

立法會
Legislative Council

LC Paper No. CB(1)751/16-17

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Paper for the House Committee

Report of the Subcommittee on Air Pollution Control (Vehicle Design Standards) (Emission) (Amendment) Regulation 2017

Purpose

This paper reports on the deliberations of the Subcommittee on Air Pollution Control (Vehicle Design Standards) (Emission) (Amendment) Regulation 2017 ("the Subcommittee").

Background

Emission control on motor vehicles in Hong Kong

2. To improve roadside air quality, the Administration has been tightening motor vehicle fuel and emission standards with reference to international developments and when the relevant compliant motor fuels and vehicles can be made available to Hong Kong. Tightening of vehicle emission standards is effected by amending the Air Pollution Control (Vehicle Design Standards) (Emission) Regulations (Cap. 311J) ("the Regulations").¹ The Regulations provide, among other matters, that motor vehicles in Hong Kong must be so constructed that the emissions from them conform to the emission standards specified in the various schedules to the Regulations.

Current emission standards for newly registered motor vehicles

3. In Hong Kong, the vehicle emission standards have been tightened to Euro V for newly registered motor vehicles (except diesel private cars) in phases

¹ The Regulations are made by the Secretary for the Environment under section 43(1)(rg) of the Air Pollution Control Ordinance (Cap. 311).

from 2012, and Euro III for motor cycles and tricycles from 2007. As diesel private cars generally emit more pollutants than petrol cars, the Administration has adopted a more stringent vehicle emission standard, i.e. the emission standards of California, for them since 1998, and California LEV II has been in force in Hong Kong from 2006. Since 2009, however, the Administration has been exercising the exemption provision in Regulation 3 of the Regulations to allow the first registration of diesel private cars even though they do not meet the statutory California LEV II standards because they can comply with the prevailing statutory European Union ("EU") emission standards for petrol private cars as certified by the relevant laboratory test.²

International developments in vehicle emission standards

4. EU has tightened its emission standards to Euro VI for newly registered heavy duty vehicles (i.e. vehicles with design weight over 3.5 tonnes) from December 2013, light duty vehicles (passenger cars) from September 2015, and light duty vehicles (goods vehicles) from September 2016. For motor cycles and tricycles, EU has implemented Euro IV emission standards from January 2017. California has also tightened its vehicle emission standards to LEV III since 2015.

Air Pollution Control (Vehicle Design Standards) (Emission) (Amendment) Regulation 2017

5. The Air Pollution Control (Vehicle Design Standards) (Emission) (Amendment) Regulation 2017 ("Amendment Regulation") was published in the Gazette on 17 February 2017 and tabled before the Legislative Council ("LegCo") on 22 February 2017 for negative vetting. The purpose of the Amendment Regulation is to implement in phases Euro VI emission standards in Hong Kong for newly registered vehicles (except diesel private cars, buses of design weight not more than 9 tonnes, light buses of design weight more than 3.5 tonnes, motor cycles and tricycles); and to tighten the emission standards for newly registered diesel private cars from California LEV II to LEV III, starting from 1 July 2017. The detailed implementation schedule under the Amendment Regulation is given in **Appendix I**. The Amendment Regulation will come into operation on 1 July 2017.

² Under Regulation 3, the air pollution control authority (currently the Director of Environmental Protection) may exempt any motor vehicle or class of motor vehicle from the provisions of the Regulations or any part thereof if he considers that it would be in the public interest to do so.

The Subcommittee

6. At the House Committee meeting on 24 February 2017, Members agreed that a subcommittee should be formed to examine the Amendment Regulation. Under the chairmanship of Hon Frankie YICK Chi-ming, the Subcommittee has held two meetings to discuss with the Administration. The membership list of the Subcommittee is in **Appendix II**.

7. To allow more time for the Subcommittee to consider the Amendment Regulation and prepare a report on its deliberations for submission to the House Committee, the Subcommittee Chairman moved a motion at the LegCo meeting of 22 March 2017 to extend the scrutiny period of the subsidiary legislation to the LegCo meeting of 12 April 2017. The motion was passed.

Deliberations of the Subcommittee

8. Members support in principle the tightening of the statutory emission standards of newly registered vehicles with a view to improving roadside air quality. In examining the Amendment Regulation, the Subcommittee has discussed the implementation schedule, market supply of compliant vehicles, emission standards of diesel private cars, support for the vehicle maintenance trade, and the ex-gratia payment scheme to phase out pre-Euro IV diesel commercial vehicles.

Implementation schedule and market supply of compliant vehicles

9. Some members consider that the Administration should wait until there are ready supply of compliant vehicles and sufficient choices of vehicle brands/models (including Japanese or Chinese ones) in the market before tightening the emission standards of newly registered heavy duty goods vehicles and buses. This will help avoid market monopoly by certain vehicle suppliers, and bring down the prices of compliant vehicles and hence compliance costs on the transport trades. Besides, the implementation schedule should give regard to the time required for the Environmental Protection Department ("EPD") and Transport Department ("TD") to complete the type-approval procedure for vehicles, and for delivery of vehicles from overseas after placement of purchase orders. These members have requested the Administration to consider deferring the commencement dates of the new vehicle emission standards for heavy duty goods vehicles and buses.

10. The Administration has explained that it will be practicable to implement a more stringent emission standard for a particular class of vehicles when vehicle suppliers which in aggregate account for about 70% to 80% of the local market share will be able to put on the market compliant vehicles, including major brands of that class of vehicles. In this regard, the Administration has consulted the vehicle suppliers and taken into account the local supply situation of compliant vehicles in the coming years when drawing up the implementation schedule.³ To address concerns expressed by the transport trades, the Administration had deferred the commencement date of Euro VI emission standards for goods vehicles and non-franchised buses by one year from 1 January 2017 to 1 January 2018, as stipulated in the Amendment Regulation.

11. As regards some members' concern about the compliance costs on the transport trades arising from the price difference between Euro V and Euro VI compliant vehicles, the Administration considers that vehicle prices are determined by the market with dominating factors including economic conditions, currency rates, sales strategies, competition in the market, etc. The Administration takes the view that the most effective way to keep vehicle prices at a reasonable level in the course of tightening vehicle emission standards is to maintain adequate competition on the local market. Hence, adequate vehicle supply is a key consideration when the Administration sets the commencement date of a new emission standard.

12. For the sake of smooth introduction of the proposed tightening of vehicle emission standards, and after further considering members' views and the transport trades' concerns over the supply of compliant vehicles and competent vehicle mechanics in Hong Kong by the commencement dates of the new vehicle emission standards, the Administration indicated at the second meeting of the Subcommittee that it would move a motion to amend the Amendment Regulation to the effect of:

- (a) deferring the commencement date of the Euro VI emission standards for newly registered heavy duty vehicles with design weight more than 3.5 tonnes (except bus with design weight not

³ According to the Administration, the Motor Traders Association has indicated that the introduction of the Euro VI emission standards will not disrupt the supply of vehicles on the local market and the vehicle supply will remain adequate. Regarding Mainland vehicle suppliers, the Administration has advised that they mainly supply non-franchised buses to the local market. Mainland bus manufacturers mainly procure their engines from European or American engine suppliers, who have no problem supplying Euro VI engines. If bus buyers have interest in their Euro VI buses, these bus suppliers have no problem in delivering Euro VI buses.

more than 9 tonnes and light bus with design weight more than 3.5 tonnes) by nine months from 1 January 2018 to 1 October 2018; and

- (b) deferring the commencement date of the California LEV III emission standards for newly registered diesel private cars by three months from 1 July 2017 to 1 October 2017.

13. In the above connection, the Administration will include in the motion to amend the Amendment Regulation other amendments which are consequential or textual in nature.⁴

Diesel private cars

Adoption of California LEV standards

14. The Subcommittee has enquired about the reasons for adopting a more stringent emission standard, i.e. California LEV standards, for newly registered diesel private cars, and ceasing to allow diesel private cars passing the Euro test for petrol private cars to first-register.

15. The Administration has advised that since 1998, it has adopted the California LEV standards as the statutory requirements in the Regulations for diesel private cars to discourage their first registration because of their much higher particulate matter ("PM") and nitrogen oxides ("NO_x") emissions over those of petrol private cars. The standards were tightened from LEV I to LEV II in 2006. The U.S. State of California further upgraded the standards from LEV II to LEV III in 2015. The Administration has therefore proposed to make the same tightening under the Amendment Regulation.

16. The Administration points out that in 2009, the Motor Traders Association argued for allowing the first registration of diesel private cars that could meet the statutory emission test for petrol private cars even though they could not meet the statutory California LEV standards. In the absence of evidence then that the Euro test for petrol private cars was inadequate for diesel private cars, the Administration had exercised the exemption provision in Regulation 3 of the Regulations to allow diesel private cars passing the Euro test

⁴ Consequential amendments include mainly (a) reinstating relevant provisions concerning California LEV II emission standards under the Regulations which will continue to apply to diesel private cars that are newly registered on or before 30 September 2017, and (b) deferring the expiry date of the applicable Euro V emission standards from 31 December 2017 to 30 September 2018. A textual amendment is also made to correct a typographical error in the English text of the Amendment Regulation.

for petrol private cars to first-register. The diesel private car fleet has hence increased three-fold after 2009, much faster than the 35% growth of petrol private cars over the same period.

17. The Administration further points out that in recent years, there is growing concern in the international community on the high emissions of diesel private cars that have passed the Euro test when in real-world driving, even though they do not have defeat devices for passing the emission certification tests. A number of reputable organizations have found that Euro III to Euro VI diesel private cars that can meet the respective prescribed emission certification standards in a test laboratory emit substantially above the regulated limit for NO_x in real-world driving.⁵ The Administration also draws the Subcommittee's attention that Mayors of Paris, Mexico City, Madrid and Athens signed at the C40 Mayors Summit held in Mexico City in December 2016 an Air Quality Declaration, committing to removing all diesel vehicles from their cities by 2025 to tackle air pollution.⁶ C40 has also called for the support across the world to join their campaign to reduce urban air pollution by signing a global petition, demanding among others vehicle manufacturers to stop producing diesel vehicles by 2025. In the light of the above developments, the Administration considers it appropriate to cease acceptance for first registration of diesel private cars that can only pass the Euro test for petrol private cars but not the statutory California LEV standards.

18. As regards why diesel commercial vehicles are not subject to the California LEV standards as in the case of diesel private cars, the Administration has explained that emission standards for different types of vehicles should suit Hong Kong's circumstances. In the case of diesel private cars, while adoption of LEV standards for diesel private cars is not a means to control the overall growth of the local private car fleet, it has also to be seen in the context of Hong Kong's public transport-oriented policy as heavy reliance on private cars will aggravate road traffic congestion. Moreover, other choices of

⁵ For instance, the Netherlands Organisation for Applied Scientific Research sponsored by the Dutch Ministry of Infrastructure and the Environment found, after testing the on-road NO_x emission of 16 Euro VI diesel cars, that their emissions were on average five to six times higher than the regulated limit. The Department for Transport of United Kingdom, after testing the on-road NO_x emission of 19 Euro VI diesel cars, found that their emissions were on average over six times higher than the regulated limit. The International Council on Clean Transportation, an independent non-profit organization, whose efforts helped reveal the Volkswagen defeat device incident, found that the average on-road NO_x emission of Euro VI diesel cars could even breach the emission limit of Euro III.

⁶ C40 is a network of the world's megacities committed to addressing climate change.

private cars (petrol, hybrid or electric private cars) which will not cause as much roadside air pollution as diesel private cars, are abundantly available to buyers. On the other hand, due to operational needs, commercial vehicles seldom use petrol as fuel, and the choices and efficacy of non-diesel models for commercial vehicles are still limited.

Emission performance of California LEV III diesel private cars in real-world driving vis-à-vis laboratory tests

19. The Subcommittee has sought the emission performance of California LEV III diesel private cars in real-world driving vis-à-vis laboratory tests, and enquired whether the Administration would consider adopting a different set of emission standards for diesel private cars, or imposing a statutory ban on new registration of these vehicles in Hong Kong, if it is found that the emission performance of California LEV III diesel private cars in real-world driving is not superior to that of their Euro VI counterparts. In this connection, the Administration has provided for the Subcommittee's reference:

- (a) comparison of the different emission standards (i.e. Euro V, Euro VI, California LEV II and California LEV III) for diesel private cars, including the emission limits of various pollutants, testing procedures and other major requirements of the standards; and
- (b) analysis of the major arguments in the international context which are respectively in favour of and against the use of diesel private cars.⁷

20. The Administration has confirmed that it is not aware of any major studies comparing the emission performance of California LEV III diesel private cars in real-world driving vis-à-vis laboratory tests. Nevertheless, it is noted that the California Air Resources Board has been relying on a robust motor vehicle emission control program including extensive certification requirements for new vehicles, in-use requirements that apply to the life period of vehicles operating on the road, and enforcement against manufacturers who do not comply with these requirements. Its LEV III emission standard for diesel private cars is regarded as more stringent than the corresponding Euro VI standard as evidenced in the findings of the relevant study of the European Parliament. While the possibility of imposing a ban on diesel private cars cannot be ruled out, adoption of California LEV III standards should be an

⁷ Please refer to item 1(b) to (e) of the Administration's written response to issues raised at the Subcommittee meeting on 7 March 2017 (LC Paper No. CB(1)688/16-17(02) issued on 20 March 2017).

effective and balanced approach at the moment to allow only diesel private cars that meet the more stringent California LEV III emission standards to be imported into Hong Kong rather than pursuing a complete ban. The Administration will continue to monitor international developments on vehicle emission standards, and will adopt emission controls most appropriate to the Hong Kong circumstances.

Euro VI Real Driving Emission requirements

21. The Subcommittee notes that there are arguments in the international context that the emissions of diesel private cars should be evaluated holistically because they have an edge over petrol ones for emissions except higher NO_x emissions. Besides, the relatively small population of diesel private cars should unlikely create as much adverse impact to roadside air quality as diesel commercial vehicles. There is also a claim that diesel private cars complying with Euro VI Real Driving Emission ("RDE") requirements of EU should substantially reduce their on road NO_x emission. The Subcommittee has therefore requested the Administration to clarify the adverse impact of diesel private cars on the environment, and the reliability and adequacy of the RDE requirements.

22. The Administration has advised that in Hong Kong, high roadside levels of PM (including PM₁₀ and PM_{2.5}) and nitrogen dioxide ("NO₂"), which comes mainly from the NO_x emissions of vehicles, are the major air pollution challenges. As compared with 1999, the roadside PM₁₀ and PM_{2.5} concentrations have been reduced by about 58% and 52% respectively at end 2016, via a host of vehicle emission control measures. However, the level of NO₂ has only been reduced by 17% with its level being more than two times the corresponding limit in the Air Quality Objectives of Hong Kong. The high level of NO_x emissions of diesel private cars during real-world driving will continue to pose significant risk to roadside air quality unless the growth of the diesel car fleet is reined in. Moreover, diesel is not subject to fuel duty and this can be a key reason leading to considerable growth of the diesel private cars in Hong Kong.

23. The Administration has further advised that diesel private cars complying with Euro VI RDE requirements can still emit NO_x much higher than the corresponding regulated limit, particularly in the early phases of the introduction of the RDE test because:

- (a) the RDE test of EU for diesel private cars does not fully reflect "real-world driving" since the test will be undertaken under prescribed conditions such as restricting vehicle accelerations and

decelerations within a certain range, which is unlikely practised in real-world driving; and

- (b) the RDE requirement will start with a monitoring phase in September 2017. In this phase, the RDE test result bears no relevance to the approval of a diesel private car for registration for road use. In other words, diesel private cars can still emit substantially above the regulated limit in real-world driving. It is only from September 2019 that the RDE test result will matter but even so, the RDE test limit will be 2.1 times the corresponding regulated limit. The test limit will be tightened to 1.5 times the regulated limit only from September 2021.

Support for the vehicle maintenance trade

24. Some members are concerned about possible skills gap of vehicle mechanics for Euro VI vehicles, and consider that the Administration should step up its support to the trade to tie in with the tightening of statutory vehicle emission standards, and ensure sufficient local supplies of competent vehicle mechanics as well as spare parts for Euro VI vehicles. The Chairman has emphasized the need for vehicle manufacturers to open up the software related to the On Board Diagnostic ("OBD") systems of Euro VI vehicles,⁸ and to ensure that the fees charged by vehicle manufacturers are reasonable.

25. The Administration has advised that in conjunction with vehicle manufacturers, the Vocational Training Council and commercial vehicle repair associations representing medium and small vehicle repair workshops (including Hong Kong Vehicle Repair Merchants Association and Hong Kong Commercial Vehicle Maintenance Association), the Administration has been conducting technical seminars on advanced diesel engines. All major European and Japanese vehicle manufacturers have already pledged to participate in these seminars. Furthermore, suppliers of engine lubricants and diesel injection equipment, which are essential aspects of advanced diesel engines, have also given talks in the technical seminars. Since 2015, about 1 200 vehicle mechanics have attended seven technical seminars. The seminar materials will be uploaded to EPD's website. The Administration has assured the Subcommittee that it will continue to cooperate with the relevant parties in organizing more in-depth training.

⁸ Definition of OBD as defined in EU Commission Regulation 582/2011 is "A system on board a vehicle or connected to an engine which has the capability of detecting malfunctions, and, if applicable, of indicating their occurrence by means of an alert system, of identifying the likely area of malfunction by means of information stored in computer memory, and of communicating that information off-board".

26. The Administration has also explained that as part of the Euro VI emission standard requirements, vehicle manufacturers are required to make available vehicle maintenance information though a cost may apply. Some of the vehicle manufacturers have indicated that it is not in their interest to monopolize the maintenance of their vehicles by restricting vehicle mechanics' access to diagnostic tools and software. In fact, the more vehicle mechanics know how to repair their vehicles, the more likely vehicle buyers will consider opting for their vehicles. Moreover, vehicle suppliers will make available OBD checkers (including software) at a reasonable cost. There are also third party-OBD checkers on the market.

Other issues

Applicability of statutory emission standards on cross-boundary vehicles

27. The Subcommittee has enquired whether cross-boundary vehicles from the Mainland are also subject to Hong Kong's prevailing statutory standards for newly registered vehicles of the same class.

28. The Administration has advised that commercial vehicles of the Mainland need to be registered in Hong Kong and comply with the relevant statutory vehicle emission standards for travelling to Hong Kong. As for non-commercial vehicles of the Mainland (including Mainland official vehicles and Mainland enterprise vehicles) with approved quotas for travelling to Hong Kong, quota holders are required to apply for International Circulation Permits ("ICPs") from TD in accordance with the Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap. 374E) before these vehicles can enter Hong Kong. These vehicles are required to pass the mechanical inspection in Hong Kong before applying for an ICP. TD will inspect the vehicles in accordance with the vehicle construction requirements stipulated in the relevant international convention of the ICP. The main purpose is to ensure such vehicles are in good working order and in safe mechanical condition. The exhaust emission system is also required to operate in good condition but there is no specific requirement on exhaust emissions level for these non-commercial vehicles.

Ex-gratia payment scheme to phase out pre-Euro IV diesel commercial vehicles

29. Given that the ex-gratia payments under the existing scheme to eligible vehicle owners for phasing out their pre-Euro IV diesel commercial vehicles including goods vehicles, light buses and non-franchised buses are calculated with reference to the average taxable values of new vehicles from December 2012 to November 2013, some members have requested the

Administration to consider increasing the ex-gratia payments to address the concern about the price difference between Euro V and Euro VI models, and hence the additional costs for replacing pre-Euro IV diesel commercial vehicles by Euro VI ones after tightening of the vehicle emission standards.

30. The Administration has advised that, as explained to the Finance Committee of LegCo when seeking funding approval for the ex-gratia payments for phasing out pre-Euro IV diesel commercial vehicles on 10 January 2014, the ex-gratia payment level is inversely correlated with the age of the vehicle to be phased out and will remain the same throughout the scheme period. Ex-gratia payment is payable irrespective of whether new vehicles are bought as replacement. Vehicle owners who choose to scrap their vehicles ahead of the mandatory retirement deadlines may receive a higher ex-gratia payment, having regard to the age of their vehicles. This will give extra impetus for vehicle owners to take actions earlier. The Administration considers that raising the ex-gratia payment levels will be grossly unfair to those who have already phased out their diesel commercial vehicles under the scheme.

31. The Chairman, Hon YIU Si-wing and Hon LUK Chung-hung maintain the view that the Administration should take into account the prices of compliant vehicles when reviewing the ex-gratia payment scheme in future, or consider putting in place another scheme to encourage the transport trades to switch to Euro VI models early. The Chairman has indicated that he may pursue the suggestions in other contexts in future. The Administration has taken note of the members' views and suggestions.

Amendments to the subsidiary legislation

32. The Subcommittee supports the Administration's then proposed amendments to the Amendment Regulation as described in paragraphs 12 and 13 above. The Legal Adviser to the Subcommittee had studied the proposed amendments and indicated that no difficulties had been identified in relation to their legal and drafting aspects. The Administration subsequently moved a motion (**Appendix III**) at the Council meeting of 29 March 2017 to so amend the Amendment Regulation.⁹ The motion was passed. The Subcommittee had not proposed any amendments in its name.

⁹ The Administration had written to the Subcommittee on 27 March 2017 explaining the reasons for giving notice to move its then proposed motion at the earlier LegCo meeting of 29 March 2017, instead of following the normal practice to move the motion at the LegCo meeting of 12 April 2017 (i.e. the last LegCo meeting for amending the subsidiary legislation under the extended scrutiny period). The letter was circulated to Members vide LC Paper No. CB(1)741/16-17 on 27 March 2017. Members were informed via a

Advice sought

33. Members are requested to note the deliberations of the Subcommittee.

Council Business Division 1
Legislative Council Secretariat
31 March 2017

separate circular (LC Paper No. CB(3)445/16-17) issued by the Clerk to LegCo on 27 March 2017 that if any Member indicated by the deadline of 27 March 2017 that he/she intended to give notice of a motion to amend the Amendment Regulation at the LegCo meeting of 12 April 2017, the Administration would be requested to move its proposed motion at the LegCo meeting of 12 April 2017 instead so that all motions to amend the Amendment Regulation would be dealt with at the same meeting. By the specified deadline, the Secretariat had not received any Member's indication of moving motion to amend the Amendment Regulation at the LegCo meeting of 12 April 2017. With the permission of the President, the Administration's motion was dealt with at the LegCo meeting of 29 March 2017.

**Implementation schedule for tightening of emission standards
of newly registered vehicles**

The Air Pollution Control (Vehicle Design Standards) (Emission) (Amendment) Regulation 2017 requires –

- a) newly registered light duty vehicles with design weight not more than 3.5 tonnes to comply with Euro VI emission standards according to the following schedule:

Vehicle class	Commencement date	
	Euro 6b <i>On Board Diagnostic ("OBD") Euro 6-1</i>	Euro 6c <i>OBD Euro 6-2</i>
Private car (petrol) and taxi	1 July 2017	1 September 2019
Light bus and goods vehicle	1 January 2018	1 September 2020

- b) newly registered heavy duty vehicles with design weight more than 3.5 tonnes (except bus with design weight not more than 9 tonnes and light bus with design weight more than 3.5 tonnes) to comply with Euro VI emission standards according to the following schedule:

Vehicle class	Commencement date	
	Euro VI <i>OBD Phase A/B</i>	Euro VI <i>OBD Phase C</i>
Bus (design weight more than 9 tonnes) and goods vehicle	1 January 2018	1 April 2019

- c) newly registered diesel private cars to comply with California LEV III starting from 1 July 2017.
- d) newly registered bus with design weight not more than 9 tonnes and light bus with design weight more than 3.5 tonnes to continue to comply with Euro V emission standards due to the inadequate supply of Euro VI models in the local market.

In tightening the emission standards, the Administration will maintain the current practice of accepting Japan and United States standards that are not inferior to the Euro VI requirements.

[Source: Paragraph 19 of the Legislative Council Brief on Air Pollution Control (Vehicle Design Standards) (Emission) (Amendment) Regulation 2017 issued by the Environmental Protection Department in February 2017]

**Subcommittee on Air Pollution Control (Vehicle Design Standards)
(Emission) (Amendment) Regulation 2017**

Membership list

Chairman Hon Frankie YICK Chi-ming, JP

Members Hon Tommy CHEUNG Yu-yan, GBS, JP
Hon WONG Ting-kwong, SBS, JP
Hon CHAN Hak-kan, BBS, JP
Hon CHAN Kin-por, BBS, JP
Hon Paul TSE Wai-chun, JP
Hon WU Chi-wai, MH
Hon YIU Si-wing, BBS
Hon Charles Peter MOK, JP
Hon Kenneth LEUNG
Hon KWOK Wai-keung
Hon Dennis KWOK Wing-hang
Dr Hon Fernando CHEUNG Chiu-hung
Dr Hon Elizabeth QUAT, JP
Hon Martin LIAO Cheung-kong, SBS, JP
Hon CHUNG Kwok-pan
Hon Alvin YEUNG
Hon Andrew WAN Siu-kin
Hon CHU Hoi-dick
Dr Hon Junius HO Kwan-yiu, JP
Hon SHIU Ka-fai
Dr Hon Pierre CHAN
Hon CHAN Chun-ying
Hon Tanya CHAN
Hon HUI Chi-fung
Hon LUK Chung-hung
Hon KWONG Chun-yu (up to 21 March 2017)
Hon Jeremy TAM Man-ho
Dr Hon YIU Chung-yim

(Total : 28 members)

Clerk Ms Angel SHEK

Legal Adviser Mr Bonny LOO

Date 22 March 2017

Interpretation and General Clauses Ordinance

Resolution

(Under section 34(2) of the Interpretation and General Clauses Ordinance
(Cap. 1))

Air Pollution Control (Vehicle Design Standards) (Emission) (Amendment) Regulation 2017

Resolved that the Air Pollution Control (Vehicle Design Standards) (Emission) (Amendment) Regulation 2017, published in the Gazette as Legal Notice No. 24 of 2017 and laid on the table of the Legislative Council on 22 February 2017, be amended as set out in the Schedule.

Schedule

Amendments to Air Pollution Control (Vehicle Design Standards) (Emission) (Amendment) Regulation 2017

1. Section 6 substituted

Section 6—

Repeal the section

Substitute

“6. Regulation 7B amended (vehicle design standards for certain motor vehicles registered on or after 1 January 2006)

(1) Regulation 7B(1)—

Repeal paragraphs (a), (b) and (c).

(2) Regulation 7B(1)(d)(ii)—

Repeal

“on or after 1 January 2006”

Substitute

“between 1 January 2006 and 30 September 2017 (both dates inclusive)”.

(3) Regulation 7B(1)(d)—

Repeal

“Schedule 12;”

Substitute

“Schedule 12.”.

(4) Regulation 7B(1)—

Repeal paragraphs (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), (o), (p) and (q)."

2. Section 8 amended (regulation 7E amended (vehicle design standards for certain motor vehicles registered on or after 1 June 2012))

(1) Section 8—

Repeal subsection (1).

(2) Section 8(8), (9) and (10)—

Repeal

"31 December 2017"

Substitute

"30 September 2018".

3. Section 9 amended (regulations 7F, 7G and 7H added)

(1) Section 9, new regulation 7F(6)(b)—

Repeal

"1 July 2017"

Substitute

"1 October 2017".

(2) Section 9, new regulation 7G(12)(d), (13)(c), (14)(d), (15)(d) and (17)(c)—

Repeal

"1 January 2018"

Substitute

"1 October 2018".

(3) Section 9, new regulation 7H, heading—

Repeal

"1 January 2018"

Substitute

"1 October 2018".

(4) Section 9, new regulation 7H(2)(d), (3)(d), (5)(c) and (6)(c)—

Repeal

"1 January 2018"

Substitute

"1 October 2018".

4. Section 10 amended (regulation 8 amended (compliance with more stringent standards))

Section 10—

Repeal

"7D, 7E, 7F"

Substitute

"7B, 7D, 7E, 7F".

5. Section 11 amended (regulation 9 amended (vehicles to which regulations 7, 7B, 7C, 7D, 7E and 14 do not apply))

(1) Section 11(1)—

Repeal

"7D, 7E, 7F"

Substitute

"7B, 7D, 7E, 7F".

(2) Section 11(2)—

Repeal

"7D, 7E, 7F"

Substitute

“7B, 7D, 7E, 7F”.

6. Section 13 amended (regulation 14 amended (certain motor vehicles to be equipped with on-board diagnostic system))

Section 13—

Repeal subsection (5).

7. Section 29 substituted

Section 29—

Repeal the section

Substitute

“29. Schedule 12 amended (vehicle design standards (emission) for certain motor vehicles registered on or after 1 January 2006)

(1) Schedule 12—

Repeal

“[regs. 7B & 7E]”

Substitute

“[reg. 7B]”.

(2) Schedule 12—

Repeal paragraphs (a) and (c).”.

8. Section 32 amended (Schedules 17, 18 and 19 added)

Section 32, English text, new Schedule 17, Part 2, paragraph (c)(iii)—

Repeal

“Environment”

Substitute

“Environmental”.