

立法會
Legislative Council

LC Paper No. CB(1)682/18-19
(These minutes have been seen
by the Administration)

Ref : CB1/BC/2/18/2

**Bills Committee on Waste Disposal (Charging for Municipal Solid Waste)
(Amendment) Bill 2018**

**Minutes of second meeting
held on Monday, 7 January 2019, at 2:30 pm
in Conference Room 2 of the Legislative Council Complex**

Members present : Hon MA Fung-kwok, SBS, JP (Chairman)
Hon Steven HO Chun-yin, BBS (Deputy Chairman)
Hon Tommy CHEUNG Yu-yan, GBS, JP
Hon CHAN Hak-kan, BBS, JP
Hon Mrs Regina IP LAU Suk-yeet, GBS, JP
Hon Paul TSE Wai-chun, JP
Hon Frankie YICK Chi-ming, SBS, JP
Hon WU Chi-wai, MH
Hon YIU Si-wing, BBS
Hon Charles Peter MOK, JP
Hon Kenneth LEUNG
Hon KWOK Wai-keung, JP
Dr Hon Fernando CHEUNG Chiu-hung
Hon IP Kin-yuen
Dr Hon Elizabeth QUAT, BBS, JP
Hon POON Siu-ping, BBS, MH
Ir Dr Hon LO Wai-kwok, SBS, MH, JP
Hon CHU Hoi-dick
Dr Hon Junius HO Kwan-yiu, JP
Hon SHIU Ka-fai
Hon Wilson OR Chong-shing, MH
Hon CHAN Chun-ying, JP
Hon Tanya CHAN
Hon HUI Chi-fung
Hon Kenneth LAU Ip-keung, BBS, MH, JP
Dr Hon CHENG Chung-tai

Hon Jeremy TAM Man-ho
Hon Gary FAN Kwok-wai
Hon AU Nok-hin
Hon Vincent CHENG Wing-shun, MH

Member attending : Dr Hon CHIANG Lai-wan, SBS, JP

Members absent : Hon CHUNG Kwok-pan
Hon Tony TSE Wai-chuen, BBS

Public Officers attending : **For item II**

Mr TSE Chin-wan, BBS, JP
Under Secretary for the Environment

Mr Donald NG, JP
Deputy Director of Environmental Protection (Special Duties)
Environmental Protection Department

Mr Kenneth CHAN
Assistant Director (Charging Preparation)
Environmental Protection Department

Mr Vincent FUNG
Government Counsel
Department of Justice

Mr FORK Ping-lam
Assistant Director (Operations)
Food and Environmental Hygiene Department

Attendance by invitation : **For item II**

Session one

The Lion Rock Institute
Mr NG Kin-wah
Event Officer

Individual

Miss CHEUNG Sin-ying

Individual

Mr LEE Kwok-kuen

Individual

Mr CHU Kong-wai

Chun Shing Development (Hong Kong) Limited

Mr Allan WONG

Founder

Greenpeace

Miss CHAN Hall-sion

Campaigner

Individual

Dr CHUNG Shan-shan

The Green Earth

Mr CHU Hon-keung

Director of Environmental Advocacy

Individual

Mr TO Ka-lun

Hong Kong Waste Management Association

Mr Jude CHOW

Chairperson

Secure Information Disposal Services Limited

Mr Harold YIP

Director

Individual

Mr LEUNG Kwok-hung

League of Social Democrats

Mr TO Chun-ho

Member

Individual

Mrs Yolanda CHOY

Individual

Dr Calvin KWOK

Individual

Ms Dana LAU

The Federation of Environmental And Hygienic Services

Miss Joanne LEE

總幹事

Labour Party

夏希諾先生

社區幹事

Individual

Mr Angus WONG

Hong Kong Green Strategy Alliance

Ir Kenny WONG

Honorary Secretary

Democratic Alliance for the Betterment and Progress of

Hong Kong

Mr LAU Chun-hoi

Deputy Spokesperson on Policy

Hong Kong Catering Industry Association

Mr WOO Lun

Spokesman

Green Sense

Ms HO Ka-po

Senior Project Manager

Institution of Dining Art

Mr Henry MA

First Vice-chairman

121C Recycle Centre

Mr Stephen CHAN

Chairman

Individual

Miss MA Ka-po

Food Commons
Ms AU YEUNG Po-chun
Convenor

Hong Kong Federation of Restaurants & Related Trades
Limited
曾維先生
Vice Chairman

The Hong Kong Institution of Engineers
Ir Norman CHENG
Representative

World Green Organisation
Mr WONG Chun-yin
Head, Policy Advocacy and Campaign

Environmental Services Contractors Alliance (Hong Kong)
Miss YAN Sui-han
Convener

Environmental Contractors Management Association
Mr TAN Chong-wai
President

Friends of the Earth (HK)
Dr HUNG Oi-shing
Senior Programme Manager

Individual
Miss May YEUNG

Session two

翠德愛心之友
Mr LEE Chun-keung
顧問

Greeners Action
Ms WONG Pui-chi
Senior Project Officer

Individual
Mr NG Tsz-lok

Business Environment Council Limited

Mr Simon NG

Director - Policy and Research

自由黨青年團

Mr CHEUNG King-fan

團長

The Hong Kong Association of Property Services Agents

Mr POON Kin-leung

Chairman

Individual

趙恩來先生

Individual

Miss JIM Hoi-ying

Green Power

Mr YU Kin-kong

Senior Education & Project Officer

香港物業管理聯會

陳兆鴻先生

教育培訓委員會主席

Individual

Miss Theresa YUNG

Single-Use Beverage Packaging Working Group

Mr Paul ZIMMERMAN

Chairman

Sham Ching Youth Association

Mr FAN Lun-ming

計劃主任

Individual

Miss NG Yee-yan

Individual

Mr Adrian FUNG

Individual

Mr Justin SONG

Individual

Mr Merrick YEUNG

Ecodrive Hong Kong Limited

Miss Angela CHENG

Representative

To Kwa Wan Grassroots' Housing Rights Concern-Group

Mr LUK Kam-fai

Student Worker

Swire Pacific Limited

Mr Mark HARPER

Sustainable Development Manager

Individual

Mrs Claire Michele YATES

Wisdom Regeneration

Miss Kerry CHAN

Director

中西衛城區固體廢物收費關注組

馮家亮先生

召集人

The Conservancy Association

Mr WONG Tze-kang

Deputy Chief Executive

Hong Kong Waste and Recyclables Operators Network

Miss LEU Wai-fong

Project coordinator

兆翠關注組

Mr YAN Pui-lam

Member

Individual

Miss CHAN Hoi-chi

Individual

Mr WONG Cho-leung

掃街者聯盟

Mr AU Kwok-kuen
Member

Individual

Miss CHAN Wing-kwan

勞工組

Mr TAM Leung-ying
勞工幹事

Individual

Mr YEUNG Tsz-chun

Hong Kong Institute of Qualified Environmental
Professionals Limited

Mr Freeman CHEUNG
Vice Chairman

Government Frontline Employee Union

Mr CHAN Pok-yin
Chairperson

Individual

Mr AU Loong-yu

Session three

Globalization Monitor

鄧立賢先生
代表

Greeners South

Ms April LAI
幹事

Individual

Miss CHAN Po-kuen

元朗環保共享居民互助社

葉澤樑先生
成員

青衣盛康資源回收站

趙寶琴女士

成員

元朗不是垃圾站

張靖雯小姐

成員

Zero Waste Yuen Long

朱煒傑先生

成員

Environmental Management Association of Hong Kong

Dr Janet CHAN

General Secretary

Christian Family Service Centre

Mr LAW King-man

Manager

可持續生活關注小組

林梓晴小姐

成員

氣候變化關注小組

林啟新先生

成員

社區零垃圾

羅佩麗小姐

成員

Hong Kong Waste Disposal Industry Association

Mr Thomas TAM

President and Honorary Chairman

減廢生活關注組

Mr KWONG Chi-chung

成員

大埔社區學堂

曾樂欣小姐

成員

大埔不是垃圾站

伍漢林先生

成員

正澳

梁衍忻小姐

成員

將軍澳不是垃圾站

陳進希先生

成員

西貢不是垃圾站

何潔儀小姐

成員

染南不是垃圾站

陳曉茵小姐

成員

結束一桶專棄

Miss LAU Tan-nei

成員

觀塘不是垃圾站

麥志偉先生

成員

減廢共學聯盟

梁德明先生

成員

葵芳不是垃圾站

陳妙珠小姐

成員

自由黨港島南區支部

梁進先生

主席

Community Leap
Mr YEUNG Man-yau
Project Coordinator

The Hong Kong Association of Property Management
Companies
Ms Eva WONG
Hon Secretary

Hong Yip Service Company Limited
Mr Allan WONG
Assistant to Chief Executive, Building and Facility
Management

Hong Kong Chef Union
Mr NG Chi-fai
Chairperson

Reconnect Limited
Dr Elizabeth LAI
CEO

Individual
Ms LI Mei-siu

The Hong Kong Registered Contractors Association
Mr TO Hoi-kwok
Vice President

Individual
Mr CHUNG Ka-wing

Clerk in Attendance : Ms Angel SHEK
Chief Council Secretary (1)1

Staff in attendance : Mr Cliff IP
Assistant Legal Adviser 8

Mr Jason KONG
Senior Council Secretary (1)1

Miss Mandy POON
Legislative Assistant (1)1

Action

I. Application for late membership

(LC Paper No. CB(1)390/18-19(01) — Letter from Hon Tanya CHAN on application for membership (Chinese version only)

Members agreed to accept the application for late membership from Ms Tanya CHAN.

II. Meeting with deputations and the Administration

Matters arising from previous meeting

(LC Paper No. CB(1)205/18-19(02) — Assistant Legal Adviser's letter dated 4 December 2018 to the Administration

LC Paper No. CB(1)396/18-19(02) — List of follow-up actions arising from the meeting on 5 December 2018

LC Paper No. CB(1)396/18-19(03) — Administration's response to items (a), (b), (d), (e), (f), (g), (j) and (k) of the list of follow-up actions arising from the meeting on 5 December 2018)

Relevant papers

(LC Paper No. CB(3)97/18-19 — Waste Disposal (Charging for Municipal Solid Waste) (Amendment) Bill 2018 ("the Bill")

File Ref: EP CR/9/65/3 — Legislative Council Brief

LC Paper No. LS13/18-19 — Legal Service Division Report

Action

LC Paper No. CB(1)205/18-19(01) — Marked-up copy of the Bill prepared by the Legal Service Division (Restricted to Members)

LC Paper No. CB(1)205/18-19(03) — Background brief prepared by the Legislative Council Secretariat)

(Post-meeting note: the Administration's reply to Assistant Legal Adviser's letter dated 4 December 2018 was circulated to members on 13 February 2019 vide LC Paper No. CB(1)396/18-19(01).)

2. The Chairman welcomed representatives of deputations and individuals to the meeting. He reminded them that their written submissions provided to the Bills Committee and views presented at the meeting would not be covered by the protection and immunity provided under the Legislative Council (Powers and Privileges) Ordinance (Cap. 382).

Presentation of views by deputations/individuals

3. At the invitation of the Chairman, a total of 101 deputations/individuals presented their views at the meeting. The salient points and questions they raised on the contents of the Bill and enforcement of the proposed charging scheme for the disposal of municipal solid waste ("MSW") ("the proposed charging scheme") included the following:

- (a) given that recyclables collected by some waste collection contractors of the Government were temporarily stored at refuse collection points ("RCPs") pending further transportation under the existing practice, whether the Administration would consider amending the proposed section 20M of the Waste Disposal Ordinance (Cap. 354) with reference to the proposed section 20P to the effect that a person who delivered to an RCP recyclables (including food waste) not wrapped in a designated bag ("DB") or attached with a designated label ("DL") would not commit an offence, and the said existing practice could then be maintained after the proposed charging scheme came into effect (if the Bill was passed);
- (b) the Administration should clarify the policy intention in relation to the proposed section 20N of Cap. 354, which sought to prohibit the depositing of MSW that had a DL attached to it but that was not wrapped in a DB onto a "private waste vehicle" as defined under the Bill;

Action

- (c) it appeared that there were loopholes in some provisions of the Bill, which seemed to be a mere adoption of the provisions in the waste charging legislation of Taipei city and Seoul. The practices adopted in other cities might not be suitable for Hong Kong;
- (d) there were concerns that the proposed charging scheme would cause undue burdens and legal risks to the frontline staff of the Food and Environmental Hygiene Department as well as other frontline cleaning staff who were not employed by the Government, as they would be required to reject non-compliant waste and might inadvertently commit an offence under the Bill when handling such waste;
- (e) given that routine "removal services" (i.e. services connected with MSW removal, as defined under the Bill) were generally performed within a short time frame (say about 20 minutes each day for a large housing estate), there would not be sufficient time for the employees of the property management company or the persons involved in the provision of removal services to inspect the waste collected from the premises and reject non-compliant waste before loading it onto the waste collection vehicle. Moreover, waste from different households was usually mixed in large refuse bins before it was loaded onto a waste collection vehicle, making it difficult to check whether all waste inside was wrapped in DBs;
- (f) the implementation of the proposed charging scheme might affect the existing voluntary activities related to recycling/reuse and waste removal, such as exchange of used goods and voluntary coastal clean-up activities, due to the legal and financial risks involved. For instance, coastal refuse collected during a voluntary clean-up activity might need to be wrapped in a DB before being delivered to a waste reception facility, or else the volunteer concerned might commit an offence under the Bill; and
- (g) it was unclear how the proposed MSW charge would be imposed on oversized waste.

4. The Bills Committee deliberated (index of proceedings attached at the **Annex**).

(The Chairman left the conference room at 3:26 pm and returned to the chair at 6:36 pm. During this period, the Deputy Chairman presided over the meeting.)

Action

Follow-up actions to be taken by the Administration

- Admin 5. The Administration was requested to provide a written response to:
- (a) the views and concerns expressed by deputations and individuals at the meeting and/or in the relevant written submissions, and in particular the issues mentioned in paragraph 3(a) and (b) above; and
 - (b) whether a person would commit any offence if he/she removed the packaging materials of a product purchased from a retailer and disposed of or left the materials inside the retailer's premises without wrapping them in a DB.

III. Any other business

Date of next meeting

6. Members agreed that the next meeting be held on Monday, 18 February 2019.
7. There being no other business, the meeting ended at 8:28 pm.

Council Business Division 1
Legislative Council Secretariat
8 March 2019

Bills Committee on Waste Disposal (Charging for Municipal Solid Waste) (Amendment) Bill 2018

**Proceedings of the second meeting
on Monday, 7 January 2019, at 2:30 pm
in Conference Room 2 of the Legislative Council Complex**

Time marker	Speaker	Subject	Action required
<i>Agenda Item I — Application for late membership</i>			
001026 – 001146	Chairman Ms Tanya CHAN Mr Tommy CHEUNG	Members agreed to accept the application for late membership from Ms CHAN.	
<i>Agenda Item II — Meeting with deputations and the Administration</i>			
<i>Session one</i>			
001147 – 001613	Chairman	Introductory remarks	
001614 – 001818	The Lion Rock Institute	Presentation of views	
001819 – 002053	Miss CHEUNG Sin-ying	Presentation of views [LC Paper No. CB(1)396/18-19(04)]	
002054 – 002333	Mr LEE Kwok-kuen	Presentation of views	
002334 – 002609	Mr CHU Kong-wai	Presentation of views	
002610 – 002846	Chun Shing Development (Hong Kong) Limited	Presentation of views [LC Paper No. CB(1)396/18-19(05)]	
002847 – 003121	Greenpeace	Presentation of views [LC Paper No. CB(1)396/18-19(06)]	
003122 – 003337	Dr CHUNG Shan-shan	Presentation of views [LC Paper No. CB(1)396/18-19(07)]	
003338 – 003606	The Green Earth	Presentation of views [LC Paper No. CB(1)396/18-19(08)]	
003607 – 003840	Mr TO Ka-lun	Presentation of views	
003841 – 004058	Hong Kong Waste Management Association	Presentation of views [LC Paper No. CB(1)396/18-19(09)]	

Time marker	Speaker	Subject	Action required
004059 – 004346	Secure Information Disposal Services Limited	Presentation of views [LC Paper No. CB(1)396/18-19(10)]	
004347 – 004621	Mr LEUNG Kwok-hung	Presentation of views	
004622 – 004902	League of Social Democrats	Presentation of views	
004903 – 005138	Mrs Yolanda CHOY	Presentation of views [LC Paper No. CB(1)396/18-19(11)]	
005139 – 005410	Dr Calvin KWOK	Presentation of views	
005411 – 005623	Ms Dana LAU	Presentation of views	
005624 – 005859	The Federation of Environmental And Hygienic Services	Presentation of views	
005900 – 010102	Labour Party	Presentation of views	
010103 – 010337	Mr Angus WONG	Presentation of views	
010338 – 010614	Hong Kong Green Strategy Alliance	Presentation of views [LC Paper No. CB(1)417/18-19(01)]	
010615 – 010848	Democratic Alliance for the Betterment and Progress of Hong Kong	Presentation of views	
010849 – 011045	Hong Kong Catering Industry Association	Presentation of views [LC Paper No. CB(1)408/18-19(05)]	
011046 – 011323	Green Sense	Presentation of views [LC Paper No. CB(1)396/18-19(38)] (joint submission) [LC Paper No. CB(1)446/18-19(02)]	
011324 – 011556	Institution of Dining Art	Presentation of views [LC Paper No. CB(1)396/18-19(12)]	
011557 – 011841	121C Recycle Centre	Presentation of views [LC Paper No. CB(1)427/18-19(01)]	

Time marker	Speaker	Subject	Action required
011842 – 012113	Miss MA Ka-po	Presentation of views	
012114 – 012344	Food Commons	Presentation of views [LC Paper No. CB(1)408/18-19(01)]	
012345 – 012624	Hong Kong Federation of Restaurants & Related Trades Limited	Presentation of views [LC Paper No. CB(1)396/18-19(13)]	
012625 – 012900	The Hong Kong Institution of Engineers	Presentation of views [LC Paper No. CB(1)417/18-19(02)]	
012901 – 013139	World Green Organisation	Presentation of views [LC Paper No. CB(1)396/18-19(14)]	
013140 – 013414	Environmental Services Contractors Alliance (Hong Kong)	Presentation of views [LC Paper No. CB(1)427/18-19(02)]	
013415 – 013659	Environmental Contractors Management Association	Presentation of views [LC Paper No. CB(1)427/18-19(03)]	
013700 – 013935	Friends of the Earth (HK)	Presentation of views [LC Paper No. CB(1)396/18-19(15)]	
013936 – 014058	Miss May YEUNG	Presentation of views [LC Paper No. CB(1)417/18-19(04)]	
014059 – 014509	Deputy Chairman Administration	<p>The Administration would provide a written response to the views and concerns expressed by deputations and individuals at the meeting and/or in the relevant written submissions. Its brief response to the major issues raised in session one was as follows:</p> <ul style="list-style-type: none"> (a) according to the experiences of other cities, quantity-based waste charging that accorded with the "polluter pays" principle, coupled with other related measures, was effective in encouraging waste reduction and recycling; (b) while there was an opinion that the development of local recycling facilities and systems should take priority over the proposed implementation of municipal solid waste ("MSW") charging, other cities generally developed or improved such facilities and systems concurrently with the launch of waste charging; (c) it was expected that the implementation of the proposed charging scheme for the disposal of 	Admin (paragraph 5(a) of the minutes refers)

Time marker	Speaker	Subject	Action required
		<p>MSW ("the proposed charging scheme") could promote waste separation at source and resource recovery, thereby helping to support local recycling businesses; and</p> <p>(d) the Administration planned to implement complementary measures to promote waste reduction and recycling in parallel to the launch of the proposed charging scheme. As explained in the Legislative Council ("LegCo") Brief on the Waste Disposal (Charging for Municipal Solid Waste) (Amendment) Bill 2018 ("the Bill") (File Ref: EP CR/9/65/3), additional recurrent resources would be provided for the above purposes starting from 2019-2020. The amount of the annual provision would be commensurate with the estimated gross revenue to be generated from the proposed charging scheme, so as to achieve the effect of "dedicated-fund-for-dedicated-use".</p>	
014510 – 014739	Deputy Chairman Mr AU Nok-hin Administration	Discussion on how the Administration would assist residents in "three-nil" buildings in putting MSW charging into practice (if the Bill was passed) and prevent them from abusing litter containers in public places to evade the use of designated bags ("DBs").	
014740 – 015020	Deputy Chairman Ir Dr LO Wai-kwok Administration	Discussion on the Administration's arrangements for enforcing the proposed charging scheme and promoting waste recycling, with reference to the implementation of the Producer Responsibility Scheme on Waste Electrical and Electronic Equipment ("WPRS").	
015021 – 015223	Deputy Chairman Mr CHU Hoi-dick Administration	<p>Mr CHU enquired whether the Environment Bureau ("ENB") had plans to review the Waste Disposal Ordinance (Cap. 354) with a view to enhancing the regulatory regime for the disposal of construction waste, in the light of the court's recent decision on a judicial review in respect of the deposit of construction waste on private lots.</p> <p>The Administration advised that in the said judicial review case, the court had confirmed the proper exercise of power under Cap. 354 by the Director of Environmental Protection in respect of giving permission to the deposit of construction waste on private lots. ENB was following up with the Sustainable Lantau Office on whether and if so how the regulatory regime could be improved.</p> <p>Mr CHU questioned the Administration's capability in enforcing the proposed charging scheme, as there were</p>	

Time marker	Speaker	Subject	Action required
		<p>media reports that some private waste collectors passed off construction waste as commercial and industrial waste and disposed of it at landfills to evade the construction waste charge. The Administration responded that there were relevant control measures. The Environmental Protection Department ("EPD") would take strict enforcement actions against offenders and would refer fraudulent cases to the Hong Kong Police Force.</p>	
015224 – 015428	Deputy Chairman Mr POON Siu-ping Administration	<p>Discussion on:</p> <ul style="list-style-type: none"> (a) how to address some deputations' concern that the proposed charging scheme might not be in strict observance of the "polluter pays" principle. For instance, the charge for MSW generated by tourists would be borne by other parties; (b) assistance to be offered to people with financial hardship; and (c) implications of the proposed charging scheme on the workload of frontline cleaning staff and manpower requirements. 	
015429 – 015632	Deputy Chairman Administration	<p>The Deputy Chairman expressed concern that frontline cleaning staff, including those employed by the Government and its outsourced contractors, might inadvertently commit an offence under the Bill related to the depositing of non-compliant waste during the course of providing removal services (if the Bill was passed). He asked whether the Administration would consider introducing amendments to the Bill to address the issue.</p> <p>The Administration responded that:</p> <ul style="list-style-type: none"> (a) it would continue to explain the implementation arrangements of the proposed charging scheme with the relevant trades (including property management companies and removal services providers) as well as frontline cleaning staff during the preparatory period that would be put in place after the passage of the Bill. Best Practice Guides would be developed for different sectors for their reference; and (b) the major target of the Administration's enforcement actions related to non-compliant waste would be the waste producers, but not frontline cleaning staff. Operational guidelines for 	

Time marker	Speaker	Subject	Action required
		frontline cleaning staff would be developed and provided by the Administration.	
015633 – 015959	Deputy Chairman Mr SHIU Ka-fai Mrs Regina IP Dr Fernando CHEUNG	Expression of the following views: (a) the Administration should pay heed to the concerns of different stakeholders, including frontline cleaning staff, residents in old buildings and disadvantaged groups, over the impact of the proposed charging scheme; (b) the Administration should step up enforcement actions against littering; and (c) as there were insufficient recycling facilities in the territory at the moment, the implementation of the proposed charging scheme might not be effective in reducing waste generation and might give rise to conflicts between waste producers and frontline cleaning staff.	
Break (020000 – 020949)			
Session two			
020950 – 021250	Deputy Chairman	Introductory remarks	
021251 – 021537	Greeners Action	Presentation of views [LC Paper No. CB(1)396/18-19(16)] [LC Paper No. CB(1)396/18-19(38)] (joint submission)	
021538 – 021812	Mr NG Tsz-lok	Presentation of views [LC Paper No. CB(1)427/18-19(05)]	
021813 – 021940	Business Environment Council Limited	Presentation of views [LC Paper No. CB(1)396/18-19(18)]	
021941 – 022201	自由黨青年團	Presentation of views	
022202 – 022424	The Hong Kong Association of Property Services Agents	Presentation of views [LC Paper No. CB(1)408/18-19(02)]	
022425 – 022703	趙恩來先生	Presentation of views	
022704 – 022943	Miss JIM Hoi-ying	Presentation of views [LC Paper No. CB(1)417/18-19(05)]	

Time marker	Speaker	Subject	Action required
022944 – 023215	Green Power	Presentation of views [LC Paper No. CB(1)396/18-19(19)] [LC Paper No. CB(1)396/18-19(38)] (joint submission)	
023216 – 023357	香港物業管理聯會	Presentation of views [LC Paper No. CB(1)417/18-19(03)]	
023358 – 023635	Miss Theresa YUNG	Presentation of views	
023636 – 023920	Single-Use Beverage Packaging Working Group	Presentation of views [LC Paper No. CB(1)396/18-19(20)]	
023921 – 024200	Sham Ching Youth Association	Presentation of views [LC Paper No. CB(1)408/18-19(03)]	
024201 – 024423	Miss NG Yee-yan	Presentation of views [LC Paper No. CB(1)396/18-19(21)]	
024424 – 024636	Mr Adrian FUNG	Presentation of views [LC Paper No. CB(1)396/18-19(22)]	
024637 – 024837	Mr Justin SONG	Presentation of views [LC Paper No. CB(1)396/18-19(23)]	
024838 – 025028	Mr Merrick YEUNG	Presentation of views [LC Paper No. CB(1)396/18-19(24)]	
025029 – 025251	Ecodrive Hong Kong Limited	Presentation of views	
025252 – 025527	To Kwa Wan Grassroots' Housing Rights Concern-Group	Presentation of views [LC Paper No. CB(1)396/18-19(25)]	
025528 – 025803	Swire Pacific Limited	Presentation of views [LC Paper No. CB(1)396/18-19(26)]	
025804 – 025908	Mrs Claire Michele YATES	Presentation of views [LC Paper No. CB(1)396/18-19(27)]	
025909 – 030135	Wisdom Regeneration	Presentation of views [LC Paper No. CB(1)408/18-19(04)]	
030136 – 030410	中西衛城區固體廢物 收費關注組	Presentation of views	
030411 – 030636	The Conservancy Association	Presentation of views [LC Paper No. CB(1)396/18-19(28)] [LC Paper No. CB(1)396/18-19(38)] (joint submission)	

Time marker	Speaker	Subject	Action required
030637 – 030913	Hong Kong Waste and Recyclables Operators Network	Presentation of views [LC Paper No. CB(1)396/18-19(29)]	
030914 – 031134	兆翠關注組	Presentation of views	
031135 – 031417	Miss CHAN Hoi-chi	Presentation of views	
031418 – 031653	Mr WONG Cho-leung	Presentation of views	
031654 – 031844	掃街者聯盟	Presentation of views	
031845 – 032123	Miss CHAN Wing-kwan	Presentation of views	
032124 – 032414	勞工組	Presentation of views	
032415 – 032639	Mr YEUNG Tsz-chun	Presentation of views [LC Paper No. CB(1)396/18-19(30)]	
032640 – 032841	Hong Kong Institute of Qualified Environmental Professionals Limited	Presentation of views [LC Paper No. CB(1)396/18-19(31)]	
032842 – 033125	Government Frontline Employee Union	Presentation of views	
033126 – 033410	Mr AU Loong-yu	Presentation of views	
033411 – 033838	Deputy Chairman Administration	<p>In response to the major views and concerns expressed by deputations/individuals in session two, the Administration advised that:</p> <ul style="list-style-type: none"> (a) it would adopt a multi-pronged strategy for the implementation of the proposed charging scheme, and would give priority to publicity and public education, with a view to driving behavioural and cultural changes in waste generation; (b) various measures to promote waste reduction and recycling would be implemented to complement the proposed charging scheme; and (c) regarding the implementation of WPRS, it was noted that in 99% of the cases, the delivery of the 	

Time marker	Speaker	Subject	Action required
		<p>new item of regulated electrical equipment and the removal of the used item could be arranged for the same day and within three working days after the customer had made the removal service request.</p>	
<p>033839 – 034510</p>	<p>Deputy Chairman Assistant Legal Adviser ("ALA") Dr Elizabeth QUAT Administration</p>	<p>ALA noted that some participants in the meeting had expressed (a) the view that a waste producer should not be regarded as having committed an offence if he/she delivered non-compliant waste to a refuse collection point ("RCP") direct, and (b) the concern about the legal liability of frontline cleaning staff under the proposed charging scheme. In this connection, he mentioned the following proposed sections of Cap. 354:</p> <p>(a) proposed section 20K(1)(a), which read "a person commits an offence if the person deposits, or causes or permits to be deposited, any non-compliant waste at a refuse collection point"; and</p> <p>(b) proposed section 20L(1), which read "a person (other than a waste collection officer) who is acting in the course of providing removal services at a refuse collection point or by a waste vehicle commits an offence if the person deposits, or causes or permits to be deposited, any non-compliant waste at the refuse collection point or onto the waste vehicle". A "waste collection officer" was defined under the Bill as a person who was employed by the Government and carried out the duty of loading MSW onto a public waste vehicle or moving MSW at an RCP.</p> <p>The Administration highlighted that there were statutory defence clauses under the Bill to provide protection to frontline cleaning staff. It would maintain close communications with frontline cleaning staff and develop operational guidelines for them during the preparatory period that would be put in place after the passage of the Bill.</p> <p>Dr QUAT said that the Democratic Alliance for the Betterment and Progress of Hong Kong supported in principle the adoption of better waste management methods and the "polluter pays" principle, but was concerned about the implementation details of the proposed charging scheme. In particular, she expressed concerns on the following: (a) there were insufficient recycling facilities to complement the implementation of the proposed charging scheme; (b) potential aggravation of fly-tipping of domestic waste and food</p>	

Time marker	Speaker	Subject	Action required
		waste, which could cause serious environmental hygiene problems; and (c) workload of frontline cleaning staff.	
034511 – 034920	Deputy Chairman Dr CHENG Chung-tai Administration	<p>Dr CHENG asked how the proposed MSW charge was to be levied in buildings with mixed uses, such as revitalized industrial buildings with residential uses; and whether the tenants of hotel-like service apartments would need to pay the proposed MSW charge if the rental already included the service charge for waste disposal.</p> <p>The Administration explained that under the proposed charging scheme, the charging mode applicable to a waste producer would depend on how the MSW he/she generated would be collected. If the building was serviced by the Food and Environmental Hygiene Department ("FEHD") or a private waste collector using refuse collection vehicles with rear compactors, then the occupiers of the building would need to use DBs for MSW disposal.</p> <p>Regarding the legal liability of frontline cleaning staff, the Administration supplemented that the Bill had provided defences to avoid criminalizing inadvertent acts related to the depositing of non-compliant waste, etc.</p> <p>Dr CHENG considered that the Administration should allow the reuse of old plastic shopping bags ("PSBs") as designated garbage bags (if the Bill was passed) in order to reduce waste, and explain the service procurement arrangements for the manufacturing of DBs.</p>	
034921 – 035356	Deputy Chairman Administration	<p>The Deputy Chairman considered that the Administration should:</p> <ul style="list-style-type: none"> (a) pay heed to the existing problems associated with the scavenging of recyclables, including improper disposal of non-recyclable parts of scavenged materials and addition of impurities to recyclables in order to increase their weight and hence their market value; (b) strike a balance between the interest of the general public and that of the business sector when implementing waste reduction and recycling initiatives; 	

Time marker	Speaker	Subject	Action required
		<p>(c) consider allowing the reuse of old PSBs as designated garbage bags (if the Bill was passed) through the attachment of a specific pre-paid label; and</p> <p>(d) enhance frontline cleaning staff's understanding of the requirements and their responsibilities under the proposed charging scheme.</p> <p>In addition, he expressed concern that the complicated text of the Bill (such as the proposed section 20O) might hinder public understanding of the requirements under the proposed charging scheme.</p>	
035357 – 035904	Deputy Chairman Mr CHU Hoi-dick Administration	<p>Mr CHU further enquired why the review of the regulatory regime for the disposal of construction waste involved the Sustainable Lantau Office, and whether the improvements to be introduced to the regulatory regime would be applied to Lantau only.</p> <p>The Administration explained that the deposit of construction waste on private lots was not only related to Cap. 354 but also other legislation such as the Town Planning Ordinance (Cap. 131). If it was concluded in the review that improvements could be introduced to the regulatory regime, such improvements might be applied to the whole territory.</p> <p>Mr CHU sought explanation on whether a person would commit any offence if he/she removed the packaging materials of a product purchased from a retailer and disposed of or left the materials inside the retailer's premises without wrapping them in a DB. He also asked whether the Administration would consider requiring retailers to reduce the use of packaging materials.</p> <p>The Administration responded that, according to the experiences of other cities, MSW charging could enhance consumers' awareness in choosing environment-friendly products and packaging, thereby driving manufacturers/suppliers to reduce waste in the manufacturing, packaging and retailing processes of products. In addition, the Administration had been implementing several producer responsibility schemes to promote waste reduction and recycling.</p> <p>The Deputy Chairman commented that the Administration should play an active role in requiring the business sector to shoulder more responsibility for reducing waste.</p>	Admin (paragraph 5(b) of the minutes refers)

Time marker	Speaker	Subject	Action required
<i>Break (035905 – 040946)</i>			
<i>Session three</i>			
040947 – 041142	Chairman	Introductory remarks	
041143 – 041417	Globalization Monitor	Presentation of views	
041418 – 041656	Miss CHAN Po-kuen	Presentation of views	
041657 – 041939	元朗環保共享居民互助社	Presentation of views	
041940 – 042216	青衣盛康資源回收站	Presentation of views	
042217 – 042449	元朗不是垃圾站	Presentation of views	
042450 – 042709	Zero Waste Yuen Long	Presentation of views	
042710 – 042910	Environmental Management Association of Hong Kong	Presentation of views [LC Paper No. CB(1)396/18-19(32)]	
042911 – 043133	Christian Family Service Centre	Presentation of views [LC Paper No. CB(1)396/18-19(33)]	
043134 – 043348	可持續生活關注小組	Presentation of views	
043349 – 043631	氣候變化關注小組	Presentation of views	
043632 – 043907	社區零垃圾	Presentation of views	
043908 – 044141	Hong Kong Waste Disposal Industry Association	Presentation of views	
044142 – 044424	減廢生活關注組	Presentation of views	
044425 – 044701	大埔社區學堂	Presentation of views	

Time marker	Speaker	Subject	Action required
044702 – 044929	正澳	Presentation of views [LC Paper No. CB(1)513/18-19(01)] (joint submission)	
044930 – 045205	將軍澳不是垃圾站	Presentation of views	
045206 – 045442	西貢不是垃圾站	Presentation of views	
045443 – 045716	染南不是垃圾站	Presentation of views [LC Paper No. CB(1)513/18-19(01)] (joint submission)	
045717 – 045951	結束一桶專棄	Presentation of views	
045952 – 050206	觀塘不是垃圾站	Presentation of views [LC Paper No. CB(1)513/18-19(01)] (joint submission)	
050207 – 050448	減廢共學聯盟	Presentation of views	
050449 – 050724	葵芳不是垃圾站	Presentation of views	
050725 – 050932	自由黨港島南區支部	Presentation of views	
050933 – 051209	Community Leap	Presentation of views [LC Paper No. CB(1)396/18-19(35)]	
051210 – 051426	The Hong Kong Association of Property Management Companies	Presentation of views	
051427 – 051701	Hong Yip Service Company Limited	Presentation of views	
051702 – 051928	Hong Kong Chef Union	Presentation of views	
051929 – 052126	Reconnect Limited	Presentation of views [LC Paper No. CB(1)396/18-19(36)]	
052127 – 052409	Ms LI Mei-siu	Presentation of views [LC Paper No. CB(1)427/18-19(06)]	
052410 – 052636	The Hong Kong Registered Contractors Association	Presentation of views [LC Paper No. CB(1)396/18-19(37)]	

Time marker	Speaker	Subject	Action required
052637 – 052913	Miss CHUNG Ka-wing	Presentation of views	
052914 – 053200	Greeners South	Presentation of views	
053201 – 053442	大埔不是垃圾站	Presentation of views	
053443 – 054023	Chairman Administration	<p>In response to the major views and concerns expressed by deputation/individuals in session three, the Administration advised that:</p> <ul style="list-style-type: none"> (a) it would require the contractor(s) for the pilot scheme on free collection service for waste plastics from non-commercial and non-industrial ("non-C&I") sources to convert the recovered plastics into raw plastic materials or recycled plastic products for export or sale in Hong Kong, which could help sustain a local recycling chain for plastics; (b) a study on the feasibility, scope and mechanism of controlling or banning disposable plastic tableware would be conducted. It was expected that the study would be completed in 2020. In the meantime, the Administration had been working with the food and beverage industry to promote reducing the use of disposable plastic tableware; and (c) the Administration would review the scope of and levy levels under the Environmental Levy Scheme on PSBs. 	
054024 – 055243	Chairman Dr Junius HO Administration Mr CHU Hoi-dick	<p>Dr HO suggested that the Administration should:</p> <ul style="list-style-type: none"> (a) engage the private sector and non-governmental organizations ("NGOs") in promoting reuse and recycling through tripartite efforts; (b) expand the functions of RCPs to facilitate recycling, and invite NGOs to participate in relevant pilot schemes; and (c) expeditiously enhance the design and management of village-type RCPs to complement the implementation of the proposed charging scheme. <p>The Administration responded that FEHD was considering ways to enhance the service quality of</p>	

Time marker	Speaker	Subject	Action required
		<p>aluminium RCPs and bin sites in the rural areas. It would report the progress of relevant trial schemes to LegCo in due course.</p> <p>Mr CHU expressed disappointment about the lack of progress in revamping the designs and functions of RCPs even though such issues had been discussed by the Subcommittee on Refuse Collection and Resource Recovery under the Panel on Environmental Affairs in the 2016-2017 legislative session. He suggested that:</p> <ul style="list-style-type: none"> (a) the Administration should consider merging EPD with FEHD, with a view to tackling waste management and climate change issues in a holistic manner; and (b) as only one Community Green Station would be set up in each district, there would not be enough space/facilities for resource recovery in the community. EPD should actively explore other ways to provide more space/facilities for the purpose. <p>The Administration responded that there would be free collection services for waste plastics from non-C&I sources and food waste primarily from commercial and industrial sources under relevant pilot schemes. The Administration would consider reviewing the procurement methods and contractual arrangements of waste management services, and would consider how to deepen the involvement of district organizations in the provision of those services.</p>	
055244 – 055639	Chairman	<p>The Chairman opined that the relatively high per-capita MSW disposal rate of Hong Kong was attributable to the generally small living space, which made it difficult for households to practise waste separation. The Administration should take the above into account when implementing the proposed charging scheme. Moreover, he suggested that the Administration should consider introducing amendments to the Bill to address some issues raised by deputations/individuals, such as the potential difficulty in monitoring compliance and taking enforcement actions in "three-nil" buildings, and the legal liability of persons who were not waste producers but would handle non-compliant waste.</p>	

Time marker	Speaker	Subject	Action required
055640 – 060133	Chairman Mr CHU Hoi-dick Greeners South	<p>Discussion on the implementation of complementary measures to promote waste reduction and recycling.</p> <p>Mr CHU invited Ms April LAI of Greeners South to express her views on the Government's existing practice of outsourcing the collection and treatment services of a type of recyclables to only a few contractors. Ms LAI considered that the outsourcing arrangements related to WPRS and glass management contracts had crowded out smaller recyclers and middlemen in the recycling chain.</p>	
<i>Agenda Item III — Any other business</i>			
060134 – 060253	Chairman Administration	Date of next meeting	

Council Business Division 1
Legislative Council Secretariat
8 March 2019