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Panel on Environmental Affairs

Meeting on 25 January 2010

**Background brief on producer responsibility scheme for
waste electrical and electronic equipment
prepared by the Legislative Council Secretariat**

Purpose

This paper sets out the development of the producer responsibility schemes (PRS), and gives a brief account of the views and concerns expressed by the Bills Committee on Product Eco-responsibility Bill (the Bills Committee).

Introduction

2. In December 2005, the Administration published “A Policy Framework for the Management of Municipal Solid Waste (2005-2014)” (Policy Framework) setting out its strategy to tackle the imminent waste problem. Enshrining the principle of “polluter pays” and the element of “eco-responsibility”, PRS is a key policy tool in the Policy Framework for waste reduction, recovery and recycling. Under PRS, manufacturers, importers, wholesalers, retailers and consumers are required to share the responsibility for the collection, recycling, treatment and disposal of end-of-life products with a view to avoiding and reducing the environmental impacts caused by such wastes.

3. In 2002, the Administration launched a voluntary PRS for mobile phone rechargeable batteries, which was later extended to cover other types of rechargeable batteries. While the voluntary PRS has certain impacts on waste reduction and recycling, it is considered that mandatory PRS should be introduced to achieve more substantial results. As such, the Administration proposes in the Policy Framework the introduction of PRS for the following six types of products –

- (a) Vehicle tyres;
- (b) Plastic shopping bags;
- (c) Electrical and electronic equipment;
- (d) Packaging materials;
- (e) Beverage containers; and
- (f) Rechargeable batteries.

These products are accorded priority because they could be a stable source of materials for developing local recycling industry and their diversion from landfills could help save landfill space.

Legislative framework

4. The Product Eco-responsibility Ordinance (Cap. 603) (the Ordinance) was enacted in July 2008. It is an enabling legislation to provide for the shared core elements of all PRS and the fundamental regulatory requirements in respect of individual types of products, with operational details to be set out in subsidiary legislation when the opportunity is ripe. The environmental levy on plastic shopping bags (PSB) is the first PRS under the Ordinance to discourage the indiscriminate use of PSB. The levy scheme has come into operation in July 2009 following the passage of the Eco-responsibility (Plastic Shopping Bags) Regulation.

Deliberations of the Bills Committee on Product Eco-responsibility Bill

5. In the course of deliberation of the Bill, the Bills Committee had studied the timeframe within which the remaining five products, namely vehicle tyres, electrical and electronic equipment, packaging materials, beverage containers and rechargeable batteries, would be implemented. According to the Administration, it would develop statutory PRS for other products in consultation with the relevant trades. It would also consult the Legislature as well as the public before introducing new statutory PRS. It would however be impracticable to commit an implementation timeframe for PRS for individual products, as changes in waste management and disposal practices might necessitate corresponding changes in the priority for introducing individual PRS, or even the introduction of PRS for other products not currently envisaged. Notwithstanding, the Bill had clearly underlined the Administration's commitment to introducing PRS beyond the one on PSB. The relevant work would be carried out in parallel with other waste management initiatives, including the introduction of voluntary PRS with the relevant trades.

Latest development

6. The Administration proposes to brief the Panel on the PRS for waste electrical and electronic equipment on 25 January 2010.

Relevant papers

Report of the Bills Committee on Product Eco-responsibility Bill to the Council meeting on 9 July 2008

<http://www.legco.gov.hk/yr07-08/english/bc/bc04/reports/bc040709cb1-2075-e.pdf>