

立法會
Legislative Council

LC Paper No. CB(3) 780/16-17

Ref. : CB(3)/M/OR

Tel : 3919 3300

Date : 3 July 2017

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 5 July 2017

**Proposed resolution under the Product Eco-responsibility Ordinance
and the Interpretation and General Clauses Ordinance**

Members have been informed vide LC Paper No. CB(3) 718/16-17 that the Secretary for the Environment (“SEN”) will move a proposed resolution on the Product Eco-responsibility (Regulated Electrical Equipment) Regulation under section 44 of the Product Eco-responsibility Ordinance (Cap. 603) and section 35 of the Interpretation and General Clauses Ordinance (Cap. 1) at the above meeting.

2. Members are invited to note that the President has given permission for Hon HUI Chi-fung to move two proposed resolutions (“amending motions”) to amend SEN’s proposed resolution. The amending motions are attached for Members’ consideration. The President has directed that such motions be printed in the terms in which they were handed in on the Agenda of the Council.

3. The President will order a **joint debate** on SEN’s proposed resolution and Hon HUI Chi-fung’s amending motions. After the joint debate, the President will **first put Mr HUI’s 1st and 2nd amending motions to vote respectively**. **SEN’s proposed resolution, or his proposed resolution as amended by Mr HUI, will be dealt with afterwards.**

(Dora WAI)
for Clerk to the Legislative Council

Encl.

Honourable HUI Chi-fung's amending motion

**Product Eco-responsibility Ordinance
and
Interpretation and General Clauses Ordinance
and
Rule 29(6) of the Rules of Procedure of the Legislative
Council of the Hong Kong Special Administrative Region**

Amending Motion

Resolved that the motion to be moved by the Secretary for the Environment under section 44 of the Product Eco-responsibility Ordinance (Cap. 603) and section 35 of the Interpretation and General Clauses Ordinance (Cap. 1) at the Legislative Council meeting of 5 July 2017 be amended as set out in the Schedule.

Schedule

Amendments to Motion to be Moved by Secretary for the Environment under Section 44 of Product Eco-responsibility Ordinance and Section 35 of Interpretation and General Clauses Ordinance

**1. Schedule amended (amendments to Product Eco-responsibility
(Regulated Electrical Equipment) Regulation)**

(1) The Schedule—

Delete section 1

Substitute

“1. Section 9 amended (provision of recycling labels)

Section 9—

Delete subsection (3)

Substitute

“(3) The label is required to be provided by affixing it onto the regulated electrical equipment.”.

(2) The Schedule—

Delete section 2

Substitute

“2. Section 27 amended (provision of recycling labels)

Section 27—

Delete subsection (3).”.

Honourable HUI Chi-fung's amending motion

**Product Eco-responsibility Ordinance
and
Interpretation and General Clauses Ordinance
and
Rule 29(6) of the Rules of Procedure of the Legislative
Council of the Hong Kong Special Administrative Region**

Amending Motion

Resolved that the motion to be moved by the Secretary for the Environment under section 44 of the Product Eco-responsibility Ordinance (Cap. 603) and section 35 of the Interpretation and General Clauses Ordinance (Cap. 1) at the Legislative Council meeting of 5 July 2017 be amended as set out in the Schedule.

Schedule

Amendments to Motion to be Moved by Secretary for the Environment under Section 44 of Product Eco-responsibility Ordinance and Section 35 of Interpretation and General Clauses Ordinance

1. Schedule amended (amendments to Product Eco-responsibility (Regulated Electrical Equipment) Regulation)

(1) The Schedule—

Delete section 7

Substitute

“7. Section 40 substituted

Section 40—

Delete the section

Substitute

“40. Requests for removal services

A request for a removal service must be made—

(a) in the manner specified by the seller; and

(b) no later than the time at which the consumer takes actual possession of the distributed equipment.”.

(2) The Schedule, section 8 —

Delete subsection (8).

(3) The Schedule, section 8 —

Renumber subsections (9) and (10) as subsections (8) and (9) respectively.