

**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 18 September 2015**

Permit required for the import/export of e-waste into/from Hong Kong

1. In respect of the proposed amendments to sections 20A and 20B of the Waste Disposal Ordinance (Cap. 354) ("WDO") under clauses 14 and 15 of the Bill respectively, the Administration is requested to consider whether it is necessary to amend the reference of "any e-waste" (任何電器廢物) to clearly reflect the policy intent that such e-waste is confined to electrical equipment or electronic equipment that, judging by its appearance, is an item set out in column 2 of the proposed Schedule 6 to the Product Eco-responsibility Ordinance (Cap. 603) ("PERO") and has been abandoned.

Defence of due diligence for an offence in relation to import/export of e-waste into/from Hong Kong

2. The Administration is requested to consider amending "the defence" to "the defence under subsection (5)" in the proposed section 20G(6) of WDO to reflect the policy intent that the proposed section 20G(6) is only applicable to the defence under the proposed section 20G(5) but not applicable to the defence under section 20G(1).

Recycling fee payable by registered suppliers

3. According to the Administration, it will propose Committee Stage amendments to the relevant clauses of the Bill to replace "recycling fee" by "recycling levy" when referring to recycling fee payable under the proposed section 37 of PERO, and hence the proposed section 44(3) (which provides that "the amount of recycling fee payable under section 37 is not limited by reference to the amount of administrative or other costs incurred, or likely to be incurred, in the provision of any particular service, facility or matter") will no longer be necessary and will be removed. In view of the suggested removal of the proposed section 44(3), the Administration is requested to advise the factors that it will take into account or make reference to in setting the recycling levy, and whether it will consider specifying these factors in the relevant regulation to be made under PERO in respect of the levy.