

立法會
Legislative Council

LC Paper No. CB(1)670/19-20
(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 12th meeting
held on Tuesday, 21 April 2020, at 10:45 am
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 CHAN Hak-kan, BBS, JP
Hon Paul TSE Wai-chun, JP
Hon Frankie YICK Chi-ming, SBS, JP
Hon Charles Peter MOK, JP
Hon Kenneth LEUNG
Hon KWOK Wai-keung, JP
Dr Hon Fernando CHEUNG Chiu-hung
Hon IP Kin-yuen
Hon Elizabeth QUAT, BBS, JP
Hon POON Siu-ping, BBS, MH
Ir Dr Hon LO Wai-kwok, SBS, MH, JP
Dr Hon Junius HO Kwan-yiu, JP
Hon SHIU Ka-fai, JP
Hon Wilson OR Chong-shing, MH
Hon CHAN Chun-ying, JP
Hon Tanya CHAN
Dr Hon CHENG Chung-tai
Hon Jeremy TAM Man-ho
Hon Vincent CHENG Wing-shun, MH, JP
Hon Tony TSE Wai-chuen, BBS

Members absent : Hon Tommy CHEUNG Yu-yan, GBS, JP
Hon WU Chi-wai, MH
Hon YIU Si-wing, BBS
Hon CHUNG Kwok-pan
Hon CHU Hoi-dick
Hon HUI Chi-fung
Hon Kenneth LAU Ip-keung, BBS, MH, JP

**Public Officers
attending** : **For item I**

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

Mr Bruno LUK
Deputy Director of Environmental Protection (Waste
Management Duties)
Environmental Protection Department

Mr Kenneth CHAN
Assistant Director (Waste Management Duties)
Environmental Protection Department

Mr Ken WONG
Assistant Director (Environmental Compliance)
Environmental Protection Department

Mr FONG Kin-wa
Assistant Director (Waste Reduction and Recycling)
Environmental Protection Department

Mr CHENG Tak-kuen
Assistant Director (Waste Infrastructure Planning)
Environmental Protection Department

Mr Ricky LIU
Principal Environmental Protection Officer
(Community Relations)
Environmental Protection Department

Mr FORK Ping-lam
Assistant Director (Operations)³
Food and Environmental Hygiene Department

Mr Gilbert MO
Deputy Law Draftsman
Department of Justice

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

Action

I. Meeting with the Administration

Matters arising from previous meeting

(LC Paper No. CB(1)528/ — List of follow-up actions arising from
19-20(01) the meeting on 17 March 2020

LC Paper No. CB(1)528/ — Administration's response to the list of
19-20(02) follow-up actions arising from the
meeting on 17 March 2020

LC Paper No. CB(1)528/ — Paper on "Updated list of references to
19-20(03) the Administration's papers related to
enforcement of the proposed municipal
solid waste charging scheme and
support to the public for implementing
the scheme" prepared by the Legislative
Council Secretariat (Chinese version
only))

Relevant papers

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

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

Action

- LC Paper No. LS13/18-19 — Legal Service Division Report
- 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
- 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(01) — Administration's reply to Assistant Legal Adviser's letter dated 4 December 2018
- LC Paper No. CB(1)875/18-19(03) — Assistant Legal Adviser's letter dated 25 March 2019 to the Administration
- LC Paper No. CB(1)1000/18-19(04) — Administration's reply to Assistant Legal Adviser's letter dated 25 March 2019)

Discussion

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

II. Any other business

2. There being no other business, the meeting ended at 12:44 pm.

Council Business Division 1
Legislative Council Secretariat
22 May 2020

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

**Proceedings of the 12th meeting
on Tuesday, 21 April 2020, at 10:45 am
in Conference Room 2 of the Legislative Council Complex**

Time marker	Speaker	Subject	Action required
<i>Agenda Item I – Meeting with the Administration</i>			
000837 – 001014	Chairman Deputy Chairman	The Chairman advised that in accordance with the theme-based approach, the Bills Committee would continue with the discussion on enforcement of the proposed municipal solid waste ("MSW") charging scheme and support to the public for implementing the scheme.	
001015 – 004316	Chairman Deputy Chairman Administration Ms Elizabeth QUAT Mr POON Siu- ping Mr Vincent CHENG Mr Wilson OR	<p>The Administration briefed members on its response to the list of follow-up actions arising from the meeting on 17 March 2020 (LC Paper No. CB(1)528/19-20(02)), and supplemented that:</p> <p>(a) the Food and Environmental Hygiene Department ("FEHD") had commenced the trial test on thermal imaging camera surveillance system ("thermal imaging camera system") in over 100 selected rear lanes in Kowloon City District;</p> <p>(b) initial results had shown that the function of thermal imaging camera system was comparable to that of night-vision camera surveillance systems. As the use of night-vision camera surveillance systems might give rise to privacy concerns, FEHD considered that the use of thermal imaging camera system for rodent control was preferable;</p> <p>(c) in May 2020, FEHD would deploy thermal imaging camera system at selected locations in nine districts during the anti-rodent operations in designated target areas. The system would be deployed before and after the anti-rodent operations, with a view to quantifying and reviewing the effectiveness of the operations. For the same purpose, FEHD would further deploy the system before and after the anti-rodent operations in designated target areas to be conducted in November 2020 in all districts;</p> <p>(d) initial results had shown that, except in humid environments, the poisonous bait with flavours under trial was more attractive than traditional poisonous bait to rodents. FEHD would study the wider application of the new poisonous bait; and</p>	

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		<p>(e) although the newly designed break back trap under trial was expected to be more effective than traditional trap in catching rodents, it might be triggered by other small animals as it was more sensitive. FEHD would explore measures to prevent other small animals from reaching the new traps, including selecting deployment locations carefully.</p> <p>Discussion on the following issues:</p> <p>(a) effectiveness of the existing rodent control measures;</p> <p>(b) how the application of thermal imaging camera system could improve the efficiency and effectiveness of anti-rodent operations;</p> <p>(c) the plan, and resources required, for deploying thermal imaging camera system, new poisonous bait and newly designed break back trap; and the performance indicators for these new rodent control measures; and</p> <p>(d) manpower arrangements in FEHD for taking forward the new rodent control measures.</p> <p>Mr OR said that he supported in principle the implementation of MSW charging that accorded with the "polluter-pays" principle. However, he and the Deputy Chairman commented that the long-standing rodent and fly-tipping problems had invited doubts about the Administration's capability to prevent aggravation of environmental hygiene problems arising from the implementation of the proposed MSW charging scheme, if the Waste Disposal (Charging for Municipal Solid Waste) (Amendment) Bill 2018 ("the Bill") was passed.</p> <p>The Administration responded that the implementation of the proposed MSW charging scheme, coupled with an extensive publicity and public education campaign, measures to support waste reduction and recycling in the community, outreaching services, etc., was expected to bring about improvement to the collection and handling of MSW, which in turn would help improve environmental hygiene conditions.</p>	
004317 – 011402	Chairman Deputy Chairman Administration Mr Wilson OR Mr Vincent CHENG	<p>Discussion on whether, and if so, how the implementation of the proposed MSW charging scheme and complementary measures could enhance the collection of MSW and tackle the problems of illegal waste disposal.</p> <p>The Administration pointed out that according to the experiences of other Asian cities such as Taipei City and</p>	

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		<p>Seoul, the implementation of MSW charging and related publicity and public education campaigns had successfully promoted waste separation at source and the development of local recycling industries.</p> <p>The Deputy Chairman and Mr OR opined that the Administration should further explain to the public through different communication channels the rationale for proposing the introduction of MSW charging.</p> <p>Discussion on measures to promote waste separation at source and recycling. The Administration advised that the main planks of its policy on promoting recycling and supporting the local recycling trade were as follows:</p> <ul style="list-style-type: none"> (a) through government intervention, (i) ensuring that there would be sufficient outlets for recyclables of low or diminishing values in the international market, such as waste plastics, waste paper, food waste and waste glass bottles; and (ii) establishing collection systems for such recyclables; (b) enhancing public awareness of resource recovery and waste reduction through publicity and public education efforts, such as the "Dump Less, Save More, Recycle Right" campaign; and (c) providing incentives for waste reduction and resource recovery, including the proposed MSW charging scheme (if the Bill was passed). 	
011403 – 011745	Chairman Mr Jeremy TAM Mr Kenneth LEUNG	<p>Mr TAM and Mr LEUNG considered that the Bills Committee should expedite the process of studying the Bill and proceed to its clause-by-clause examination as early as possible, given that its policy aspects had been thoroughly deliberated in 12 meetings.</p> <p>The Chairman said that he held similar views and hoped that the Bills Committee could proceed to discuss the last theme (i.e. the fourth theme on "other issues") under the theme-based approach in this meeting, as long as there were no further questions from members on the current theme.</p>	
011746 – 012254	Chairman Deputy Chairman Administration	<p>The Deputy Chairman expressed views about the situation of the House Committee ("HC")'s chairmanship election and its impact on the legislative process of the Bill.</p> <p>Discussion on the business models for recycling in other cities.</p>	

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		<p>The Administration advised that government intervention in recycling systems was common in other cities. Based on the information collated by the Administration, in most cities, recyclables were collected by the authorities or their contractors to help reduce the costs borne by recyclers. In some cities where recyclable collection services were privately run, such as Taipei City, government subsidies were provided for stabilizing market prices of recyclables. In either case above, government intervention could improve the viability of recycling businesses.</p>	
012255 – 013024	<p>Chairman Dr Junius HO Administration</p>	<p>Dr HO expressed concerns about the impact arising from the situation of HC's chairmanship election on the legislative process of the Bill.</p> <p>Discussion on whether the proposed fixed penalty of \$1,500 for offences relating to the depositing and delivery of non-compliant waste would have sufficient deterrent effect.</p>	
013025 – 013309	<p>Chairman Mr Kenneth LEUNG Administration</p>	<p>In view of the complicated text of the Bill, widespread concerns about enforcement arrangements, and the worsened economic and social conditions, Mr LEUNG opined that it was imperative for the Administration to put in place a sufficiently long preparatory period before the actual implementation of the proposed MSW charging scheme, if the Bill was passed.</p> <p>The Administration assured members that a preparatory period of at least 12 to 18 months would be put in place after the passage of the Bill, and the preparatory period could be adjusted in future having regard to relevant factors, including the readiness of the community for the actual implementation of the proposed MSW charging scheme.</p>	
013310 – 014813	<p>Chairman Mr Vincent CHENG Administration Mr Wilson OR Dr Junius HO</p>	<p>Mr CHENG and Mr OR expressed views about the situation of HC's chairmanship election and its impact on the legislative process of the Bill.</p> <p>Discussion on the Administration's communications with stakeholders, in particular property management companies, cleaning service providers and recyclers, on preparation for the implementation of the proposed MSW charging scheme.</p> <p>The Chairman advised that the Bills Committee would proceed to discuss the last theme under the theme-based approach, i.e. "other issues", at the next meeting.</p>	

Time marker	Speaker	Subject	Action required
014814 – 015239	Chairman Deputy Chairman Administration	<p>The Deputy Chairman asked whether the Administration would consider adjusting the price of designated labels ("DLs") (proposed to be \$11 under the Bill) in view of the worsening economic conditions.</p> <p>As oversized waste was disposed of infrequently and the cost implications arising from the use of DLs would be relatively insignificant, the Administration considered that the proposed charging rate of \$11 per DL was appropriate.</p> <p>Discussion on the manpower arrangements for outreaching services provided by the Environmental Protection Department ("EPD"). The Administration clarified that the new posts of the outreaching teams were created under EPD, and EPD did not engage any contractor for the provision of the outreaching services.</p>	
015240 – 015736	Chairman Mr KWOK Wai-keung Administration	<p>Mr KWOK expressed views and concerns about:</p> <ul style="list-style-type: none"> (a) the situation of HC's chairmanship election and its impact on the legislative process of the Bill; (b) street obstruction in North Point caused by the selling of second-hand goods by hawkers and scavengers; and (c) the absence of regulation of packaging materials. 	
015737 – 020239	Chairman Mr Vincent CHENG Administration	<p>Mr CHENG expressed further views about the situation of HC's chairmanship election and its impact on the legislative process of the Bill.</p> <p>Further discussion on the Administration's communications with cleaning service providers on preparation for the implementation of the proposed MSW charging scheme.</p>	
<i>Agenda Item II – Any other business</i>			
020240 – 020328	Chairman	Concluding remarks	