

# **LEGISLATIVE COUNCIL BRIEF**

## **Product Eco-responsibility Ordinance (Chapter 603)**

### **PRODUCT ECO-RESPONSIBILITY (AMENDMENT) ORDINANCE 2023 (COMMENCEMENT) NOTICE 2024**

#### **INTRODUCTION**

Under section 1(2) of the Product Eco-responsibility (Amendment) Ordinance 2023 (Amendment Ordinance), the Secretary for Environment and Ecology has appointed 22 April 2024 as the implementation date for the clauses therein relevant to the regulation of disposable plastic tableware and other plastic products, via the Product Eco-Responsibility (Amendment) Ordinance 2023 (Commencement) Notice 2024 (**Annex**).

#### **BACKGROUND**

2. Plastics are widely used in our daily lives, but their decomposition may take over a hundred years, during which they will be fragmented into plastic particles, causing plastic pollution. With the rising concern around the world about the problem of single-use plastics and the increasing public awareness towards going “plastic-free”, disposable plastic tableware and other plastic products should be regulated without delay.

3. The Legislative Council (LegCo) passed the Amendment Ordinance to regulate disposable plastic tableware and other plastic products at the meeting on 18 October 2023. The Government plans to implement the regulation in phases according to the following table:

*Regulation of disposable plastic tableware*

<b>Types of disposable plastic tableware</b>	<b>Phase 1</b>	<b>Phase 2</b>
Expanded polystyrene tableware, Straws, Stirrers, Cutlery (forks, knives, spoons), Plates	Prohibits the <b>sale</b> to end-customers	
	Prohibits the <b>provision</b> at catering premises to customers for <b>dine-in</b> and <b>takeaway services</b>	
Cups	Prohibits the <b>provision</b> at catering premises to customers for <b>dine-in</b> services	Prohibits the <b>sale</b> to end-customers
Cup lids		Prohibits the <b>provision</b> at catering premises to customers for <b>dine-in</b> and <b>takeaway</b> services
Food containers		
Food container covers		

*Regulation of other plastic products*

<b>Control measures</b>	<b>Disposable plastic products</b>
<b>Ban sale and free distribution</b>	<p><b>Phase 1</b> cotton buds; balloon sticks; inflatable cheer sticks; glow sticks; party hats; oxo-degradable plastic products (regardless of disposability); umbrella bags; food sticks; plastic toothpicks</p> <p><b>Phase 2</b> multi-pack rings; table cloths; plastic stemmed dental floss</p>
<b>Ban free distribution</b>	<p><b>Phase 1</b> hotel toiletries (including plastic-handled toothbrushes, plastic combs, etc.) and plastic-bottled water provided in the hotel rooms; non-medical use transparent gloves; plastic packaged tissue paper for promotional use</p> <p><b>Phase 2</b> ear plugs</p>
<b>Ban manufacturing</b>	oxo-degradable plastic products (regardless of disposability)

## **JUSTIFICATION**

4. The Government proposed to implement Phase 1 of the regulation six months after the passage of the relevant legislation when introducing the Product Eco-responsibility (Amendment) Bill 2023 in March last year. As the relevant legislation was passed on 18 October 2023, we now propose to implement Phase 1 of the regulation on 22 April 2024. We need to appoint the relevant commencement date via the Product Eco-Responsibility (Amendment) Ordinance 2023 (Commencement) Notice 2024.

## **LEGISLATIVE TIMETABLE**

5. The legislative timetable is as follows –

Publication in the Gazette	5 January 2024
Tabling at the LegCo	10 January 2024

## **PUBLIC CONSULTATION**

6. The Secretary for Environment and Ecology proposed to commence the implementation of Phase 1 of the regulation on 22 April 2024 during the resumption of second reading debate on the relevant amendment bill on 18 October 2023. LegCo Members did not raise any objection. Relevant trades and stakeholders have generally taken note of the relevant date. We have been maintaining close communication with different trades (including the catering, retail and hotel trade, etc.) on the implementation details.

## **PUBLICITY**

7. We have issued emails to relevant catering, hotel and retail trade associations in late October 2023 to introduce the regulatory scheme and implementation timeline under the Amendment Ordinance. To enhance stakeholders' and citizens' understanding towards the regulatory scheme, we will launch a series of publicity and education campaigns, including

establishing an online information platform to provide information on the Amendment Ordinance and relevant alternatives, distributing promotional leaflets, organising briefings for different stakeholders, providing practical guidelines, and disseminating and displaying promotional videos and advertisements through different channels, etc. Moreover, we will also reinforce citizens' awareness of going "plastic-free" and "waste reduction at source" via other public publicity and education campaigns.

## **ENQUIRIES**

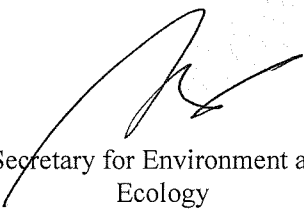
8. For enquiries on this brief, please contact Ms Joanne YUNG, Principal Environmental Protection Officer (Resources Recovery), of the Environmental Protection Department (at tel: 2872 1720 or email to [tfyung@epd.gov.hk](mailto:tfyung@epd.gov.hk)).

**Environment and Ecology Bureau**  
**3 January 2024**

## Product Eco-responsibility (Amendment) Ordinance 2023 (Commencement) Notice 2024

Under section 1(2) of the Product Eco-responsibility (Amendment) Ordinance 2023 (27 of 2023), I appoint 22 April 2024 as the day on which the following provisions of the Ordinance come into operation—

- (a) sections 31, 32, 33, 34, 35, 36 and 37;
- (b) section 38, except in so far as it relates to the following provisions—
  - (i) the definitions of *disposable plastic stemmed dental floss*, *ear-plug*, *multipack rings* and *tablecloth* in Part 1 of the new Schedule 10;
  - (ii) item 2(e), (f), (g) and (h) of Part 3 of the new Schedule 10;
  - (iii) item 2(e), (f), (g) and (h) of Part 5 of the new Schedule 10;
  - (iv) items 9, 10 and 11 of Part 7 of the new Schedule 10;
  - (v) item 2 of Part 8 of the new Schedule 10;
- (c) section 39.



Secretary for Environment and  
Ecology

2 January 2024