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Panel on Environmental Affairs

Meeting on 23 May 2011

**Background brief on the
Environmental Levy Scheme on Plastic Shopping Bags**

Purpose

This paper sets out the background to the Environmental Levy Scheme on Plastic Shopping Bags, and gives a brief account of the views expressed at meetings of the Council and the Panel on Environmental Affairs (the Panel).

Producer Responsibility Schemes

2. As highlighted in the Policy Framework for the Management of Municipal Solid Waste (2005-2014) (the Policy Framework), the “polluter-pays” principle should be adopted to provide economic incentives for the public to reduce and recycle waste. In line with this principle, producer responsibility schemes (PRS) will enable manufacturers, importers, retailers and consumers to share the eco-responsibility of reducing, recovering and recycling certain products so as to minimize the environmental impact. Voluntary PRS programmes have been rolled out progressively to recover rechargeable batteries, computer equipment, glass containers and fluorescent lamps. Regulatory Impact Assessment studies on PRS for electrical and electronic equipment, beverage containers and plastic bags have also been conducted.

3. In July 2008, the Product Eco-responsibility Ordinance (Cap. 603) (the Ordinance) was enacted to provide a legal framework for implementing PRS in Hong Kong. It also provides for enforcement powers and an appeal mechanism, which can be applied (with or without modification as appropriate) to other PRS when introduced under the primary legislation in future. Each and every new PRS must be implemented through amendments to the principal Ordinance. The report of the relevant Bills Committee is hyperlinked below.

Environmental Levy Scheme on Plastic Shopping Bags

4. The environmental levy on plastic shopping bags (PSB) is the first PRS under the Ordinance. The implementation details of the environmental levy scheme are set out in Product Eco-responsibility (Plastic Shopping Bags) Regulation which has come into operation on 1 July 2009. In gist, an environmental levy of 50 cents on each PSB distributed by retailers will be implemented by phases. Chain or large supermarkets, convenience stores as well as personal health and beauty stores are covered in the first phase. The objective is to reduce the indiscriminate use of PSB. The report of the relevant Subcommittee is hyperlinked below.

Deliberations at meetings of the Council and the Panel

5. The Panel receives annual update on the progress of the Policy Framework, including PRS. Panel members generally support the introduction of PRS since it is unfair to require the public to shoulder waste charges while producers are not responsible for disposal of the products they produce. Besides, Hong Kong has already lagged behind many overseas countries on the implementation of PRS. To ascertain the effectiveness of the levy scheme on PSB, some Panel members have suggested that a study on the use of plastic bags, including garbage bags, should be conducted. Efforts should also be made to encourage retailers not yet covered by the environmental levy scheme to work with green groups to launch voluntary reduction initiatives on PSB.

6. Hon Jeffrey LAM and Dr Hon Joseph LEE raised questions on the implementation of the Environmental Levy Scheme on Plastic Shopping Bags were raised at the Council meetings on 28 October 2009 and 9 March 2011 respectively. The questions and the Administration's responses are hyperlinked below for ease of reference.

Latest development

7. The Administration proposes to brief members on the public consultation on the extension of the Environmental Levy Scheme on Plastic Shopping Bags at the Panel meeting on 23 May 2011.

Relevant papers

Information paper provided by the Administration for the EA Panel meeting on 26 March 2007

<http://www.legco.gov.hk/yr06-07/english/panels/ea/papers/ea0326cb1-1182-6-e.pdf>

Supplementary information paper provided by the Administration for the EA Panel meeting on 26 March 2007

<http://www.legco.gov.hk/yr06-07/english/panels/ea/papers/ea0326cb1-2210-1-e.pdf>

Minutes of the EA Panel meeting on 26 March 2007

<http://www.legco.gov.hk/yr06-07/english/panels/ea/minutes/ea070326.pdf>

Information paper provided by the Administration for the EA Panel meeting on 25 February 2008

<http://www.legco.gov.hk/yr07-08/english/panels/ea/papers/ea0225cb1-844-3-e.pdf>

Minutes of the EA Panel meeting on 25 February 2008

<http://www.legco.gov.hk/yr07-08/english/panels/ea/minutes/ea080225.pdf>

Report of the Bills Committee on Product Eco-responsibility Bill to the Council meeting on 9 July 2008

<http://www.legco.gov.hk/yr07-08/english/bc/bc04/reports/bc040709cb1-2075-e.pdf>

Report of the Subcommittee on Product Eco-responsibility (Plastic Shopping Bags) Regulation to the House Committee issued on 2 April 2009

<http://www.legco.gov.hk/yr08-09/english/hc/papers/hccb1-1218-e.pdf>

Information paper provided by the Administration for the EA Panel meeting on 27 April 2009

<http://www.legco.gov.hk/yr08-09/english/panels/ea/papers/ea0427cb1-1357-3-e.pdf>

Minutes of the EA Panel meeting on 27 April 2009

<http://www.legco.gov.hk/yr08-09/english/panels/ea/minutes/ea20090427.pdf>

Question raised by Hon Jeffrey LAM at the Council meeting on 28 October 2009

http://www.legco.gov.hk/yr09-10/english/counmtg/agenda/cm20091028.htm#q_2

Administration reply to question raised by Hon Jeffrey LAM at the Council meeting on 28 October 2009

<http://www.info.gov.hk/gia/general/200910/28/P200910270235.htm>

Information paper provided by the Administration for the EA Panel meeting on 29 March 2010

<http://www.legco.gov.hk/yr09-10/english/panels/ea/papers/ea0329cb1-1443-4-e.pdf>

Minutes of the EA Panel meeting on 29 March 2010

<http://www.legco.gov.hk/yr09-10/english/panels/ea/minutes/ea20100329.pdf>

Legislative Council Brief issued by the Environment Bureau/Environmental Protection Department on 4 January 2011

<http://www.legco.gov.hk/yr10-11/english/panels/ea/papers/ea-ep8603175a-e.pdf>

Question raised by Dr Hon Joseph LEE at the Council meeting on 9 March 2011

http://www.legco.gov.hk/yr10-11/english/counmtg/agenda/cm20110309.htm#q_9

Administration reply to question raised by Dr Hon Joseph LEE at the Council meeting on 9 March 2011

<http://www.info.gov.hk/gia/general/201103/09/P201103090129.htm>

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