

立法會
Legislative Council

Ref : CB2/BC/13/04

LC Paper No. CB(2)1178/05-06
(These minutes have been seen
by the Administration)

Bills Committee on Waste Disposal (Amendment) Bill 2005

Minutes of the 12th meeting
held on Tuesday, 7 February 2006 at 4:30 pm
in Conference Room B of the Legislative Council Building

Members present : Hon Audrey EU Yuet-mee, SC, JP (Chairman)
Ir Dr Hon Raymond HO Chung-tai, S.B.St.J., JP
Dr Hon LUI Ming-wah, SBS, JP
Hon Emily LAU Wai-hing, JP
Hon LI Fung-ying, BBS, JP
Hon WONG Kwok-hing, MH
Hon LEE Wing-tat
Hon Jeffrey LAM Kin-fung, SBS, JP
Hon Andrew LEUNG Kwan-yuen, SBS, JP
Dr Hon KWOK Ka-ki

Member absent : Hon CHOY So-yuk, JP

Public Officers attending : Environmental Protection Department

Mr FAN Wai-ming, Raymond
Deputy Director of Environmental Protection (2)

Mr WONG Yiu-kam, Benny
Assistant Director (Environmental Compliance)

Mr LEI Chee-kwong, Patrick
Principal Environmental Protection Officer
(Waste Policy)

Mr NG Yau-wing, Alex
Principal Environmental Protection Officer
(Special Waste & Landfill Restoration)

Mr CHAN Shu-to, Kenneth
Officer-in-charge (Territorial Control)

Mr YEUNG Kwok-on, Keith
Senior Environmental Protection Officer
(Territorial Control) 4

Dr HA Kwok-kuen, David
Senior Environmental Protection Officer
(Waste Policy) 2

Department of Justice

Ms IP Fung-king, Fanny
Senior Assistant Law Draftsman

Department of Health

Dr HO Mang-yee, Mandy
Consultant in Community Medicine

Clerk in attendance : Mrs Percy MA
Chief Council Secretary (2)3

Staff in attendance : Mr Arthur CHEUNG
Senior Assistant Legal Adviser 2

Mrs Eleanor CHOW
Senior Council Secretary (2)4

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I. Confirmation of minutes of meeting
(LC Paper No. CB(2)1035/05-06 – Minutes of meeting on 10 January 2006)

The minutes of the meeting held on 10 January 2006 were confirmed.

II. Meeting with the Administration
(LC Paper No. CB(2)1037/05-06(01) – Checklist of outstanding issues)

LC Paper No. CB(2)1037/05-06(02) – Administration's response entitled "Compliance and implementation of the Basel Convention through the Waste Disposal Ordinance"

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LC Paper No. CB(3)571/04-05 – The Bill

LC Paper No. CB(2)2171/04-05(01) – Marked-up copy of the Bill

LC Paper No. CB(2)2600/04-05(01) – Draft Waste Disposal (Clinical Waste) (General) Regulation

LC Paper No. CB(2)1037/05-06(03) – Proposed CSAs to be moved by the Administration)

2. The Bills Committee deliberated (index of proceedings attached at **Annex**).

Adm

3. In the course of examining the proposed Committee Stage amendments (CSAs) to be moved by the Administration, members raised the following issues –

(a) clause 18(b) – members agreed that the CSA to proposed section 23D(e) was unnecessary and should no longer be pursued. However, members queried the need for two Chinese renditions for “authorization” in proposed section 23D(e), i.e. “授權” and “批准”. The Administration was requested to consider whether the Chinese rendition for “authorization” in this and other sections of the Waste Disposal Ordinance could be standardised in the context of the provisions;

(b) clause 24(a) – members requested the Administration to reconsider the Chinese translation for the newly added entry AA1180 in the Seventh Schedule in the light of members’ views expressed at the meeting; and

(c) clause 25 – members considered that the phrase “or party to the Basel Convention” in the CSA to Schedule 9 might not be necessary and requested the Administration to reconsider the intended effect of the CSA.

4. The Administration was requested to provide a written response on the above issues to the Bills Committee.

Adm

5. The Administration was also requested to provide a written response on the following outstanding issues –

(a) its consultation with the Hong Kong Medical Association on the wording of the CSAs to empower the Director of Environmental Protection to define newly emerged infectious waste which posed significant health risk as “other waste” in Group 6 clinical waste in Schedule 8;

(b) its consultation with members of Kwai Tsing District Council on the proposal of setting up a committee under the District Council to monitor

Action

the modification works and operation of the Chemical Waste Treatment Centre; and

- (c) the clinical waste collection arrangement for outlying islands.

6. Members noted the legal advice provided by the International Law Division of the Department of Justice that the present operation of the relevant provisions of the Waste Disposal Ordinance complied with the Basel Convention. Members agreed that it was not necessary to invite Mr Jim PUCKETT, an overseas expert representing Greenpeace, to come to Hong Kong to give views to the Bills Committee, and that a reply would be given to Greenpeace by the Bills Committee. The Chairman requested the Clerk to follow up the matter.

Clerk

(Post-meeting note : A letter was sent to Greenpeace on 10 February 2006)

III. Any other business

Date of next meeting

7. Subject to the written response provided by the Administration on the various outstanding issues, the Bills Committee would decide whether the meeting on 21 February 2006 at 4:30 pm should be held as scheduled.

(Post-meeting note : The meeting on 21 February 2006 will be held as scheduled)

Date of resumption of Second Reading debate on the Bill

8. The Chairman informed members that if the Bills Committee could conclude its deliberations by 21 February 2006, the resumption of the Second Reading debate on the Bill could take place at the Council meeting on 29 March 2006.

9. The meeting ended at 6:20 pm.

Council Business Division 2
Legislative Council Secretariat
20 February 2006

**Proceedings of the 12th meeting of the Bills Committee on
Waste Disposal (Amendment) Bill 2005
on Tuesday, 7 February 2006 at 4:30 pm
in Conference Room B of the Legislative Council Building**

| Time marker | Speaker | Subject(s) | Action Required |
|--------------------|--|--|---------------------------|
| 000000 - 000222 | Chairman | Confirmation of minutes of meeting | |
| 000223 - 001019 | Adm | Briefing by the Administration on its response entitled "Compliance and implementation of the Basel Convention through the Waste Disposal Ordinance" (LC Paper No. CB(2)1037/05-06(02)) | |
| 001020 - 001319 | Mr WONG Kwok-hing Adm | Confirmation that printed circuit board waste contaminated by hazardous substances would be covered by the newly added entry AA1180 waste in the Seventh Schedule to the Bill | |
| 001320 - 002014 | Chairman Adm Ms Emily LAU Ir Dr Raymond HO | Explanation given to a representative of Greenpeace on how the Administration implemented the Basel Convention through the Waste Disposal Ordinance (WDO) at a meeting held in the morning on 7 February Consideration on whether to invite Mr Jim PUCKETT, an overseas expert representing Greenpeace, to come to Hong Kong to give views to the Bills Committee and how to respond to Greenpeace in writing | Clerk to follow up |
| 002015 - 011551 | Adm Chairman Ms Emily LAU SALA2 Ms LI Fung-ying Ir Dr Raymond HO Dr LUI Ming-wah | Scrutiny of the proposed Committee Stage amendments (CSAs) to the Bill (LC Paper No. CB(2)1073/05-06(01)) Administration was requested to follow up on the following issues raised by members – (a) clause 18(b) – members agreed that the CSA to proposed section 23D(e) was unnecessary and should no longer be pursued. However, members queried the need for two Chinese renditions for | Admin to follow up |

| Time marker | Speaker | Subject(s) | Action Required |
|-----------------|---|--|-----------------|
| | | <p>“authorization” in proposed section 23D(e), i.e. “授權”和“批准”. The Administration was requested to consider whether the Chinese rendition for “authorization” in this and other sections of WDO could be standardised in the context of the provisions; and</p> <p>(b) clause 24(a) – members requested the Administration to reconsider the Chinese translation for the newly added entry AA1180 in the Seventh Schedule in the light of members’ views expressed at the meeting</p> | |
| 011552 - 013411 | <p>Chairman Adm Ms LI Fung-ying Dr LUI Ming-wah</p> | <p>Continuation of clause by clause examination of the Bill</p> <p>Clause 23 (Sixth Schedule) – Waste to which sections 20A(1)(a) and 20B(1)(a) apply</p> <p>Clause 24 (Seventh Schedule) – Waste to which sections 20A(1)(b) and 20B(1)(b) apply</p> <p>Reasons for the proposed amendment to AB040 waste in the Seventh Schedule</p> <p>Clarification on control over materials that would be reused direct and sold in the second hand market; WDO did not control used goods in general. AB040 in the Seventh Schedule was a waste entry for glass waste from cathode-ray tubes (CRTs), the CRTs must be waste subject to control in the first place. The amendment to this entry helped explain to the trade that both intact or broken CRTs were included.</p> | |

| Time marker | Speaker | Subject(s) | Action Required |
|--------------------|---------------------------------|---|---------------------------|
| 013412 - 013453 | Chairman Adm | Administration to report outcome of its consultation with the Hong Kong Medical Association on the wording of the CSAs to empower the Director of Environmental Protection to define newly emerged infectious waste which posed significant health risk as "other waste" in Group 6 clinical waste in Schedule 8 | Admin to follow up |
| 013454 - 014304 | Chairman Adm SALA2 | Administration to reconsider the need for the phrase "or party to the Basel Convention" in the CSA to Schedule 9 and the intended effect of the CSA | Admin to follow up |
| 014305 - 015000 | Chairman Adm Ms Emily LAU | Administration was requested to report progress on the following outstanding items – (a) its consultation with members of Kwai Tsing District Council on the proposal of setting up a committee under the District Council to monitor the modification works and operation of the Chemical Waste Treatment Centre; and (b) the clinical waste collection arrangement for outlying islands | Admin to follow up |
| 015001 - 015043 | Chairman | Date of next meeting Proposed date for resumption of Second Reading debate on the Bill | |

Note : The audio records of the above proceedings are kept at the LegCo Library

Council Business Division 2
Legislative Council Secretariat
 20 February 2006