

立法會
Legislative Council

LC Paper No. CB(3) 448/16-17

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Tel : 3919 3300

Date : 28 March 2017

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 29 March 2017

**Proposed resolution to amend
the Air Pollution Control (Vehicle Design Standards) (Emission)
(Amendment) Regulation 2017**

Further to LC Paper No. CB(3) 445/16-17 dated 27 March 2017, Members are invited to note that the Secretariat did not receive any Member's request for moving a motion to amend the captioned Amendment Regulation by the deadline of 27 March 2017.

2. As such, the President has given permission for the Secretary for the Environment to move at the Council meeting of 29 March 2017 the proposed resolution in **Appendix 1** under section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1) in relation to the Amendment Regulation.

3. As directed by the President, the proposed resolution will be printed in the terms in which it was handed in on the Agenda of the Council. The speech, in both Chinese and English, which the Secretary will deliver when moving the proposed resolution is in **Appendix 2**.

(Dora WAI)
for Clerk to the Legislative Council

Encl.

Interpretation and General Clauses Ordinance

Resolution

(Under section 34(2) of the Interpretation and General Clauses Ordinance
(Cap. 1))

Air Pollution Control (Vehicle Design Standards) (Emission) (Amendment) Regulation 2017

Resolved that the Air Pollution Control (Vehicle Design Standards) (Emission) (Amendment) Regulation 2017, published in the Gazette as Legal Notice No. 24 of 2017 and laid on the table of the Legislative Council on 22 February 2017, be amended as set out in the Schedule.

Schedule

Amendments to Air Pollution Control (Vehicle Design Standards) (Emission) (Amendment) Regulation 2017

1. Section 6 substituted

Section 6—

Repeal the section

Substitute

“6. Regulation 7B amended (vehicle design standards for certain motor vehicles registered on or after 1 January 2006)

(1) Regulation 7B(1)—

Repeal paragraphs (a), (b) and (c).

(2) Regulation 7B(1)(d)(ii)—

Repeal

“on or after 1 January 2006”

Substitute

“between 1 January 2006 and 30 September 2017 (both dates inclusive)”.

(3) Regulation 7B(1)(d)—

Repeal

“Schedule 12;”

Substitute

“Schedule 12.”.

(4) Regulation 7B(1)—

Repeal paragraphs (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), (o), (p) and (q)."

2. Section 8 amended (regulation 7E amended (vehicle design standards for certain motor vehicles registered on or after 1 June 2012))

(1) Section 8—

Repeal subsection (1).

(2) Section 8(8), (9) and (10)—

Repeal

"31 December 2017"

Substitute

"30 September 2018".

3. Section 9 amended (regulations 7F, 7G and 7H added)

(1) Section 9, new regulation 7F(6)(b)—

Repeal

"1 July 2017"

Substitute

"1 October 2017".

(2) Section 9, new regulation 7G(12)(d), (13)(c), (14)(d), (15)(d) and (17)(c)—

Repeal

"1 January 2018"

Substitute

"1 October 2018".

(3) Section 9, new regulation 7H, heading—

Repeal

"1 January 2018"

Substitute

"1 October 2018".

(4) Section 9, new regulation 7H(2)(d), (3)(d), (5)(c) and (6)(c)—

Repeal

"1 January 2018"

Substitute

"1 October 2018".

4. Section 10 amended (regulation 8 amended (compliance with more stringent standards))

Section 10—

Repeal

"7D, 7E, 7F"

Substitute

"7B, 7D, 7E, 7F".

5. Section 11 amended (regulation 9 amended (vehicles to which regulations 7, 7B, 7C, 7D, 7E and 14 do not apply))

(1) Section 11(1)—

Repeal

"7D, 7E, 7F"

Substitute

"7B, 7D, 7E, 7F".

(2) Section 11(2)—

Repeal

"7D, 7E, 7F"

Substitute

“7B, 7D, 7E, 7F”.

6. **Section 13 amended (regulation 14 amended (certain motor vehicles to be equipped with on-board diagnostic system))**

Section 13—

Repeal subsection (5).

7. **Section 29 substituted**

Section 29—

Repeal the section

Substitute

- “29. **Schedule 12 amended (vehicle design standards (emission) for certain motor vehicles registered on or after 1 January 2006)**

(1) Schedule 12—

Repeal

“[regs. 7B & 7E]”

Substitute

“[reg. 7B]”.

(2) Schedule 12—

Repeal paragraphs (a) and (c).”

8. **Section 32 amended (Schedules 17, 18 and 19 added)**

Section 32, English text, new Schedule 17, Part 2, paragraph (c)(iii)—

Repeal

“Environment”

Substitute

“Environmental”.

**Air Pollution Control (Vehicle Design Standards) (Emission) (Amendment)
Regulation 2017**

Motion to Amend Amendment Regulation

Speech by the Secretary for the Environment

President, I move that the Air Pollution Control (Vehicle Design Standards) (Emission) (Amendment) Regulation 2017 (“the Amendment Regulation”), which aims to further improve the roadside air quality by implementing more stringent vehicle design standards for specific vehicles, be amended. The amendments are set out in the agenda.

First of all, I would like to express my sincere appreciation to the Subcommittee led by Hon Frankie Yick, the Chairman of the Subcommittee, for their invaluable views offered during the vetting of the Amendment Regulation. In view of the comments of the Subcommittee, we propose the motion of amendment which has the support of the Subcommittee.

To improve roadside air quality and protect public health, our standing policy is to tighten motor vehicle fuel and emission standards in line with international developments when there is a reasonable supply of compliant fuels and vehicles in Hong Kong. The European Union (EU) started tightening emission standards for newly registered vehicles in phases to Euro VI on 31 December 2013. Compared with their Euro V counterparts, Euro VI heavy duty diesel vehicles emit about 80% less nitrogen oxides (NOx) and 50% less respirable suspended particulates (RSP) while Euro VI light duty diesel vehicles emit about 55% less NOx. In 2015, the Environmental Protection Department (EPD) commenced the consultation and preparatory work on a new round of tightening of statutory emission standards for newly registered vehicles.

After considering the vehicle suppliers’ timetable for introducing their Euro VI vehicles to the local market, we sought the support of the Panel on Environmental Affairs (the Panel) of the Legislative Council (LegCo) in the end of 2015 on our initial proposal to implement the Euro VI emission standards in phases starting from 1 September 2016, and to start consulting the transport trades and vehicle maintenance trade on the proposal. We also indicated that we would review the current policy on new registration of diesel private cars to avoid the rapid growth of diesel private cars

aggravating the roadside air pollution.

With the Panel's support on the initial proposal, we consulted the transport trades and the vehicle maintenance trade. The transport trades' major view was that they would like the Government to defer the proposed implementation timetable for diesel goods vehicles and non-franchised buses at least to 1 January 2018. For the vehicle maintenance trade, they did not object to our proposal. Having considered the views received during consultation, we acceded to the transport trades' views and proposed to the Panel at the end of last year a revised timetable to implement Euro VI emission standards for diesel goods vehicles and buses in phases starting from 1 January 2018, allowing more time for relevant trades to prepare for the implementation. As for petrol private cars and taxis, the Euro VI emission standards would be implemented starting from 1 July 2017, while the standards for diesel private cars would be tightened to California LEV III on the same day. The Panel had no objection in principle to the revised proposal and subsequently held a hearing on 24 February this year to receive the views of diesel private car suppliers and the transport trades on the revised proposal. In view of the views received at the hearing on the revised timetable for implementation of the new standards, the Panel carried motions proposing the Government to further defer the commencement dates.

At the same time, the Government tabled the Amendment Regulation under section 43 of the Air Pollution Control Ordinance (Cap. 311) at the LegCo for negative vetting on 22 February this year. The LegCo has set up a subcommittee scrutinizing the Amendment Regulation.

President, for diesel private cars, the trade requested to further defer the commencement date of the new standard. Their main argument is that they would like to have more time for adjusting their sales plan. We believe that as we already announced the implementation timetable for the new standards in October last year to the diesel private car suppliers, they should have sufficient time to adjust their sales plans. As for goods vehicles and non-franchised buses, the trades would like to defer the implementation date so as to allow more Euro VI vehicle models be introduced to the local market and more time for vehicle mechanics to pick up the maintenance skill for these vehicles.

For the supply of vehicles, it is our understanding that all major European and Japanese commercial vehicle suppliers have confirmed that they are able to supply Euro VI models for the concerning vehicle classes according to the schedule.

The vehicle manufacturers of the Mainland also have no difficulty in supplying Euro VI buses to Hong Kong. As for the maintenance, EPD in conjunction with vehicle suppliers, commercial vehicle repair associations representing small and medium vehicle repair workshops, the Vocational Training Council and other organisations have been conducting seminars on repair and maintenance of modern diesel vehicles since 2015 and will continue to conduct these seminars. We will consult the view of vehicle maintenance trade to add more in-depth materials to assist the trade to master the required maintenance skills.

While we consider that the Amendment Regulation's original implementation timetable is well justified and has already duly considered the operational needs of the trades, we understand and respect the trades' concerns. In addition, many Members in the LegCo also would like to see that the Government understands the trades' concerns and endeavours reaching consensus with the trades so as to facilitate smooth implementation of the regulation. After careful considerations, the Government agrees to defer the implementation date of the new standard for diesel private cars to 1 October 2017 and defer the implementation date of the Euro VI standard for goods vehicles with design weight of more than 3.5 tonnes and buses with design weight of more than 9 tonnes to 1 October 2018.

The said amendments have been generally accepted by the transport trades and supported by the Subcommittee. President, I hope Members will support the said amendments, such that the regulation to implement more stringent vehicle design standards to further improve air quality can put into effect as soon as possible. Thanks once again for the Subcommittee. Thank you, President.

Environmental Protection Department

March 2017