

**Promotion of Recycling and Proper Disposal (Product Container)  
(Amendment) Bill 2015  
Debate and voting arrangements**

**Main object of the Bill :** To amend the Product Eco-responsibility Ordinance (Cap. 603) to introduce a recycling levy on the suppliers of certain articles, and amend the Waste Disposal Ordinance (Cap. 354) to regulate the disposal of container waste.

<b>First debate</b>	<b>: Clauses with no amendment</b>	<b>– Clauses 1 and 9</b>
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<b>Voting</b>	<b>:</b>	To vote on the above clauses standing part of the Bill
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<b>Second debate</b>	<b>: Clauses with amendments proposed by the Secretary for the Environment</b>	<b>– Clauses 2 to 8 and 10 to 14</b>
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Joint debate on the original clauses and the amendments thereto.

**Debate theme: Amendments to the above clauses of the Bill on various matters**

**Clauses 2, 3, 4, 6, 7, 8 and 10 to 13**

- In view of the enactment of the Promotion of Recycling and Proper Disposal (Electrical Equipment and Electronic Equipment) (Amendment) Ordinance 2015 (“the EEEE (Amendment) Ordinance”)<sup>1</sup>, to make technical or textual amendments to the above clauses, the headings thereof or the proposed sections therein, including renumbering the provisions.

**Clauses 5, 10 and 14**

Given that the EEEE (Amendment) Ordinance will come into operation first, to make consequential amendments to the following clauses:

- to amend the proposed section 4 in clause 5 to state that the prescribed products to which Part 2 of Cap.603 applies cover regulated electrical equipment and regulated articles;
- to amend the definitions of “disposal” and “waste” in the proposed section 2(1) in clause 10(1) and (2); and
- to make amendments to the proposed section 21A in clause 14 to set out circumstances under which waste disposal licence for container waste is to be granted.

<sup>1</sup> The Promotion of Recycling and Proper Disposal (Electrical Equipment and Electronic Equipment) (Amendment) Bill 2015 was passed at the Council meeting of 16 March 2016.

### **Clause 7**

To make consequential amendments to the following proposed sections to achieve consistency with similar provisions of the EEEE(Amendment) Ordinance:

- to amend the definition of “distribute” in the proposed section 31 to state that the definition does not include any such act done with a view that a regulated article is to be exported in the course of business, and consequentially to delete the proposed section 32(2); and to make textual amendments to the definition of “supplier”;
- to amend the proposed section 35(2) to clarify that the container recycling levy is payable only once under the section in respect of a regulated article; and
- to amend the proposed section 38(11)(b) to clarify that the person concerned is liable to pay an additional surcharge if, at the expiry of 6 months after the period mentioned in the proposed section 38(9), the person has not paid the container recycling levy or the surcharge under the proposed section 38(11)(a).

### **Clauses 7 and 8**

- To amend the definition of “consume” in the proposed section 31 in clause 7 to stipulate that the meaning of “consume”, in relation to a regulated article, includes opening the container that constitutes the article for the first time after the container is sealed; and
- To amend the definition of “beverage” in the proposed Schedule 6 in clause 8.

**Voting** : To vote on the above amendments together, and then vote on the original clauses or the clauses as amended standing part of the Bill

### **Secretary for the Environment’s amendments**

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Council Business Division 3  
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