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**CB(1) 1724/06-07(01)**

By Fax : 2869 6794

23 May 2007

Clerk to Bills Committee on  
Hazardous Chemicals Control Bill  
Legislative Council Building  
8 Jackson Road,  
Central  
Hong Kong  
Attention: Mrs Mary TANG

Dear Mrs Tang,

**Bills Committee on  
Hazardous Chemicals Control Bill  
Meeting on 13 April 2007**

I refer to your letter of 8 May 2007 and our emails of 9 and 18 May 2007 providing the Administration's comments on the draft minutes of the above Bills Committee meeting.

On the Chairman's final remarks on the issue of "making reference to the requirements of the two Convention" as recorded in the draft minutes, we would request to put on record the following summary of the Administration's views on this issue which had been thoroughly discussed at the Bills Committee meetings, particularly those held on 29 January and 13 April 2007 –

"The Administration's understanding is that even if a general reference clause on Convention requirements is not included in the Bill, the Director would not be prevented from taking into consideration such and any other

relevant factors/requirements when exercising his discretion, for example, in relation to the issue/variation/cancellation of permits, but the Director, in performing his statutory functions, could not act beyond the powers conferred upon him by the Bill.”

Yours sincerely,



(Carlson K S Chan)

for Director of Environmental Protection

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