

**Confirmed Minutes of the 220th Meeting of
the Advisory Council on the Environment (ACE)
held on 13 February 2017 at 2:30 pm**

Present:

Mr Stanley WONG, SBS, JP (Chairman)

Prof Nora TAM, BBS, JP (Deputy Chairman)

Ir Cary CHAN

Dr Billy HAU

Dr HUNG Wing-tat, MH

Prof LAU Chi-pang, JP

Ms Julia LAU

Dr Michael LAU

Prof Albert LEE

Mr Andrew LEE

Prof Kenneth LEUNG

Ir Prof Irene LO

Mr Anthony LOCK

Ir MA Lee-tak, SBS

Prof John NG

Ir Michelle TANG

Dr Eric TSANG

Ir Conrad WONG, BBS, JP

Prof Jonathan WONG, MH, JP

Mr Luther WONG, JP

Prof WONG Sze-chun, BBS, JP

Mrs Alice CHEUNG, JP (Secretary)

Absent with Apologies:

Mr Simon WONG, JP

In Attendance:

Mr Donald TONG

Permanent Secretary for the Environment / Director of
Environmental Protection

Ms Lily YAM

Assistant Director of Planning / Technical Services,
Planning Department (PlanD)

Mr Simon CHAN

Assistant Director (Conservation), Agriculture,
Fisheries and Conservation Department (AFCD)

Miss Heidi LIU

Principal Information Officer, Environmental Protection
Department (EPD)

Ms Becky LAM
Miss Dora CHU
Miss Apple LEUNG

Chief Executive Officer (CBD), EPD
Executive Officer (CBD) 1, EPD
Executive Officer (CBD) 2, EPD

In Attendance for Item 1:

Mr K S WONG
Mr Vincent LIU
Mr Kevin LUK

Secretary for the Environment
Deputy Secretary for the Environment , ENB
Deputy Director of Civil Engineering & Development,
Civil Engineering and Development Department (CEDD)
Deputy Director of Environmental Protection (1), EPD
Deputy Director of Environmental Protection (2), EPD
Deputy Director of Environmental Protection (4), EPD
Assistant Director (Cross-Boundary & International),
EPD

Mr C W TSE
Mrs Vicki KWOK
Mr Donald NG
Mr Francis CHENG

In Attendance for Item 5:

Mr Samson LAI
Dr Alain LAM

Assistant Director(Waste Management Policy), EPD
Principal Environmental Protection Officer (Waste
Management Policy), EPD
Senior Administrative Officer (Waste Management
Policy Division), EPD

Mr Niki KWOK

Action

The Chairman welcomed Prof Lau Chi-pang, Ms Julia Lau, Mr Andrew Lee, Prof Kenneth Leung, Ir Michelle Tang, Mr Simon Wong and Prof Wong Sze-chun who newly joined the Advisory Council on the Environment (ACE) for the current term. He informed Members that apologies of absence had been received from Mr Simon Chan. He also registered his sincere thanks to the six retired members, including Prof Paul Lam, Prof Chau Kwai-cheong, Prof Fung Tung, Miss Yolanda Ng, Dr Carrie Willis and Ms Pansy Yau for their valuable support and contributions to the ACE in the past years.

2. The Chairman welcomed Mr K S Wong, Secretary for the Environment (SEN), and representatives from CEDD and EPD for joining the meeting; and invited Mr K S Wong to brief Members on the environmental initiatives in the 2017 Policy Address.

Item 1 : Briefing by the Secretary for the Environment on 2017 Policy Address – Policy Initiatives of Environment Bureau: Environmental Protection
(ACE Paper 1/2017)

Presentation cum Question-and-Answer Session (Open Session)

3. With reference to a powerpoint presentation, Mr K S Wong highlighted the key policy initiatives in relation to environmental protection in the 2017 Policy Address, including air and water quality, waste management, nature conservation as well as climate change and energy conservation. He emphasized that the Government was committed to implementing the initiatives to improve the sustainability and liveability of Hong Kong.

Climate Change and Energy Conservation

4. Noting that using natural gas for power generation was one of the major measures for tackling the issue of climate change, a Member sought information on the room for expanding the capacity for power generation by natural gas. He would also like to know if the Government would enhance efforts on waste-to-energy, thereby increasing the use of renewable energy (RE) for power generation. Mr K S Wong advised that the Government would increase the proportion of natural gas in the fuel mix for power generation from 27% in 2015 to around 50% by 2020, and even higher by 2030 so as to cut carbon emissions. He added that phasing down the use of coal would have implications on electricity tariff as natural gas was much more expensive.

5. A Member pointed out that buildings accounted for a significant percentage of total electricity consumption as well as carbon emissions in Hong Kong. As Hong Kong was a vertical city, the room for generating RE on rooftops was limited. He suggested that the Government should study the feasibility of implementing electricity-generating indoor walkways with reference to a research conducted by the Hong Kong Polytechnic University. He further shared the use of ocean waves to generate power from overseas experience. Another Member concurred and opined that the Government should consider conducting feasibility studies on new technologies for generating RE.

6. Mr K S Wong agreed with a Member on the importance of green buildings bearing in mind they accounted for about 90% of the total electricity consumption

and over 60% of the carbon emissions in Hong Kong. While new buildings would be designed to meet green building standards as far as possible, the Government had established for the built environment a partnership with major stakeholders under the 4Ts framework, namely target, timeline, transparency and together, with a view to improving energy saving. The outcome of the partnership would be publicized in due course.

7. Mr K S Wong said that while the Government would keep in view of latest technological developments for power generation and energy saving, there were merits to focus first on proven and suitable technologies, such as wind energy, solar energy as well as waste-to-energy. The Government was also discussing with the two power companies to explore ways for improving the grid access arrangements for distributed RE generators and incentivising their connection to the power grids in the context of the new Scheme of Control Agreements (SCAs). This could help promote investments in small-scale RE installations, such as photovoltaic systems at the rooftops of suitable buildings, and in turn increase the resilience of Hong Kong to climate change. In addition, the Organic Waste Treatment Facilities (OWTFs) to be commissioned would take the waste-to-energy efforts further.

8. Mr K S Wong agreed with a Member that climate change posed a direct impact on public health, and it was important to enhance public awareness on the impact of climate change and gain public support and participation. He advised that a Steering Committee on Climate Change (SCCC), chaired by the Chief Secretary for Administration and comprising 13 Policy Secretaries, had been set up to devise strategies to combat climate change. Hong Kong's Climate Change Action Plan 2030+ had set out in detail the new target and key measures on mitigation, adaptation and resilience to climate change. Given that the Paris Agreement required participating economies to conduct review every five years, it was expected that the next term of the Government would continue to strengthen the measures in the Action Plan.

9. Given that fossil fuel was used widely around the world and could deplete rapidly, a Member opined that the Government should explore more sustainable fuel sources. He also considered that there was a lack of qualified professionals in conducting energy audits and retro-commissioning, and suggested the Government provide more training and certification programmes accordingly.

10. Mr K S Wong agreed and advised that there was a plan for energy transition from coal to natural gas and other cleaner fuels. With reference to the

experience of Berlin, which adopted wind energy generated along the northern coastlines during winter and imported solar energy from Italy during summer, he advised that a study on the feasibility of regional cooperation would be conducted which might help reduce Hong Kong's reliance on fossil fuels. Mr Wong added that the Government would collaborate with the Development Bureau (DevB) and the Hong Kong Green Building Council (HKGBC) to provide the relevant training programmes to build up local capacity for conducting energy audits and retro-commissioning.

11. Mr Vincent Liu briefed Members that an inter-departmental Climate Change Working Group on Infrastructure (CCWGI) under the lead of the Civil Engineering and Development Department (CEDD) had been set up to oversee the need to increase the resilience of infrastructure to climate change. Mr Kevin Luk supplemented that the working group comprised all works departments including the Architectural Services Department (ASD), Drainage Services Department (DSD), Electrical Services and Mechanical Services Department (EMSD), Highways Department (HyD) and Water Supplies Department (WSD). CCWGI was formed to facilitate knowledge and experience sharing, as well as to ensure that efforts among the works departments were aligned. Based on the future projections of climate change such as sea level rise, guidelines and design standards would be devised to enhance the adaptability and resilience of new public infrastructure under the impacts of climate change. He remarked that the accuracy and applicability of the forecasts to Hong Kong would be reviewed critically so as to reach rational conclusions and devise appropriate action plans. A consultancy study would commence in March 2017 to undertake a comprehensive review of the resilience of existing infrastructure managed by all works departments, and the findings would form the basis for seeking government resources as appropriate.

12. With a view to examining the potential impact and increasing the resilience against multiple hazards arising from extreme weather events, Mr Kevin Luk informed the meeting that an Inter-departmental Task Force on Emergency Preparedness, led by DevB, had been set up. The Common Operational Platform, an IT platform, was established to enhance timely information sharing of emergencies and facilitate decision-making and coordination of emergency response. While the platform was only piloted for use by a few Government departments initially, it was hoped that the platform could be gradually extended for use by all Government departments and non-government parties in the future.

13. With reference to the 2015 Policy Address, Mr Vincent Liu advised that the Government was committed to achieving a 5% saving in electricity consumption for Government buildings in the next five years. An energy audit on Government buildings was being conducted and the recommendations would form the basis for conducting improvement works to achieve higher energy efficiency. A budget of \$500 million had already been earmarked for the necessary improvement works. Another \$200 million had been reserved for promoting and investing in RE. In order to increase the proportion of RE in the fuel mix, the RE targets for newly-constructed schools, parks and Government buildings would be enhanced. Display panels showing the RE output would be placed in schools and parks to educate the students and public on wider adoption of RE for power generation. As for private developments, the Government was committed to reviewing the Building Energy Code (BEC) every three years. The upgraded BEC took effect in 2016 and the revised energy efficiency standards would bring about an additional 10% energy saving in buildings as compared to those under BEC 2012. He added that appropriate initiatives would be incorporated into the new SCAs with the two power companies with a view to promoting energy saving and energy efficiency in the private sector.

14. A Member said that opening up the electricity grid to encourage community involvement in the development of RE would provide a good opportunity for raising public awareness towards climate change and encouraging the adoption of a low carbon lifestyle. As an incentive for energy saving, he suggested the Government consider establishing a mechanism for the community to sell surplus electricity to the power companies. Mr K S Wong emphasised that the Government was discussing with the two power companies how to improve the grid access arrangements for distributed RE generators and to incentivise their connection to the power grids in the context of the SCAs. Given the high building density in Hong Kong, Mr Wong considered that energy-saving measures would be more effective in mitigating climate change than small-scale RE installations.

Nature Conservation

15. While a Member supported the setting up of a Conservation Fund (CF), he enquired about the nature and function of the CF when compared with the Nature Fund of the United Kingdom. He shared that the Nature Fund had adopted a flexible arrangement which on top of tax revenue allowed the acceptance of inheritances and donations. Mr K S Wong advised that a preparatory committee would be established to study the legislation and resources required for setting up

the CF, and would take into account relevant local and overseas experiences.

16. A Member was appreciative that the Government was considering long-term conservation of Sha Lo Tung through non-in-situ land exchange. In response to his enquiry, Mr K S Wong said that this was a special and exceptional arrangement.

17. A Member noted that the Policy Address had acknowledged the importance of country parks but also suggested that consideration be given to allocate a small proportion of land on the periphery of country parks with relatively low ecological and public enjoyment value for purposes other than real estate development e.g. public housing. As Hong Kong had limited land resources, he questioned about how to strike a balance between development and conservation. Mr K S Wong advised that the Government would continue to endeavour to strengthen efforts in conserving country parks and other rural areas with high ecological and/or cultural heritage value through a multi-pronged approach. He assured Members that the total area of as well as the principle to conserve sites of high ecological value and country parks would not be undermined.

18. On top of the biodiversity, a Member considered that the value of country parks should be assessed by its ecological, educational and recreational functions. He acknowledged that it would be a challenging task as the increase in population and establishment of small residential units could drive the public to patronize more the country parks in the future. While identifying suitable sites for development, he further suggested that the Government should conduct comprehensive evaluation on the ecological value of the entire territory and identify suitable sites for inclusion in the country parks. This could help strike a balance between development and conservation.

Waste Management

19. To prepare for the commissioning of the OWTFs, a Member opined that the Government should deliberate on issues including the sorting and transportation of organic waste to the OWTFs. Mr K S Wong agreed and advised that the establishment of a collection and delivery system would require liaison with and support from relevant stakeholders. While the OWTFs would initially collect food waste from commercial and industrial establishments, the food waste sources and network could be reviewed in due course. Given that Phase 1 of OWTF was expected to be commissioned by mid-2017, Mr Wong advised that EPD had already

commenced the preparatory work, which included liaison with food waste generating establishments such as large shopping malls and hotels.

20. A Member pointed out that schools and educational institutions generated food waste regularly and many had been sorting/treating food waste out of their own initiative. He considered that there should be some arrangements to facilitate the collection of the food waste from these establishments to the OWTF.

21. While Phases 1 and 2 of the OWTF would treat organic waste mainly from the commercial and industrial sectors, Mrs Vicki Kwok advised that the Environment and Conservation Fund (ECF) had provided funding support to many tertiary institutions and primary and secondary schools to set up on-site food waste recycling facilities. The recent Policy Address also announced that technical support would be provided to facilitate more tertiary institutions and schools to apply for ECF funding for such purpose with a view to enhancing awareness of students and teachers in the “food wise” culture.

22. A Member commended the Government for its efforts in increasing the construction waste charges and introducing Producer Responsibility Schemes (PRSs) on plastic shopping bags, waste electrical and electronic equipment, and glass beverage containers. Given the large number of plastic bottles being disposed, he suggested that consideration be given to introducing a PRS for plastic bottles or banning their use as in some European countries. He considered that Hong Kong could set an example for other Asian countries to follow. Mr K S Wong advised that as mentioned in the Policy Address, the Government would commission a feasibility study to consider how to introduce a PRS for suitable plastic containers, which would mainly be those carrying beverages or personal care products.

Other Environmental Issues

23. A Member expressed appreciation towards the efforts of the Government in formulating the various environmental initiatives, especially the commitment to increase the proportion of RE from 1% of the fuel mix to 3 - 4%. Considering that environmental protection was a profitable industry, she considered that the Government should make reference to overseas experience in promoting green finance, such as by issuing green bonds. Another Member added that the public and the business sectors should be more involved in the promotion of a green economy. He opined that there should be a clear road map such that the business

and educational sectors could work in concert with the Government. There should also be more promotional efforts so as to enhance public understanding of the objectives and effectiveness of different environmental initiatives.

24. Mr K S Wong said that various bureaux and departments (B/Ds) would continue to undertake different initiatives under their portfolios to promote a green economy. He advised that the Government endeavoured to use simple graphics and charts to present complex information to facilitate the public to grasp the main message easily, using the leaflet on the Hong Kong's Climate Action Plan 2030+ as an example. He added that to build up public understanding of the important functions of waste treatment infrastructure, the T·PARK was equipped with suitable recreational and educational facilities. An education centre would also be added to the Phase I of OWTF for similar purpose. The Government would continue to provide recreational and educational facilities as appropriate when planning new environmental services infrastructure as part of its publicity and promotional work on environmental protection. Moreover, the ECF was set up to subsidize non-profit making organizations in conducting research and development (R&D) on combating climate change, the promotion of biodiversity and other environmental issues.

25. A Member expressed her appreciation towards the many environmental policies and initiatives announced in the Policy Address. Given that the proposals, such as the Municipal Solid Waste (MSW) Charging, were complex issues, she considered that a strategic promotion was necessary to establish public understanding and participation. Using the 4Ts framework as an example, she encouraged the use of simple messages such as a slogan, so that the information could be better received by the public.

26. Mr K S Wong advised that a "Big Waster" Facebook page had been set up to provide messages not only on waste reduction, but also other environmental issues such as climate change, energy-saving and recycling. The Government also appealed to relevant organizations, green groups and the education sector to join forces in the promulgation of green messages. Mr Donald Ng supplemented that the Government attached much importance to publicity and public education in preparing for the implementation of MSW Charging. As evident in the experiences of Taipei and South Korea, extensive public education and promotion were instrumental to the successful implementation of MSW Charging. In planning for the relevant campaign and activities, apart from the publicity means and channels, due emphasis would be placed on the need to sustain the promotional

and education efforts given the lead time required to prepare for the implementation of MSW charging in 2019.

27. A Member remarked that the Hong Kong 2030+ provided a good opportunity to implement green policies and incorporate green elements in new developments. He suggested the Government review the Technical Memorandum and Guidance Notes issued under the Environmental Impact Assessment Ordinance (EIAO), and said that HKGBC had submitted comments for EPD's consideration. As the building stock in Hong Kong would be aging rapidly, the Member suggested that a clearer action plan supported by policies should be devised to drive market forces to improve the conditions of the existing built environment which in turn could directly help enhance the liveability of the city. There should also be more incentives to subsidize and facilitate the establishment of a green community.

28. In view that the Government and the private sector had accumulated a lot of experience in the planning and implementing of green measures and policies, a Member suggested that a knowledge management system should be established for better documentation and sharing of experience which would be a valuable asset for the continuous green development in Hong Kong.

29. The Chairman thanked Mr K S Wong and his team for the briefing and the ensuing exchange of views with Members. He concluded that Members were generally supportive of the environmental initiatives in the 2017 Policy Address and were appreciative of the efforts of ENB/EPD in leading Hong Kong to become a sustainable and green city. In anticipation that many of the policies and initiatives might further consult the ACE, he encouraged Members to provide further comments and suggestions for the Government's consideration in due course.

30. Mr K S Wong thanked Members for their comments and suggestions. He also took the opportunity to express his appreciation towards other relevant B&Ds for undertaking and supporting the work relating to combatting climate change.

[Mr K S Wong and his team left the meeting at this juncture.]

Item 2 : Election of Chairman/Deputy Chairman of the three subcommittees (Closed-door session)

31. The Chairman informed Members that there were three standing

subcommittees under ACE, namely the EIA Subcommittee (EIASC), the Waste Management Subcommittee (WMSC), and the Nature Conservation Subcommittee (NCSC). He referred Members to the composite membership list of the three subcommittees issued to Members before the meeting. 17 Members had signed up for EIASC, 12 for WMSC and 14 for NCSC.

[Post-meeting note: One additional member had signed up for WMSC after the meeting].

32. The Chairman advised that as an established practice, the Chairmen of the three subcommittees as well as the Deputy Chairman of EIASC would be elected amongst the respective subcommittee members. He also reminded Members that only those who had signed up for the relevant subcommittee could take part in the nomination and election.

33. The Chairman called for nominations for the chairmanship of the three subcommittees one by one and presided over the election process. The outcomes of the EIASC and WMSC were reached by consensus while an election was held for the NCSC chairmanship. The Chairman announced the results as follows –

	Chairman	Deputy Chairman
EIASC	Prof Nora Tam	Dr Hung Wing-tat
WMSC	Ir Prof Irene Lo	--
NCSC	Dr Michael Lau	--

34. The chairmanship/deputy chairmanship of the three subcommittees would last from January 2017 to December 2018. The Secretariat would upload the membership lists on the ACE website for public information after the meeting. Secretariat

Item 3 : Confirmation of the draft minutes of the 219th meeting held on 12 December 2016 (Closed-door session)

35. The draft minutes, which was also circulated to Members of the last term, was confirmed without amendments.

Item 4 : Matters arising (Closed-door session)

36. There was no matter arising from the minutes of the last meeting.

Item 5 : Implementation of the Producer Responsibility Scheme on Waste Electrical and Electronic Equipment
(ACE Paper 2/2017)

Presentation cum Question and Answer Session (Open session)

37. Mr Samson Lai briefed Members on the preparatory work for the implementation of the producer responsibility scheme (PRS) on waste electrical and electronic equipment (WEEE) or in short “WPRS”, including its background, latest update on the preparatory work, matters to be prescribed under the Regulated Electrical Equipment (REE) Regulation, enhanced control under the Waste Disposal Ordinance (WDO) and the progress of the development of the WEEE treatment and recycling facility (WEEETRF).

Coverage of the WPRS

38. Noting that the WPRS would initially cover around 85% of all WEEE generated in Hong Kong, a Member enquired about the control of the remaining 15% and whether there was any plan to extend the WPRS to cover them. Mr Samson Lai replied that the present coverage of the WPRS was comparable to that of similar schemes implemented in overseas jurisdictions but the coverage of the scheme could be further reviewed at a later stage having regard to the practical experience after the implementation of the WPRS and other relevant factors.

Recycling levy

39. In response to the question on how the scheme would cover the disposal of an old REE item, Mr Samson Lai explained that apart from the statutory removal service, there were other channels through which collection services would be available to members of the public who did not purchase new REE. A dedicated hotline was in operation for members of the public to seek information on the services available. He also clarified that sellers must provide recycling labels for REE distributed in Hong Kong, but the recycling levy would be collected from REE suppliers. The recycling label was to facilitate consumers to identify that the REE item was distributed under the WPRS. A Member considered that there was a need to educate the sellers on the consequence of selling REE without the label.

40. While supporting the proposed WPRS, a Member was concerned that sellers might charge consumers for removal service though it was intended to be

free. Two other Members were concerned that sellers might recover the recycling levy from consumers.

41. Considering that some small-scale recyclers might have difficulties in meeting the requirements under the enhanced licensing control on the disposal of e-waste disposal, a Member asked whether the Government would devise any support measures for such recyclers. In addition, she considered that public education on the recycling levy levels was important.

42. Mr Samson Lai advised that it was mandated under the law that sellers must arrange the removal service free of charge. As for the recycling levy, it was the experience in overseas jurisdictions that the PRS costs would eventually be borne by consumers. During the public consultation in 2010, members of the public generally found the indicative range of recycling levy acceptable.

43. A Member noted that the currently proposed charging levels were within the indicative range given during the public consultation stage. She also asked the basis for estimating the charging levels. Mr Samson Lai said that the recycling levy would be charged at the full-cost recovery levels which varied for individual classes of REE.

WEEETRF

44. In view of concerns that the WEEETRF operator might monopolize the collection and processing of WEEE in Hong Kong, a Member asked whether the Government would expect competitions from other facilities. Mr Samson Lai replied that based on a market review and the outcome of public consultation, it was concluded that it was necessary for the Government to develop the WEEETRF and provide the requisite local WEEE treatment capacity for the purpose of kick-starting the WPRS. With an annual handling capacity of 30 000 tonnes of WEEE vis-à-vis the amount of WEEE generated locally, there would remain market opportunities for other private recyclers to grow their businesses. However, if private investment was not forthcoming, the WEEETRF could also increase its handling capacity to meet the demand for treatment services under the WPRS.

45. A Member sought clarification on the detoxification process conducted by the WEEETRF. Mr Samson Lai explained that there were four processing lines, respectively for refrigerators, air conditioners, televisions and monitors, and other items. Regulated e-waste would be dismantled to recover recyclable materials, after the hazardous substances had been removed for proper disposal, such as at the

Chemical Waste Treatment Centre in Tsing Yi. Overall, the processes would be able to meet the prevailing international standards and over 80% of the e-waste (by weight) could be recovered as useful materials.

46. A Member noted that the WEEETRF operator would need to proactively source and collect WEEE for treatment. He asked if the WEEETRF operator would be allowed to handle WEEE from outside Hong Kong in order to meet the throughput requirement. Mr Samson Lai replied that there were clear contractual terms requiring that the WEEETRF operator could not import WEEE for treatment by itself nor accept WEEE sent to them by other local traders who imported from outside Hong Kong. Stringent system would be set up for monitoring purpose.

Evaluating the Effectiveness of the WPRS

47. A Member asked about the assessment criteria for the WPRS. The Chairman suggested that the Government should consider measures under the WPRS to facilitate repair and refurbishment of electrical appliances for donation to non-profit organizations, as many electrical appliances could be re-used after some repairing work.

48. A Member concurred and further suggested that the Government should maintain data about various aspects of the implementation of the WPRS. In response, Mr Samson Lai affirmed that the scheme would be reviewed taking into account its performance in various operational aspects after implementation. He added that under the WPRS, a certain quantity of the REE items collected would be refurbished for donation.

Impact on the recycling trade

49. A Member asked about the implications of licensing control on small and medium-sized recyclers, many of whom were traders and did not undertake treatment services. He also noted that certain WEEE operation was taking place on brownfield sites in the New Territories. Another Member was concerned if the proposed licensing control would have negative impact on existing social enterprises engaged in second hand sale of REE.

50. A Member concurred and pointed out that certain imported WEEE were reportedly disposed of on brownfield sites and such operation might result in environmental problems such as land contamination. He enquired if measures to discourage illegal import of hazardous WEEE would be devised, and considered

that more resources should be deployed in the enforcement of the licensing control to regulate the illegal import of hazardous WEEE.

51. Mr Samson Lai explained that it was the community consensus to step up control such that the relevant trades would be upgraded to ensure proper treatment of WEEE. As such, under the future licensing control, a waste disposal licence would only be issued if the relevant dismantling, detoxification and recovery operations could be conducted in an environmentally sound manner to turn regulated e-waste into reusable materials, regardless of whether they were operating on brownfield sites or otherwise. Nevertheless, in order to avoid undue impact on small-scale operations which were unlikely to cause environmental problem, certain exemptions had been included in the WPRS.

52. Mr Samson Lai added that certain WEEE had been classified as hazardous/chemical waste and hence their disposal, import and export were already subject to the existing licensing and import/export controls. In future, such controls would be applied to all regulated e-waste regardless if they were hazardous/chemical waste. He supplemented that that in future, import permit for regulated e-waste would only be issued if they were to be properly treated at a licensed local facility, whereas import solely for trading or re-export would not be permitted. Regarding enforcement, he said that EPD would continue to take necessary action against non-compliance sites in conjunction with other relevant departments.

Waste Reduction under the WPRS

53. A Member enquired on the incentives for the public to reduce e-waste. He concurred with the Chairman that many electrical appliances could be re-used after repair. However, he noted that the prevailing market forces might have rendered the repairing of electrical appliance not cost-effective with consumers compelled to replace rather than to maintain or repair the old appliance. He asked if the Government would devise measures to further encourage waste reduction under the scheme.

54. Mr Samson Lai replied that the WPRS would help ensure proper management of WEEE by turning waste to resource. To this end, the Government would step up the public education and publicity efforts to sustain and enhance public awareness on the need to reduce waste including e-waste and on minimising the environmental impact of WEEE by proper recycling. On promoting reuse of

WEEE, Mr Lai said that EPD had collaborated with St. James' Settlement for many years to refurbish and donate WEEE to the needy, which had been succeeded by the WEEETRF operator.

55. Regarding the promotion of Community Green Stations (CGS) to collect WEEE, a Member enquired on the latest progress in expanding the development of CGS to other districts. Mr Samson Lai replied that CGSs in 13 out of the 18 districts had either commenced operation or in various planning/construction stages. EPD would continue to encourage public participation of WEEE recycling through the operation of CGSs.

56. A Member was concerned about the effectiveness of the recycling levy in raising public awareness on waste reduction. She opined that as the levy was imposed on the supplier in the upstream, consumers might not be fully aware of the levy which might be absorbed in the retail price of REE. She suggested that certain incentive for consumers to reduce waste might be considered e.g. providing discounts to consumers who purchased REE with an energy efficient label might have a dual effect of promoting waste reduction and energy efficiency.

57. In response, Mr Samson Lai pointed out that whereas the Plastic Shopping Bag (PSB) charge was imposed at the consumer end to influence consumer behaviour and provide an economic disincentive to reduce PSB use, the recycling levy for REE was mainly to recover the full costs of the WPRS under the "polluter pays" principle. Similarly, the recycling levy was not intended to provide incentive under the WPRS to encourage the replacement of less energy efficient REE.

58. A Member suggested that the Government might explore measures, such as tax exemptions, to encourage manufacturers to produce more durable electrical and electronic equipment. Another Member enquired how the WPRS might encourage manufacturers of REE to reduce waste during the design and production stage of the product. Mr Samson Lai replied that it was difficult for Hong Kong alone to drive for eco-product design by way of the WPRS given the limited size of the Hong Kong market but general tightening of control internationally might help drive the manufacturers towards this.

Transitional period in the implementation of WPRS

59. A Member asked whether there would be clear definitions of different types of REE under the legislation, and sought clarification if a person purchasing

REE from overseas websites would be penalised under WPRS. He also asked whether a transitional period would be provided for the relevant trades in order to comply with the WPRS.

60. Mr Samson Lai replied that definitions of different types of REE were provided in the enabling legislation. He also added that EPD had been in close liaison with the relevant trades in preparation for the WPRS, and would continue to do so to facilitate their compliance. As regards purchasing REE from overseas website, Mr Lai explained that the obligations in the WPRS were imposed on suppliers and sellers operating a business distributing REE. Hence REE purchased for personal use from outside Hong Kong would not fall under the regulation.

61. Mr Donald Tong thanked Members' for their comments. He highlighted that the Government would continue its efforts in taking enforcement actions against illegal import of hazardous WEEE that fell under the definition of chemical waste under the existing legislation. The commencement of the new WPRS would significantly step up control on import and export of WEEE and help ensure the REE recycling industry would be conducted in an environmentally sound manner.

62. Mr Donald Tong added that that the implementation of the WPRS marked an important milestone in the Government's efforts in promoting the "polluter-pays" principle. The WPRS would also promote the proper recycling of WEEE and help facilitate the creation of a circular economy and the development of the recycling industry. He emphasised that through various waste management initiatives and policies, the Government would continue to encourage and educate the public to reduce waste generation and promote waste recovery and recycling.

63. The Chairman thanked the representatives of EPD for the presentation. He invited EPD to consider the comments and suggestions provided by the Council when preparing the REE Regulation and proceeding with other preparatory work for the implementation of WPRS.

Internal Discussion Session

64. The Chairman summarized that Members' comments were mainly on the detailed operation of levy collection and removal service mechanisms in the proposed WPRS, and EPD representatives had provided some detailed responses.

Some Members noted that whilst the WPRS would facilitate proper recycling locally and bring opportunities to the recycling industry, the enhanced disposal and import/export control on regulated e-waste would inevitably affect certain existing recyclers (particularly the small ones) as they might not be able to meet the new licence requirements.

65. The Chairman concluded that Members were supportive of the implementation of the WPRS. He also noted that the refurbishment and reuse element included in the WPRS should be encouraged as it would help reduce waste at source.

Item 6 : Any other business

66. There was no other business for discussion.

Item 7 : Date of next meeting

67. The next ACE meeting was scheduled for 13 March 2017 (Monday). Members would be advised on the agenda in due course. The Chairman reminded Members that two site visits would be organized by the CLP and AAHK in March and April respectively and Members would be advised on the visit itinerary in due course.

ACE Secretariat
March 2017