

**立法會**  
**Legislative Council**

LC Paper No. CB(1) 832/07-08  
(These minutes have been seen  
by the Administration)

Ref: CB1/BC/4/06/2

**Bills Committee on  
Energy Efficiency (Labelling of Products) Bill**

**Minutes of the fourteenth meeting  
held on Thursday, 31 January 2008, at 8:30 am  
in Conference Room A of the Legislative Council Building**

**Members present** : Hon Audrey EU Yuet-mee, SC, JP (Chairman)  
Dr Hon LUI Ming-wah, SBS, JP  
Hon Emily LAU Wai-hing, JP  
Hon Vincent FANG Kang, JP  
Hon WONG Ting-kwong, BBS

**Members absent** : Hon Fred LI Wah-ming, JP  
Hon SIN Chung-kai, SBS, JP  
Hon CHOY So-yuk, JP  
Hon Abraham SHEK Lai-him, SBS, JP

**Public officers attending** : Environment Bureau  
  
Miss Emmy WONG  
Principal Assistant Secretary for the Environment (Energy) 1  
  
Miss Joceline CHUI  
Assistant Secretary for the Environment (Energy) 3  
  
Electrical and Mechanical Services Department  
  
Mr Stephen CHAN, JP  
Deputy Director/Regulatory Services  
  
Mr Michael CHEUNG  
Chief Engineer /Energy Efficiency A

Department of Justice

Ms Phyllis POON  
Senior Government Counsel (Acting)

**Clerk in attendance :** Miss Becky YU  
Chief Council Secretary (1)1

**Staff in attendance :** Mr Timothy TSO  
Assistant Legal Adviser 2

Ms Debbie YAU  
Senior Council Secretary (1)1

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**I Confirmation of minutes**

(LC Paper No. CB(1) 691/07-08 -- Minutes of the meeting held on  
7 January 2008)

The minutes of the meeting held on 7 January 2008 were confirmed.

**II Meeting with the Administration**

(LC Paper No. CB(1) 723/07-08(01) -- List of follow-up actions arising  
from the discussion on 17 January  
2008

LC Paper No. CB(1) 723/07-08(02) -- Administration's response to LC  
Paper No. CB(1) 723/07-08(01)

LC Paper No. CB(1) 723/07-08(03) -- Draft Committee Stage amendments  
(version as at 30 January 2008)  
provided by the Administration

LC Paper No. CB(1) 723/07-08(04) -- Marked-up copy of the Bill  
prepared by the Legal Service  
Division

LC Paper No. CB(3) 457/06-07 -- The Bill

Ref: EP 86/08/70 (07) -- The Legislative Council Brief

LC Paper No. CB(1) 1913/06-07(03) -- A list of questions raised by  
Hon CHOY So-yuk

LC Paper No. CB(1) 2065/06-07(01) -- Administration's response to LC  
Paper No. CB(1) 1913/06-07(03)

LC Paper No. CB(1) 2423/06-07(03) -- Summary of deputations' views on  
individual clauses of the Bill)

2. The Committee deliberated (Index of proceedings attached at **Annex A**).

3. The Administration was requested to -
- (a) Solicit the trade's view on the feasibility of including ceiling-mounted type and floor standing type air conditioners with a rated cooling capacity not exceeding 7.5 kilowatts under the regulation of the Bill taking into account their increased popularity in the residential sector. To also provide figures on the importation and sales of room air conditioners with different rated cooling capacities but not exceeding 7.5 kilowatts as well as split type air conditioners with one/two indoor units;
  - (b) Consider using the rated cooling capacity rather than the type of air conditioner as the baseline for exemption;
  - (c) Review the Chinese rendition of the term "vapour" under Divisions 1 and 2 of Part 2 of Schedule 1;
  - (d) Review the drafting of proposed section 4 of Division 1 of Part 2 of Schedule 1, which might be too meticulous, to avoid possible circumvention;
  - (e) Consider changing the Chinese rendition of the phrase "a room air conditioner was of cooling only type" under the proposed section 6 of Division 1 of Part 2 of Schedule 1 from "淨製冷型的空調機" to "純製冷型的空調機";
  - (f) Advise the rationale for setting a limit on the wattage of compact fluorescent lamps under proposed section 1(b) of Division 3 of Part 2 of Schedule 1. To also advise if consideration could be given to dispensing with such a limit;

- (g) Review the Chinese rendition of the terms “screw cap” and “bayonet cap” under proposed section 1(b) of Division 3 of Part 2 of Schedule 1 with reference to those adopted by the Customs and Excise Department to ensure consistency; and
  - (h) Review the drafting of proposed section 5 of Part 2 of Schedule 2 to ensure that an energy label was to be affixed to a prominent position of the room air conditioner being exhibited to facilitate consumers to make an informed decision.
4. Members agreed that the next two meetings would be held as follows -
- (a) Tuesday, 14 February 2008, at 10:45 am; and
  - (b) Monday, 3 March 2008, at 4:30 pm.

### **III Any other business**

5. There being no other business, the meeting ended at 10:30 am.

**Proceedings of the meeting of the  
Bills Committee on Energy Efficiency (Labelling of Products) Bill  
Meeting on Thursday, 31 January 2008, at 8:30 am  
in Conference Room A of the Legislative Council Building**

Time Marker	Speaker	Subject(s)	Action Required
000000 – 000255	Chairman	Confirmation of minutes of the meeting held on 7 January 2008 (LC Paper No. CB(1)691/07-08))	
000256 – 001235	Chairman Administration Ms Emily LAU ALA2	<p>Administration's briefing on its response (LC Paper No. CB(1)723/07-08(02)) to items 4 to 6 of the list of follow-up actions arising from the discussion on 17 January 2008 (LC Paper No. CB(1)723/07-08(01))</p> <p>Administration's undertaking to provide the response to items 1 to 3 of the list of follow-up actions to the Bills Committee at the following meeting</p> <p>Discussion on the differences between subsidiary legislation subject to the positive vetting procedure and an amendment bill</p>	
001236 – 001334	Administration Chairman	<p><u>Continuation of clause-by-clause examination of the Bill</u> (LC Paper Nos. CB(1)1913/06-07(03), 2065/06-07 (01), 2423/06-07(03) and 723/07-08(04))</p> <p><u>Clause 53</u></p> <p>Briefing by the Administration</p>	
001335 – 001801	Administration Chairman	<p><u>Clause 54</u></p> <p>Members' agreement to the draft Committee Stage amendment (CSA) proposed by the Administration to include the year in which the reference number was assigned or the new calculation method took effect</p>	

Time Marker	Speaker	Subject(s)	Action Required
001802 – 002304	Chairman Administration	Administration's briefing on the proposed draft CSA to add the reference to Schedule 3 to Schedule 1	
002305 – 004532	Ms Emily LAU Chairman Administration Mr WONG Ting-kwong Dr LUI Ming-wah Mr Vincent FANG Ms Emily LAU	<p><u>Schedule 1 – Part 2 - Division 1</u></p> <p><u>Proposed sections 1 and 2</u></p> <p>Discussion on the rationale for only regulating air conditioners that had a rated cooling capacity not exceeding 7.5 kilowatts.</p> <p>Mr WONG's view that floor standing type air conditioners with a rated cooling capacities not exceeding 7.5 kilowatt should also be regulated having regard to their increased popularity in the residential sector. His view was shared by Dr LUI.</p> <p>Dr LUI's opinion that split type air conditioners with one/two indoor units, which were commonly used in local domestic premises, should also be regulated</p> <p>Administration's advice that air conditioners not regulated under the Bill were usually used for commercial purposes and would be regulated under the proposed mandatory implementation of the Building Energy Codes which was under public consultation. Notwithstanding, it would keep in view the market trend and would introduce proper control over these air conditioners once they became more popular through amendment to the Schedule, having regard to the impacts on the trades</p> <p>Members' requests for the Administration to provide figures on the importation and sales of room air conditioners with different rated cooling capacities but not exceeding 7.5 kilowatts as well as split type air conditioners with one/two indoor</p>	<p>The Administration to solicit the trade's view on the feasibility of including floor standing type air conditioners with a rated cooling capacity not exceeding 7.5 kilowatts under the regulation of the Bill taking into account their increased popularity in the residential sector; provide figures on the importation and sales of room air conditioners with different rated cooling capacities but not exceeding 7.5 kilowatts as well as split type air conditioners with one/two indoor units; and consider using the rated cooling capacity rather than the type of air conditioner as the baseline for exemption</p>

Time Marker	Speaker	Subject(s)	Action Required
		<p>units</p> <p>Chairman's opinion that consideration should be given to using the rated cooling capacity rather than the type of air conditioner as the baseline for exemption</p> <p>Administration's undertaking to consult the trades and revert back to the Bills Committee in three to four weeks' time</p> <p>Ms LAU's concern on the need to expedite the scrutiny of the Bill</p>	
004533 – 004847	Administration Dr LUI Ming-wah	<p><u>Proposed section 3</u></p> <p>Discussion on the Chinese rendition of the term "vapour"</p>	
004848 – 010522	Administration Chairman Ms Emily LAU Dr LUI Ming-wah Mr WONG Ting-kwong Mr Vincent FANG	<p><u>Proposed section 4</u></p> <p>Chairman's question on the need to define single package type air conditioner in such great details which might enable a person to circumvent the requirements in the Bill. Her views were shared by other members</p> <p>Discussion on the phrase "common mounting"</p> <p>Administration's advice that the proposed section was modelled on the definition of single package type air conditioner adopted internationally</p>	The Administration to review the drafting of proposed section 4 of Division 1 of Part 2 of Schedule 1, which might be too meticulous, to avoid possible circumvention
010523 – 010603	Chairman Administration	<p><u>Proposed section 5</u></p> <p>Briefing by the Administration</p>	
010604 – 010747	Chairman Administration Mr WONG Ting-kwong Dr LUI Ming-wah	<p><u>Proposed sections 6 and 7</u></p> <p>Discussion on whether the Chinese rendition of the phrase "a room air conditioner was of cooling only type" should be changed from "淨製</p>	The Administration to consider changing the Chinese rendition of the phrase "a room air conditioner was of cooling only type" under the proposed

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		冷型的空調機” to “純製冷型的空調機”	section 6 of Division 1 of Part 2 of Schedule 1 from “淨製冷型的空調機” to “純製冷型的空調機”;
010748 – 011146	Chairman Administration Mr WONG Ting-kwong Mr Vincent FANG	<u>Proposed section 8</u>  Question on the rationale for not including ceiling-mounted type air conditioners under the Bill  Administration's advice that ceiling-mounted type air conditioners were not commonly adopted for domestic use in Hong Kong. Nevertheless, it would keep track of the market trend and introduce control, if necessary, by amending the Schedule	The Administration to solicit the trade's view on the feasibility of including ceiling-mounted type air conditioners with a rated cooling capacity not exceeding 7.5 kilowatts under the regulation of the Bill taking into account their increased popularity in the residential sector
011147 – 011202	Administration	<u>Proposed section 9</u>  Briefing by the Administration	
011203 – 011742	Chairman Administration Ms Emily LAU Dr LUI Ming-wah Mr WONG Ting-kwong	<u>Schedule 1 – Part 2 - Division 2</u>  <u>Proposed section 1</u>  Discussion on the need to specify under the Bill that refrigerating appliances had to be factory-assembled, used mains electricity as the primary power source, and had a rated total storage volume not exceeding 500 litres	
011743 – 011809	Administration Chairman	<u>Proposed section 2</u>  Briefing by the Administration	
011810 – 012305	Administration Chairman Mr WONG Ting-kwong Dr LUI Ming-wah	<u>Proposed section 3</u>  Discussion on the Chinese rendition of the term "vapour" and members' request for the Administration to consider reviewing the term with reference to that adopted by the	The Administration to review the Chinese rendition of the term “vapour” under Divisions 1 and 2 of Part 2 of Schedule 1



Time Marker	Speaker	Subject(s)	Action Required
		trades	
012306 – 013414	Chairman Administration Mr WONG Ting-kwong Dr LUI Ming-wah Mr Vincent FANG	<p><u>Schedule 1 – Part 2 - Division 3</u></p> <p><u>Proposed section 1</u></p> <p>Members' question on the rationale for setting a limit on the wattage of compact fluorescent lamps (CFLs), to be regulated under the Bill. Consideration should be given to dispensing with the limit</p> <p>Administration's advice that CFLs with wattage over 60 watts were usually used for commercial purposes and not in a large quantity. Regulation of these CFLs might create undue financial burden on the industry</p> <p>Discussion on the Chinese rendition of the terms "screw cap" and "bayonet cap" with reference to those adopted by the Customs and Excise Department to ensure consistency</p>	The Administration to advise the rationale for setting a limit on the wattage of CFLs under proposed section 1(b) of Division 3 of Part 2 of Schedule 1, whether consideration could be given to dispensing with such a limit, and review the Chinese rendition of the terms "screw cap" and "bayonet cap" under proposed section 1(b) of Division 3 of Part 2 of Schedule 1 with reference to those adopted by the Customs and Excise Department to ensure consistency
013415 – 013508	Chairman Administration Dr LUI Ming-wah	<p><u>Proposed section 2</u></p> <p>Briefing by the Administration</p>	
013509 – 013739	Administration Chairman Mr WONG Ting-kwong	<p><u>Proposed section 3</u></p> <p>Members' agreement to the draft CSA proposed by the Administration to the Chinese version of the definition of "non-integrated type CFL"</p>	
013740 – 013759	Chairman	<p><u>Schedule 2 – Part 1</u></p> <p><u>Proposed sections 1 to 3</u></p> <p>Members did not raise any queries</p>	
013800 – 014241	Chairman Administration	<p><u>Schedule 2 – Part 2</u></p> <p><u>Proposed sections 1 and 2</u></p> <p>Members' agreement to the draft CSAs proposed by the</p>	

Time Marker	Speaker	Subject(s)	Action Required
		Administration to the design and dimensions of the energy label	
014242 – 014539	Chairman Administration	<u>Proposed section 3</u>  Members' agreement to the draft CSAs proposed by the Administration on the inclusion of the year in which the reference number was assigned or the new calculation method took effect	
014540 – 014709	Chairman Administration Mr WONG Ting-kwong	<u>Proposed section 4</u>  Members' agreement to the draft CSAs proposed by the Administration on the inclusion of the year in which the reference number was assigned or the new calculation method took effect	
014710 – 020406	Administration Chairman Mr WONG Ting-kwong Mr Vincent FANG ALA2	<u>Proposed section 5</u>  Discussion on the need to affix the energy label to a prominent position of the room air conditioner being exhibited to facilitate consumers to make an informed decision  Administration's advice that the energy label must be affixed to a prominent position of the room air conditioners being exhibited. Subject to the approval of the Director, the energy label could be affixed to the packaging during delivery  Members' request for the Administration to review the drafting of the proposed section	The Administration to review the drafting of proposed section 5 of Part 2 of Schedule 2 to ensure that an energy label was to be affixed to a prominent position of the room air conditioner being exhibited to facilitate consumers to make an informed decision
020407 - 020451	Chairman	Dates of next two meetings	