

**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 16 December 2015**

In relation to the Promotion of Recycling and Proper Disposal (Electrical Equipment and Electronic Equipment) (Amendment) Bill 2015 ("the Bill"), the Administration is requested to provide the following information —

- (a) in gist, the new section 37(1)(a)(ii) provides that if a piece of regulated electrical equipment ("REE") is imported into Hong Kong by a registered supplier in the course of the supplier's business for distribution and if the supplier, under the new section 37(1)(b)(ii), uses the REE for the first time, the proposed recycling levy would be payable in respect of the REE. In the light of the above, the Administration is requested to clarify whether the proposed recycling levy would be payable in respect of the piece of REE concerned in the following situation: if a supplier, in the course of the supplier's business of REE distribution, imports a piece of REE and uses it in any way as the term "use" is defined under the Bill (for example, by exhibiting the REE for business purposes) but the supplier does not distribute (which is defined to include supplying any REE by way of sale) the piece of REE after such use;
- (b) if the answer to (a) above is negative, consider whether the relevant provisions as drafted should be amended to reflect the position as stated in the answer;
- (c) address the Council on the scope of regulation and the situations where the proposed recycling levy in respect of a piece of REE would be payable with reference to the response given in (a) above at the resumption of the Second Reading debate on the Bill; and
- (d) advise whether a decision made by the Director of Environmental Protection under the new section 36(2) is appealable pursuant to the new section 44 (or any other relevant provision under the Bill or the Product Eco-Responsibility Ordinance (Cap. 603)).