

Producer Responsibility Scheme on Glass Beverage Containers

Information Booklet for Suppliers (Applicable to Ordinary Registration)



Environmental Protection Department

February 2024

Preface

This information booklet serves to introduce to a supplier, who carries a business of distributing “regulated articles” (i.e. glass-bottled beverages) in Hong Kong, the relevant statutory requirements of the Producer Responsibility Scheme on Glass Beverage Containers (“GPRS”) in relation to an **ordinary registration**, so that the trade can better understand and fulfil their statutory obligations.

This booklet should be read in conjunction with the following legislations:

- Product Eco-responsibility Ordinance, Cap. 603 (“PERO”)
- Product Eco-responsibility (Regulated Articles) Regulation, Cap. 603C (“RAR”)

Documents are available from the website “Hong Kong e-Legislation” of the Department of Justice, at <https://www.elegislation.gov.hk>.

To facilitate suppliers to fulfill their statutory obligations timely, and to submit and receive documents, this Department has developed the **Regulated Articles Information Management System (“RAIMS”)**. Through RAIMS, suppliers can submit various electronic forms under the GPRS and upload relevant documents (except for the application for levy exemption), and check the documents issued by this department at any time. The use of RAIMS is free of charge. Suppliers can visit the following website for opening electronic account.

<https://raims.epd.gov.hk/raims/>



For other enquiries about the GPRS, please approach this Department through the following channels:

Telephone: 2838 3111
Facsimile: 2318 1877
Email: glass_prs@epd.gov.hk
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No. 66 Queensway, Hong Kong
(Please specify on the envelope “GPRS”)

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A. Producer Responsibility Scheme on Glass Beverage Containers (“GPRS”)

A1 Introduction

A1.1 The GPRS is fully implemented on 1 May 2023 to promote recycling and proper disposal of waste glass beverage containers generated in Hong Kong. Suppliers of regulated articles (“RAs”) must first register with the Environmental Protection Department (“EPD”) as registered suppliers before distributing any RAs in Hong Kong. Registered suppliers must fulfill their statutory obligations, including submission of returns and audit reports to the EPD, keeping records relating to the returns and payment of container recycling levies.

A2 Legislative and Regulatory Framework

- The Product Eco-responsibility Ordinance, Cap. 603 (“PERO”)
- Product Eco-responsibility (Regulated Articles) Regulation, Cap. 603C (“RAR”)

A3 Scope of Regulated Articles

A3.1 “RA” means an article constituted by:

- (a) beverage; and
- (b) a container that is:
 - (i) glass container, whether in the form of a bottle, jar or otherwise, and containing the beverage; and
 - (ii) airtight and sealed by machine or with the aid of a tool.

A3.2 “Beverage” means:

- (a) a ready-to-serve drink, including:
 - (i) alcoholic drink;
 - (ii) water (carbonated or non-carbonated) or water-based flavoured drink (carbonated or non-carbonated);
 - (iii) milk or dairy-based drink;
 - (iv) soybean-based drink;
 - (v) fruit or vegetable juice or nectar;
 - (vi) coffee, coffee substitute, tea or herbal infusion; and
 - (vii) cereal grain drink; or
- (b) a product that:
 - (i) is a liquid or consists of liquid; and

- (ii) is commonly served as a drink after being diluted or reconstituted.

A4 Definition of “Supplier”

A4.1 “Supplier” means:

- (a) a person who, in the course of the person’s business of manufacturing an RA, undertakes in Hong Kong the process of sealing the container constituting part of the article; or
- (b) a person who, in the course of the person’s business, imports an RA into Hong Kong for distribution, but does not include a person who:
 - (i) does not own the article; and
 - (ii) only provides a service for transporting the article into Hong Kong for another person.

A4.2 The “supplier” referred to under the legislations include manufacturers and importers of RAs, but does not include:

- (a) retailers or wholesalers with no business involvement in manufacturing or importing the articles;
- (b) exporters or re-exporters who do not distribute the articles in Hong Kong; and
- (c) persons who only provide logistics services.

B. Obligations of Supplier (Applicable to Ordinary Registration)

B1 Registration as Registered Supplier

B1.1 According to the legislations, starting from 1 May 2023, suppliers who manufacture or import RAs in the course of their business must register as registered suppliers before distributing the RAs in Hong Kong. If the RAs are re-exported or exported instead of supplying to local market, relevant suppliers are not required to register. In addition, any person who manufactures or imports without distributing the RAs is not required to register. A supplier who does not register but distributes RAs commits an offence and is liable on conviction to a fine at level 6 (HK\$100,000).

B1.2 “Distribute” an RA means:

- (a) sell the article;
- (b) exchange or dispose of the article for consideration; or
- (c) give the article to another person as a prize or gift,

but does not include any such act done with a view that the article is to be exported in the course of business.

B1.3. There are two types of registration:

- (a) Ordinary Registration
Ordinary registration will remain valid until cancelled by the Director of Environmental Protection.
- (b) Short-term Registration
Short-term registration will last for a period of 30 days, which mainly aims to facilitate suppliers who may operate occasionally for a short period of time and distribute a small quantity of glass-bottled beverages in Hong Kong, for example, expo exhibitors from other places. The relevant business shall meet all the criteria below:
 - (i) operate not more than 30 days; and
 - (ii) give rise to a liability to pay an amount of container recycling levy not exceeding HK\$20,000¹; and
 - (iii) give rise to a liability to pay the aggregate amount of container recycling levies not exceeding HK\$20,000 for the registration and other approved short-term registrations (if any) in the same registration year (i.e. that calendar year).

¹ The container recycling levy was set at \$0.98 per litre-volume.

B1.4 This information booklet elaborates the statutory requirements for an **ordinary registration**.

B1.5 The EPD started to accept applications for supplier registration since 1 February 2023. The application is **free of charge**. Via Regulated Articles Information Management System (“RAIMS”), by post or in person, suppliers may submit the duly completed specified form – Application for Registration as Registered Supplier (RA1) and the following supporting documents:

- (a) A copy of the valid Business Registration Certificate;
- (b) The following relevant documents according to the business status (if applicable); and

Business Status	Proof of Identity
Individual	A copy of the proprietor’s Hong Kong identity card. For non-Hong Kong resident, a copy of his/her passport or identity card issued by the relevant government authority.
Partnership/ Unincorporated body	A copy of each partner’s/ principal officer’s Hong Kong identity card. For non-Hong Kong resident, a copy of his/her passport or identity card issued by the relevant government authority. For body corporate, a copy of its valid Business Registration Certificate.

- (c) A copy of the agent’s (if any) Hong Kong identity card. For non-Hong Kong resident, a copy of his/her passport or identity card issued by the relevant government authority. For body corporate, a copy of its valid Business Registration Certificate.

B1.6 When completing the specified form (RA-1), a supplier may indicate the preferred annual audit date from amongst the options for the date to fall on 31 March, 30 June, 30 September or 31 December according to his/her financial reporting cycle for submission of annual audit report (for details of audit report, please refer to paragraph B5).

B1.7 The registration process is normally completed within 10 working days after EPD’s receipt of the completed application form and all necessary support documents.

B1.8 Before the application is determined, the applicant may withdraw the application at any time by written notice. If the information provided changes, the applicant must give a written notice of the changes within 7 days. The applicant will be registered as a registered supplier if there is no outstanding payment of container recycling levies, returns or audit reports in relation to a preceding registration (if any) and the EPD is satisfied that the application complies with the PERO. The EPD will issue through RAIMS a certificate of registration containing the following important information:

- (a) a registration number assigned by the EPD;
- (b) the date on which the registration becomes effective;
- (c) an annual audit date; and
- (d) the first cut-off date.

A sample of the certificate of registration is attached in **Annex** for reference.

B1.9 On the other hand, if the EPD is satisfied that a registered supplier is no longer a supplier, the EPD must cancel the registration of the supplier. Individual registered supplier who is no longer engaged in the relevant business should submit a notice using form – Application for Cancellation of Registration (RA8) to the EPD for cancelling the registration.

B2 Submission of Returns

B2.1 The registered supplier must submit returns to EPD in relation to regulated articles distributed or consumed in Hong Kong quarterly **within 28 days** after the first cut-off date and thereafter the last day of each quarter (i.e. 31 March, 30 June, 30 September and 31 December) or the cancellation date of the registration (if it is cancelled) using specified form – Registered Supplier’s Submission of Return (Applicable to Ordinary Registration) (RA-2a). Each return covering a reporting period must contain relevant information of the RAs that were distributed or consumed by the registered supplier in Hong Kong during the reporting period with the respective breakdown, i.e. total volume (in liters) of RAs manufactured in Hong Kong and imported into Hong Kong. Any person who contravenes the above requirements commits an offence and is liable, on first conviction, to a fine at level 6 (HK\$100,000); and on a subsequent conviction, to a fine of HK\$200,000.

- B2.2 “Consume” an RA means:
- (a) open the container that constitutes the article for the first time after the container is sealed; or
 - (b) abandon the article.

B3 Payment of Container Recycling Levies

- B3.1 The container recycling levy was set at \$0.98 per litre-volume. The EPD, having determined the amount of container recycling levy to be payable by a registered supplier according to the return submitted, will serve on the registered supplier a payment notice through email or RAIMS. The registered supplier has to pay the relevant container recycling levy according to the payment instructions of the payment notice **within 30 days** after the service of the payment notice. Any person who contravenes the above requirements commits an offence and is liable, on first conviction, to a fine at level 6 (HK\$100,000); and on a subsequent conviction, to a fine of HK\$200,000.

B4 Keeping Records and Documents Relating to Returns

- B4.1 A registered supplier has to keep the prescribed records and documents relating to a return, including records, invoices, receipts, delivery notes, inventory records or any other documents that enable the EPD to verify the information covered by the return, **for 5 years** after the year of the submission of the return. Any person who contravenes this requirement commits an offence and is liable to a fine at level 5 (HK\$50,000).

B5 Submission of Audit Reports

- B5.1 A registered supplier must submit an audit report to the EPD every year in respect of the returns submitted to ensure accuracy. The audit report must be prepared by a certified public accountant (practising) as defined by section 2(1) of the Professional Accountants Ordinance (Cap. 50) (“auditor”), who must not be an employee of the registered supplier. The audit report shall be submitted together with the form – Registered Supplier’s Submission of Audit Report (Applicable to Ordinary Registration) (RA-3a) **within 3 months** after the annual audit date or the cancellation date of the registration (if it is cancelled). Any person

who contravenes this requirement commits an offence and is liable to a fine at level 5 (HK\$50,000).

- B5.2 In an audit report, the auditor has to state whether, in his opinion and in relation to any return covered by the report:
- (a) the registered supplier has kept records and documents in compliance with the legislations;
 - (b) the return was prepared on the basis of those records and documents; and
 - (c) the litre volumes of the RAs covered by the return have been reported in accordance with the legislations.
- B5.3 If the auditor identifies any discrepancy between a return covered by the audit report and the records and documents kept for the return in relation to the litre volumes of RAs, the auditor must set out the discrepancy in a specified form – Discrepancy List (Applicable to Ordinary Registration) (RA-4a), a copy of which must be attached to the audit report to be submitted to the EPD. In accordance with the discrepancy set out, the EPD may adjust the amount of container recycling levy payable in relation to a subsequent return (if any) of the registered supplier so as to offset any overpaid or unpaid amount of container recycling levy. The EPD may also issue an assessment notice to the registered supplier to recover any unpaid amount of container recycling levy. In addition, the EPD may consider written claims for refund of any overpaid amount of container recycling levy that has not yet been recovered in any subsequent payment cycles if satisfied that the registered supplier is entitled to the refund.

B6 Exemption from Submission of Audit Report

- B6.1 A registered supplier may apply to the EPD in writing for exemption from submitting an audit report for an audit year if the aggregate amount of container recycling levies payable for that audit year does not exceed HK\$20,000. The application shall be submitted using the form – Application for Exemption from Submission of Audit Report (RA-5) **within 1 month** after the annual audit date or the cancellation date of the registration (if it is cancelled).
- B6.2 The application process is normally completed within 10 working days after EPD's receipt of the completed application form and all

necessary support documents.

B7 Notice of Change of Address

B7.1 If the address of a registered supplier has changed, the supplier must notify the EPD of the change **within 30 days** after the date on which the change occurs in specified form – Notification of Change of Information of Registered Supplier (RA-7). Any person who contravenes this requirement commits an offence and is liable to a fine at level 2 (HK\$5,000).

B8 Exemption with Container Waste Reduction Plan

B8.1 At present, a number of local beverage manufacturers have established their own reuse arrangements, by which waste glass beverage containers of their brands are collected from market for rebottling after proper cleansing and sterilisation. The reuse of waste glass beverage containers is beneficial to the environment because it can save energy used in the manufacturing of glass containers from raw materials. The Government encourages any new reuse arrangements or the continuation of existing reuse arrangements that are underpinned by a robust and reliable monitoring and auditing system to ensure the glass beverage containers are recovered effectively and reused in an environmentally sound manner. To encourage local beverage manufacturers and other beverage suppliers to recover their used glass containers for reuse, the GPRS has provided for an exemption mechanism such that a registered supplier may be exempted from some of the obligations including payment of the container recycling levy provided that the supplier meets the criteria as set out in the law.

B8.2 A registered supplier may submit application by post or in person, with the required information as follows:

- (a) duly completed specified form – Application for Exemption with Container Waste Reduction Plan (RA-6)
- (b) application fee (\$9,250) – Payment of the application fee shall be made by cheque and is non-refundable. The cheque shall be crossed and made payable to “The Government of the Hong Kong Special Administrative Region”.
- (c) a “Container Waste Reduction Plan” – Specifying, in relation to the glass-bottled beverages for which the exemption is

sought, the arrangement for the recovery and reuse or recycling of the containers concerned.

B8.3 For details of application for exemption and outline of Container Waste Reduction Plan, please refer to “A Guide for Registered Supplier Seeking Exemption from the Container Recycling Levy”.

B9 Timeline of Major Obligations









Major Obligations (Applicable to Ordinary Registration)	Timeline
Submission of quarterly returns	within 28 days after the first cut-off date and thereafter last day of each quarter*
Payment of container recycling levies	within 30 days after the service of payment notice
Application for exemption from submission of annual audit report	within 1 month after the annual audit date*
Submission of annual audit reports	within 3 months after the annual audit date*
Keeping records and documents relating to quarterly returns	for 5 years after the year of the submission of the return
Notice of change of address	within 30 days after the date on which the change occurs

* or the cancellation date of the registration (if it is cancelled)

C. Information for Supplier

Information for supplier including the forms can be downloadable from the EPD's website below.

https://www.epd.gov.hk/epd/english/environmentinhk/waste/pro_responsibility/gprs_supplier.html

<u>Type</u>	<u>QR code</u>
Application for Registration as Registered Supplier (RA-1)	
Registered Supplier's Submission of Return (Applicable to Ordinary Registration) (RA-2a)	
Registered Supplier's Submission of Audit Report (Applicable to Ordinary Registration) (RA-3a)	
Discrepancy List (Applicable to Ordinary Registration) (RA-4a)	
Application for Exemption from Submission of Audit Report (RA-5)	
Application for Exemption with Container Waste Reduction Plan (RA-6)	
Notification of Change of Information of Registered Supplier (RA-7)	
Application for Cancellation of Registration (RA-8)	

Sample of Certificate of Registration



環境保護署

Environmental Protection Department

《產品環保責任條例》(第 603 章)

Product Eco-responsibility Ordinance (Cap. 603)

《產品環保責任(受規管物品)規例》(第 603C 章)

Product Eco-responsibility (Regulated Articles) Regulation (Cap. 603C)

登記證明書(一般登記供應商)

Certificate of Registration (Ordinary Registered Supplier)

此登記證明書是根據上述《規例》(第 603C 章)第 7 條發出。
This Certificate of Registration is issued in accordance with section 7 of the above
Regulation (Cap. 603C).

登記號碼 : **EP-RAXX-O-XXXX**
Registration No.

登記供應商名稱 : XXXXXXXXXXXX
Name of Registered Supplier XXXXXXXXXXXX

商業登記號碼 : XXXXXXXXXXXX
Business Registration No.

業務地址 : XXXXXXXXXXXX
Business Address XXXXXXXXXXXX

登記生效日期 : 20XX 年 XX 月 XX 日
Registration Effective Date XX XXX 20XX

首個截數日期 : 20XX 年 XX 月 XX 日
The First Cut-off Date XX XXX 20XX

周年審計日期 : XX 月 XX 日
Annual Audit Date XX XXX

簽署 Signed: _____

環境保護署署長 (XXX 代行)

(XXXXXXXXXX)

for Director of Environmental Protection

發出日期 : 20XX 年 XX 月 XX 日
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(1st issue)