

LEGISLATIVE COUNCIL BRIEF

Air Pollution Control Ordinance (Cap. 311)

**Air Pollution Control (Motor Vehicle Fuel)
(Amendment) Regulation 2004**

INTRODUCTION

The Secretary for the Environment, Transport and Works has made the Air Pollution Control (Motor Vehicle Fuel) (Amendment) Regulation 2004, at **Annex**, under section 43 of the Air Pollution Control Ordinance (Cap. 311) to tighten the unleaded petrol specifications to the Euro IV level.

JUSTIFICATIONS

2. Motor vehicles are the major source of roadside air pollution in Hong Kong. To improve roadside air quality, we have a standing policy to adopt the most stringent requirements for the quality of motor vehicle fuels and the emissions of newly registered motor vehicles where practicable.

3. We have made the Euro III unleaded petrol specifications the statutory standard and the Euro III motor vehicle emission standards the statutory minimum for newly registered motor vehicles since 2001 in step with the European Union. We have also made the Euro IV motor diesel specifications, i.e. the ultra low sulphur diesel specifications, the statutory standard since April 2002, three years ahead of the European Union. Compared with Euro III diesel, a Euro III diesel vehicle will emit 5% less nitrogen oxides and 15% less particulates when using Euro IV diesel. The

two pollutants from vehicles are the major source of roadside air pollution.

4. The European Union will tighten the unleaded petrol specifications to the Euro IV level with effect from 1 January 2005 to prepare for the implementation of the Euro IV petrol vehicle emission standards. We propose to make the same upgrading to our unleaded petrol specifications in tandem with the European Union. Our plan is to start introducing Euro IV emission requirements for newly registered vehicles from 2006 in step with the European Union.

THE REGULATION

5. The Air Pollution Control (Motor Vehicle Fuel) (Amendment) Regulation 2004 amends Schedule 2 to the Air Pollution Control (Motor Vehicle Fuel) Regulation (Cap 311, sub. leg.) by imposing more stringent requirements on the specifications of unleaded petrol. Specifically, the upper limits for the sulphur and aromatic hydrocarbons will be reduced from 0.015% to 0.005% and from 42% to 35% respectively.

LEGISLATIVE TIMETABLE

6. We will publish the Amendment Regulation in the Gazette on 15 October 2004 and table it at the Legislative Council for negative vetting on 20 October 2004. Subject to the negative vetting by the Legislative Council, the amendments will take effect on 1 January 2005.

BASIC LAW AND HUMAN RIGHTS IMPLICATIONS

7. The proposal is in conformity with the Basic Law, including the provisions concerning human rights.

BINDING EFFECT OF THE LEGISLATION

8. The proposed amendments to the Air Pollution Control (Motor Vehicle Fuel) Regulation will not affect its binding effect.

FINANCIAL AND STAFFING IMPLICATIONS

9. Implementation of the proposed amendments to the Air Pollution Control (Motor Vehicle Fuel) Regulation will not require any additional financial commitment from the government. Additional staff will not be required.

ECONOMIC IMPLICATIONS AND TRADE CONSULTATION

10. According to the oil companies, the proposed tightening of the unleaded petrol specifications does not present any major technical difficulty. They have also indicated that the proposal may increase the product cost but the level of increase cannot be precisely determined. We note, however, that upgrading the specifications for unleaded petrol in the past did not result in any increase of the pump price.

ENVIRONMENTAL IMPLICATIONS

11. A Euro IV petrol vehicle using Euro IV unleaded petrol will emit 46% less nitrogen oxides, 50% less hydrogen carbons and 56% less carbon monoxide than a Euro III petrol vehicle using Euro III unleaded petrol. The proposed upgrading of the petrol specifications can further reduce the emissions from the local petrol vehicle fleet.

PUBLIC CONSULTATION

12. We consulted the Legislative Council Panel on Environmental Affairs on 24 May 2004. The Panel had no objection to the proposal. The Advisory Council on

the Environment endorsed the proposals on 7 June 2004.

PUBLICITY

13. A press release will be issued on 15 October 2004. A spokesman will be available for answering media enquiries.

ENQUIRIES

14. For any enquiries, please contact Mr. William WONG, Environmental Protection Officer of the Environment, Transport and Works Bureau on 2594 6388.

Environment, Transport and Works Bureau
October 2004

**AIR POLLUTION CONTROL (MOTOR VEHICLE FUEL)
(AMENDMENT) REGULATION 2004**

Made under section 43 of the Air Pollution Control Ordinance
(Cap. 311) after consultation with the Advisory Council on
the Environment)

1. Commencement

This Regulation shall come into operation on 1 January 2005.

2. Specifications of unleaded petrol

Schedule 2 to the Air Pollution Control (Motor Vehicle Fuel) Regulation (Cap. 311 sub. leg. L) is amended –

- (a) in paragraph (b), by repealing “0.015%” and substituting “0.005%”;
- (b) in paragraph (g), by repealing “42.0%” and substituting “35.0%”.

Secretary for the Environment, Transport and
Works

15 October 2004

Explanatory Note

This Regulation amends Schedule 2 to the Air Pollution Control (Motor Vehicle Fuel) Regulation (Cap. 311 sub. leg. L) to provide for more stringent standards in relation to the percentage of the weight of sulphur and the volume of aromatic hydrocarbons of unleaded petrol for motor vehicles.