

Legislative Council Brief

Air Pollution Control Ordinance (Cap. 311)

**Air Pollution Control (Motor Vehicle Fuel)
(Amendment) Regulation 2000
(Cap. 311, sub.leg.)**

INTRODUCTION

By virtue of section 43(1)(o) of the Air Pollution Control Ordinance (Cap. 311), the Secretary for the Environment and Food (SEF), after consultation with the Advisory Council on the Environment, may by regulation provide for the imposition of requirements as to the composition, concentration, quantity, quality, viscosity or density and the use of any kind of fuel or any kind of other material that may give rise to air pollutants. In exercise of the said authority, SEF has made the Air Pollution Control (Motor Vehicle Fuel)(Amendment) Regulation 2000, at Annex, to reduce the benzene content in unleaded petrol from 5% to not more than 1% by volume.

BACKGROUND AND ARGUMENT

2. Benzene is a confirmed human carcinogen. It enters the human body primarily through inhalation and causes toxicological effects such as injury to bone marrow. A number of overseas cases of leukemia have been reported to be associated with long-term exposure to benzene.

3. Petrol is a major source of benzene. To enhance public health protection, the international trend is to reduce the benzene content in petrol.

4. Since 1 April 1999, Hong Kong has banned the supply, sale and distribution of leaded petrol. All petrol must be unleaded. Our current limit for benzene in unleaded petrol is 5% by volume. The USA and the European Union have limited the benzene content in unleaded petrol to not more than 1% by volume. Such petrol can now be made commercially available in Hong Kong.

5. The ambient concentration of benzene in Hong Kong is less than 2.6 microgrammes per cubic metre, which is comparable with that in other major

cities such as Vancouver, Sydney and London, which range from 1 to 8 microgrammes per cubic metre. But, further reduction in the maximum benzene level in unleaded petrol will give added protection to Hong Kong's population and is a sensible precaution to take given the harmful effects that benzene can have.

THE AMENDING REGULATION

6. The Air Pollution Control (Motor Vehicle Fuel) Regulation (Cap 311, sub. leg.) sets out the specifications of unleaded petrol. The limit for benzene in unleaded petrol is specified in paragraph (e) of Schedule 2 to not more than 5% by volume. We propose to introduce the Air Pollution Control (Motor Vehicle Fuel) (Amendment) Regulation to tighten the limit for benzene in unleaded petrol to not more than 1% by volume.

LEGISLATIVE TIMETABLE

7. The amending Regulation will be published in the Gazette on 11 February 2000 and tabled in the Legislative Council for negative vetting on 16 February 2000.

BASIC LAW IMPLICATIONS

8. The Department of Justice advises that the Regulation is consistent with the Basic Law.

HUMAN RIGHTS IMPLICATIONS

9. The Department of Justice advises that the Regulation has no human rights implications.

BINDING EFFECT OF THE LEGISLATION

10. The amendment will not affect the current binding effect of the Regulation.

FINANCIAL AND STAFFING IMPLICATIONS

11. The proposed tightening of the benzene limit will not entail additional financial and staffing implications.

ECONOMIC IMPLICATIONS

12. The oil companies have advised that the impact of the proposed amendment on the fuel prices would unlikely be significant. An oil company estimated that its fuel price for unleaded petrol could be increased by about 1-2% due to the proposed amendment.

PUBLIC CONSULTATION

13. Consultation was made with the oil industry and the Motor Traders Association and they supported the proposal. The Advisory Council on the Environment supported this proposal at its meeting on 20th December 1999. We also consulted the Legislative Council Panel on Environmental Affairs on 7th January 2000 and Members had no objection to the proposal.

PUBLICITY

14. A press release will be issued on 11 February 2000. A spokesman will be available for answering media enquiries.

ENQUIRIES

15. For any enquiries, please contact Mr Dave Ho, Assistant Secretary for the Environment and Food, at 2848 2036.

Environment and Food Bureau
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