

**立法會**  
**Legislative Council**

LC Paper No. CB(1)932/19-20  
(These minutes have been seen  
by the Administration)

Ref : CB1/PL/EA

**Panel on Environmental Affairs**

**Minutes of meeting**  
**held on Monday, 25 May 2020, at 2:30 pm**  
**in Conference Room 3 of the Legislative Council Complex**

- Members present** : Dr Hon Junius HO Kwan-yiu, JP (Chairman)  
Hon Steven HO Chun-yin, BBS (Deputy Chairman)  
Hon CHAN Hak-kan, BBS, JP  
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP  
Hon Frankie YICK Chi-ming, SBS, JP  
Hon WU Chi-wai, MH  
Hon CHAN Chi-chuen  
Hon Kenneth LEUNG  
Hon KWOK Wai-keung, JP  
Hon Dennis KWOK Wing-hang  
Hon Elizabeth QUAT, BBS, JP  
Ir Dr Hon LO Wai-kwok, SBS, MH, JP  
Hon CHU Hoi-dick  
Hon SHIU Ka-fai, JP  
Hon Tanya CHAN  
Hon HUI Chi-fung  
Hon Tony TSE Wai-chuen, BBS
- Member absent** : Hon Kenneth LAU Ip-keung, BBS, MH, JP
- Public Officers attending** : **For item IV**  
  
Mr WONG Kam-sing, GBS, JP  
Secretary for the Environment

Mr Bruno LUK  
Deputy Director of Environmental Protection (Special  
Assignments)  
Environmental Protection Department

Mr CHENG Tak-kuen  
Assistant Director (Waste Infrastructure Planning)  
Environmental Protection Department

Mr FONG Kin-wa  
Assistant Director (Waste Reduction and Recycling)  
Environmental Protection Department

Ms Iris LEE  
Assistant Director (Waste Management Policy)  
Environmental Protection Department

Mr Ken WONG  
Assistant Director (Environmental Compliance)  
Environmental Protection Department

**For item V**

Mr TSE Chin-wan, BBS, JP  
Under Secretary for the Environment

Mr Owin FUNG  
Deputy Director of Environmental Protection (3)  
Environmental Protection Department

Mrs Dorothy MA  
Assistant Director (Cross-Boundary and International)  
Environmental Protection Department

Mr Daniel TANG  
Principal Environmental Protection Officer (Cross-  
Boundary and International)  
Environmental Protection Department

**Clerk in attendance** : Ms Angel SHEK  
Chief Council Secretary (1)1

**Staff in attendance** : Mr Jason KONG  
Senior Council Secretary (1)1

Miss Mandy POON  
Legislative Assistant (1)1

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**I. Confirmation of minutes**

(LC Paper No. CB(1)636/ — Minutes of the meeting held on  
19-20 22 January 2020)

The minutes of the meeting held on 22 January 2020 were confirmed.

**II. Information papers issued since last meeting**

2. Members noted that no information paper had been issued since the last meeting.

**III. Items for discussion at the next meeting**

(LC Paper No. CB(1)655/ — List of follow-up actions  
19-20(01)

LC Paper No. CB(1)655/ — List of outstanding items for  
19-20(02) discussion)

3. Members agreed to discuss the following items at the next regular meeting scheduled for Monday, 22 June 2020, at 2:30 pm:

- (a) management of yard waste; and
- (b) food waste collection and delivery arrangements.

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**IV. Management of waste plastics**

LC Paper No. CB(1)655/ — Administration's paper on  
19-20(03) "Management of waste plastics"

LC Paper No. CB(1)655/ — Background brief on "Management  
19-20(04) of waste plastics" prepared by the  
Legislative Council Secretariat

LC Paper No. CB(1)676/ — Submission from WWF-Hong Kong  
19-20(01)

LC Paper No. CB(1)677/ — Submission from The Green Earth  
19-20(01) (Chinese version only)

LC Paper No. CB(1)677/ — Submission from Single-Use  
19-20(02) Beverage Packaging Working  
Group)

*(Post-meeting note: A submission tabled at the meeting from Plastic Free Seas (English version only) was circulated to members on 25 May 2020, vide LC Paper No. CB(1)682/19-20(01).)*

Briefing by the Administration

4. With the aid of a PowerPoint presentation, the Secretary for the Environment ("SEN") and the Deputy Director of Environmental Protection (Special Assignments) briefed the Panel on the current situation of waste plastics and the latest progress of the following waste plastics management initiatives:

- (a) the Plastic Shopping Bag ("PSB") Charging Scheme, and a new producer responsibility scheme ("PRS") on plastic beverage containers under preparation;
- (b) a "Plastic-free" School Lunch Pilot Scheme;
- (c) installation of more water dispensers in government venues and water filling stations in country parks, and phasing out the sale of plastic bottled water of 1 litre or less in automatic vending machines in government premises;
- (d) a 2-year Pilot Scheme on Collection and Recycling Services of Plastic Recyclable Materials being rolled out in Eastern, Kwun

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Tong and Sha Tin districts;

- (e) strengthening support for recovery and recycling of waste plastics through Community Green Stations, the Recycling Fund, etc.;
- (f) public education and publicity; and
- (g) provision of outreaching services to strengthen on-site support for resource recovery.

*(Post-meeting note: The PowerPoint presentation materials were circulated to members on 25 May 2020, vide LC Paper No. CB(1)681/19-20(01).)*

Discussion

*Waste statistics and reduction targets*

5. Mr Tony TSE said that he was supportive of the general direction of reducing the disposal of waste plastics at landfills and promoting a "plastic-free" culture. He considered that the effectiveness of relevant measures should be evaluated against the disposal and recycling rates of all waste types comprehensively because reduction of waste plastics could potentially give rise to an increase in the disposal of waste of other types due to a switch to substitutes (e.g. the use of paper bags in place of plastic bags). He asked whether targets and/or indicators were in place for reduction of municipal solid waste, and if so, how often those targets/indicators were reviewed.

6. The Chairman opined that the Administration should set a comprehensive road map for reducing waste disposal. He and Ms Elizabeth QUAT sought information on the timetable for implementing the measures reported at the meeting, and the relevant target reduction of waste plastics.

7. Mr HUI Chi-fung expressed the following views:

- (a) the measures reported at the meeting were piecemeal and would not be able to bring about a transformation in the waste plastics management system;
- (b) it was imperative for the Administration to strengthen support for the local recycling chain of waste plastics, so as to increase the recycling outlets for waste plastics and enhance the viability of related businesses; and

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- (c) the Administration should set targets and timetables for banning the use of PSBs and disposable tableware. However, there was a lack of substantial progress on reducing the use of disposable plastic tableware, as the Administration had yet to formulate a clear policy pending the completion of a related consultancy study. Meanwhile, it remained uncertain when the proposed municipal solid waste charging scheme could be implemented, due to the relatively slow scrutiny process of the relevant bill.

8. SEN responded that:

- (a) there had been a change in the waste management and recycling policies in the world in the past decade. One of the most notable developments was the imposition of more stringent import and export control on waste plastics by many jurisdictions. While the "Hong Kong: Blueprint for Sustainable Use of Resources 2013-2022" was formulated several years ago, the Environmental Protection Department ("EPD") was conducting an internal review of various waste management measures having regard to the latest waste situation and market environment. In this connection, the Administration would consider the feasibility of setting new targets for some types of waste as well as implementation timetables for related measures. Reference to the experiences of other places would be made when formulating such targets. As far as plastic beverage containers were concerned, the recovery rate usually reached 50% or above in places that had implemented relevant PRSs;
- (b) the Administration had been monitoring the disposal and recycling situations of all types of waste, with a view to implementing targeted measures to enhance Hong Kong's waste management. Particular focus was given to reducing the disposal of waste plastics, which posed significant threat to the ecology and marine environment. The measures reported at the meeting comprehensively covered all major types of waste plastics, such as plastic bags, plastic cutleries, plastic beverage containers and microbead-containing products;
- (c) as set out in its paper (LC Paper No. CB(1)655/19-20(03)), the Administration had planned the time frames for completing relevant studies and conducting public engagement exercises for or launching various measures to reduce waste plastics disposal;

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- (d) the study on the feasibility, scope and mechanism of controlling or banning disposable plastic tableware was scheduled for completion in 2020. It was envisaged that the study could shed light on the relevant measures adopted by other advanced economies, the potential scope of a regulatory regime for disposable plastic tableware, feasible substitutes, etc.;
- (e) the Administration planned to consult the public in 2020 on the outcome of the review of the PSB Charging Scheme as well as the detailed proposal for the PRS on plastic beverage containers. The studies and proposed measures mentioned in paragraphs (d) and (e) above covered over half of all waste plastics disposed of in landfills in Hong Kong;
- (f) the consultancy study relating to personal care and cosmetic products containing microbeads had been completed in March 2020. The Administration planned to roll out a voluntary scheme by early 2021 for phasing out such products to reduce the release of waste plastics to the marine environment; and
- (g) the Administration would intervene in the recycling businesses of certain recyclables that were otherwise unviable. The Pilot Scheme on Collection and Recycling Services of Plastic Recyclable Materials had therefore been launched to support the recycling of waste plastics.

9. Further to SEN's response, Mr Tony TSE expressed the view that the Administration should update waste statistics more frequently to enhance public monitoring. Ms Elizabeth QUAT expressed concern about potential delays in the implementation of some of the above measures, especially those that would involve legislation. She requested the Administration to provide in writing further information on the overall targets for reducing the quantity of waste plastics disposed of at landfills, and the timetables for implementing related measures.

Admin

*(Post-meeting note: The Administration's written response was circulated to members on 8 July 2020, vide LC Paper No. CB(1)857/19-20(02).)*

Admin

10. Referring to the submission from Plastic Free Seas (LC Paper No. CB(1)682/19-20(01)), Ms Tanya CHAN requested the Administration to provide supplementary information on: (a) the major sub-categories of "plastic dining wares" in the waste statistics for 2018 titled "Monitoring of Solid Waste in Hong Kong"; (b) the differences between the composition of "plastic dining

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wares" in the above waste statistics and the composition of "plastic cutleries" mentioned in paragraph 3 of LC Paper No. CB(1)655/19-20(03); and (c) how the Administration would reduce the disposal and promote the recycling of "plastic dining wares". The Administration agreed to provide the relevant information.

*(Post-meeting note: The Administration's written response was circulated to members on 8 July 2020, vide LC Paper No. CB(1)857/19-20(02).)*

*Plastic Shopping Bag Charging Scheme*

11. Mr Kenneth LEUNG noted that although the PSB Charging Scheme was effective in reducing the disposal of PSBs in the early stage of its implementation, there was a rebound in the PSB disposal rate in recent years. Referring to a question he raised at the Council meeting of 13 November 2019, he asked whether the Administration would consider taking more aggressive measures to reduce PSB disposal, such as imposing a ban on the use of PSBs. Mr HUI Chi-fung echoed Mr LEUNG's concern and question.

12. As plastic bags (including PSBs) constituted a sizeable proportion (36%) of waste plastics disposed of at landfills, the Chairman also considered that the Administration should step up efforts to reduce plastic bags disposal. He noted that since 2019, over 11 000 supermarkets in South Korea had been prohibited from providing PSBs to customers. He suggested that the Administration should consider banning the distribution of PSBs in supermarkets in the long run, and as an interim measure, increasing the charging level of the PSB Charging Scheme from not less than \$0.5 to not less than \$2 per PSB.

13. SEN responded that the Administration planned to conduct a public consultation on the outcome of the review of the PSB Charging Scheme in order to map out the way forward. One of the key issues to be covered in the public consultation was tightening the scope of exemption. In considering the strengthening of measures for reducing PSB disposal, it was worthwhile to take into consideration that PSB usage patterns in Asian economies were different from those in Western economies. Even in advanced Asian economies with tighter measures in this regard, there was not a complete ban on the use of PSBs as certain goods and retail outlets were exempt from the relevant regulations. Nevertheless, some places (such as South Korea) had been expanding the scope of restriction on PSB use. The Administration would consider the Chairman's suggestions above.

14. Mr Kenneth LEUNG opined that the Administration should not be shy of being ahead of other advanced Asian economies in the implementation of



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environmental policies. The Chairman requested the Administration to provide more information to members in due course on its plan to update the PSB Charging Scheme and the target further reduction in PSB disposal rate.

15. SEN advised that the Administration would endeavour to include more information for public reference in the public consultation document. The effectiveness of the enhanced PSB Charging Scheme would be subject to, among other things, public response to the proposed charging level(s) and scope of exemption.

*Producer responsibility scheme on plastic beverage containers*

16. Mr KWOK Wai-keung pointed out that manufacturers had widely adopted plastics, which were low-cost raw materials, in the production of consumer products in order to save costs, often leaving consumers with no alternative choice. However, the costs of handling waste plastics generated from product packaging and end-of-life products were significant. He considered that all or part of such costs should be transferred back to the producers (including distributors) through imposing a levy on plastic products, and/or requiring each producer to recover and recycle a certain volume of waste plastics in proportion to the amount of plastic contents in distributed products. He enquired whether the Administration had considered/would consider introducing a PRS on plastic products/containers with the above elements with reference to South Korea's experience.

17. SEN responded that the Administration planned to consult the public on the detailed proposal for the PRS on plastic beverage containers in 2020. It was expected that one of the key elements of the PRS would be the introduction of a recycling levy in line with the "polluter-pays" principle, with a view to promoting the recycling of plastic containers and supporting the development of a circular economy. To improve the recovery efficiency of plastic containers, the Administration planned to install reverse vending machines ("RVMs") at suitable locations. According to the experiences of other places, with the implementation of relevant PRSs, the recovery rate of plastic beverage containers could reach 50% or above. Mr KWOK Wai-keung urged the Administration to expedite the launch of the said PRS.

*Reverse Vending Machine Pilot Scheme*

18. Mr Kenneth LEUNG pointed out that some green groups and private organizations had set up RVMs for trial in recent years, and they encountered problems such as small capacities and frequent malfunctioning of the machines. He enquired about the details of the RVM Pilot Scheme to be launched by the Administration, and asked how it would overcome the problems faced by those

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organizations.

19. SEN advised that the major purpose of the RVM Pilot Scheme was to pave the way for the implementation of the PRS on plastic beverage containers. The suitability of different RVM models for use under Hong Kong's climate conditions would also be tested under the scheme. The Administration was considering setting up some of the RVMs at locations with high foot traffic to assess the feasibility and cost-effectiveness of their application in the local context and gauge public responses.

*Reducing disposal of polyfoam*

20. Ms Elizabeth QUAT pointed out that expanded polystyrene (commonly known as polyfoam) was still extensively used in protective packaging. As polyfoam was not easily degradable and had a huge impact on the environment, she enquired about the measures to reduce the disposal of polyfoam, including whether substitutes for protective containers for fresh produce had been identified.

21. SEN advised that the study on the feasibility, scope and mechanism of controlling or banning disposable plastic tableware covered polyfoam tableware. Pending the completion of the study and the formulation of a long-term management proposal, the Administration had already enhanced support for recycling of polyfoam through the Pilot Scheme on Collection and Recycling Services of Plastic Recyclable Materials, and had been collaborating with schools on reducing the use of polyfoam tableware in school lunches. Discussion with supermarkets was also underway on ways to reduce the use of packaging materials. SEN remarked that polyfoam protective packaging for food was still widely used internationally, and this factor should be taken into account when considering whether, and if so, how the use of the product should be regulated in Hong Kong.

22. Ms Elizabeth QUAT held the view that the markets for certain types of food were buyers' markets, and hence buyers in Hong Kong could be a force for change in reducing the use of polyfoam protective containers. She therefore considered that the Administration should study the feasibility of implementing measures that were more forward-looking. She observed that some local research institutions were conducting research on substitute containers that would be more easily degradable, and enquired whether the Administration would enhance its support for the research on and commercialization of such innovations.

23. SEN and the Assistant Director (Waste Infrastructure Planning) advised that the Administration was studying the feasibility of using different substitutes

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for disposable plastic tableware, including the environmental impacts/performance of the potential substitutes.

*Permit control of import and export of waste plastics*

24. Mr CHU Hoi-dick noted from paragraph 2 of LC Paper No. CB(1)655/19-20(03) that starting from 1 January 2021, transboundary movement of waste plastics controlled under the Basel Convention should not proceed unless consents were received from the export, import and all transit states concerned ("the Basel decision"). He enquired how the Administration would ensure effective implementation of the Basel decision in Hong Kong, including whether inspection of waste consignments at import and export control points would be enhanced.

25. The Assistant Director (Environmental Compliance) responded that the waste plastics to be regulated under the Basel decision would be subject to the existing permit system under the Waste Disposal Ordinance (Cap. 354) in Hong Kong. EPD would continue to strengthen collaboration with the Customs and Excise Department ("C&ED"), with a view to enhancing enforcement against illegal import and export of the regulated waste plastics. From 2017 to 2019, the annual number of waste consignments screened for inspection by EPD had increased from about 700 to over 1 270. EPD had been working with C&ED on further increasing the number of inspections of waste consignments under the current constraints. At present, EPD had stationed frontline staff at container control points for enhancing enforcement efficiency.

*Other issues*

26. The Deputy Chairman asked about the emergency response mechanism for marine incidents, and relayed the concerns of the fisheries trade about the difficulties in claiming compensations for economic losses arising from such incidents. He remarked that after the incident of massive spillage of polypropylene plastic pellets into the sea in 2012, the Government had reached a settlement agreement with the parties concerned to recover some of the cost incurred in the cleanup operations. He asked about the amount of compensation made by the parties concerned.

27. SEN responded that the Administration had strengthened cooperation and established a notification mechanism with the authorities in the Mainland to enhance mutual responsiveness to marine incidents causing environmental problems. In line with the practice commonly adopted internationally, the settlement agreement reached between the Government and the parties concerned in the 2012 incident contained a confidentiality clause, and hence the Government could not disclose some contents of the agreement.

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Admin 28. The Deputy Chairman expressed dissatisfaction about the non-disclosure of information. He considered that the Administration should enhance the transparency of the mechanism for recouping costs from wrongdoers involved in marine accidents, so as to facilitate public monitoring in future. The Chairman requested the Administration to provide, after the meeting, the percentage of cleanup cost recovered by the Government from the parties concerned in the said incident.

*(Post-meeting note: The Administration's written response was circulated to members on 8 July 2020, vide LC Paper No. CB(1)857/19-20(02).)*

29. Ms Tanya CHAN pointed out that according to the report of a consultancy study commissioned by the Administration, only 5% of marine refuse items were of non-local origin. The figure was queried by a green group, which found during a survey conducted in tandem with a beach cleanup activity that non-local items contributed significantly more than 5% to the marine refuse problem. She therefore asked about the method adopted by the Administration for identifying marine refuse items of non-local origin; and whether items of unknown origin (e.g. items without packaging labels) were regarded as local items, and if so, how the Administration would improve the method for investigating the origins of marine refuse.

Admin 30. SEN undertook to provide the above information in writing after the meeting. He observed that the method for identifying the origins of marine refuse and the sample size in the said survey conducted by the green group were different from those of the consultancy study commissioned by the Administration. As there were different types of marine refuse in different seasons and locations, the results of the consultancy study and survey varied. Notwithstanding the above, there was no dispute as to the fact that the vast majority of marine refuse was of local origin. The Administration would continue to collaborate with the Mainland authorities to organize coastal cleanup activities, with a view to reducing marine refuse at source in the Guangdong-Hong Kong-Macao Greater Bay Area.

*(Post-meeting note: The Administration's written response was circulated to members on 8 July 2020, vide LC Paper No. CB(1)857/19-20(02).)*

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**V. Implementation of the Minamata Convention on Mercury in Hong Kong**

(LC Paper No. CB(1)655/ 19-20(05) — Administration's paper on "Implementation of the Minamata Convention on Mercury in Hong Kong"

LC Paper No. CB(1)655/ 19-20(06) — Background brief on "Minamata Convention on Mercury" prepared by the Legislative Council Secretariat)

Briefing by the Administration

31. With the aid of a PowerPoint presentation, the Under Secretary for the Environment ("USEN") briefed members on the Administration's plan to implement the Minamata Convention on Mercury ("the Convention") in Hong Kong. He advised that some obligations under the Convention were enforceable under existing administrative and regulatory frameworks or there was de facto compliance by the Government. However, new legislation or legislative amendments would be required for fulfilling the following four obligations:

- (a) to restrict import and export of mercury;
- (b) to prohibit the manufacture, import and export of mercury-added products required to be phased out by the Convention, prevent the incorporation into assembled products of the said mercury-added products, and discourage the manufacture and the distribution in commerce of mercury-added products not covered by any known use of mercury-added products prior to the date of entry into force of the Convention for it;
- (c) to phase out or restrict manufacturing processes in which mercury or mercury compounds are used; and
- (d) to store mercury and mercury compounds in an environmentally sound manner.

In order to regulate mercury trading as soon as possible for the purpose of implementing the Convention in Hong Kong, the Administration proposed a two-phase approach to introduce new regulation. Phase One involved amending the relevant schedules of the Import and Export (General) Regulations

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(Cap. 60A) to impose immediate control on the import and export of mercury trading, while Phase Two would introduce a new piece of legislation to deal with obligations under the Convention not yet backed up by existing legislation.

*(Post-meeting note: The PowerPoint presentation materials were circulated to members on 25 May 2020, vide LC Paper No. CB(1)681/19-20(02).)*

Discussion

32. The Chairman enquired about the legislative timetables for Phase One and Phase Two implementation of the Convention in Hong Kong. USEN responded that the Administration planned to make the subsidiary legislation to amend the Import and Export (General) Regulations, which would be subject to negative vetting, in June 2020; and consult the Panel on a new Mercury Control Bill in the 2020-2021 legislative session.

33. Mr Tony TSE expressed support for the Administration's proposal. Noting that the Convention entered into force in China in 2017, he called on the Administration to expedite the relevant legislative processes.

34. The Chairman sought details on the trading and local applications of mercury. USEN responded that before the Convention entered into force in 2017, a few hundred tonnes of mercury was imported into Hong Kong each year, mainly for re-export. At present, there was no known local use of mercury in mercury-added products and manufacturing processes, and the annual amount of mercury imported and re-exported was about 8 tonnes. Such mercury might be used in the manufacture of mercury-added products that were not completely phased out by the Convention yet or in laboratories for research purposes. A small amount of the re-exported mercury might be linked to trading activities not in compliance with the Convention requirements.

**VI. Any other business**

35. There being no other business, the meeting ended at 3:49 pm.