

[Air Pollution Control \(Amendment\) Bill 2021 gazetted](#)

The Air Pollution Control (Amendment) Bill 2021 (the Amendment Bill) was published in the Gazette today (March 19), and will be introduced into the Legislative Council on March 24.

The Amendment Bill seeks to amend the Air Pollution Control Ordinance (APCO) (Cap. 311) for tightening three air quality objectives (AQOs) (namely the 24-hour AQO for sulphur dioxide (SO₂) and the annual and 24-hour AQOs of fine suspended particulates (FSP/PM_{2.5})) stipulated in Schedule 5 to the APCO, and provide a transitional arrangement for designated projects with Environmental Permits (EPs) granted under the Environmental Impact Assessment Ordinance (EIAO) (Cap. 499) before the commencement of the new AQOs.

The prevailing AQOs, which took effect on January 1, 2014, cover seven key air pollutants and 12 objectives. They are benchmarked against the interim targets (ITs) and ultimate levels of the World Health Organization's Air Quality Guidelines (WHO AQGs). Six of the AQOs have already adopted the ultimate targets of the WHO AQGs, while the remainder are at the ITs (see Annex). As required under the APCO, the Government must review the AQOs at least once every five years.

The Secretary for the Environment completed a review of the AQOs in the end of 2018. The review explored a wide range of ongoing and new air quality improvement measures, and analysed the past air quality data which showed that the overall air quality had improved progressively. It also assessed that, upon implementation of the measures, the air quality in 2025 would continue to improve and the AQOs could be tightened. Based on the assessment results, the review recommended tightening the 24-hour AQO for SO₂ and the annual and 24-hour AQOs for FSP/PM_{2.5} from the prevailing IT-1 level to the more stringent IT-2 level of the WHO AQGs (see Annex).

The Environment Bureau launched a three-month public consultation in mid-2019 on the review recommendations. Taking into account the various factors and the views gathered, the ENB reported to the Advisory Council on the Environment in early 2020 on the findings of the public consultation and the decision to tighten the AQOs.

A spokesman for the Environment Bureau said, "To preserve the integrity of Environmental Impact Assessment (EIA) system, when implementing the new AQOs, we will include a transitional arrangement for designated projects with EPs granted under the EIAO before the commencement of the new AQOs. For these projects, the prevailing AQOs which took effect on January 1, 2014, will apply to an application for a variation of an EP lodged within 36 months of the commencement of the new AQOs. A similar transitional arrangement was also provided in the last AQOs review."

The spokesperson added, "To demonstrate the Government's commitment to improving air quality, government projects for which EIA studies have not yet commenced should adopt the new AQOs as the benchmark for conducting air quality impact assessment under the EIA studies as far as practicable, and shall, on a best endeavours basis, reduce the number of allowable exceedances of the 24-hour AQO for FSP/PM2.5 to 18 days per calendar year, which is more stringent than the allowable exceedance of 35 days per calendar year as stipulated in the Amendment Bill."

The Government is embarking on the next AQOs review to explore the scope for tightening the AQOs. The review will be completed by 2023.