

立法會
Legislative Council

LC Paper No. CB(1)787/19-20(01)

Ref. : CB1/BC/2/18

**Paper for the meeting of the Bills Committee on Waste Disposal
(Charging for Municipal Solid Waste) (Amendment) Bill 2018
on 22 June 2020**

Way forward of the Bills Committee

Purpose

This paper invites members to give views on the way forward of the Bills Committee.

Scrutiny progress of the Bills Committee

2. Since its first meeting on 5 December 2018, the Bills Committee has held 15 meetings,¹ including one meeting to receive public views and 12 meetings to study the general merits and principles of the Bill. The Bills Committee has started clause-by-clause examination of the Bill at the meeting on 20 May 2020. With three meetings held since then, the Committee has examined up to Clause 4, out of 37 clauses of the Bill.²

¹ In the 2018-2019 session, the meeting scheduled for 17 June 2019 was cancelled to avoid clashing with the anticipated continuation of the Council meeting of 12 June 2019, whereas the meeting scheduled for 9 July 2019 was cancelled given the damage caused by the storming of the Legislative Council Complex by some protesters on 1 July 2019. In the 2019-2020 session, the meeting on 4 February 2020 was rescheduled to 17 March 2020 in the light of the coronavirus disease 2019 pandemic.

² Clauses 1 to 4 cover mainly certain new definitions proposed to be added to the Waste Disposal Ordinance (Cap. 354) and new offences related to the proposed municipal solid waste charging scheme.

3. While members support the policy direction of waste reduction, they hold different views about the effectiveness of the proposed municipal solid waste ("MSW") charging scheme to attain its intended objectives. In particular, members question whether the proposed charging scheme can be enforced effectively to minimize problems of fly-tipping and evasion of MSW charges, and the readiness/progress of complementary measures to support waste reduction and recycling in parallel. Some members have also raised concerns about the timing of introducing MSW charging having regard to the recent economic downturn.

4. During the clause-by-clause examination (up to Clause 4), members raised various matters about the drafting aspects of the Bill and requested the Administration to consider amending certain new definitions and offence clauses with a view to ensuring their clarity. Some members have also indicated their intention to propose amendments to the Bill (such as amendments to certain new definitions) for discussion by the Bills Committee.

Way forward

5. The current term of the Legislative Council has less than four weeks left, during which three Council meetings have been scheduled.³ Any legislative items which cannot complete the scrutiny process will lapse upon the end of the current term in accordance with section 9(4) of the Legislative Council Ordinance (Cap. 542). If the Bill is to resume its Second Reading debate before prorogation of the Sixth Legislative Council and at the Council meeting of 15 July 2020 the latest, the Bills Committee should report to the House Committee on or before 3 July 2020.

6. On 9 June 2020, the Deputy Chairman (Hon Steven HO) wrote to the Chairman expressing concern about the Bills Committee's progress of scrutiny work and requesting the Chairman to consult members on the way forward of the Bills Committee.⁴

7. Having reviewed the current situation and in the light of members' concerns about the progress of scrutiny work of the Bills Committee, the Chairman has directed to seek members' views by way of circulation of paper on 11 June 2020 whether they agree that the Bills Committee should discontinue its scrutiny work on the Bill and report to the House Committee its decision to discontinue its work. By the specified deadline of 5:00 pm on 12 June 2020,

³ Council meetings of 24 June, 8 July and 15 July 2020.

⁴ The letter was circulated on 11 June 2020 vide LC Paper No. CB(1)748/19-20.

a total of 21 members responded to the invitation, with 12 members signifying agreement while 9 members signifying disagreement.

8. According to paragraph 4.27 of the Handbook for Chairmen of Bills Committees, a matter considered by circulation of papers to members will be deemed to be approved by the Bills Committee, if a majority of the members of the Bills Committee have signified approval, and no member has signified disapproval or has requested that the matter should be discussed at a meeting. In the light of the above consultation results, the Chairman has instructed that the Bills Committee will discuss its way forward at the meeting on 22 June 2020.

Advice sought

9. Members are invited to give views on the way forward of the Bills Committee at the meeting on 22 June 2020.

Council Business Division 1
Legislative Council Secretariat
18 June 2020