

**立法會**  
**Legislative Council**

LC Paper No. CB(1) 2049/06-07  
(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 third meeting  
held on Thursday, 21 June 2007, at 4:30 pm  
in Conference Room A 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 Abraham SHEK Lai-him, JP  
Hon Vincent FANG Kang, JP  
Hon WONG Ting-kwong, BBS

**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

**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) 1911/06-07 -- Minutes of the meeting held on  
1 June 2007)

The minutes of the meeting held on 1 June 2007 were confirmed.

**II Meeting with the Administration**

(LC Paper No. CB(1) 1913/06-07(01) -- List of follow-up actions arising  
from the discussion on 1 June 2007  
LC Paper No. CB(1) 1913/06-07(02) -- Administration's response to LC  
Paper No. CB(1) 1913/06-07(01)  
LC Paper No. CB(1) 1913/06-07(03) -- A list of questions raised by  
Hon CHOY So-yuk  
LC Paper No. CB(1) 1913/06-07(04) -- Submission from The Hong Kong  
Institute of Education  
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) Provide an updated progress report on the incentives schemes to encourage replacement of more polluting vehicles, including the provision of tax concession to promote the use of environment friendly cars and a one-off grant to encourage early replacement of pre-Euro and Euro I diesel commercial vehicles with Euro IV vehicles;
- (b) Consider including in the proposed Product Eco-responsibility Bill a mandatory recovery mechanism for used compact fluorescent lamps to ensure proper treatment of the toxic mercury content before disposal;

- (c) Start stepping up public education and publicity on the use of energy-efficient products before passage of the Bill; and
  - (d) Consider turning the existing voluntary Building Energy Codes into mandatory requirements.
4. The next three meetings would be held as follows -
- (a) Tuesday, 10 July 2007, at 8:30 am;
  - (b) Thursday, 12 July 2007, at 4:30 pm; and
  - (c) Tuesday, 31 July 2007, at 10:45 am.

**III Any other business**

5. There being no other business, the meeting ended at 6:45 pm.

Council Business Division 1  
Legislative Council Secretariat  
9 July 2007

**Proceedings of the meeting of the  
Bills Committee on Energy Efficiency (Labelling of Products) Bill  
Meeting on Thursday, 21 June 2007, at 4:30 pm  
in Conference Room A of the Legislative Council Building**

| Time Marker     | Speaker  | Subject(s)   | Action Required  |
|-----------------|--|--|--|
| 000000 - 000257 | Chairman   | Confirmation of minutes of the meeting held on 1 June 2007 (LC Paper No. CB(1) 1911/06-07)   |  |
| 000258 - 001354 | Administration                                   | Briefing by the Administration on its response to members' views raised at the meeting on 15 May 2007 (LC Paper No. CB(1) 1750/06-07(22))  |  |
| 001355 - 001623 | Mr WONG Ting-kwong<br>Administration<br>Chairman | Member's agreement to a phased approach in implementing the mandatory Energy Efficiency Labelling Scheme (EELS), but the Administration should start consulting the trades on the products to be included in the second phase of mandatory EELS<br><br>Administration's confirmation that it would consult the trades in due course  |  |
| 001624 - 002027 | Mr SIN Chung-kai<br>Chairman<br>Administration   | Feasibility of including vehicles into the second phase of the mandatory EELS<br><br>Chairman's request for updated progress report on the various incentives schemes to encourage the use of less polluting and more energy-efficient cars<br><br>Administration's advice-<br><br>(a) petrol passenger car was one of the products under the voluntary EELS but its market penetration rate was less than 5%;<br><br>(b) there was rise in the sales of environment friendly cars upon the launching of the relevant incentive schemes;<br><br>(c) those products with higher energy consumption and market | The Administration to provide an updated progress report on the incentives schemes to encourage replacement of more polluting vehicles, including the provision of tax concession to promote the use of environment friendly cars and a one-off grant to encourage early replacement of pre-Euro and Euro I diesel commercial vehicles with Euro IV vehicles |

| Time Marker     | Speaker   | Subject(s)  | Action Required   |
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|                 |   | <p>penetration rates under the voluntary EELS were likely to be included in the second phase of the mandatory EELS</p>  |   |
| 002028 - 002136 | <p>Mr SIN Chung-kai<br/>Chairman<br/>Administration</p> | <p>Member's suggestion to upload the record of listed product models to be kept by the Director of Electrical and Mechanical Services (DEMS) under clause 13 of the Bill onto the website of the Electrical and Mechanical Services Department (EMSD) to facilitate public access through the Internet</p> <p>Administration's confirmation that EMSD planned to upload the relevant information onto its website while making hardcopies available at the department for public inspection</p>   |   |
| 002137 - 003621 | <p>Mr Vincent FANG<br/>Administration<br/>Chairman</p>  | <p>Mr FANG's view that legislation should only be introduced when voluntary schemes/measures could not achieve the target results. As such, the Bill might not be necessary given the effectiveness of the voluntary EELS. He also sought the Administration's response to a deputation's concern about the environmental impacts in connection with the disposal of electronic and electro-magnetic compact fluorescent lamps (CFLs)</p> <p>Administration's advice that appropriate measures had been put in place in the landfills to ensure proper disposal of small quantities of used CFLs. In the long run, disposal of electrical and electronic waste would be dealt with under the Product Eco-responsibility (PER) Bill</p> <p>Chairman's request for the Administration to consider including in the proposed PER Bill a mandatory recovery mechanism for used CFLs</p> | <p>The Administration to consider including in the proposed PER Bill a mandatory recovery mechanism for used CFLs to ensure proper treatment of the toxic mercury content before disposal</p> |
| 003622 - 005130 | <p>Ms Emily LAU<br/>Administration<br/>Chairman</p>     | <p>Member's view that voluntary schemes/measures could only be regarded as effective if the market</p>  | <p>The Administration to consider turning the existing</p>  |

| Time Marker     | Speaker                         | Subject(s)   | Action Required  |
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|                 |                                 | <p>penetration rates exceeded 90%</p> <p>Administration's response that the inclusion of products with a high market penetration under the voluntary EELS into the mandatory EELS could encourage the trade to develop and import high energy-efficient models which would in turn benefit consumers</p> <p>Discussion on the compliance rate of non-domestic buildings with the Building Energy Codes (BECs)</p> <p>Administration's advice -</p> <p>(a) about 2% of non-domestic buildings had joined the voluntary Hong Kong Energy Efficiency Registration Scheme for Buildings and complied with BECs; and</p> <p>(b) would consider the proposal of turning the existing voluntary Scheme for non-domestic buildings into a mandatory one in consultation with the building-related industries</p> | <p>voluntary Building Energy Codes into mandatory requirements</p> |
| 005131 - 005445 | Chairman Administration         | <p>Discussion on how the additional saving of 150 GWh of electricity under the initial phase of the mandatory EELS was arrived at</p> <p>Administration's advice that the amount of electricity to be saved was substantial and accounted for about 1.5% of the overall electricity consumption of the residential sector</p>  |  |
| 005446 - 010629 | Miss Choy So-yuk Administration | <p>Member's view that information on amount and cost of electricity to be saved should be included in the energy labels</p> <p>Administration's explanation that apart from energy efficiency grading, the energy labels for air conditioners/refrigerators also provided information on the annual</p>  |  |

| Time Marker     | Speaker   | Subject(s)  | Action Required  |
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|                 |   | energy consumption in kilowatt hour while that for CFLs contained information on level of luminosity in lumen per watt to facilitate comparison by consumers  |  |
| 010630 - 011244 | Mr Vincent FANG<br>Ms Emily LAU<br>Administration | <p>Mr FANG's view that the Administration should step up public education on the benefit of using energy efficient products before passage of the Bill</p> <p>Administration's explanation -</p> <p>(a) in collaboration with the industries, EMSD had all along been promoting the use of energy efficient products, in particular the use of CFLs, under the voluntary EELS; and</p> <p>(b) publicity effort would be stepped up to tie in with the passage of the Bill</p> | The Administration to start stepping up public education and publicity on the use of energy-efficient products such as CFLs before passage of the Bill |
| 011245 - 011726 | Chairman<br>Administration                        | <p>Member's enquiry on whether the relatively low penetration rate of CFLs was due to their incompatibility with conventional light sockets</p> <p>Administration's explanation that CFLs now came with different designs to suit nearly all types of sockets</p>   |  |
| 011727 - 013307 | Miss CHOY So-yuk<br>Chairman<br>Administration    | <p>Member's views -</p> <p>(a) the Administration's publicity effort should promote the benefits of the general use of energy efficient products, rather than the three scheduled products;</p> <p>(b) more emphasis should be put on the durability and saving which CFLs could achieve;</p> <p>(c) consideration should be given to prohibiting the use of tungsten lamps; and</p> <p>(d) there was a lack of incentives for</p>  |  |

| Time Marker     | Speaker                            | Subject(s)   | Action Required |
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|                 |                                    | <p>management companies of commercial buildings to use energy-efficient products since electricity bills were to be shared by tenants</p> <p>Administration's response -</p> <p>(a) import of tungsten lamps was declining in recent years as a result of the drop in prices of CFLs;</p> <p>(b) it had no intention to ban the use of tungsten lamps but would monitor the progress made in countries like Australia which had decided to ban the use of tungsten lamps by 2012 and European Union (EU), Canada and California had followed suit; and</p> <p>(c) consideration would be given to turn the Hong Kong Energy Efficiency Registration Scheme for Buildings into a mandatory scheme</p> |                 |
| 013308 - 013946 | Chairman<br>Administration         | Discussion on the Administration's response to members' enquiries raised at the meeting on 1 June 2007 (LC Paper No CB(1) 1913/06-07(02))  |                 |
| 013947 - 014753 | Miss CHOY So-yuk<br>Administration | <p>Enquiry on how the Administration could ensure the energy performance of a product model complied with the energy efficiency grading and the penalties for non-compliance</p> <p>Administration's explanation -</p> <p>(a) unlike some countries which adopted a post-market surveillance or post-market filing practice, Hong Kong adopted a more stringent mechanism to require manufacturers or importers to conduct tests in approved institutions before supplying the scheduled products in the local</p>   |                 |



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|                 |   | <p>market. They were required to affix energy labels of prescribed formats on the products; and</p> <p>(b) a person who furnished false information or documents in respect of a product would be liable to a fine at level 6 and to imprisonment for 6 months upon conviction</p>  |                 |
| 014754 - 015459 | Dr LUI Ming-wah<br>Administration   | Discussion on the testing standards adopted by Hong Kong and the enforcement action which the Administration would take to ensure compliance  |                 |
| 015500 - 020323 | Mr Vincent FANG<br>Administration<br>Miss CHOY So-yuk   | <p>Administration's advice -</p> <p>(a) parallel importation of scheduled products should also comply with the requirements under the mandatory EELS;</p> <p>(b) random samples of scheduled products would be collected by the Administration and approved third-party laboratories would be engaged to conduct the tests. Non-compliance would be subject to penalties specified under the Bill;</p> <p>(c) photocopies of overseas test reports were acceptable as long as the information contained was true; and</p> |                 |
| 020324 - 021034 | Chairman<br>Ms Emily LAU<br>Mr SIN Chung-kai<br>Administration<br>Mr Vincent FANG<br>Miss CHOY So-yuk | Dates of next meetings  |                 |