

Bills Committee on Air Pollution Control (Amendment) Bill 2013**Follow-up actions by the Administration**

The following information is provided as requested by Members at the Bills Committee meeting on 10 June 2013.

1. 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, an explanation on the procedures of 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.

Under section 7A of the Air Pollution Control (Amendment) Bill 2013 (Bill), the Secretary for the Environment (SEN) must carry out a review of the Air Quality Objectives (AQOs) at least once in every five years; and as soon as reasonably practicable after a review is carried out, submit to the Advisory Council on the Environment (ACE) a report of the review.

In our latest review of the AQOs, we made reference to World Health Organization (WHO)'s Air Quality Guidelines (AQG). In our 'A Clean Air Plan for Hong Kong' published in March 2013, we commit to regarding AQG of WHO as our constant reference in setting the AQOs. This will continue to be our principal reference in the future reviews of our AQOs. We will conduct these reviews in a professional, scientific and transparent manner. Specifically, the reviews will make reference to –

- (a) scientific assessments of air quality data, new emission control technologies and available air quality improvement measures;
- (b) assessments of health benefits, social, economic and other implications of air quality improvement measures;
- (c) recommendations on whether and how the AQOs should be revised; and if revised, the proposed air quality management strategy to achieve the revised AQOs.

Having regard to the approach adopted in the recent AQO review, we will establish an Advisory Panel on Review of AQOs (Advisory Panel)

comprising health experts, air scientists, industry and transport trade representatives, Department of Health (DH) and other relevant government departments and bureaux to oversee the technical aspect of the AQO review.

The Advisory Panel will meet and evaluate the latest scientific information and policy options and advise on whether and how AQOs should be updated after the assessment of -

- (a) the up-to-date health and environmental risk information;
- (b) the current and forecast air pollution levels and exposures; and
- (c) the technological feasibility, economic considerations, and other political and social factors of further reducing the air pollution levels.

Throughout the AQOs review process, the Director of Health, as the Government's health advisor as well as a member of the ACE, will provide professional advice on human health impacts of air pollution to EPD and the Advisory Panel.

Consultation with ACE and Public Engagement

Based on the advice of the Advisory Panel, EPD will issue a review report for public consultation, which will include a recommendation as to whether and how the AQOs need to be revised as well as the corresponding air quality management strategy. As the review of AQOs is one of the major environmental policies, we will follow our existing practice to consult the ACE and the Panel on Environmental Affairs (EA Panel) of the Legislative Council (LegCo) on the proposal during the review process.

During the public consultation, we will solicit views of the public through various means, including the conduct of public fora, focus group discussions, etc. Their views and comments will be duly considered before finalization of the recommendations in the final report of AQO Review.

The Government will take into account comments received from various stakeholders including academics, experts and professionals in different disciplines such as community and medical health, green groups, the business sector as well as the public before finalizing the final report. For the AQO Review Report, we will brief the EA Panel about the final report. The final report of AQO Review will be made to ACE, the statutory advisory body on environmental issues.

Stipulation of the Revised AQOs

Under the Bill, the AQOs will be stipulated in a Schedule to the Air Pollution Control Ordinance instead of being promulgated by SEN by way of a technical memorandum as it is. Future amendments must be through a Bill passed by LegCo hence facilitating a thorough deliberation in LegCo on the proposed revisions of AQOs and their implications.

In brief, the AQOs review will be carried out in a professional manner through an open and transparent process. Both the DH and ACE, as well as the LegCo, will be actively involved in the review and updating process.

Environmental Protection Department
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