

立法會
Legislative Council

LC Paper No. CB(1) 2144/07-08
(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 seventh meeting
held on Monday, 2 June 2008, at 1:00 pm
in Conference Room A of the Legislative Council Building**

- Members present** : Hon Audrey EU Yuet-mee, SC, JP (Chairman)
Hon Martin LEE Chu-ming, SC, JP
Hon SIN Chung-kai, SBS, JP
Hon Howard YOUNG, SBS, JP
Hon Emily LAU Wai-hing, JP
Hon CHOY So-yuk, JP
Hon LEE Wing-tat
Hon Alan LEONG Kah-kit, SC
Hon WONG Ting-kwong, BBS
Hon Mrs Anson CHAN, GBM, JP
- Members absent** : Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
Hon Abraham SHEK Lai-him, SBS, JP
- Public officers attending** : **For item II**
Environment Bureau
Mr Edward YAU
Secretary for the Environment
Environmental Protection Department
Mr Carlson K S 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)

Mr Gordon LEUNG
Environmental Protection Officer (Cross-Boundary &
International)31

Department of Justice

Ms Amy CHAN
Senior Government Counsel

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

Staff in attendance : Miss Winnie LO
Assistant Legal Adviser 7

Mrs Mary TANG
Senior Council Secretary (1)2

I Confirmation of minutes

(LC Paper No. CB(1) 1715/07-08 -- Minutes of the meeting held on
15 May 2008)

The minutes of the meeting held on 15 May 2008 were confirmed.

II Meeting with the Administration

(LC Paper No. CB(1) 1726/07-08(01) -- List of follow-up actions arising
from the discussion on
26 May 2008)

Clause-by-clause examination

(LC Paper No. CB(3) 373/07-08 -- The Bill
Ref: EP CR 9/150/21 -- The Legislative Council Brief
LC Paper No. CB(1) 1208/07-08(03) -- Marked-up copy of the Bill
LC Paper No. CB(1) 1521/07-08(03) -- Summary of deputations' views
on individual subjects/clauses of
the Bill
LC Paper No. CB(1) 1554/07-08(01) -- Submission from
Mr David RENTON of Baker
Botts L.L.P.

LC Paper No. CB(1) 1671/07-08(01) -- Administration's response to the submission from Mr David RENTON of Baker Botts L.L.P.)

2. The Committee deliberated (Index of proceedings attached at **Annex A**).
3. The Administration was requested to provide the first batch of Committee Stage amendments for members' consideration.
4. Members agreed to continue discussion at the next meeting scheduled for Tuesday, 3 June 2008, at 8:30 am.

III Any other business

5. There being no other business, the meeting ended at 2:30 pm.

Council Business Division 1
Legislative Council Secretariat
10 July 2008

**Proceedings of the
Bills Committee on Air Pollution Control (Amendment) Bill 2008
Meeting on Monday, 2 June 2008, at 1:00 pm
in Conference Room A of the Legislative Council Building**

Time Marker	Speaker	Subject(s)	Action Required
000000 - 000351	Chairman	Confirmation of minutes of the meeting held on 15 May 2008 (LC Paper CB(1) 1715/07-08)	
000352 - 001558	Chairman Administration	<p>Members' request for the provision of the first batch of Committee Stage amendments (CSAs)</p> <p>The Secretary for the Environment (SEN)'s explanation on the reasons for not including carbon dioxide (CO₂) as one of the specified pollutants in the Bill –</p> <p>(a) there was yet no mature and commercially viable technology that could reduce, capture and store CO₂ emitted from burning of fossil fuels during power generation;</p> <p>(b) reduction of CO₂ emission through the use of alternative fuels, such as liquefied natural gas and renewable energy, for power generation would have cost implications and result in increased electricity charges; and</p> <p>(c) measures to enhance energy conservation and efficiency would be adopted to reduce greenhouse gas emissions</p>	The Administration to provide the first batch of CSAs for members' consideration
001559 - 002308	Miss CHOY So-yuk Administration Chairman	Discussion on the setting of CO ₂ emission caps and the opening of the electricity market	
002309 - 002837	Mr LEE Wing-tat Administration	Discussion on measures to reduce CO ₂ emission and the timeframe for making such improvements	
002838 - 003426	Chairman Administration	Chairman's view that even if CO ₂ was included in the Bill, SEN was empowered to set the level of the cap and power companies would still have a lead time of four years to meet the cap under proposed section 26G(4)	

Time Marker	Speaker	Subject(s)	Action Required
		SEN's reiteration on the practical difficulties in capturing, reducing and storing CO ₂	
003427 - 004028	Ms Emily LAU Administration	Discussion on the implementation of energy efficiency measures	
004029 - 004541	Miss CHOY So-yuk Chairman Administration	Discussion on Building Efficiency Codes	
004542 - 005352	Mrs Anson CHAN Administration Chairman	Discussion on measures to achieve the 2010 emission reduction targets	
005353 - 010008	Mr LEE Wing-tat Administration	Discussion on the need to apprise the public of the price to be paid for the sake of protecting the environment, including the investment in more environment-friendly means for power generation	
010009 -010357	Ms Emily LAU Chairman Clerk Mr Howard YOUNG	Discussion on the recommendation of "Review of the distribution of work of Legislative Council Panels" to put energy supply and safety under the remit of the Panel on Economic Development as before despite that the policy portfolio of energy had been put under the purview of the Environment Bureau	
010358 - 011141	Chairman Administration	Chairman's request that the Air Pollution Control (Amendment) Bill should include regulation on CO ₂ emission similar to that of other specified pollutants SEN's reiteration on the practical difficulties in capturing, reducing and storing CO ₂	
011142 - 011535	Mrs Anson CHAN Administration Chairman	Discussion on the need for inclusion of emission caps for CO ₂ in the Bill	
011536 - 012058	Mr Martin LEE Administration Chairman	Mr Martin LEE's views that the setting of CO ₂ emission cap under the Bill would serve to show Government's commitment to reducing greenhouse gas (GHG) emissions and mobilizing power companies to take proactive measures to address the problem SEN's explanation that the study on climate change would be completed by 2009 and	

Time Marker	Speaker	Subject(s)	Action Required
		hoped that measures to control GHG emissions would be worked out	
012059 - 012307	Mrs Anson CHAN Administration Chairman	Mrs Anson CHAN's enquiry on whether the Administration would introduce another Bill at a later stage to control CO ₂ emissions SEN's explanation that the Administration was committed to improving air quality as evidenced by the introduction of a number of environmental legislation to address the problem of air pollution in the past years	
012308 - 012450	Ms Emily LAU Administration Chairman	Ms Emily LAU's enquiry on whether the non-inclusion of CO ₂ in the Bill was a result of opposition from the business sector SEN's clarification that this was not the case	
012451 - 012952	Chairman Ms Emily LAU Administration	Chairman's view that there might be a need for further debate on the regulation of CO ₂ emissions at another forum	