experience in the Consultation Document was not entirely correct, she requested Mr LEUNG to provide supplementary information pointing out the inaccuracies. She also requested those deputations which had not provided written submissions to forward their submissions for members' reference. At members' request, SEN(Atg) agreed to provide more information on overseas experience in selected jurisdictions taking into account deputations' views.

48. Mr CHAN kin-por enquired about the plans to encourage early replacement of old electrical and electronic equipment to enhance energy efficiency. SEN(Atg) said that it was hoped that the levy under the WEEE Scheme would enhance public awareness on the need to reduce waste and improve energy efficiency before replacing electrical and electronic equipment.

Cost recovery mechanism

49. Ms Miriam LAU sought deputations' views on the two options on cost recovery, namely, pre-payment by importers/distributors when the relevant products were brought into Hong Kong, and collection of fees from consumers by retailers at the point of sale when a transaction was completed. Mr Peter CHU/HKKEAMA said that the proposed pre-payment mechanism would create substantial financial burden on the part of importers/distributors. Given the large number of electrical and electronic equipment being imported for sale in Hong Kong, the amount of fees to be prepaid by the trades would be very significant.

50. Mr KAM Nai-wai enquired about the anticipated levy to be collected from the WEEE Scheme. SEN(Atg) said that as a matter of principle, the WEEE Scheme should be self-financing in the long term. According to some overseas jurisdictions, fees of around \$100 would be charged for a small WEEE and \$200 to \$250 for a bulky one. The exact level of fee would be worked out after finalization of the WEEE Scheme. The fees to be collected from some 30 000 tonnes of regulated WEEE

would be used to fund the operating cost of the WEEE treatment plant. Through the chair, Ms Michelle AU/FOE said that consumers, manufacturers, importers/exporters, distributors and retailers should all be required to share the cost of the Scheme.

WEEE treatment plant

51. As the success of the WEEE Scheme would hinge on the viability of the WEEE treatment plant, Ms Miriam LAU sought elaboration on the plans to recycle and treat WEEE to be collected under the Scheme. Given that the present treatment of WEEE was carried out on a very small scale by Caritas and St James Settlement on a pilot basis, she was concerned about the capacity of the WEEE treatment plant to treat the large number of WEEE generated in Hong Kong per year. SEN(Atg) said that typical treatment of WEEE involved manual de-pollution and pre-treatment, mechanical shredding and separation and recovery of materials as set out in the information paper to the Panel. It was expected that the enhanced collection network could increase the amount of WEEE to be collected for processing by the appointed WMC. At the request of the Chairman, the Administration agreed to provide supplementary information on the feasibility of setting up a commercially viable WEEE treatment plant in Hong Kong and the role of the Government in this respect.

Admin

52. Mr KAM Nai-wai enquired about the experience from Japan in the operation of WEEE treatment plant. He also invited the trades to provide more information in this respect. Mr CHAN Kei-biu/HK WEEE Alliance/The Hong Kong Electronic Industries Association said that the Japanese Government provided subsidy to manufacturers in the operation of WEEE treatment plants. There were about 300 collection centres and 43 treatment plants for the collection and recycling of some 300 million units of WEEE generated each year in Japan. The treatment involved dismantling, detoxification and recovery of materials. About 96% of materials were recycled for use while only 4% were disposed of in landfills.

Way forward

53. Mr CHAN Kin-bor said that the meeting had enabled a useful exchange of views from different parties. To facilitate future discussion, the Administration should provide a consolidated response to deputations' views. Mr LEE Wing-tat concurred that there was a need for the Administration to address the many concerns raised by the affected trades, particularly on the roles of various parties along the supply chain in the WEEE Scheme. He therefore suggested that a further meeting should be held to focus discussion on the concerns raised. Mr Vincent FANG echoed that apart from the cost sharing and fee collection mechanism, the Administration should explain the treatment of WEEE and measures to ensure viability in the recycling of WEEE. The Government should be responsible for developing the WEEE treatment plant. The crux was to ensure that WEEE would not end up in landfills. In view of the far-reaching implications of the Scheme, he supported the proposal of holding additional meetings to discuss the Scheme. Through the chair, Mr LO Yiu-chuen/Hong Kong General Association of Recycling Business said that the Administration should meet with the affected trades on a regular basis to discuss the

Scheme.

54. The Chairman sought members' views on the feasibility of including the WEEE Scheme in the agenda for the next meeting on 29 March 2010. Ms Miriam LAU said that sufficient time should be allocated for discussion of the subject. Hence, a special meeting might be more appropriate. Mr Vincent FANG said that the Administration should be requested to provide a more detailed information paper to facilitate discussion at the next meeting. SEN(Atg) said that it would be more desirable to discuss the Scheme in April 2010 after completion of the public consultation because by then the Administration should be able to collate the views received. Ms Cyd HO said that it would be too late. She opined that the Administration should set out the views collected so far for discussion at the next meeting. The Chairman said that she would try to arrange a meeting some time in March 2010 to continue discussion on the Scheme. If this was not feasible, consideration would be given to including the subject in the agenda for the meeting on 29 March 2010.

(Post-meeting note: After consultation with members, the Chairman had instructed to advance the meeting on 29 March 2010 to 1:30 pm to allow for the inclusion of the subject on “A new producer responsibility scheme for the proper management of WEEE” in the agenda for meeting.)

VII. Any other business

55. There being no other business, the meeting ended at 4:35 pm.

Council Business Division 1
Legislative Council Secretariat
20 April 2010