

立法會
Legislative Council

LC Paper No. CB(1)670/20-21
(These minutes have been seen
by the Administration)

Ref : CB1/PL/EA

Panel on Environmental Affairs

**Minutes of meeting by videoconferencing
held on Monday, 25 January 2021, at 2:30 pm**

Members present : Hon Vincent CHENG Wing-shun, MH, JP (Chairman)
Hon Paul TSE Wai-chun, JP (Deputy Chairman)
Hon WONG Ting-kwong, GBS, JP
Hon CHAN Hak-kan, BBS, JP
Hon Steven HO Chun-yin, BBS
Hon Frankie YICK Chi-ming, SBS, JP
Hon KWOK Wai-keung, JP
Hon Elizabeth QUAT, BBS, JP
Ir Dr Hon LO Wai-kwok, SBS, MH, JP
Dr Hon Junius HO Kwan-yiu, JP
Hon SHIU Ka-fai, JP
Hon Kenneth LAU Ip-keung, BBS, MH, JP
Hon Tony TSE Wai-chuen, BBS, JP

Public Officers attending : **For item IV**

Mr WONG Kam-sing, GBS, JP
Secretary for the Environment

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

Mrs Millie NG, JP
Deputy Director of Environmental Protection (2)
Environmental Protection Department

Mr Bruno LUK
Deputy Director of Environmental Protection (Special
Projects)
Environmental Protection Department

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

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

Mr Andy CHAN
Assistant Director (Environmental Infrastructure)
Environmental Protection Department

Ms Iris LEE
Assistant Director (Waste Management Policy)
Environmental Protection Department

Mr WONG Chuen-fai, JP
Assistant Director (Waste Recycling Innovation
Planning)
Environmental Protection Department

For item V

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

Mr Owin FUNG, JP
Deputy Director of Environmental Protection (3)
Environmental Protection Department

Mr Daniel TANG
Principal Environmental Protection Officer (Cross-
Boundary and International)
Environmental Protection Department

Mr CHAN Ho-ming
Senior Environmental Protection Officer (Cross-
Boundary & International) 1
Environmental Protection Department

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

Staff in attendance : Mr Jason KONG
Senior Council Secretary (1)1

Miss Bowie LAM
Council Secretary (1)1

Miss Mandy POON
Legislative Assistant (1)1

Ms PANG Yin-shan
Clerical Assistant (1)1

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The Chairman advised that this meeting by videoconferencing was held in accordance with a motion under Article 75 of the Basic Law passed at the Council meeting of 13 January 2021 as well as the Schedule to the motion, which set out the procedure for committee meetings conducted by videoconferencing. He reminded members that they should turn on the video function of their device and show their face when they spoke, and that the Panel's email account had been designated for members' submission of documents (if any) to the Chairman and/or the Clerk.

I. Confirmation of minutes

(LC Paper No. CB(1)467/ — Minutes of the meeting held on
20-21 23 November 2020)

2. The minutes of the meeting held on 23 November 2020 were confirmed.

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II. Information papers issued since last meeting

3. Members noted that the following paper had been issued since the last meeting:

LC Paper No. CB(1)501/ — Information paper on "Proposed
20-21(01) Amendments to the Schedules to the
Protection of Endangered Species of
Animals and Plants Ordinance
(Cap. 586)" provided by the
Administration

III. Items for discussion at the next meeting

(LC Paper No. CB(1)480/ — List of follow-up actions
20-21(01)

LC Paper No. CB(1)480/ — List of outstanding items for discussion)
20-21(02)

4. Members agreed to discuss the following items at the next regular meeting scheduled for Monday, 22 February 2021, at 2:30 pm:

- (a) improvement and extension works of waste management facilities;
and
- (b) retrofitting of noise barriers.

IV. Waste Management Strategies for Hong Kong

(LC Paper No. CB(1)480/ — Administration's paper on "Waste
20-21(03) Management Strategies for Hong Kong"

LC Paper No. CB(1)480/ — Background brief on "Waste
20-21(04) management strategies" prepared by the
Legislative Council Secretariat

LC Paper No. CB(1)480/ — Submission from The Green Earth
20-21(05) (Chinese version only)

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LC Paper No. CB(1)535/ — Submission from Single-use Beverage
20-21(01) Packaging Working Group (Chinese
version only)

LC Paper No. CB(1)535/ — Submission from WWF-Hong Kong
20-21(02)

Briefing by the Administration

5. The Secretary for the Environment ("SEN") presented an overview of the existing measures for promoting waste reduction and recycling, and the challenges in waste management facing Hong Kong. He advised that as announced in The Chief Executive's 2020 Policy Address, the Environment Bureau would launch a long-term strategy blueprint on waste management ("the new blueprint"). The new blueprint would be built on the "Hong Kong: Blueprint for Sustainable Use of Resources 2013-2022" ("the 2013 Blueprint") and the momentum of previous efforts in waste reduction and recycling.

6. With the aid of a PowerPoint presentation, the Deputy Director of Environmental Protection (2) ("DDEP(2)") briefed the Panel on the Government's major strategies and work on waste management, and the general directions of the actions to be incorporated into the new blueprint to tackle the waste management challenges.

(Post-meeting note: The PowerPoint presentation materials were circulated to members on 25 January 2021, vide LC Paper No. CB(1)534/20-21(01).)

Discussion

General issues

7. Mr Kenneth LAU agreed with the general direction of the Administration's work on waste management, especially the implementation of various producer responsibility schemes ("PRSs") and other measures to promote waste reduction at source.

8. Mr SHIU Ka-fai said that he was supportive of measures to promote recycling, and commended the Administration for successfully raising public awareness of environmental protection in recent years through the implementation of various waste reduction measures. He opined that the passage of the bill that aimed to establish a municipal solid waste ("MSW") charging scheme (which was expected to be a key policy tool to reduce waste, if implemented) hinged on whether the Administration could adequately address

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public concerns about the financial burdens on the grassroots and business operators as well as potential aggravation of the illegal waste disposal problems as a result of the implementation of MSW charging.

9. Mr Tony TSE considered it an opportune time to review the strategies and work on waste management and formulate the new blueprint. He called on the Administration to set targets for different fronts of waste management in the new blueprint, with a view to enabling objective assessment of the effectiveness of relevant measures in future. He also considered that the Administration should provide more information on whether the targets set out in the 2013 Blueprint and the "A Food Waste & Yard Waste Plan for Hong Kong 2014-2022" ("the Food & Yard Waste Plan") had been achieved.

10. SEN took note of members' views and affirmed that the new blueprint would set out more progressive targets for waste reduction and recycling compared to the targets in the 2013 Blueprint and the Food & Yard Waste Plan.

Management of waste plastics

11. Ms Elizabeth QUAT considered it necessary to enhance the Plastic Shopping Bag ("PSB") Charging Scheme so as to further reduce PSB disposal but cautioned that increasing the charging level amid the worsened economic conditions might arouse discontent from the public. She asked whether the Administration had considered alternative means to reduce PSB disposal.

12. The Deputy Director of Environmental Protection (Special Projects) ("DDEP(SP)") responded that the Administration was considering various ways to further reduce the use of PSBs, including tightening the scope of exemption under the PSB Charging Scheme. For example, there were public views that PSBs used for carrying frozen or chilled foodstuff, which were exempted currently, should be charged by the retail outlets in future.

13. Ms Elizabeth QUAT enquired about the timetable for implementing further measures for reducing waste plastics and promoting a "plastic-free" culture, and whether the Administration would consider banning the sale of products containing microbeads.

14. Mr SHIU Ka-fai called on the Administration to maintain close communication with the relevant trades with a view to minimizing adverse business impact of any scheme for reducing the use of microbeads.

15. DDEP(SP) advised that the Environmental Protection Department ("EPD") had completed a consultancy study in March 2020 to review the international trend of controlling personal care and cosmetic products

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("PCCPs") containing microbeads, collate and analyse relevant local market information, and recommend viable control options for Hong Kong. Based on the consultant's recommendations, the Administration would launch a two-year voluntary scheme for phasing out PCCPs containing microbeads in 2021 to encourage the trade to stop manufacturing, importing or selling such products. Complementary publicity and education activities would be organized to assist consumers in choosing microbead-free products. The Administration would review the effectiveness of the voluntary scheme at a later stage to ascertain the need for introducing legislative control on microbead-containing products.

16. Ms Elizabeth QUAT noted with concern the statement of The Green Earth in its submission (LC Paper No. CB(1)480/20-21(05)) that Hong Kong was a major transit point in Asia for waste plastics shipments (including illegal shipments) and had been "named and criticized" for that reason in the "INTERPOL Strategic Analysis Report: Emerging criminal trends in the global plastic waste market since January 2018". She sought explanation on the latest situation of import and export of waste plastics and how the Administration would combat illegal trading activities.

17. The Under Secretary for the Environment ("USEN") pointed out that the said report mentioned Hong Kong only once in a case involving illegal shipment of seven containers of waste plastics into Malaysia from Belgium via Hong Kong but did not make specific criticism in this regard. He also made the following clarifications in relation to The Green Earth's submission:

- (a) the situation described in the submission was history. Waste plastics trade was prevalent globally before the implementation of an amendment to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal ("the Basel Convention amendment") on 1 January 2021;
- (b) as a result of the Mainland's tightening of requirements for imported recyclables since 2018, there had already been a drastic reduction in the shipments of waste plastics from/through Hong Kong. The annual quantity of re-exported waste plastics dropped from 2.7 million tonnes in 2016 to 96 000 tonnes in 2020, representing a decrease of over 96%;
- (c) according to the requirement of the Basel Convention amendment, free trading was only allowed for those listed single-polymer, and uncontaminated waste plastics destined for recycling. To implement the Basel Convention amendment in Hong Kong, other types of waste plastics had been brought under a permit system for import/export control. According to the Administration's policy, it

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would not grant a permit for import/export of these regulated waste plastics under normal circumstances. Therefore, it was expected that re-export of regulated waste plastics would be further reduced to almost none from 2021 onwards; and

- (d) The Green Earth's claim that 14 containers of hazardous electronic waste and waste plastics returned to Hong Kong from Malaysia and the Philippines in 2019 might have been disposed of at Hong Kong's landfills was not true. In fact, among the 14 containers, 12 of them were shipments of waste plastics not regulated under the Waste Disposal Ordinance (Cap. 354) and were returned to Hong Kong due to commercial disputes. Seven of these containers were eventually exported to other countries for recycling, while the remaining five containers of waste plastics were recycled in Hong Kong. The other two containers returned from Malaysia and the Philippines were found to be illegal shipments of waste metal scrap and electronics. The two concerned exporters had been prosecuted and fined by the court. The waste was all recycled and not disposed of at landfills.

18. Ms Elizabeth QUAT considered that the Administration should make the above clarification in writing before the meeting for more efficient use of meeting time. The Chairman urged the Administration to allocate sufficient resources for enforcement and intelligence gathering to ensure Hong Kong's compliance with the Basel Convention amendment.

19. Mr Tony TSE remarked that through the territory-wide waste paper collection and recycling services, the Administration had been subsidizing the recycling of local waste paper. He asked whether the Administration would consider providing price subsidies for other types of recyclables, and waste plastics in particular, with a view to ensuring their proper recycling.

20. USEN responded that the Administration's priorities were to suitably support the recovery and recycling of locally-generated recyclables.

Waste-to-resources/energy infrastructure

21. Mr Kenneth LAU considered that one of the most effective ways to reduce reliance on landfilling was to turn waste into energy. Ir Dr LO Wai-kwok was deeply concerned about the imminent saturation of Hong Kong's landfills and the limited capacities of existing MSW recycling facilities. Mr LAU, Ir Dr LO and Mr Tony TSE asked whether the Administration had plans to develop more waste-to-energy facilities, in addition to the Integrated Waste Management Facilities (to be named as I•PARK), which was under

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construction and expected to commence operation in 2025.

22. Ms Elizabeth QUAT also called on the Administration to consider developing more waste-to-energy facilities, as Hong Kong should continue to diversify its methods for handling MSW.

23. SEN and USEN responded that:

- (a) the development of waste-to-resources/energy infrastructure would be a key plank of the Administration's waste management strategies, as such facilities could relieve the waste disposal burden on landfills and reduce carbon emissions by transforming waste into useful materials or energy;
- (b) some of these facilities were already in operation. For example, T•PARK (a sludge treatment plant in Tuen Mun) marked the beginning of the waste-to-energy transformation process in Hong Kong. In T•PARK, the heat energy generated from the sludge treatment process was utilized to produce electricity, which was sufficient to support the daily operation of the entire plant, while the surplus electricity was exported to the power grid;
- (c) the Administration had also been expanding Hong Kong's food waste treatment capacity. The combined treatment capacity of O•PARK1 (an organic resources recovery centre at Siu Ho Wan of North Lantau, which had commenced operation) and O•PARK2 (being constructed at Sha Ling of the North District) would reach about 500 tonnes per day;
- (d) with a view to optimizing the use of existing sewage treatment facilities to achieve synergy, the Administration had kick-started the food waste/sewage sludge anaerobic co-digestion trial to turn food waste into renewable energy; and
- (e) looking ahead, the Administration would soon commence a study on the planning procedure for the development of new waste-to-resources/energy infrastructure.

Producer responsibility schemes

24. Ir Dr LO Wai-kwok and Mr Tony TSE sought information on the roadmap for expanding existing PRSs and establishing new PRSs through legislative means.

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25. Quoting the submission from Single-use Beverage Packaging Working Group (LC Paper No. CB(1)535/20-21(01)), the Chairman enquired about the measures for promoting the recycling of beverage containers and packaging.

26. DDEP(SP) responded that the Administration had largely completed a review of the PSB Charging Scheme (which was a PRS). If the proposal of adjusting the scope of exemption was pursued, legislative amendments would be required. The regulatory framework of the PRS on glass beverage containers ("GPRS") had been established, and the drafting of the subsidiary legislation on the operational details of GPRS was expected to finish soon. The Administration would consult Members on the subsidiary legislation in due course. Meanwhile, the Administration would soon conduct a public consultation on the PRS on plastic beverage containers ("PPRS"); and, subject to the consultation outcomes, would proceed to the drafting of PPRS's enabling legislation. GPRS and PPRS would cover the majority of waste glass and plastic containers generated in Hong Kong. The Administration would continue to study the suitability of expanding existing PRSs or establishing new PRSs for other products.

27. SEN supplemented that to pave the way for PPRS, EPD would roll out a Reverse Vending Machine ("RVM") Pilot Scheme to test out the practical application of RVMs in Hong Kong, with the provision of instant rebate via e-payment to encourage the public to return their used plastic beverage containers. Under the pilot scheme, 60 RVMs would be installed in phases at various locations across the territory. The RVMs under the pilot scheme would be equipped with a compression function to enhance their storage capacity. The Administration would elaborate on its plan for implementing/expanding various PRSs in the new blueprint.

28. In view of the worsened economic conditions, Mr SHIU Ka-fai considered that any plan to expand the regulatory scope of the PRS on waste electrical and electronic equipment, which might increase the financial burdens on members of the public, should be postponed.

29. SEN responded that the Administration would continue to maintain close communication with the relevant trades.

Promoting resource recovery in the community

30. Mr SHIU Ka-fai suggested that the Administration should consider relocating some street corner recycling shops that had frequently caused street obstruction and environmental nuisance to nearby residents. He also enquired how the Administration would help enhance the operation standards of the collection of recyclables.

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31. SEN and USEN responded that the Administration had been maintaining close communication with relevant trade organizations on matters concerning the upgrading of the recycling industry's operation standards. Financial support would continue to be provided through the Recycling Fund to assist recyclers in upgrading or transforming their businesses, including improving the hygienic conditions of the recyclables handling processes. Moreover, the Administration had reformed and expanded the community recycling network, in which the collection points for recyclables were operated under service contracts; and had started to provide collection services for certain types of recyclables through service contracts. As the contractors concerned were required to meet stipulated operation standards, it was expected that this could create competitive pressure on private operators, thereby raising the overall quality of the trade's operation.

32. The Chairman observed that Recycling Stations (formerly known as Community Green Stations), which served as collection points for recyclables, had successfully attracted many members of the public. Nevertheless, the geographical coverage of the collection points under the community recycling network (i.e. Recycling Stations, Recycling Stores and Recycling Spots) was rather limited. He enquired how the Administration would restore public confidence in its management of recycling bins in public places, so that the recycling bins, which had a wide geographical coverage, could play a bigger role in resource recovery.

33. As some recycling bins in public places were in poor maintenance conditions, Mr SHIU Ka-fai suggested replacing them with new ones made of more durable materials.

34. Mr Kenneth LAU pointed out that there had been media reports that plastic recyclables collected from recycling bins had been delivered to landfills, giving rise to public concerns about the effectiveness of the Administration's measures for waste reduction and recycling. He urged the Administration to plug the loophole.

35. SEN responded that:

- (a) with the regularization of funding support and the introduction of the service contract arrangements for collection points under the community recycling network, the geographical coverage of the network had been significantly expanded. The Administration would continue to set up more collection points. To encourage the public to use the collection points, EPD introduced the GREEN\$ smart card, through which the public could earn credits for redemption of gift items by bringing recyclables to the facilities;

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- (b) in addition to expanding the community recycling network, the Administration had also started to provide collection services for food waste, waste plastics and waste paper in order to promote recovery of such recyclables from the community; and
- (c) under the pilot scheme on waste plastics recycling, which covered Eastern, Kwun Tong and Sha Tin districts currently, all types of waste plastics were collected from non-commercial and non-industrial sources. To ensure that waste plastics collected under the pilot scheme were properly handled, contractors of the service were required to process the waste plastics into recycled raw materials or products to be supplied to the local market or exported for sale. The Administration planned to expand the coverage of the pilot scheme to some other districts.

36. DDEP(SP) advised that in October 2020, EPD had taken over the management of recycling bins in public places from the Food and Environmental Hygiene Department. Existing recycling bins would be gradually replaced by new ones with an improved design. Under the improved design, the litter compartment currently connected with the recycling bins would be changed to collect recyclables (mainly waste plastics, as they usually constituted a larger volume of recyclables collected from recycling bins) to increase the collection capacity and minimize contamination of recyclables by litter. It was expected that such improvement could help increase the cleanliness of roadside recyclables. Moreover, new labels with a QR code and service hotline number would be put on the recycling bins to make it easier for the public to report matters such as overfilled or damaged bins and hence improve the efficiency of follow-up actions. EPD would monitor the usage of the recycling bins and make adjustments as necessary (such as relocating bins that were frequently abused) to enhance the effectiveness of recycling bins in resource recovery.

Support for the recycling industry

37. Mr Tony TSE noted from paragraph 11 of the Administration's paper (LC Paper No. CB(1)480/20-21(03)) that by the end of 2020, the Recycling Fund had approved about \$570 million to support recyclers. He asked whether the implementation progress of the Recycling Fund was considered satisfactory.

38. DDEP(2) responded that the recycling industry generally considered that the Recycling Fund could assist them in adopting new technologies and/or developing new markets. The Administration would endeavour to provide continuous support to the recycling industry through the fund.

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39. Mr Tony TSE asked about the occupancy rate and tenancy situation of EcoPark in Tuen Mun, including whether there had been any renewal or surrender of tenancy.

40. The Assistant Director (Waste Reduction and Recycling) responded that currently, 12 lots in EcoPark were leased out and three lots remained unoccupied. The Administration planned to develop a modern pulping facility in EcoPark and would invite tenders for the project in the first half of 2021. As tenancy agreements for EcoPark lots generally had a term of about 20 years, the agreements were not due for renewal in the near future. In cases where an EcoPark tenant faced operating difficulties and expressed the intention to surrender its tenancy, the Administration would explore possible ways to assist the tenant in sustaining its operation. In addition, rental concessions had been provided to EcoPark tenants in tandem with other similar government rental support schemes.

Management of landfills

41. Mr Kenneth LAU pointed out that the contractor of the West New Territories ("WENT") Landfill had been found to discharge substandard landfill leachate into a river in 2018. He asked how the Administration had enhanced its monitoring work and whether relevant environmental monitoring data had been/would be made available on the Internet for public reference.

42. The Assistant Director (Environmental Infrastructure) responded that upon learning of the above incident, EPD had conducted thorough inspections of the wastewater facilities of all landfills to prevent occurrence of similar incidents. In addition, EPD had stepped up monitoring of water bodies adjacent to the WENT Landfill and set up more sampling locations. Relevant monitoring data were uploaded onto EPD's website for public reference. To allay public concerns, EPD had also engaged academics to conduct independent assessment of the water quality of the water bodies. To maintain effective communication with the local communities regarding the operation of various strategic landfills, District Liaison Groups had been set up and their membership included local residents. No violation of contract terms or relevant environmental regulations by landfill operators had been found since the above incident.

Other issues

43. Ms Elizabeth QUAT said that as members of the public had been going out less frequently amid the COVID-19 epidemic, takeaway orders and online shopping had become more popular, resulting in the increased use of disposable tableware and packaging materials. She considered that the Administration

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should step up publicity and public education on the use of reusable tableware, and cooperate with the retail and e-commerce industries in reducing the use of packaging materials.

44. The Chairman suggested that the Administration should study whether there was a fundamental change in the public's consumption and waste disposal patterns due to the COVID-19 outbreak, and if so, adjust its waste management strategies and measures accordingly. In addition, he expressed appreciation for EPD's efforts in conducting sewage surveillance in collaboration with a local university to detect the COVID-19 virus in sewage. He said that some residents hoped that the Administration could enhance the efficiency of such sewage surveillance.

45. SEN took note of members' suggestions and advised that the Administration had been working with some major operators in the catering trade in reducing the provision of disposable tableware to customers.

V. Implementation of the Minamata Convention on Mercury in Hong Kong - Mercury Control Bill

(LC Paper No. CB(1)480/ — Administration's paper on "New
20-21(06) Legislation to Implement the Minamata
Convention on Mercury in Hong Kong"

LC Paper No. CB(1)480/ — Background brief on "Implementation of
20-21(07) the Minamata Convention on Mercury in
Hong Kong" prepared by the Legislative
Council Secretariat)

Briefing by the Administration

46. USEN briefed members on the background of the Minamata Convention on Mercury ("the Convention") and its implementation in Hong Kong. He advised that on 25 May 2020, the Administration consulted members of the Panel on its proposed two-phase approach to introduce statutory control on mercury. Phase One involved amending the relevant schedules to the Import and Export (General) Regulations (Cap. 60A) ("the Regulations") to impose control on the import and export of mercury trading. For this purpose, the Import and Export (General) Regulations (Amendment of Schedules 1 and 2) Order 2020 was made in June 2020 and came into operation on 1 November 2020. In order to ensure Hong Kong's compliance with the obligations under the Convention that were not enforceable under the existing legislative or administrative frameworks, the Administration proposed to carry

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out Phase Two of the legislative exercise by introducing a new piece of legislation, i.e., the Mercury Control Bill ("the Bill").

47. With the aid of a PowerPoint presentation, the Senior Environmental Protection Officer (Cross-Boundary & International) 1, Environmental Protection Department ("SEPO/EPD") briefed members on the key elements of the Bill to fulfill the relevant obligations under the Convention:

- (a) restricting the import and export of mercury by imposing a permit control system;
- (b) prohibiting the import, export and manufacture of mercury-added products as specified in the Convention;
- (c) prohibiting or restricting the manufacturing processes in which mercury or mercury compounds are used as specified in the Convention; and
- (d) imposing permit control on the environmentally sound storage and use of mercury and mercury compounds.

48. SEPO/EPD added that as the Mercury Control Ordinance to be put in place under Phase Two (if the Bill was passed) would control, among other things, the import and export of mercury, a consequential amendment would also be included in the Bill to repeal the control of the relevant specified article under the Regulations. Moreover, as the Conference of the Parties to the Convention might bring new mercury compounds, mercury-added products and manufacturing processes using mercury or mercury compounds under the control of the Convention, the Administration proposed allowing flexibility for the Secretary for the Environment to update the lists of regulated products and processes by amending the relevant Schedules to the Mercury Control Ordinance (as prescribed by the Bill). Such amendments would be subsidiary legislation subject to negative vetting by the Legislative Council ("LegCo"). SEPO/EPD advised that the Administration planned to submit the Bill to LegCo in May 2021 with a view to putting the Mercury Control Ordinance into operation by end of 2021.

(Post-meeting note: The PowerPoint presentation materials were circulated to members on 25 January 2021, vide LC Paper No. CB(1)534/20-21(02).)

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Discussion

Potential impact of the Mercury Control Bill on the general public and relevant trades

49. Mr Tony TSE supported the Administration's proposal to introduce new legislation to implement the Convention. He enquired whether the import and export of mercury-added products could be regulated by existing legislation or administrative means before the passage of the Bill. Mr TSE further asked if the sale, purchase, possession and/or use of mercury-added products would be prohibited after the Mercury Control Ordinance had come into operation (if the Bills was passed).

50. USEN advised that in order to regulate mercury trading as soon as possible for the purpose of implementing the Convention in Hong Kong, the Administration adopted a two-phase approach by first amending the relevant schedules of the Regulations earlier on under Phase One, followed by introducing the Bill in Phase Two to address those obligations of the Convention (such as prohibition of manufacture of mercury-added products and control of storage of mercury and mercury compounds) not enforceable under the existing regulatory or administrative frameworks of Hong Kong, and to prescribe the regulation of the import and export of mercury in greater details.

51. USEN added that with the prohibition of manufacture, import and export of the Convention-listed mercury-added products under the Bill, it was envisaged that such products would be phased out in Hong Kong. The Bill would further prohibit the supply of such products three years after the Bill (if passed) had come into effect so as to exhaust the existing stock of mercury-added products within a reasonable period of time. In view that there was no known local use of mercury in mercury-added products and manufacturing processes, and taking into account the widely available mercury-free alternatives for most of the mercury-added products in the market, the impact of the Bill on the general public as well as the relevant trades should be minimal.

52. The Principal Environmental Protection Officer (Cross-Boundary and International), Environmental Protection Department ("PEPO/EPD") supplemented that in line with the Convention requirements, the Bill was aimed to regulate manufacture, import and export of Convention-listed mercury-added products, and would not impose control on the possession and use of such products.

53. Mr SHIU Ka-fai said that the public would likely support implementation of the Convention in Hong Kong to better protect human health and the local environment. He was concerned about the potential impact, if any,

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of the Bill on the electrical/electronics, cosmetics and medical sectors which might be involved in the manufacture/import/export of mercury-added products. Mr SHIU sought details of the consultations conducted by the Administration with relevant trades.

54. USEN responded that the Administration had consulted relevant trades on the regulatory approach before drafting the Bill. PEPO/EPD supplemented that a consultation document setting out the scope and details of the regulatory approach was sent to more than 500 stakeholders in August 2018 with two major public consultation fora and a series of consultation meetings held subsequently with the major trade associations and specific trade sectors to gauge their views. Given a competitive global market and the wide availability of mercury-free alternatives for most of the mercury-added products in the market, it would be in the interests of the relevant trades to develop/manufacture/supply products that met international standards/requirements including those under the Convention. As observed, most of the products in the local market were mercury-free.

55. Mr SHIU Ka-fai welcomed the Administration to maintain communication with relevant trades on the implementation of the Convention in Hong Kong and he would convey the trades' views and concerns to the Administration as appropriate.

Disposal and recycling of mercury-added products

56. Mr Tony TSE enquired about the guidelines, if any, to the trades and members of the public on the disposal of mercury-added products.

57. USEN responded that certain mercury-added products such as rechargeable batteries and compact fluorescent lamps/tubes were recyclables that could be collected and properly handled under existing recycling arrangements or programmes. Members of the public could make use of the relevant facilities and arrangements/programmes to dispose of such products properly. Mr Tony TSE called on the Administration to step up promotion and education on recycling of mercury-added products. USEN took note of the member's suggestion.

Conclusion

58. The Chairman concluded that no members raised objection to the introduction of the Bill and the legislative timetable.

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VI. Any other business

59. There being no other business, the meeting ended at 4:04 pm.

Council Business Division 1
Legislative Council Secretariat
18 March 2021