

**Bills Committee on Promotion of Recycling and Proper Disposal  
(Electrical Equipment and Electronic Equipment) (Amendment) Bill 2015**

**List of follow-up actions arising from the discussion  
at the meeting on 20 July 2015**

Recycling fee payable by registered suppliers

1. In respect of the proposed section 44(3) of the Product Eco-responsibility Ordinance (Cap. 603) ("PERO"), the Administration is requested to –

- (a) clarify the principles and considerations for determining the recycling fee, and provide the relevant legal justifications on not requiring the amount of the recycling fee to be limited with reference to the costs referred to in the proposed section 44(3);
- (b) consider whether it is necessary to amend the proposed section 44(3) to clearly reflect the Administration's policy intent if the recycling fee is to be determined at full cost recovery basis taking into account the development and operation costs of Waste Electrical and Electronic Equipment Treatment and Recycling Facility and other management and administrative matters; and
- (c) consider amending the reference of "無須參照" in the Chinese rendition to tally with its corresponding English text of "not limited by reference to".

2. The Administration is requested to provide, before completion of scrutiny of the Bill, an updated ballpark estimation on the amount of the recycling fee payable for each of the eight classes of regulated electrical equipment ("REE") proposed in Schedule 6 to the Bill.

Additional surcharge in relation to recycling fee

3. In respect of the Chinese rendition of the proposed section 40(11)(b) of PERO, which provides that "如在第(9)款所述的限期後的6個月屆滿時，有循環再造費及(a)段所述的附加費仍未繳付，該人亦有法律責任繳付一項額外附加費..." and in light of the Administration's response given at the meeting, the Administration is requested to consider amending "及" to "或" with a view to reflecting its policy intent which was elaborated by the Administration at the meeting.

Arrangements for removal service in respect of REE

4. The Administration is requested to address the following views/concerns expressed by members –

- (a) a consumer may not be aware of (i) the availability of removal service under which for every item of REE purchased by a consumer, an old equipment of the same class can be removed from a premise designated by the consumer for proper disposal at no extra charge on the consumer, and (ii) whether a REE seller has fulfilled the requirement to formulate a removal service plan for endorsement by the Government under the proposed section 41(1) of PERO, and therefore does not request a REE seller to provide the removal service; and
- (b) a consumer may not be aware of (i) whether and when an explicit request for the removal service should/could be made to a REE seller (e.g. whether the request could only be made at the point of sale by the purchaser but not upon delivery of a REE by the seller to the designated premise); and (ii) whether a seller will remove a used REE from a premise designated by the consumer if the recycling label for the old equipment is lost or no longer available.

Council Business Division 1  
Legislative Council Secretariat  
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