

LEGISLATIVE COUNCIL BRIEF

Hong Kong Institute of Qualified Environmental Professionals Bill

Introduction

1. The Chief Executive granted his consent for the Hong Kong Institute of Qualified Environmental Professionals Bill (the “**Bill**”) to be introduced before the Legislative Council on 24 May 2024. This Bill is introduced under Article 74 of the Basic Law by Legislative Council member, Ir Dr Hon LO Wai-kwok. The Panel on Environmental Affairs of the Legislative Council was consulted on 25 March 2024, and Members supported the general objectives of the Bill.

Background and Purpose

2. The purpose of the Bill is to grant the Hong Kong Institute of Qualified Environmental Professionals (the “**HKIQEP**”) the status of a legally recognized organization. By incorporating through legislation, the HKIQEP will become a distinct legal entity with ongoing existence and could only be dissolved by another law enacted by the Legislative Council. This measure is intended to safeguard the HKIQEP’s long-term existence and independence.

3. To address the various challenges due to climate change, President Xi Jinping of the People’s Republic of China announced in September 2020 the aim to achieve carbon peaking before 2030 and carbon neutrality before 2060. The “dual carbon” goal is a central strategy for the Mainland, and laid out clear direction and strategies to establish a green, low-carbon and circular economy in the future. Hong Kong has also been actively promoting efforts to address climate change. The SAR government announced the “Hong Kong Climate Action Plan 2050” in October 2021, striving to reduce our carbon emissions by 50% before 2035 and achieve carbon neutrality before 2050. Under this development situation, the industry expects that the demand for environmental professionals in Hong Kong will become increasingly strong. In order to promptly seize the new growth momentum brought by the low-carbon transformation and the opportunities of cooperation with neighbouring regions, Hong Kong needs to improve the professional qualifications structure and continuous professional development of environmental professionals, enhance the status of relevant professional societies, and train

more young people to become professionals with relevant knowledge and skills and continue to enrich the environmental professional talent pool.

4. The HKIQEP was established in 2015 by a group of interested parties from the corporate sector, public sector and existing environmental professional institutions, not only to address these challenges, but to turn this into a development opportunity for Hong Kong as well as the GBA. The HKIQEP aims to transform Hong Kong into a center of excellence in professional environmental services that is aligned with and supportive of developing the environmental services industry as one of the pillar industries of Hong Kong. It could help create more quality jobs for our future and young generations to pursue green and sustainable career by providing a clear professional pathway, and further Hong Kong's longstanding strengths in professional industries.

5. With increasing awareness of environmental sustainability, climate change and carbon neutrality, there is a growing demand for skilled environmental professionals. Enhancing the qualifications of these professionals could create new jobs in various sectors such as renewable energy, energy efficiency, sustainable transportation, sustainable agriculture, waste management, and environmental consulting. Qualified environmental professionals could also help in securing financing for environmentally sustainable projects, providing technical expertise to assess the feasibility of projects and identifying potential environmental risks and opportunities. The qualified environmental professionals could conduct environmental due diligence to assess the environmental risks and opportunities associated with an investment, including the assessment of its environmental impacts, the regulatory compliance of the project, and the potential for environmental liabilities. Reviewing the Environmental, Social and Governance (ESG) disclosures and providing independent professional verification could also ensure that the investment aligns with ESG criteria. This could help identify any potential greenwashing or misrepresentation of environmental impact. With the quality in assessment and scrutinization, this could attract investors who are interested in ESG-related investments.

6. Further to job creation and attracting investment, environmental professionals with expertise in sustainability could help public and private institutions to improve their environmental performance, reduce their carbon footprint, and meet ESG-related targets. Developing the qualification of the environmental professionals could motivate and attract young talents to join the profession due to the importance of their future work in addressing

climate change and carbon neutrality, protecting natural resources, and promoting sustainability to make a positive impact.

7. The HKIQEP was established to promote, develop and maintain a qualification system focussing on the professional assessment of all six environmental areas namely (1) environmental science, management and policy, (2) air, (3) noise, (4) environmental impact assessment and hazard assessment, (5) waste, and (6) water by way of open examination, satisfying the passing requirements as well as other membership criteria for the eligibility to attend a professional panel interview. With the stringent professional assessment requirements, more than 1 200 participants have taken part in the closed-book examinations from 2015 to 2023, and the HKIQEP is now a local body with a growing professional membership of more than 660 Hong Kong-based professionals working in the environmental protection industry both in Hong Kong and the GBA.

8. Members of the HKIQEP have, in their professional capacity, participated in all aspects of environmental protection in Hong Kong. To name a few, (1) many pledging companies from a wide range of industries, including property developers, engineering firms, consultancies, public utility companies and statutory bodies supported the continuous professional development of qualified environmental professionals in Hong Kong, and pledged to recognize qualifications accredited by the HKIQEP for environment-related positions, and to encourage relevant staff to pursue the HKIQEP's professional qualifications, (2) the Youth Summit 2022 discussed and demonstrated how young environmental professionals across different sectors could take an active role in achieving carbon neutrality in the GBA, (3) the Graduate Environmental Mentoring Scheme (GEMS) launched in response to the Government's initiative under the Green Employment Scheme facilitated the continuous development of environmental graduates and connected the graduates and the environmental industry professionals, providing opportunities to share experience and knowledge, (4) the Accreditation Scheme encouraged educational institutions to provide environmental degree programmes with appropriate breadth in fundamental environmental principles and depth in specific areas, and forged better collaboration between academic and practicing environmental professionals. There are various accredited undergraduate programmes at the Hong Kong University of Science and Technology, The Chinese University of Hong Kong, Hong Kong Baptist University and The University of Hong Kong, (5) a certification scheme to identify and certify modelling practitioners was launched to support and encourage professional

development of members of the HKIQEP in air and noise modelling which is a significant component in the environmental impact assessment and land use planning process in Hong Kong, and (6) the development of an Environmental, Social and Governance (ESG) programme with a focus on environmental and sustainability perspectives as these would be instrumental in the increasing demand of transparency and assurance regarding ESG performance in the development of green finance in Hong Kong.

9. Apart from above, the HKIQEP also actively participated and expressed environmental professional opinions in stakeholder engagement exercises such as Long-Term Decarbonisation Strategy, Land Supply for Hong Kong, Promoting the Use of Electric Vehicles, Securities and Futures Commission's Consultation Paper on the Management and Disclosure of Climate-related Risks by Fund Managers, Waste Disposal (Charging for Municipal Solid Waste) (Amendment) Bill 2018, Public Consultation on the Producer Responsibility Scheme on Plastic Beverage Containers, Clean Air Plan for Hong Kong 2035, and Chief Executive's Policy Addresses.

10. Qualified environmental professionals is well-established and highly-respected. They play an important role in aspects such as meeting the current and future environmental expertise needs, supporting the development of the environmental industry and maintaining a talent pool of suitably qualified environmental professionals in Hong Kong.

The Bill

11. The purpose of the Bill is to give the HKIQEP the status of an incorporated body so that it will be a legal entity with perpetual succession and can only be dissolved by another statute passed by the Legislative Council. This will ensure the existence and independence of the HKIQEP in the long run.

12. The key provisions of the proposed Bill are summarized in the following paragraphs:

(a) **Clause 1** sets out the short title.

(b) **Clause 2** provides interpretation of certain terms used.

(c) **Clause 3** stipulates the incorporation of the Hong Kong Institute of Qualified Environmental Protection Professionals.

- (d) **Clause 4** stipulates the objectives of the Hong Kong Institute of Qualified Environmental Professionals.
- (e) **Clause 5** stipulates the powers of the Hong Kong Institute of Qualified Environmental Professionals.
- (f) **Clause 6** stipulates the vesting of property of the Hong Kong Institute of Qualified Environmental Protection Professionals.
- (g) **Clause 7** stipulates the establishment of the General Council of the Hong Kong Institute of Qualified Environmental Protection Professionals.
- (h) **Clause 8** stipulates the powers of the General Council of the Hong Kong Institute of Qualified Environmental Professionals.
- (i) **Clause 9** deals with the membership matters.
- (j) **Clause 10** stipulates that the existing constitution is to become the constitution of the incorporated Hong Kong Institute of Qualified Environmental Professionals.
- (k) **Clause 11** lists out the particulars to be delivered to the Registrar of Companies.
- (l) **Clause 12** is a saving provision required under Rule 50(8) of the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region.

Consultation

13. The HKIQEP has long-standing support from the Environment and Ecology Bureau and Environmental Protection Department in the pursue of a professional qualification system and the continuous development for environmental professionals, and the support from the Administration has been instrumental in recognising the importance of professional qualifications in tackling global challenges such as climate change and carbon neutrality, and in meeting the increasing demand for skilled professionals in the field.

14. Taking a collaborative approach to ensure the Bill is well-received and implemented effectively, the HKIQEP also consulted a wide spectrum of other stakeholders affected by the Bill and their responses were positive and supportive with constructive exchanges at the engagement events. Public stakeholder engagement events were arranged on 12 August 2023 morning and 14 August 2023 after office hours and concluded with majority support from the

stakeholders for the legalisation of the HKIQEP. The HKIQEP also attended separate meetings/exchanges with various stakeholders to introduce its proposed legalisation and the benefits of professional qualification and industrial cooperation to Hong Kong as well as GBA. Various stakeholders including recognized professional institute (The Hong Kong Institution of Engineers), local universities, environmental-related institutes, think-tank and non-governmental organisations, and the private sectors have indicated their support.

Legislative Timetable

15. The legislative timetable is as follows:

Panel on Environmental Affairs	25 March 2024
Publication in the Gazette for the first time	14 June 2024
Publication in the Gazette for the second time	21 June 2024
First Reading and commencement of Second Reading debate	3 July 2024

Publicity

16. The Bill was published in the Gazette on 14 June 2024 and 21 June 2024 and notice of the Bill has been given by way of advertisements in The Standard and Sing Tao Daily on 14 June 2024 and 21 June 2024.

Enquiries

17. Any enquiries about this brief can be directed to the Office of Legislative Councillor, Ir Dr Hon LO Wai-kwok (telephone number: 2539 0610).

Ir Dr Hon LO Wai-kwok, GBS, MH, JP
25 June 2024