

**Bills Committee on  
Buildings Energy Efficiency Bill**

**List of follow-up actions arising from the discussion  
at the meeting on 15 June 2010**

- (1) To review the propriety of the levels of penalty for non-compliance with clauses 18(6) and 22(9) by registered energy assessors (REAs) with reference to those applicable to owners.
- (2) To review clause 29 with reference to similar provisions under the Product Eco-responsibility Ordinance (Cap. 603), particularly on the need for search warrant to enter any part of a prescribed building that is not a residential unit.
- (3) To consider including in the Bill provisions for cancellation of registration of REAs and updating such cancellation in the Register of Registered Energy Assessors.
- (4) To consider including in clause 34(1) a member from the legal profession in the appeal board panel to provide advice on proceedings and drafting of decisions.
- (5) To include in the speech to be delivered by the Secretary for the Environment at the resumption of Second Reading debate on the Bill that any member of the appeal board panel will not be reappointed after serving six years.
- (6) To review the composition and proceedings of appeal board under clause 36 to ensure continuity of membership for an appeal as resignation or termination of membership in the course of an appeal might give rise to legal challenges on the validity of the determination of appeal.
- (7) To provide a flowchart with the logistics of appeals under the Bill. To also consider setting a time table for hearing of appeals.
- (8) To consider making provisions similar to clause 33(3) of the Bill for the Director to inform an appellant the documents which the Director will rely on and any witness that the Director intends to call at the hearing of an appeal.
- (9) To consider amending clause 37(3) by adding “the appeal board” before “on any matter relating to the appeal. To also consider replacing “bound to incriminate” in clause 37(7) with “tend to incriminate” which is a different standard and is commonly used in other legislation with respect to the rule of self-incrimination.
- (10) To provide any draft Committee Stage amendments for consideration by the Bills Committee once these are ready.