

立法會 *Legislative Council*

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Report of the Panel on Environmental Affairs for submission to the Legislative Council

Purpose

1. This report gives an account of the work of the Panel on Environmental Affairs ("the Panel") during the 2015-2016 Legislative Council ("LegCo") session. It will be tabled at the meeting of the Council on 29 June 2016 in accordance with Rule 77(14) of the Rules of Procedure of the Council.

The Panel

2. The Panel was formed by a resolution passed by the Council on 8 July 1998 and as amended on 20 December 2000, 9 October 2002, 11 July 2007 and 2 July 2008 for the purpose of monitoring and examining Government policies and issues of public concern relating to environmental and conservation matters. The terms of reference of the Panel are given in **Appendix I**.

3. The Panel comprises 22 members, with Hon CHAN Hak-kan and Dr Hon Kenneth CHAN Ka-lok elected as Chairman and Deputy Chairman respectively. The membership list of the Panel is in **Appendix II**.

Major Work

Combating climate change

4. Global warming and its related adverse effects have spurred worldwide concerns and efforts to combat climate change. In Hong Kong, the effects of climate change have already emerged with the territory experiencing raised temperatures, more frequent extreme rainfall and rising sea-level. On 23 May 2016, the Administration updated members on the latest development of its work on combating climate change, following the adoption of the Paris

Agreement at the 21st session of the Conference of the Parties to the United Nations Framework Convention on Climate Change held on 12 December 2015.

5. Members noted that in line with international practice, the Administration would combat climate change with focus on three major aspects, namely, mitigation (to reduce or prevent greenhouse gas ("GHG") emission), adaptation (to anticipate the adverse effects of climate change and take appropriate actions to prevent or minimize the damage) and resilience (to cope and absorb climate change related stresses and maintain the functional operation of public services, and economic and social activities). To step up climate actions and draw up long-term policies, the Chief Executive announced in the 2016 Policy Address the establishment of a committee under the chairmanship of the Chief Secretary for Administration to steer and co-ordinate the climate actions of various bureaux and departments ("the Steering Committee on Climate Change").

6. On the progress of achieving the current carbon intensity reduction target by 50%-60% by 2020 against the 2005 level for Hong Kong, the Administration advised that as at 2012, a reduction of 20% had been achieved. As power generation accounted for a major part of local carbon emission, the Administration was confident that with the new fuel mix in place (i.e. using more gas instead of coal for power generation), the said carbon intensity reduction target could be met by 2020.

7. Members urged the Administration to update the data on carbon intensity reduction in a timely manner for the years after 2012 in order to timely assess how far the reduction target had been met, and implement enhancement measures if necessary. There was a concern as to how the Administration could boost carbon intensity reduction after the fuel mix had become fully optimized in future. The Administration was requested to make reference to overseas experiences (such as San Francisco's Zero Waste mission) and take forward more aggressive and advanced climate strategies and actions for Hong Kong.

8. The Administration explained that due to the large amount of emission data from a wide spectrum of emission sources, the lead time for compiling GHG emission inventories and updating the carbon intensity of a specific year would take two to three years, and hence the progress achieved in carbon intensity reduction after 2012 had yet to be assessed. The Administration advised that the Steering Committee on Climate Change planned to devise an enhanced climate change work plan and a carbon intensity reduction target for 2030 towards the end of 2016. The Steering Committee would make reference to international experiences (in particular those of the C40 Cities Climate Leadership Group) when formulating the long-term climate strategies for Hong Kong.

Air quality

Review of air quality objectives

9. Air quality objectives ("AQOs") of Hong Kong are stipulated in the Air Pollution Control Ordinance (Cap. 311) as the air quality that should be achieved and maintained in order to promote the conservation and best use of air in the public interest. On 30 March 2016, the Administration briefed the Panel on the approach and work plan for conducting the next review on AQOs.

10. Members noted that the Administration would commence the next review of AQOs in mid-2016 and planned to report on the findings and recommendations to the Advisory Council on the Environment and the Panel by mid-2018. Members expressed concern that the review schedule was too tight. The Administration explained that as the prevailing set of AQOs was effective from 1 January 2014, it was considered more appropriate and pragmatic to commence the review of AQOs in mid-2016 so as to allow reasonable time for the relevant air quality improvement measures to take effect and to assess their impact before conducting the review.

11. Members enquired about the mechanism of collaboration between Hong Kong and the Mainland in monitoring regional air quality. The Administration advised that the Hong Kong-Guangdong Joint Working Group on Sustainable Development and Environmental Protection had all along facilitated cross-boundary environmental collaborations between Hong Kong and the Mainland. Among other initiatives, both governments agreed to set emission reduction targets for four key air pollutants (i.e. sulphur dioxide, nitrogen oxide, respirable suspended particulates and volatile organic compounds) in Hong Kong and the Pearl River Delta ("PRD") region for 2020.

12. Some members raised concerns about the persistent air pollution problem in Tung Chung, and cautioned the Administration that the problem might worsen with the developments of Tung Chung East and Tung Chung West. In this connection, the Administration advised that owing to its geographical location, Tung Chung was more susceptible to regional ozone pollution when the prevailing winds were westerlies or north-westerlies. However, following the collaborative efforts of Hong Kong and the Mainland in reducing air pollutant emissions in the PRD region, the number of days with Air Quality Health Index at "High" or above level for Tung Chung in 2015 had been reduced compared to that of 2014.

Updating of the "Pollutants in the Atmosphere and their Transport over Hong Kong" modelling system

13. The "Pollutants in the Atmosphere and their Transport over Hong Kong" ("PATH") modelling system is a 3-dimensional model developed in 2001 to simulate air quality over the whole PRD region including Hong Kong. With advancement of air quality science and computing technology, there are updated versions of the major components adopted in PATH to enable the simulation of the complex chemistry of particulate formation and better simulation of the air pollutant dispersion mechanism, refine grid resolutions and enhance computation efficiency. The PATH updating work started in 2008 and the Working Group on Application of Numerical Models to Environmental Impact Assessment in Hong Kong ("the Working Group") was set up to review the performance of the updated model (i.e. PATH-2016). PATH-2016 was validated and rolled out in January 2016.

14. Members noted that based on the opinion of the Working Group, the formulation of PATH-2016 was scientifically robust and suitable for simulating background pollutant concentrations in Hong Kong. Given that PATH-2016 was an essential tool for conducting Environmental Impact Assessment ("EIA") studies, members stressed the importance of enhancing the data transparency of PATH-2016. There was a suggestion that the Administration might release the emission inventory for the Mainland compiled under the model for public access.

15. The Administration advised that the relevant program, data, results and tools as well as modelling guidelines of PATH-2016 were published on the website of the Environmental Protection Department ("EPD"). Upon request, EPD had been providing the local emission data to members of the public, including air modelling experts, academics and environmental consultants, for air quality modelling purposes. For non-local data such as the emission inventory for the Mainland, Hong Kong could not release it having regard to issues of data ownership. However, the major emission sources in the PRD region including Hong Kong and other parts of the Mainland had been integrated under the emission databases of PATH-2016 for performing spatial and temporal allocation of the emissions of all emission sources.

16. Members enquired about the criteria for determining whether a health impact assessment should be included in the EIA study of a development project. They also requested the Administration to collaborate with the academia in enhancing air quality monitoring in Hong Kong and provision of relevant health advice (e.g. district-specific air quality data with breakdowns by hour and pollution source) to the public. The Administration explained that whether a health impact assessment should be included in the EIA report of a development

project would generally depend on whether the associated emissions were meeting the AQOs and other standards established under the Air Pollution Control Ordinance (Cap. 311). Members noted that researches had been underway with a view to introducing mobile applications to give real-time alerts to the public regarding the health risks arising from exposure to air pollution at a location.

Mandatory retirement of pre-Euro IV diesel commercial vehicles

17. Diesel commercial vehicles ("DCVs") are one of the major sources of roadside air pollution in Hong Kong. To improve roadside air quality and better protect public health, the Administration launched an incentive-cum-regulatory scheme in March 2014 with a view to phasing out by the end of 2019 some 82 000 pre-Euro IV DCVs (about 60% of the DCV fleet) including goods vehicles, light buses and non-franchised buses.¹ On 26 October 2015, the Panel received a briefing on the progress of this scheme.

18. Members noted that as at the time of the progress report, about 90% of the eligible pre-Euro DCVs had been phased out under the scheme, before the application deadline of 31 December 2015. Members urged the Administration to follow up on eligible vehicle owners who had not submitted applications. The Administration advised that it had taken a wide range of measures to publicize the scheme and encourage eligible vehicle owners to make applications early. Individual vehicle owners would decide when to submit applications having regard to their own circumstances and needs. Moreover, as all DCVs should have a valid licence at the time of scrapping in order to be eligible for the ex-gratia payment under the scheme, it was likely that some pre-Euro DCV owners might have phased out the vehicles before implementation of the scheme having regard to the substantial costs of undergoing fresh vehicle examinations for re-licensing.

19. Members requested the Administration to continue to monitor the prices of new DCVs to check against profiteering by vehicle suppliers through the said scheme, as well as provide training courses for vehicle mechanics in respect of maintenance and repair of post-Euro IV DCVs. The Administration advised that no abnormal price fluctuations of new DCVs had been observed since the implementation of the scheme. As regards maintenance and repair of post-Euro IV DCVs, the Administration advised that the Vocational Training Council had been offering training courses, seminars and workshops to vehicle mechanics to help them keep abreast of the latest vehicle technology.

¹ Pre-Euro IV DCVs include four types of DCVs, i.e. Pre-Euro, Euro I, Euro II and Euro III DCVs. Different deadlines were set for owners of the respective types of DCVs to make applications under the incentive-cum-regulatory scheme to phase out the DCVs concerned.

Proposals to tighten emission standards of newly registered motor vehicles to Euro VI level and motor cycles and tricycles to Euro IV level

20. Apart from the said incentive-cum-regulatory scheme to phase out pre-Euro IV DCVs, the Administration had been tightening the statutory emission standards in phases for newly registered motor vehicles to improve roadside air quality. On 27 November 2015, the Administration briefed members on the proposals to tighten the statutory emission standards for newly registered motor vehicles to Euro VI starting from 1 September 2016; and consult motor cycle and tricycle suppliers for working out a proposal to tighten the emission standards of newly registered motor cycles and tricycles to Euro IV. Members generally supported the proposals.

21. Some members enquired about the feasibility to advance the implementation schedules such that they would follow more closely the corresponding schedules of the European Union ("EU"). Some other members, however, relayed the views of the vehicle maintenance trade about the tight schedule to get prepared for the Euro VI emission standards by the proposed implementation dates. The Administration was requested to ensure that the proposals would not adversely impact on the availability of vehicle maintenance services and choices of vehicle repair workshops to vehicle owners. In particular, information on maintenance and repair of Euro VI motor vehicles should be opened up so that the relevant business would not be monopolized by major vehicle manufacturers/agents.

22. The Administration advised that apart from making reference to the implementation schedules of EU, it was necessary to ensure a reasonable supply of Euro VI vehicles on the local market by the respective implementation dates in Hong Kong. On the other hand, the Administration was aware of the vehicle maintenance trade's concern about the lack of skills to maintain or repair vehicles equipped with advanced emission control systems. The Administration pointed out that the emission control equipment and technologies adopted for Euro VI vehicles were basically similar to that for Euro V vehicles, except that the application of such technologies in Euro VI vehicles was more comprehensive and effective. As such, the relevant technologies should not be new to the vehicle maintenance trade. To provide better support to the trade, EPD had collaborated with the Vocational Training Council, vehicle manufacturers and relevant vehicle maintenance trade organizations in organizing seminars on vehicle maintenance techniques for vehicle mechanics.

23. In the light of the incident involving diesel vehicles fitted with defeat devices to cheat on emission tests, members urged the Administration to review and enhance the existing mechanism of processing the registration of imported

vehicles, with a view to ensuring compliance of newly registered vehicles with the statutory emission standards. The Administration explained that the defeat devices involved in the incident enabled the vehicles to comply with the specified emission standards while undergoing tests in the laboratory but their on-road emissions exceeded the emission standards. To address this problem, the European Commission had decided to introduce Real Driving Emission test procedures upon implementation of Euro VI emission standards. EPD would introduce similar requirements when introducing Euro VI emission standards for newly registered vehicles in Hong Kong.

Trial of hybrid buses by franchised bus companies

24. The Administration had been encouraging franchised bus companies to deploy more environmental-friendly buses to serve busy corridors, with the ultimate policy objective to have zero emission buses running across the territory. To test the operational efficiency and performance of hybrid buses in Hong Kong conditions and to collect operational data, the Chief Executive announced in the 2010-2011 Policy Address a proposal to fund the full cost of procuring six hybrid buses for trial by three franchised bus companies along busy corridors. On 30 March 2016, the Administration briefed members on the interim report of the two-year trial.

25. Members noted that the hybrid buses on trial had to be tailored to meet local needs and weather conditions, including a larger bus size with three axles, and installation of an electricity-driven air conditioning system with sufficient cooling capacity. As such, there could be discrepancies in the performance of these hybrid buses *vis-à-vis* those used overseas. In particular, the hybrid buses on trial were found to consume on average 3.4% more fuel than the diesel control buses, and 14.7% more fuel in the worst case, which was attributable to a higher energy consumption by the air conditioning system of the hybrid buses during the hot and humid weather in Hong Kong. The fuel efficiency of these buses was better in cooler months when the loading on the air conditioning system was lower. In terms of the overall environmental performance, the interim findings up to 30 November 2015 did not show that the hybrid buses outperformed their conventional diesel counterparts.

26. Members enquired whether and when the Administration would consider introducing other low emission options like Euro VI diesel buses and electric buses. There was a suggestion that the Administration should test the alternatives simultaneously instead of waiting for the final results of the hybrid bus trial. The Administration advised that it was premature at this stage to conclude whether hybrid buses were suitable for Hong Kong after just one year of trial, and while the manufacturer concerned was taking various measures to improve the energy efficiency of the hybrid buses on trial. The Administration would monitor the performance of the hybrid buses, and keep an open mind to

all viable means for improving roadside air quality, and conduct trials of different new technologies as appropriate. For instance, it had been conducting a trial on 36 single-decked electric buses and would report the outcome to the Panel in due course.

Waste management

Reducing construction waste and combating fly-tipping and illegal land filling

27. Fly-tipping of construction waste and illegal land filling remained a major subject of concern to the Panel. On 21 December 2015, the Panel was briefed on the Administration's proposal to increase various fees under the Construction Waste Disposal Charging Scheme ("the disposal fees").²

28. Members expressed diverse views on the proposed revision of fees. Some members supported the proposal to recover the full costs of providing the relevant services provided by public fill reception facilities, landfills and sorting facilities, having regard to the "polluter pays" principle. They observed that the effectiveness of the existing charges in reducing construction waste had diminished over time and should be reviewed timely. Some other members objected to the proposal and considered it more a priority to enhance enforcement, otherwise the problem of fly-tipping of construction waste and illegal land filling would only aggravate following an increase in the disposal fees.

29. The Administration advised that introduction of the disposal fees since 2006 had attained positive results in encouraging the construction industry to adopt various construction waste reduction measures, and in turn contributing to the reduction of mixed construction waste disposed of at landfills. That said, the Administration agreed that increases in the disposal fees should be complemented by further measures for controlling and combating fly-tipping and illegal land filling activities. In this regard, the Administration was exploring options to enhance the existing control using appropriate technologies, including a trial scheme of using surveillance cameras at black spots of fly-tipping.

30. The case of the soil fill near Kingswood Villas in Tin Shui Wai had given rise to wide public concerns about the effectiveness of existing measures for handling disposal of construction waste on private land, and enforcement against illegal land filling in Hong Kong. Members discussed with the

² The Waste Disposal (Charges for Disposal of Construction Waste) Regulation (Amendment of Schedules) Notice 2016 was tabled before LegCo on 11 May 2016 to increase the fees under the Construction Waste Disposal Charging Scheme. A subcommittee was formed to scrutinize the notice. The notice will take effect from 7 April 2017.

Administration issues arising from the case on 25 April 2016. They urged the Administration to put in place more effective measures to combat illegal land filling activities, such as:

- (a) specifying requirements on the deposition of construction waste in the tender document for all public works;
- (b) introducing a mechanism whereby prior permission for deposition of construction waste on private land should be obtained from EPD to ensure that the deposition complied with the relevant statutory requirements; and
- (c) compulsory installation of global positioning system ("GPS") on all registered dump trucks.

31. The Administration advised that a trip-ticket system was currently in place for public works to ensure that construction waste generated would be properly disposed of. Further, a prior notification mechanism had been introduced since 2014 to require a person intending to deposit construction waste on a private land lot to obtain prior written permission from the landowner concerned with a specified form, and submit the form to EPD for acknowledgement of the landowner's permission before the intended date of deposition. Under this mechanism, relevant government departments could be notified in advance to remind the person concerned of the relevant statutory requirements.

32. The Administration further advised that it had considered the feasibility of a licensing mechanism to require prior permission for deposition of construction waste on private land. However, as vetting and approval of such activities involved statutory requirements under various ordinances and straddled the ambits of different government departments, it would be ultra virus for EPD to take on board the issues and requirements outside the responsibilities of the department. As regards compulsory installation of GPS on all registered dump trucks, the Administration informed members that EPD and the dumper truck industry had been conducting related trials. While it was proved to be technically feasible using GPS to track the dump trucks, the Administration had to sort out a number of issues, including legal issues in relation to personal privacy, before making any proposal.

Regulation of roadside cargo compartments

33. Roadside cargo compartments (commonly known as "skips") are used by works contractors for collection and temporary storage of construction waste generated from construction sites, and renovation and refurbishment works in buildings and shops before delivering the collected waste to government landfills or fill banks for disposal.

34. At the meeting on 25 April 2016, the Administration briefed members on the measures to tackle the problems caused by placement of skips on roadsides or in public places. Members noted that as short-term measures, the Administration would identify suitable sites to be made available to the skip trade for storage of idling skips, with a view to reducing the number of such skips placed on roads or in public places; and engage a service provider to support the enforcement departments to expedite removal of roadside skips that caused obstruction, inconvenience or danger. Regarding the sites for storage of idling skips, the Administration proposed to make available land initially at the Tseung Kwan O Area 137 Fill Bank ("TKOFB") in Sai Kung and at Siu Lang Shui ("SLS") in west Tuen Mun for leasing as short-term tenancy sites to skip operators for storing idling skips.³

35. While members in general did not object to making available the two proposed sites for storage of about 200 idling skips, there were concerns that the storage spaces were far from adequate given that there were some 2 000 idling skips in the territory. Some members stressed that the Administration should step up enforcement against roadside idling skips, such as by issuing fixed penalty notices to skip operators concerned for illegally occupying public places. Some other members, however, considered it more appropriate to introduce a licensing or registration system for skips. There was also a suggestion that the Administration should maintain a database on the number of skips to facilitate tracking, and explore the use of GPS to coordinate the utilization of skips.

36. The Administration advised that it would review the situation after the TKOFB and SLS sites had been in use for storage of idling skips, and consider whether more sites should be made available for such purpose. Given that the nature of skip operations required quick responses and frequent change of locations, it might not be practicable to implement a licensing system that would require prior vetting of applications and granting of licenses. The Administration would consider longer-term control measures after taking into account the effectiveness of the short-term measures.

³ The Waste Disposal (Designated Waste Disposal Facility) Regulation (Amendment of Schedule 1) Notice 2016 and the Waste Disposal (Charges for Disposal of Construction Waste) Regulation (Amendment of Schedule 4) Notice 2016 were tabled before LegCo on 4 May 2016 to update the number of the plan delineating the boundaries of TKOFB for taking out part of the land within the boundaries, which would be used for leasing as a short-term tenancy site to skip operators for storing idling skips. A subcommittee was formed to scrutinize the two notices. The notices have come into operation from 23 June 2016.

Community Green Stations

37. In 2013, the Administration unveiled a plan to develop in Hong Kong, on a pilot basis, a total of five Community Green Stations ("CGSs") which would be operated by non-profit organizations with government funding to enhance environmental education and assist local communities in the collection of various recyclables, thereby enabling green living to take root at the community level. The Chief Executive announced in the 2014 Policy Address that the initiative would be expanded to cover all 18 districts. The Administration briefed the Panel on the progress of implementation at the meeting on 26 October 2015. Members noted that the first two CGSs had been commissioned in Sha Tin and Eastern District in May and September 2015 respectively.

38. Some members expressed concerns about the overlapping roles of and potential competition between CGSs and private recyclers in the collection of recyclables. Members also considered it more cost effective to develop CGSs into a centralized hub for large-scale processing (instead of just collection) of recyclables.

39. The Administration stressed that CGSs and private recyclers complemented each other's role on the recycling front. While private recyclers were more likely to collect recyclables of higher values under market forces, CGSs would provide logistical support for the collection of recyclables which had relatively lower commercial values for delivery to qualified recyclers for proper treatment. As such, the operation of CGSs should not create undue competition with private recyclers. The Administration also pointed out that due to site constraints and potential environmental impacts on the local communities, it would not be feasible to use CGSs for processing recyclables on a large scale.

40. Members conveyed the concerns of the recycling trade about their operational difficulties due to the large price fluctuations for many recyclables, and urged the Administration to provide sufficient assistance to the trade. The Administration advised that the Steering Committee to Promote the Sustainable Development of the Recycling Industry had maintained close liaison with the recycling industry for formulating appropriate policies and measures to support them. Among other measures, a \$1 billion Recycling Fund was set up to assist the industry to upgrade its operational capabilities and efficiency. Separately, long-term lease and short-term tenancy sites were provided at affordable costs for recycling operations. The Administration was also promoting "clean recycling" and separation of waste at source with a view to gradually enhancing the quality of recyclables collected to help reduce recycling costs.

Nature conservation

Biodiversity Strategy and Action Plan

41. With a view to stepping up conservation efforts and supporting a sustainable development of Hong Kong, and contributing to the achievement of global efforts and China's national biodiversity strategy and action plan ("BSAP"), the Administration is formulating its first city-level BSAP for Hong Kong. A consultation document entitled "Biodiversity Strategy and Action Plan for Hong Kong" was released on 8 January 2016. The Administration consulted the Panel on the matter at the meeting on 22 February 2016. The Panel also received public views on BSAP on 29 March 2016.

42. Members requested the Administration to step up publicity regarding the concept of biodiversity. There was a suggestion that the Administration should develop a large-scale natural history museum with multi-media facilities for the community to explore and understand the nature and appreciate the importance of biodiversity. In the short term, it would be useful to launch an online natural history museum. The Administration advised that after considering the scope and type of exhibits, planning time, operation mode and resources, the current proposal was to set up a permanent exhibition gallery on biodiversity in the Hong Kong Science Museum.

43. Members reiterated concerns about the conflicts between development and nature conservation in Hong Kong, and the negative impacts of infrastructure projects on the environment. The Administration stressed that it had all along attached great importance to conservation. Among other initiatives, the first BSAP to be formulated would steer strategic actions in support of biodiversity, and the Steering Committee on Climate Change would consider issues relating to BSAP.

Protection of endangered species

44. On 22 February and 29 March 2016, members exchanged views with the Administration on the protection of endangered species including ivory and incense trees.

45. Members noted that the Chief Executive announced in his 2016 Policy Address that the Government would initiate the legislative procedures as soon as possible to ban the import and export of elephant hunting trophies and actively explore other appropriate measures including enacting legislation to further ban the import and export of pre-Convention ivory and phase out local ivory trade, and imposing heavier penalties on smuggling and illegal trading of endangered species. Members urged the Administration to press ahead the relevant work and, in the meantime, step up education and publicity efforts to raise public awareness on the poaching of elephants and smuggling of ivory.

46. The Administration advised that it was currently working on the proposed legislation for the import and export ban on elephant hunting trophies, and expected to submit the legislative proposal to LegCo within 2016. Regarding the legislative amendments for banning the import and export of pre-Convention ivory and phasing out the local ivory trade, the Administration stated that it was premature to set out any concrete timetables at this stage given the time required for sorting out the legal issues involved, and consulting the trade and other stakeholders.

47. Members urged the Administration to introduce more effective measures to combat illegal felling of incense trees and smuggling of locally harvested agarwood to the Mainland. They considered that the Administration should establish high level collaborations with the relevant Mainland authorities, including joint enforcement actions and regular bilateral meetings. Some members suggested introducing dedicated legislation against illegal felling of incense trees, as well as imposing a trade ban on agarwood or its products in Hong Kong. There was also a suggestion that the Administration should make public information on the locations of incense trees to facilitate monitoring and protection work.

48. The Administration advised that the Agriculture, Fisheries and Conservation Department ("AFCD") had reinforced patrols in country parks, with specific focus on black spots of illegal incense tree felling activities. It had also strengthened its intelligence collection regarding illegal tree felling and suspicious persons appeared near the black spots. Field staff responsible for the management of country parks were alerted to stay vigilant of illegal tree felling activities. As regards the suggestion of setting up a database or drawing up a map of the distribution of incense trees in Hong Kong, the Administration advised that due to the widespread distribution and difficulty of access, there was practical difficulty in conducting a territory-wide survey on this species. Although AFCD had kept information on the location of older incense trees, such information should not be publicized lest those persons involved in incense tree felling might make use of the information to locate the trees.

49. The Administration further advised that all species of *Aquilaria*, including the local species of incense trees, were listed in Appendix II under the Convention on International Trade in Endangered Species of Wild Fauna and Flora, which underpinned cooperation between the place of origin (i.e. Hong Kong as in the case of incense trees) and consumer countries (e.g. the Mainland) on protecting the species. Under this framework, the Administration had all along been liaising with the Mainland authorities on the protection of incense trees. As there was no trading of locally harvested agarwood or its products in the local market, and most of the people engaged in illegal tree felling activities in Hong Kong came from the Mainland, imposing a trade ban on agarwood or its products in Hong Kong would not help combat such activities.

Energy saving

50. The Mandatory Energy Efficiency Labelling Scheme ("MEELS") was introduced in 2008 to promote public awareness of energy saving and the choice of energy-efficient products. Under the scheme, energy labels were required to be shown on the prescribed products for supply in Hong Kong to inform consumers of the products' energy efficiency performance. MEELS was implemented in phases. The initial and second phases have been fully implemented since November 2009 and September 2011 respectively.

51. On 25 January 2016, the Administration briefed members on the proposed third phase of MEELS covering five additional types of prescribed products, i.e. televisions, electric storage water heaters, induction cookers, washing machines ($7\text{kg} < \text{washing capacity} \leq 10\text{kg}$) and room air conditioners (heat pumps).

52. Members in general were supportive of the proposal, and enquired about the Administration's plan to include more electrical/electronic appliances, in particular office equipment, in MEELS. Some members were concerned that the Administration might adopt a passive approach to implement the scheme by merely following the available international standards and overseas practices instead of actively developing or participating in the international discussion of energy performance requirements and testing standards for potential products.

53. The Administration advised that the coverage of MEELS after implementation of the third phase, which would account for about 70% of the annual electricity consumption in the residential sector, compared favourably to those of other advance economies. The Administration would take into account factors including overseas practices, availability of test standards and testing laboratories, as well as energy consumption and energy saving potential of the products, in considering the inclusion of additional types of products into MEELS in future.

54. Members explored whether the Administration would consider phasing out incandescent light bulbs ("ILBs") by banning the import of ILBs and earlier models of compact fluorescent lamps in the next five to 10 years with a view to facilitating full adoption of light-emitting diode lighting products in Hong Kong. The Administration advised that it had adopted a dual-pronged approach by expediting the phasing out of ILBs instead of leaving it to market forces, while launching a Charter Scheme with suppliers and retailers to reduce the supply of ILBs to the local market. As the overall sales of ILBs had been decreasing significantly in recent years, it might not be necessary to ban the sale of ILBs altogether. The Administration would closely monitor the effectiveness of the current approach having regard to market development and other relevant factors.

Other issues

55. During the session, the Panel was also consulted on the following legislative proposal and Public Works Programme items:

- (a) revision of fees relating to the Noise Control Ordinance (Cap. 400);⁴
- (b) 381DS – Construction of additional sewage rising main and rehabilitation of the existing sewage rising main between Tung Chung and Siu Ho Wan;⁵ and
- (c) 814TH – Retrofitting of noise barriers on Tuen Mun Road (Fu Tei Section).⁶

Meetings held

56. From 15 October 2015 to mid June 2016, the Panel held a total of 10 meetings. The Panel has scheduled one meeting for 27 June 2016.

Council Business Division 1
Legislative Council Secretariat
23 June 2016

⁴ The Noise Control (General) (Amendment) Regulation 2016, the Noise Control (Air Compressors) (Amendment) Regulation 2016 and the Noise Control (Hand Held Percussive Breakers) (Amendment) Regulation 2016 were tabled before LegCo on 20 April 2016 to revise the fees for processing applications for Construction Noise Permits and Noise Emission Labels. No subcommittee was formed to study the three amendment regulations. The new fees will come into effect on 1 July 2016.

⁵ As at 23 June 2016, the proposal was pending consideration by the Finance Committee.

⁶ The proposal was endorsed by the Finance Committee at its meeting on 27 May 2016.

Legislative Council

Panel on Environmental Affairs

Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to environmental matters (including those on energy), conservation and sustainable development.
2. To provide a forum for the exchange and dissemination of views on the above policy matters.
3. To receive briefings and to formulate views on any major legislative or financial proposals in respect of the above policy areas prior to their formal introduction to the Council or Finance Committee.
4. To monitor and examine, to the extent it considers necessary, the above policy matters referred to it by a member of the Panel or by the House Committee.
5. To make reports to the Council or to the House Committee as required by the Rules of Procedure.

**Legislative Council
Panel on Environmental Affairs**

Membership list for 2015-2016 session

Chairman Hon CHAN Hak-kan, JP

Deputy Chairman Dr Hon Kenneth CHAN Ka-lok

Members Hon James TO Kun-sun
Hon TAM Yiu-chung, GBS, JP
Hon Vincent FANG Kang, SBS, JP
Hon WONG Ting-kwong, SBS, JP
Hon Cyd HO Sau-lan, JP
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon Albert CHAN Wai-yip
Hon Steven HO Chun-yin, BBS
Hon Frankie YICK Chi-ming, JP
Hon WU Chi-wai, MH
Hon Charles Peter MOK, JP
Hon CHAN Han-pan, JP
Hon Kenneth LEUNG
Hon KWOK Wai-keung
Hon Dennis KWOK
Dr Hon Elizabeth QUAT, JP
Ir Dr Hon LO Wai-kwok, SBS, MH, JP
Hon CHUNG Kwok-pan
Hon Christopher CHUNG Shu-kun, BBS, MH, JP
Hon Tony TSE Wai-chuen, BBS

(Total: 22 members)

Clerk Ms Angel SHEK

Legal Adviser Miss Evelyn LEE