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世界自然基金會
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WWF-Hong Kong

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Submission on Product Eco-responsibility (Amendment) Bill 2023

The Product Eco-responsibility (Amendment) Bill 2023 (the Bill) will be discussed during the third meeting on 29th April 2023 on the first phase of regulating disposable plastic tableware and other disposable items.

WWF-Hong Kong (WWF) supports the amendment of the Bill, as it represents a significant step in achieving zero plastic waste and a circular plastic economy. We are eager to share our vision of No Plastic in Nature, and have put forward some recommendations for the current proposal, which we hope will be considered and implemented by the Bureau.

1. Set a more ambitious and precise timeline for Phase 2 implementation

WWF welcomes bringing forward the implementation of Phase 1 of the Bill from 2025, as initially scheduled, to before the end of 2023. While the timeline for implementation of Phase 1 is clear, the timeline for implementation of Phase 2 is yet to be confirmed.

WWF recommends the government to:

- Set a clear timeline for implementation of Phase 2 of the Bill, which should be in or before 2025 at the latest
- Reconsider the critical factors determining when Phase 2 of the Bill should be implemented – instead of relying on market development of alternative disposable products, maturity of reusable system should be taken into account. This emphasis on disposable non-plastic alternatives could mislead the industry and the public into believing that using non-plastic disposable products could be a sustainable practice.
- Provide a clear definition of “greener” alternative material for replacement, with regards to the origin, carbon footprint, and methods of disposal for each material.
- Devote more resources to the development of rental systems of reusables in Hong Kong to drive a circular economy and showcase the government’s commitment to eliminate plastic pollution in Hong Kong.

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2. Eliminate possible loopholes in the Bill

While the government is working on restricting the production and distribution of single-use plastic tableware and products, there are foreseeable loopholes in the Bill that would allow businesses to continue importing and using the products described. The government should ensure the anticipated effect of the Bill can be well-achieved and discourage the continuous use of disposable plastic products in society.

WWF recommends including the following Clauses in the Bill to avoid potential loopholes:

- Ban or impose a limitation on disposable plastic products imported for claimed personal use, with reference to equivalent legislation in Canada and Kenya, which have banned the import of single-use plastic. Failure to close this potential loophole could result in continuing distribution and provision of disposable plastic tableware or products.
- Provide clear and comprehensive definitions of “disposable” and “single-use” to avoid greenwashing and false claims for products designed to be disposable but falsely marketed otherwise to circumvent the ban.

3. Provide clear and comprehensive definition of “plastics”, “biodegradables” and “compostable”

In the current proposal, the government has widened the definition of “plastics” to include items containing polymers. However, the proposed definition does not explicitly account for “biodegradable plastics” and “compostable plastics”, which have become widely considered as alternatives for conventional plastics. To avoid misunderstanding in the industry, WWF recommends the government to:

- Include “biodegradable plastics” and “compostable plastics” within the definition of “plastics”, making clear that the ban also applies to these types of alternative plastics which is currently non-recyclable locally, thereby avoiding any potential understanding in the industry
- Provide a clear guideline on standards for import, production and labelling of biodegradable plastics and compostable plastics, together with examples of the most common biodegradable plastics in the market for the ease of understanding

With a concrete timeline and additional refinements suggested above, Hong Kong can be well-prepared to support the upcoming UN Plastic Treaty and become a national and international pioneer as a plastic-free city with maximum resources being reused, while zero plastic waste leaks into the environment. WWF acknowledges the proactive actions taken by the Bureau in striving for nature and human-positive solutions, and will provide strong support for robust government policy.