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 本署檔案
 OUR REF : CR 9 / 150 / 20
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14 April 2008

Ms Kitty Cheng
 Assistant Legal Adviser
 Legislative Council Secretariat
 Legislative Council Building
 8 Jackson Road, Central
 Hong Kong
 [Fax: 2877 5029]

Dear Ms. Cheng,

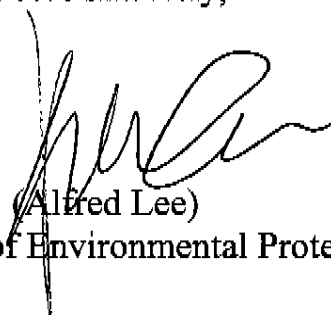
Product Eco-responsibility Bill

Thank you for your letter of 11 April. Our response to your questions is set out below –

- (a) The use of the word “provide” is not restricted to the context of providing a thing or service *gratis* according to its usual dictionary meaning. The Administration therefore considers that a reference to the provision of a plastic shopping bag in the Bill will include a reference to providing it free of charge or at a cost. But for the avoidance of unnecessary arguments on the requirements in the Bill, the Administration may consider proposing a committee stage amendment to make this intention clearer.
- (b) If a prescribed retailer *sells*, i.e. provides at a cost, plastic shopping bags that do not fall within the exemptions in Schedule 2, he will be required to become a registered retailer and observe all the obligations imposed on him under the Bill.
- (c) If a prescribed retailer provides to his customers some non-exempted plastic shopping bags free of charge and some at a cost, he will be required to become a registered retailer and observe all the obligations imposed on him under the Bill.

2. Please feel free to contact the undersigned if we could be of further assistance.

Yours sincerely,



(Alfred Lee)

for Director of Environmental Protection

c.c.

Miss Shandy LIU	SGC/D of J	(Fax: 2869 1302)
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