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ACE Paper 4/2025

For information on 10 March 2025

Common Legislative Framework for Producer Responsibility Scheme and the Producer Responsibility Scheme on Plastic Beverage Containers and Beverage Cartons

Background Note

PURPOSE

This paper provides background information on the “Common Legislative Framework for Producer Responsibility Scheme (“PRS”) and the PRS on Plastic Beverage Containers and Beverage Cartons” (*ACE Paper 3/2025*) to facilitate Members’ discussion at the Advisory Council on the Environment (ACE) meeting on 10 March 2025.

BACKGROUND

2. In 2006, the Government proposed a new legislation for the implementation of PRSs as a key policy tool for waste reduction, recovery and recycling in the “Policy Framework for the Management of Municipal Solid Waste (2005-2014)”. The Product Eco-responsibility Ordinance (Cap. 603) (“PERO”) was subsequently passed by the Legislative Council in July 2008. After the passage of the Ordinance, the Government has implemented the PRSs for three types of products, namely plastic shopping bags in 2009, waste electrical and electronic equipment in 2018 and glass beverage containers in 2023.

3. Previously, in order to implement each of the aforementioned PRSs, various details were prescribed individually in the PERO, rendering the legislative process relatively time consuming. Considering that there are many common elements among the PRSs, the Government proposed to establish a common legislative framework applicable to PRSs on different products, which helps speed up the legislative process and implementation of each PRS.

4. The Chief Executive announced in the 2023 and 2024 Policy Addresses that the Government will establish a common legislative framework for the PRS

applicable to different products, facilitating the future inclusion of such products as plastic beverage containers and beverage cartons progressively and expanding our waste-to-resources capacities. To this end, the Government proposed to amend the PERO to establish the common legislative framework which will set out the general operational mechanism for PRSs applicable to different products (“regulated products”), while the operational details of individual regulated products will be prescribed in the subsidiary legislations. The Government also proposed to amend the Waste Disposal Ordinance (Cap. 354) (“WDO”) and its subsidiary legislations to complement the implementation of various PRSs.

5. During the course of making / amendment of the Ordinances as mentioned above, the ACE was consulted in the following meetings and members expressed support to the relevant proposals—

Relevant ACE Meeting	Topic	Relevant paper/ minutes
133 rd Meeting on 10 April 2006	Proposed Legislation for Implementation of Producer Responsibility Schemes	<ul style="list-style-type: none"> ● <u>ACE Paper 6/2006</u> ● <u>Confirmed Minutes of Meeting</u>
244 th Meeting on 8 March 2021	Public Consultation on the Producer Responsibility Scheme on Plastic Beverage Containers	<ul style="list-style-type: none"> ● <u>ACE Paper 1/2021</u> ● <u>Confirmed Minutes of Meeting</u>
262 nd Meeting on 5 February 2024	Proposal to Establish a Common Legislative Framework for Producer Responsibility Schemes	<ul style="list-style-type: none"> ● <u>ACE Paper 2/2024</u> ● <u>Confirmed Minutes of Meeting</u>

PROPOSAL TO BE DISCUSSED

6. In the upcoming meeting, the Environmental Protection Department would brief Members on the proposed amendments to the PERO and the WDO by an Amendment Bill to establish a common legislative framework for PRSs, with a view to implementing PRSs for regulated products more effectively; to ensure proper treatment of regulated product waste, and to implement import and export control for certain regulated product waste.

ACE Secretariat
March 2025