

**CB(1)1171/12-13(02)**

EP CR 9/150/20 Pt.24  
LS/B/19/12-13  
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By Fax (3121 5758)

3 May 2013

Miss Libera CHENG  
Senior Administrative Officer  
Waste Management Division  
Environmental Protection Department  
15/F, East Wing  
Central Government Offices  
2 Tim Mei Avenue  
Tamar  
Hong Kong

Dear Miss CHENG,

**Product Eco-Responsibility (Amendment) Bill 2013**

I am scrutinizing the above bill with a view to advising Members on its legal and drafting aspects.

Paragraph 6 of the LegCo Brief (File Ref: EP CR 9/150/20 Pt.24) states that the Administration proposes to amend the Product Eco-responsibility Ordinance (the Ordinance) to extend the coverage of the Producer Responsibility Scheme to cover any goods sold by retail. However, it seems that the amendments do not cover any retail sales of goods by the Government or any of its department. Please provide information on the policy considerations for the non-application of the scheme.

Further, the Administration proposes to streamline the existing compliance system from a remittance approach to a retention approach. It seems that the Bill proposes to repeal the sections in the Ordinance which relates to the remittance approach and will become obsolete under the retention approach. However, certain provisions in the Product Eco-responsibility (Plastic Shopping Bags) Regulation (Cap. 603A) which also relate to the implementation of the remittance approach are not proposed to be repealed or amended in the Bill. Please advise whether, how and when the said provisions in the Regulation will be amended or repealed.

As the House Committee will consider the Bill at its meeting on 10 May 2013, please let us have the relevant information in both Chinese and English languages by **7 May 2013**.

Yours sincerely,

(Evelyn LEE)  
Assistant Legal Adviser