

立法會
Legislative Council

LC Paper No. CB(1) 1911/06-07
(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 second meeting
held on Friday, 1 June 2007, at 8:30 am
in the Chamber of the Legislative Council Building**

- Members present** : Hon Audrey EU Yuet-mee, SC, JP (Chairman)
Hon Fred LI Wah-ming, JP
Dr Hon LUI Ming-wah, SBS, JP
Hon SIN Chung-kai, JP
Hon Emily LAU Wai-hing, JP
Hon CHOY So-yuk, JP
Hon Vincent FANG Kang, JP
Hon WONG Ting-kwong, BBS
- Member attending** : Prof Hon Patrick LAU Sau-shing, SBS, JP
- Member absent** : Hon Abraham SHEK Lai-him, JP
- Public officers attending** : Environmental Protection Department

Mr Eric CHAN
Assistant Director (Conservation)

Miss Joceline CHUI
Administrative Officer (Conservation Division)

Electrical and Mechanical Services Department

Mr Stephen CHAN, JP
Deputy Director/Regulatory Services (Acting)

Mr P K CHEUNG
Chief Engineer/Energy Efficiency A

Department of Justice

Ms Phyllis POON
Government Counsel

**Attendance by
Invitation**

: Hong Kong & Kowloon Electrical Appliances Merchants
Association

Mr Peter CHU
Chairman

Pilot Lighting (HK) Ltd

Ms Loretta MAK
Export Manager

Green Council

Ms Linda HO
Chief Executive Officer

Hong Kong & Kowloon Electric Trade Association

Mr LIU Hong-fai
President

Hong Kong Suppliers Association Ltd

Mr Kenneth HO
Convenor

Goodway Electrical Enterprise Ltd

Mr LO Fung
Product Development Manager

Shun Hing Electric Works and Engineering Co, Ltd

Mr Ed FUNG
Senior Product Marketing Executive

Hong Kong Electrical Appliances Manufacturers
Association

Mr Edward CHAN
Honorary President

Osram Asia Pacific

Mr Frank HOHN
Senior Director Compact Fluorescent Lamps

Consumer Council

Ms Connie LAU
Chief Executive

Fu Sun Engineering Limited

Mr KONG Kin-man
Managing Director

Association of Engineering Professionals in Society

Ir Patrick YUEN
Honorary Secretary-General

City University of Hong Kong

Prof Ron HUI
Chair Professor

Green Sense

Ms CHOW Wing-yi
Project Officer

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

Miss Mandy POON
Legislative Assistant (1)4

I Confirmation of minutes

(LC Paper No. CB(1) 1749/06-07 -- Minutes of the meeting held on
15 May 2007)

The minutes of the meeting held on 15 May 2007 were confirmed.

II Meeting with deputations and the Administration

Meeting with deputations

- (a) Hong Kong & Kowloon Electrical Appliances Merchants Association
LC Paper No. CB(1) 1750/06-07(01)
- (b) Pilot Lighting (HK) Ltd
- (c) Green Council
LC Paper No. CB(1) 1750/06-07(03)
- (d) Hong Kong & Kowloon Electric Trade Association
LC Paper No. CB(1) 1750/06-07(04)
- (e) Hong Kong Suppliers Association Ltd
LC Paper No. CB(1) 1750/06-07(05)
- (f) Goodway Electrical Enterprise Ltd
LC Paper No. CB(1) 1750/06-07(06)
- (g) Shun Hing Electric Works & Engineering Co Ltd
- (h) Hong Kong Electrical Appliances Manufacturers Association
- (i) Osram Asia Pacific
LC Paper No. CB(1) 1750/06-07(09)
- (j) Consumer Council
LC Paper No. CB(1) 1750/06-07(10)
- (k) Fu Sun Engineering Ltd
- (l) Association of Engineering Professionals in Society Ltd
LC Paper No. CB(1) 1750/06-07(12)
- (m) Professor Ron HUI, City University of Hong Kong
LC Paper No. CB(1) 1750/06-07(08)
- (n) Green Sense
LC Paper No. CB(1) 1750/06-07(02)

Submissions from deputations not attending the meeting

- LC Paper No. CB(1) 1750/06-07(14) -- Submission from Green Power
- LC Paper No. CB(1) 1750/06-07(15) -- Submission from The Hongkong Electric Co Ltd
- LC Paper No. CB(1) 1750/06-07(16) -- Submission from Federation of Hong Kong Industries
- LC Paper No. CB(1) 1750/06-07(17) -- Submission from Business Facilitation Advisory Committee Retail Task Force
- LC Paper No. CB(1) 1750/06-07(18) -- Submission from Advisory Council on the Environment
- LC Paper No. CB(1) 1750/06-07(19) -- Submission from Hong Kong Retail Management Association
- LC Paper No. CB(1) 1750/06-07(20) -- Submission from Energy Efficiency and Conservation Subcommittee of the Energy Advisory Committee
- LC Paper No. CB(1) 1750/06-07(07) -- Submission from Real Estate Developers Association of Hong Kong
- LC Paper No. CB(1) 1750/06-07(11) -- Submission from Friends of the Earth (HK))
- LC Paper No. CB(1) 1816/06-07(01) -- Submission from Hong Kong Institution of Engineers

Meeting with the Administration

- (LC Paper No. CB(1) 1750/06-07(21) -- List of follow-up actions arising from the discussion on 15 May 2007
- LC Paper No. CB(1) 1750/06-07(22) -- Administration's response to LC Paper No. CB(1) 1750/06-07(21))

2. The Committee deliberated (Index of proceedings attached at **Annex A**).
3. The Administration was requested to -
 - (a) Respond to the views of deputations, in particular the comments of Professor Ron HUI regarding the environmental impacts associated with the disposal of compact fluorescent lamps (CFLs) which contained high dosage of toxic mercury;
 - (b) Provide an information paper setting out the enforcement actions which the Administration would take to ensure compliance with the

Bill by manufacturers, importers and retailers and the penalties in the event of non-compliance;

- (c) Discuss with the trades on the feasibility of standardizing the energy efficiency testing requirements for the three scheduled products and revert the outcome of discussion to the Bills Committee; and
- (d) Discuss with the trades regarding the eligibility of laboratories for the issuance of test reports and revert the outcome of discussion to the Bills Committee.

4. Ms Emily LAU suggested and members agreed that the green groups should be invited to provide written responses to the comments of Professor Ron HUI regarding the environmental impacts associated with the disposal of electronic CFLs which contained high dosage of toxic mercury. She also suggested that a summary of deputations' views should be prepared for the Administration's response.

5. The next two meetings would be held as follows -

- (a) Thursday, 21 June 2007, at 4:30 pm; and
- (b) Tuesday, 10 July 2007, at 8:30 am.

III Any other business

6. There being no other business, the meeting ended at 10:40 am.

**Proceedings of the meeting of the
Bills Committee on Energy Efficiency (Labelling of Products) Bill
Meeting on Friday, 1 June 2007, at 8:30 am
in the Chamber of the Legislative Council Building**

Time Marker	Speaker	Subject(s)	Action Required
000000 - 000358	Chairman	(a) Welcoming remarks (b) Confirmation of minutes of the meeting held on 15 May 2007 (LC Paper No. CB(1) 1749/06-07)	
000359 - 000932	Mr Peter CHU, Hong Kong & Kowloon Electrical Appliances Merchants Association	Expression of views (LC Paper No. CB(1) 1750/06-07(01))	
000933 - 001522	Ms Linda HO, Green Council	Expression of views (LC Paper No. CB(1) 1750/06-07(03))	
001523 - 001737	Mr LIU Hong-fai, Hong Kong & Kowloon Electric Trade Association	Expression of views (LC Paper No. CB(1) 1750/06-07(04))	
001738 - 002043	Mr Kenneth HO, Hong Kong Suppliers Association Ltd	Expression of views (LC Paper No. CB(1) 1750/06-07(05))	
002044 - 002249	Mr LO Fung, Goodway Electrical Enterprise Ltd	Expression of views (LC Paper No. CB(1) 1750/06-07(06))	
002250 - 002553	Mr Edward CHAN, Hong Kong Electrical Appliances Manufacturers Association	Expression of views	
002554 - 002846	Mr Frank HOHN, Osram Asia Pacific	Expression of views (LC Paper No. CB(1) 1750/06-07(09))	
002847 - 003409	Ms Connie LAU, Consumer Council	Expression of views (LC Paper No. CB(1) 1750/06-07(10))	
003410 - 003817	Mr KONG Kin-man, Fu Sun Engineering Ltd	Expression of views	

Time Marker	Speaker	Subject(s)	Action Required
003818 - 004111	Ir Patrick YUEN, Association of Engineering Professionals in Society Ltd	Expression of views (LC Paper No. CB(1) 1750/06-07(12))	
004112 - 004724	Professor Ron HUI, City University of Hong Kong (City U)	Expression of views (LC Paper No. CB(1) 1750/06-07(08))	
004725 - 004901	Ms CHOW Wing-yi, Green Sense	Expression of views (LC Paper No. CB(1) 1750/06-07(02))	
004902 - 005915	Chairman Administration	Administration's responses to deputations' views	The Administration to provide a written response to the views of deputations
005916 - 010207	Mr WONG Ting-kwong Fu Sun Engineering Limited	Member's concern whether compact fluorescent lamps (CFLs) could completely replace tungsten lamps which came in different sizes to suit various domestic and non-domestic purposes Deputation's response that Australia and California had decided to phase out the domestic use of tungsten lamps by 2010	
010208 - 010846	Mr Vincent FANG Administration Chairman	Member's view that the Administration should apprise the trades to start taking necessary steps to comply with the Bill Administration's response that the Bill had provided a transitional period for the trades to prepare for the labelling system. The transitional period had been extended from 12 to 18 months having balanced the interest between the trades and the early implementation of the mandatory scheme to promote the use of energy efficient products	

Time Marker	Speaker	Subject(s)	Action Required
		<p>Member's concern on the environmental impacts associated with the disposal of CFLs which contained high dosage of toxic mercury</p> <p>Administration's explanation -</p> <p>(a) disposal of a large quantity of CFLs would be treated at the Chemical Waste Treatment Centre in Tsing Yi;</p> <p>(b) landfills had been equipped with impermeable liners and leachate collection and treatment system to prevent leakage of toxic materials, including mercury from used CFLs; and</p> <p>(c) in the long run, disposal of waste electrical and electronic products would be dealt with under the Product Eco-responsibility (PER) Bill</p>	
010847 - 011416	Ms Emily LAU Hong Kong Electrical Appliances Manufacturers Association (HKEAMA) Administration	<p>Member's support for green groups' views to set the transitional period as short as practicable, and that television set, electric storage water heater and washing machine should be included in the second phase of the mandatory Energy Efficiency Labelling Scheme (EELS)</p> <p>HKEAMA's response that the trades were not opposed to the second phase of the mandatory EELS but needed time to familiarize with the labelling system under the first phase</p> <p>Enquiry on the cost of energy efficiency testing</p> <p>Administration's advice -</p> <p>(a) testing costs varied with the types of products to be tested, the places where the tests were conducted and the procedures involved; and</p>	

Time Marker	Speaker	Subject(s)	Action Required
		(b) findings of the Administration's survey revealed that 90% of importers could obtain readily available test reports on energy efficiency of the relevant products from manufacturers	
011417 - 011943	Mr Fred LI Chairman HKEAMA	Member's concern on the products and time frame within which these products were to be included in the second phase of the mandatory EELS HKEAMA's view that to enhance the effect of the mandatory EELS, complementary legislation on the recycling and disposal of scheduled products should also be worked out	
011944 - 012604	Chairman Professor Ron HUI, City U Administration	Discussion on the impacts of toxic mercury from CFLs on human health, the disposal and re-cycling of hazardous waste from domestic households and the PER Bill	
012605 - 013307	Mr WONG Ting-kwong Administration Chairman	Enquiry about the enforcement actions to be taken to ensure compliance with the Bill The Administration advice - (a) local manufacturers or importers would be required to submit information of the prescribed products to the Electrical and Mechanical Services Department (EMSD) and affix energy labels on the prescribed products before supplying these products in Hong Kong; (b) local suppliers (including wholesalers and retailers) could not supply the prescribed products which did not bear the energy labels; (c) EMSD would, after assigning a reference number to a particular model of the prescribed products, promulgate at its website relevant	The Administration to provide an information paper setting out the enforcement actions which the Administration would take to ensure compliance with the Bill by manufacturers, importers and retailers and the penalties in the event of non-compliance

Time Marker	Speaker	Subject(s)	Action Required
		<p>information, including the energy efficiency performance of the model and the name of the importer; and</p> <p>(d) EMSD would conduct surveillance tests to ensure the energy performance of the product matched the claimed energy efficiency grading</p>	
013308 - 014037	<p>Mr SIN Chung-kai Administration HKEAMA Chairman</p>	<p>Member's enquiry on the feasibility of providing a list of recognized laboratories in a Schedule to the Bill</p> <p>HKEAMA's concern on the eligibility of laboratories for the issuance of test reports</p> <p>The Administration's advice -</p> <p>(a) laboratories accredited under the Hong Kong Laboratory Accreditation Scheme and operated by the Hong Kong Accreditation Service (HKAS) were acceptable. EMSD would consider updating the list regularly for the trades' reference;</p> <p>(b) recognition of test reports by laboratories accredited under an overseas accreditation scheme with which HKAS had entered into a mutual recognition agreement; and</p> <p>(c) EMSD would also accept manufacturers' own test reports issued by laboratories which had been certified by recognized independent certification bodies</p>	<p>The Administration to discuss with the trades regarding the eligibility of laboratories for the issuance of test reports and revert the outcome of discussion to the Bills Committee</p>
014038 - 014958	<p>Mr Vincent FANG Administration Professor Ron HUI, City U</p>	<p>Member's concern on the standardization of energy efficiency testing requirements</p> <p>Discussion on the pros and cons of using CFLs in terms of energy saving and environmental impacts associated</p>	<p>The Administration to discuss with the trades on the feasibility of standardizing the energy efficiency</p>

Time Marker	Speaker	Subject(s)	Action Required
		with the disposal of electronic CFLs containing toxic mercury which were not handled and disposed of properly	testing requirements for the three scheduled products and revert the outcome of the discussion to the Bills Committee
014959 - 015415	Chairman Mr LUI Ming-wah Professor Ron HUI, City U	Member's query whether both electronic CFLs and electro-magnetic CFLs as advocated by Professor Ron HUI contained toxic mercury Professor HUI's response in the affirmative but electro-magnetic CFLs had a much longer life span and thus less polluting than electronic CFLs. Besides, ballasts and lighting parts of electro-magnetic CFLs were detachable and recyclable	
015416 - 020012	Ms Emily LAU Professor Ron HUI, City U Osram Asia Pacific	Member's suggestion to invite green groups' comments on the environmental impacts of electronic CFLs Discussion on the supply, price, durability and recycling of electro-magnetic and electronic CFLs	The Secretariat to invite green groups to provide written responses to the comments of Professor Ron HUI regarding the environmental impacts associated with the disposal of electronic CFLs which contained high dosage of toxic mercury
020013 - 020939	Mr SIN Chung-kai Mr Fred LI Chairman Hong Kong & Kowloon Electrical Appliances Merchants Association Green Council Hong Kong & Kowloon Electric Trade Association HKEAMA	Mr SIN's concern about the benefit of using electronic CFLs having regard to its environmental impacts The Chairman's concern on the Administration's timetable for recycling/recovering of mercury in used CFLs Green Council's advice on the availability of a comprehensive system in Germany for	

Time Marker	Speaker	Subject(s)	Action Required
		recycling/recovering mercury in used CFLs Discussion on the feasibility of accepting overseas' energy efficiency test reports	
020940 - 021008	Chairman	Dates of next meetings	

Council Business Division 1
Legislative Council Secretariat
20 June 2007