

立法會
Legislative Council

LC Paper No. CB(1)118/13-14
(These minutes have been seen
by the Administration)

Ref: CB1/BC/4/12

Bills Committee on Air Pollution Control (Amendment) Bill 2013

**Minutes of the fourth meeting held on
Monday, 10 June 2013, at 8:30 am
in Conference Room 2 of the Legislative Council Complex**

- Members present** : Hon Charles Peter MOK (Chairman)
Hon Cyd HO Sau-lan
Hon CHAN Hak-kan, JP
Dr Hon Kenneth CHAN Ka-lok
Hon KWOK Wai-keung
Hon Dennis KWOK
Dr Hon Elizabeth QUAT, JP
Hon TANG Ka-piu
Ir Dr Hon LO Wai-kwok, BBS, MH, JP
Hon Christopher CHUNG Shu-kun, BBS, MH, JP
Hon Tony TSE Wai-chuen
- Members absent** : Hon Abraham SHEK Lai-him, SBS, JP
Hon WONG Yuk-man
Hon Michael TIEN Puk-sun, BBS, JP
Hon Frankie YICK Chi-ming
Hon WU Chi-wai, MH
Dr Hon Helena WONG Pik-wan

Public Officers attending : Agenda item I

Ms Christine LOH Kung-wai, JP
Under Secretary for Environment

Mr Andrew LAI Chi-wah, JP
Deputy Director of Environmental Protection (3)
Environmental Protection Department

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

Ms Selina LAU Suet-ching
Senior Government Counsel
Department of Justice

Clerk in attendance : Ms Sophie LAU
Chief Council Secretary (1)2

Staff in attendance : Miss Evelyn LEE
Assistant Legal Adviser 10

Ms Macy NG
Senior Council Secretary (1)2

Ms Emily LIU
Legislative Assistant (1)2

Action

I Meeting with the Administration

Follow-up to issues arising from the meeting on 5 June 2013

(LC Paper No. CB(1)1254/12-13(01) - List of follow-up actions arising from the meeting on 5 June 2013

LC Paper No. CB(1)1254/12-13(02) - Administration's response to issues raised at the meeting on 5 June 2013)

Action

The Bills Committee deliberated (index of proceedings attached at **Annex**).

2. The Administration briefed members on the paper which set out the Administration's response to the issues raised by members at the meeting on 5 June 2013.

Clause-by-clause examination of the Bill

(LC Paper No. CB(3)364/12-13 - The Bill
LC Paper No. CB(1)851/12-13(02) - Marked-up copy of the Bill prepared by the Legal Service Division)

3. The Bills Committee completed clause-by-clause examination of the Bill.

Follow-up actions required of the Administration

Admin 4. In respect of section 7A(4) of the Air Pollution Control (Amendment) Bill 2013, which stated that the Secretary for the Environment must submit to the Advisory Council on the Environment ("ACE") a report of the review, the Administration was requested to provide an explanation of the procedures for conducting the review, including the role of ACE, and that of the Department of Health; and the actions required of the ACE upon receipt of the review report.

Legislative timetable

Clerk 5. The Bills Committee agreed that the Administration's response in respect of paragraph 4 above should be circulated to members for their consideration of whether a further meeting should be held to discuss the issues therein. If no further views were raised by members, the Bills Committee was deemed to have completed the scrutiny of the Bill. Members requested that the Second Reading debate on the Bill should be resumed as early as possible.

(Post-meeting note: The Administration's response was issued vide LC Paper No. CB(1)1301/12-13(02) on 14 June 2013. By the deadline on 18 June 2013, no members had raised further views on the Bill. The Second Reading debate on the Bill was resumed at the Council meeting of 10 July 2013.)

Action

II Any other business

6. There being no other business, the meeting ended at 9:20 am.

Council Business Division 1
Legislative Council Secretariat
28 October 2013

**Proceedings of the fourth meeting of
the Bills Committee on Air Pollution Control (Amendment) Bill 2013
on Monday, 10 June 2013, at 8:30 am
in Conference Room 2 of the Legislative Council Complex**

Time marker	Speaker	Subject(s)	Action required
Agenda item I – Meeting with the Administration			
000430 – 000625	Chairman	- Opening remarks	
000626 – 001428	Chairman Administration Ir Dr LO Wai-kwok	- Briefing by the Administration on its response to issues raised at the meeting on 5 June 2013 (LC Paper No. CB(1)1254/12-13(02))	
Clause-by-clause examination of the Bill			
001429 – 001532	Chairman Administration	<u>Clause 1</u>	
001533 – 001741	Chairman Administration	<u>Clauses 2 and 3</u>	
001742 – 003528	Chairman Administration Mr Dennis KWOK Ir Dr LO Wai-kwok	<u>Clauses 4 to 6</u> - In respect of section 7A(4) of the Air Pollution Control (Amendment) Bill 2013 ("the Bill"), which stated that the Secretary for the Environment must submit to the Advisory Council on the Environment ("ACE") a report of the review, Mr KWOK requested and the Administration agreed to provide an explanation on the procedures for conducting the review, including the role of ACE, and that of the Department of Health; and the actions required of the ACE upon receipt of the review report. - Ir Dr LO opined that it was not necessary to specify in the legislation all the parties being consulted in the review process of Air Quality Objectives ("AQOs")	Administration to provide information/response (paragraph 4 of minutes)
003529 – 004002	Chairman Administration Dr LO Wai-kwok	<u>Clause 7</u>	
004003 – 004830	Chairman Administration Mr Dennis KWOK Dr LO Wai-kwok	<u>Clause 8</u> - The Administration's confirmation that the proposed transitional arrangement for ongoing infrastructure projects would be applicable to the list of projects set out in Appendix C of	

Time marker	Speaker	Subject(s)	Action required
		<p>LC Paper No. CB(1)1055/12-13(02), and the arrangement would also be applicable to the list of projects set out in Appendices A and B if their environmental permits were issued before 1 January 2014. In addition, the project proponent would need to estimate the date of submitting the EIA report for approval by Environmental Protection Department before deciding on whether the existing or the updated AQOs should be adopted.</p>	
004831 – 005103	<p>Chairman Administration Ms Cyd HO</p>	<ul style="list-style-type: none"> - Members agreed that the Administration's response in respect of section 7A(4) of the Bill should be circulated to members for their consideration of whether a further meeting should be held to discuss the issues therein or not. - Discussion on the legislative timetable 	<p>The Clerk to prepare a report for submission to the House Committee</p>