

**Environmental Protection Department
Headquarters**

環境保護署總部

本署的
OUR REF: EP 170/3P/051
來函檔號
YOUR REF: LS/B/27/04-05
電話
TEL. NO.: 2594 6112
圖文傳真
FAX NO.: 2318 1877
電子郵件
E-MAIL: dkkha@epd.gov.hk
網址:
HOMEPAGE: <http://www.epd.gov.hk/>

33/F, Revenue Tower,
5 Gloucester Road,
Wan Chai, Hong Kong.

香港
灣仔告士打道五號
稅務大樓三十三樓

5 August 2005

Miss Monna LAI
Assistant Legal Adviser
Legal Service Division
Legislative Council Secretariat
Legislative Council Building
8 Jackson Road
Central
Hong Kong

Dear Miss LAI,

Waste Disposal (Amendment) Bill 2005

I refer to your above referenced letter dated 28 July 2005, which sought clarification on the delivery of clinical waste to collection points and licensed disposal facility by healthcare professionals. Please find below our response to your enquiry.

(a) Difference between delivery of clinical waste to licensed disposal facility, laboratories and collection points

Healthcare professionals as stipulated in the Regulation to be made under the Waste Disposal Ordinance will be allowed to deliver no more than 5 kg of clinical waste to a collection point or a licensed disposal facility.

The Director of Environmental Protection may, upon application by a clinical waste producer, authorize the waste producer to set up a collection point for receiving clinical waste. Hence a medical laboratory could be a collection point if it is authorized to do so. The detailed arrangement will be set out in the Regulation.

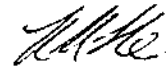
A licensed disposal facility, on the other hand, is authorized by a licence granted under s.21 of the Waste Disposal Ordinance to dispose of clinical waste.

The delivery requirements by the healthcare professionals will be the same for delivery to an authorized collection point or to a licensed disposal facility.

(b) Will the delivery by healthcare professionals of clinical waste generated by other small clinical waste producers amount to providing services for the collection or removal of clinical waste under the new section 11(2)?

Healthcare professionals who deliver clinical waste generated by other small clinical waste producers may amount to providing services for the collection of clinical waste under the new section 11(2). However, under the Regulation to be made, such healthcare professionals will be authorized to provide the service in question, thus excluding them from the requirement of a licence in accordance with the new section 11(2)(b).

Yours sincerely,



(David K.K. HA)
Senior Environmental Protection Officer
for Director of Environmental Protection

c.c. DoJ (Attn: Ms. Fanny Ip, SALD)
DoJ (Attn: Ms. Frances Hui, SGC)
DoJ (Attn: Mr. K.F. Cheng, SGC)