

Waste Disposal (Amendment) Bill 2005
Administration's Response to Assistant Legal Adviser's Request

Clause 25 – To consider if Schedule 9 should either set out all the States to which Schedule 9 applies or a description of the States to which Schedule 9 applies, e.g. as described in Annex VII of the Basel Convention

The proposed Schedule 9 of the WDO contains the current list of countries which are applicable for the purpose of import control on hazardous waste as provided for under the new Section 20A(4)(e) set out in Clause 8 of the Bill. This approach was adopted since it is more transparent and provides more information as the relevant countries are listed out in Schedule 9.

2. During the examination of the Bill, we advised Members that we agreed with the suggestion from Greenpeace to also make reference to the phrase "member countries of the OECD and the EU" as a catch all formulation. By adopting this arrangement, the import control would immediately apply to a new member of OECD or the EU without any time-gap before legislative amendment could be put in place to include the new member in Schedule 9. We have therefore drawn reference to Annex VII of the Basel Convention in proposing the CSA.

Environmental Protection Department
February 2006