

立法會
Legislative Council

LC Paper No. CB(1) 1432/07-08
(These minutes have been seen
by the Administration)

Ref : CB1/BC/7/07/2

Bills Committee on Air Pollution Control (Amendment) Bill 2008

**Minutes of the second meeting
held on Tuesday, 22 April 2008, at 8:30 am
in the Chamber of the Legislative Council Building**

Members present : Hon Audrey EU Yuet-mee, SC, JP (Chairman)
Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
Hon Howard YOUNG, SBS, JP
Hon Emily LAU Wai-hing, JP
Hon CHOY So-yuk, JP
Hon Alan LEONG Kah-kit, SC
Hon WONG Ting-kwong, BBS
Hon Mrs Anson CHAN, GBM, JP

Members absent : Hon Martin LEE Chu-ming, SC, JP
Hon SIN Chung-kai, SBS, JP
Hon Abraham SHEK Lai-him, SBS, JP
Hon LEE Wing-tat

**Public officers
attending** : **For item II**

Environmental Protection Department

Mr Carlson CHAN
Deputy Director of Environmental Protection (3)

Mr Benny WONG
Assistant Director of Environmental Protection (Air
Policy)

Mr PANG Sik-wing
Principal Environmental Protection Officer (Air Policy)

Department of Justice

Ms Amy CHAN
Senior Government Counsel

**Attendance by
invitation** : **For Item II**

Association of Engineering Professionals in Society Ltd

Ir YIM Kin-ping
Senior Vice Chairman

Greenpeace

Ms Frances YEUNG
Climate and Energy Campaigner

Civic Party

Mr Albert LAI
Vice Chairman

The Hongkong Electric Co. Ltd

Dr C W TSO
General Manager (Projects)

The Hong Kong Institution of Engineers

Ir Peter WONG
Vice President

Clear The Air

Mr Philip HEUNG
Vice Chairperson

Greeners Action

Mr Angus HO
Executive Director

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

Staff in attendance : Miss Winnie LO
Assistant Legal Adviser 7 (Designate)

Mrs Mary TANG
Senior Council Secretary (1)2

Miss Mandy POON
Legislative Assistant (1)4

I Confirmation of minutes

(LC Paper No. CB(1) 1312/07-08 -- Minutes of the meeting held on
10 April 2008)

The minutes of the meeting held on 10 April 2008 were confirmed.

II Meeting with deputations and the Administration

Meeting with the Association of Engineering Professional in Society Ltd
(LC Paper No. CB(1) 1314/07-08(01))

Meeting with Greenpeace
(LC Paper No. CB(1) 1208/07-08(02) and 1314/07-08(02))

Meeting with Civic Party
(LC Paper No. CB(1) 1314/07-08(03))

Meeting with The Hongkong Electric Co Ltd
(LC Paper No. CB(1) 1341/07-08(01))

Meeting with Hong Kong Institution of Engineers
(LC Paper No. CB(1) 1314/07-08(04))

Meeting with Clear The Air
(LC Paper No. CB(1) 1314/07-08(05))

Meeting with Greeners Action
(LC Paper No. CB(1) 1341/07-08(02))

2. The Chairman also drew members' attention to the following submissions from deputations not attending the meeting -

LC Paper No. CB(1) 1314/07-08(06)	— Submission from Green Sense
LC Paper No. CB(1) 1314/07-08(07)	— Submission from Advisory Council on the Environment
LC Paper No. CB(1) 1314/07-08(08)	— Joint submission from CLP Power Hong Kong Ltd, Castle Peak Power Co Ltd and ExxonMobil Energy Ltd

Meeting with the Administration

- (LC Paper No. CB(1) 1314/07-08(09) — List of follow-up actions arising from the discussion on 10 April 2008
- LC Paper No. CB(1) 1314/07-08(10) — Administration's response to items 2, 4, 5, 8 and 9 of LC Paper No CB(1) 1314/07-08(09))

3. The Committee deliberated (Index of proceedings attached at **Annex A**).
4. The Administration was requested to –
 - (a) advise the basis upon which the required reduction of 25% in energy intensity by 2030 (with 2005 as the base year) under the Asia-Pacific Economic Co-operation Leaders' Declaration on Climate Change, Energy Security and Clean Development was arrived at. To also advise the 2005 base figure for Hong Kong and whether the Administration would set milestones for assessing the effectiveness of the measures to be taken to achieve the required reduction at a regular interval;
 - (b) provide an information paper on Building Energy Codes (BEC) and how the proposed mandatory implementation of BEC could help reduce power consumption, thereby improving air quality and alleviating global warming. To also advise whether BEC would apply to designs of buildings and if so, consideration should be given to encouraging designs which allowed for better ventilation such that air-conditioning was required only when necessary; and
 - (c) confirm whether emission allowances for power plants would be provided free of charge and if so, the rationale for such an arrangement.
5. Members agreed to continue discussion at the next meeting scheduled for Tuesday, 6 May 2008, at 8:30 am.

III Any other business

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

**Proceedings of the
Bills Committee on Air Pollution Control (Amendment) Bill 2008
Meeting on Tuesday, 22 April 2008, at 8:30 am
in the Chamber of the Legislative Council Building**

Time Marker	Speaker	Subject(s)	Action Required
000000 - 000251	Chairman	Confirmation of minutes of the meeting held on 10 April 2008 (LC Paper No. CB(1) 1312/07-08)	
000252 - 000402	Chairman	Welcoming remarks	
000403 - 000715	Ir YIM Kin-ping/ Association of Engineering Professionals in Society Ltd(AEPS)	Expression of views (LC Paper No. CB(1) 1314/07-08(01))	
000716 - 001029	Ms Francis YEUNG/Greenpeace	Expression of views (LC Paper No. CB(1) 1314/07-08(02))	
001030 - 001411	Mr Albert LAI/Civic Party (CP)	Expression of views (LC Paper No. CB(1) 1314/07-08(03))	
001412 - 001731	Dr C W TSO/ The Hongkong Electric Co. Ltd (HKE)	Expression of views (LC Paper No. CB(1) 1341/07-08(01))	
001732 - 001917	Ir Peter WONG/The Hong Kong Institution of Engineers (HKIE)	Expression of views (LC Paper No. CB(1) 1314/07-08(04))	
001918 - 002224	Mr Philip HEUNG/Clear The Air	Expression of views (LC Paper No. CB(1) 1314/07-08(05))	
002225 - 002602	Mr Angus HO/Greeners Action	Expression of views (LC Paper No. CB(1) 1341/07-08(02))	
002603 - 004118	Administration Chairman	Administration's response to deputations' views - (a) the purpose of the Bill was to introduce a clear and transparent framework to regulate the emissions of sulphur dioxide, nitrogen oxides and respirable suspended particulates from the power sector in order to meet the 2010 emissions reduction targets; (b) emissions trading would provide a cost-effective alternative to achieve	

Time Marker	Speaker	Subject(s)	Action Required
		<p>emission caps;</p> <p>(c) eligible power plants in the Pearl River Delta (PRD) Region could participate in emissions trading on a project basis, but they would need to propose emission reduction plans to further reduce their total emissions below the caps imposed on them for consideration by joint management panel set up by the environmental protection authorities in Hong Kong and Guangdong;</p> <p>(d) it was not considered appropriate that the emission allowances for power plants should be auctioned for sale, bearing in mind the fact that there were only two power companies in Hong Kong and the potential implications for electricity tariff ;</p> <p>(e) it was not considered opportune to introduce emission caps on carbon dioxide (CO₂) at this stage as there were no effective means to reduce CO₂ emissions significantly apart from changing the fuel mix used for power generation;</p> <p>(f) liquefied natural gas (LNG) would need to be used on a large scale to replace coal in order to meet emission caps on CO₂;</p> <p>(g) there were cost implications, including impact on electricity charges, in the switch to LNG for power generation; and</p> <p>(h) the best way to reduce CO₂ emission was by way of energy conservation measures</p>	
004119 - 004316	Mrs Anson CHAN Administration	<p>Mrs Anson CHAN's enquiry on the progress of installation of flue-gas desulphurization (FGD) facilities</p> <p>Administration's explanation that the two local power companies was installing</p>	

Time Marker	Speaker	Subject(s)	Action Required
		FGD facilities in their coal-fired units and were confident that they could meet the 2010 emission reduction targets	
004317 - 004645	Chairman Mr Albert LAI/ CP	Mr Albert LAI /CP's concerns - (a) free allocation of emission allowances to the two local power companies; (b) consideration should be given to allowing part of the emission allowances to be auctioned for sale; and (c) extensive consultation with stakeholders, including experts, on the level of emission allowances to be allocated should be conducted	
004646 - 004825	Dr C W TSO/ HKE	Dr C W TSO/HKE's explanation on the progress of implementation of FGD facilities by HKE	
004826 - 005136	Ms Francis YEUNG/Greenpeace	Ms Francis YEUNG/Greenpeace's support for the use of alternative fuels, such as renewable energy, for power generation and the application of energy saving measures to reduce emissions	
005137 - 005419	Administration Chairman	Administration's response to deputations' views - (a) auction for emission allowances was not considered appropriate as there were only two power companies in Hong Kong. Besides, there were also cost and tariff implications; and (b) emission allowances would be allocated to power plants on a pro-rata basis in accordance with their respective share of the total amount of electricity generated	The Administration to confirm whether emission allowances for power plants would be provided free of charge and if so, the rationale for such an arrangement.
005420 - 005548	Mrs Anson CHAN Dr C W TSO/HKE's	Discussion on the progress of installation of FGD facilities by HKE	
005549 - 005857	Ms Emily LAU	Ms Emily LAU's request for deputations' views on the Advisory Council on the Environment (ACE)'s reluctance to	

Time Marker	Speaker	Subject(s)	Action Required
		impose CO ₂ emission caps on power plants	
005858 - 010020	Mr Albert LAI /CP	Mr Albert LAI /CP's concerns about the lack of public consultation on the part of ACE and the need for the provision of a public forum to invite public views	
010021 - 010120	Ms Francis YEUNG/Greenpeace	Ms Francis YEUNG/Greenpeace's query on the representativeness of ACE	
010121 - 010627	Chairman Ms Francis YEUNG/Greenpeace	Chairman's enquiry on Greenpeace's stance on the Bill Ms Francis YEUNG/Greenpeace's clarification that while Greenpeace was not opposing to the Bill, it considered that the Administration should take this opportunity to include CO ₂ emission caps in the Bill	
010628 - 011051	Ms Emily LAU Ir YIM Kin-ping/AEPS	Ms Emily LAU sought deputations' views on - (a) whether deputations were prepared to support the Bill as presently proposed; and (b) whether emission allowances should be auctioned for sale Ir YIM Kin-ping/AEPS's views - (a) AEPS supported the Bill which would provide the needed improvements to air quality; and (b) while the use of fossil fuels for power generation would give rise to greenhouse gas emissions, their contribution to global warming might not be as serious as reported	
011052 - 011139	Ir Peter WONG/ HKIE	Ir Peter WONG/ HKIE's support for the Bill which would provide the framework for regulating emissions from power generation	
011140 - 011250	Ms Francis YEUNG/Greenpeace	Ms Francis YEUNG/Greenpeace's clarification that it was not the intention of Greenpeace that the passage of the	

Time Marker	Speaker	Subject(s)	Action Required
		Bill should be contingent upon the imposition of emission caps on CO ₂	
011251 - 011328	Mr Philip HEUNG/Clear The Air	Mr Philip HEUNG/Clear The Air's concern that Hong Kong had the highest concentration of per capita emission of CO ₂	
011329 - 011513	Mrs Anson CHAN Chairman	Mrs Anson CHAN's support for inclusion of CO ₂ in item(a) of the long title of the Bill	
011514 - 011938	Chairman Administration	<p>Discussion on the list of follow-up actions arising from the discussion at the meeting on 10 April 2008 (LC Paper No. CB(1) 1314/07-08(10))</p> <p>Administration's explanation on the ways to achieve the required reduction of 25% in energy intensity by 2030 (with 2005 as the base year) under the Asia-Pacific Economic Co-operation Leaders' Declaration on Climate Change, Energy Security and Clean Development (the APEC Declaration) as set out in the paper</p>	
011939 - 012503	Ms Emily LAU Administration Chairman	<p>Ms Emily LAU's emphasis on the need for setting milestones for the targets of reducing energy intensity under the APEC Declaration</p> <p>Administration's explanation -</p> <p>(a) any assessment of Hong Kong's energy intensity in the coming years would hinge on the assumptions adopted in the projection which in turn would have impact on accuracy; and</p> <p>(b) the 2005 base figure for Hong Kong could be provided for members' reference</p>	<p>The Administration to advise the basis upon which the required reduction of 25% in energy intensity by 2030 (with 2005 as the base year) under the APEC Declaration was arrived at. To also advise the 2005 base figure for Hong Kong and whether the Administration would set milestones for assessing the effectiveness of the measures to be taken to achieve the required reduction at a regular interval.</p>

Time Marker	Speaker	Subject(s)	Action Required
012504 - 012848	Mrs Anson CHAN Administration	<p>Mrs Anson CHAN's enquiry on the emission reduction measures undertaken by the private sector in reducing energy consumption</p> <p>Administration's explanation -</p> <p>(a) the mandatory Building Energy Codes (BEC) would apply to new private developments; and</p> <p>(b) developers were encouraged to conduct carbon audits for their developments</p>	
012849 - 013637	Ms Emily LAU Chairman Administration	<p>Ms Emily LAU's enquiry on the work progress of the Inter-departmental Working Group on Climate Change (the Working Group)</p> <p>Administration's explanation -</p> <p>(a) the Working Group would be chaired by the Deputy Director of Environmental Protection; and</p> <p>(b) a consultant had been appointed through open tender to conduct the study on climate change</p>	
013638 - 013806	Chairman Administration	<p>Administration's explanation on measures undertaken by the Administration in promoting energy conservation as set out in the paper</p>	
013807 - 014106	Mrs Anson CHAN Administration	<p>Mrs Anson CHAN's enquiry on measures to conserve energy, in particular on the control of indoor air temperature</p> <p>Administration's explanation -</p> <p>(a) guidelines had been provided to management companies on ways to conserve energy; and</p> <p>(b) there would be difficulties in enforcing any mandatory control on indoor air temperature because of temperature differed in different parts of buildings</p>	

Time Marker	Speaker	Subject(s)	Action Required
014107 - 014451	Ms Emily LAU Administration Chairman	Ms Emily LAU's enquiry on whether BEC would apply to designs of buildings and if so, whether consideration should be given to encouraging designs which allowed for better ventilation such that air-conditioning was required only when necessary	The Administration to provide an information paper on BEC and how the proposed mandatory implementation of BEC could help reduce power consumption, thereby improving air quality and alleviating global warming. To also advise whether BEC would apply to designs of buildings and if so, consideration should be given to encouraging designs which allowed for better ventilation such that air-conditioning was required only when necessary.
014452 - 014718	Miss CHOY So-yuk Chairman	Miss CHOY So-yuk's emphasis on the need for the Administration to keep abreast of new emerging technologies on energy conservation	
014719 - 014837	Ir Dr Raymond HO Administration Chairman	Discussion on BECs	
014838 - 015110	Chairman Administration	Administration's explanation on measures to ensure the consistency of emission standards in Hong Kong and the PRD Region as set out in the paper	
015111 - 015950	Miss CHOY So-yuk Administration	Discussion on emissions trading between power plants in Hong Kong and the PRD Region	
015951 - 020134	Ms Emily LAU Administration	Discussion on the emission requirements for power plants in Hong Kong and PRD Economic Zone as set out in Annex 1 to the paper	

Time Marker	Speaker	Subject(s)	Action Required
020135 - 020214	Chairman	Date of next meeting	

Council Business Division 1
Legislative Council Secretariat
2 May 2008