

立法會
Legislative Council

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Tel : 2869 9205

Date : 3 July 2008

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 9 July 2008

**Proposed resolution under section 34(2) of the
Interpretation and General Clauses Ordinance**

I forward for Members' consideration a proposed resolution which the Secretary for Development will move at the Council meeting of 9 July 2008 under section 34(2) of the Interpretation and General Clauses Ordinance relating to the Building (Refuse Storage and Material Recovery Chambers and Refuse Chutes) (Amendment) Regulation 2008. The President has directed that "it be printed in the terms in which it was handed in" on the Agenda of the Council.

2. The speech, in both English and Chinese versions, which the Secretary for Development will deliver when moving the proposed resolution, is also attached.

(Mrs Justina LAM)
for Clerk to the Legislative Council

Encl.

INTERPRETATION AND GENERAL CLAUSES ORDINANCE

RESOLUTION

(Under section 34(2) of the Interpretation and
General Clauses Ordinance (Cap. 1))

BUILDING (REFUSE STORAGE AND MATERIAL RECOVERY CHAMBERS AND REFUSE CHUTES)(AMENDMENT) REGULATION 2008

RESOLVED that the Building (Refuse Storage and Material Recovery Chambers and Refuse Chutes) (Amendment) Regulation 2008, published in the Gazette as Legal Notice No. 125 of 2008 and laid on the table of the Legislative Council on 21 May 2008, be amended, in section 3, in the new regulation 3A(5), by repealing “, boarding house, hostel or dormitory” and substituting “or boarding house”.

Meeting of the Legislative Council on 9 July 2008

**Motion to Amend
the Building (Refuse Storage and Material Recovery
Chambers and Refuse Chutes) (Amendment) Regulation 2008
Made under
the Interpretation and General Clauses Ordinance**

The Speech of the Secretary for Development

Madam President,

I rise to move the motion on the Agenda to amend the Building (Refuse Storage and Material Recovery Chambers and Refuse Chutes) (Amendment) Regulation 2008 (“the Amendment Regulation”).

I, hereby, on behalf of the Secretary for the Environment and the relevant departments, would like to express our gratitude to the Honourable CHOY So-yuk, together with the Subcommittee under her chairmanship, who has completed scrutinising the Amendment Regulation within a short time frame and tendered invaluable advice.

The Amendment Regulation seeks to amend Building (Refuse Storage and Material Recovery Chambers and Refuse Chutes) Regulations to impose a mandatory requirement for provision of a refuse storage and material recovery room (RSMRR) on every floor of new domestic buildings and the domestic part of new composite buildings from 1 December 2008. The new requirement aims at providing sufficient space on every floor to facilitate separation of waste at source for recycling. It will also help to prevent potential fire hazards and hygiene problems posed by improper placing of refuse storage and waste separation facilities in lift lobbies, corridors and staircases of buildings.

Some stakeholders pointed out that the mandatory requirement for provision of a RSMRR on every floor of new domestic buildings and the domestic part of new composite buildings might cause hardship to some small developments. To address their concerns, it is proposed that buildings meeting specific conditions may be exempted from such mandatory requirement.

At the Subcommittee meetings, Members agreed to the exemption of hotels, guest-houses and boarding-houses, but expressed different views on the exemption of hostels and

dormitories from the proposed mandatory requirement. Some Members considered that, in order to encourage waste recovery, hostels and dormitories should not be exempted from the new requirement.

Having considered Members' comments and obtained consent from the Subcommittee, the Administration proposes to remove "hostel or dormitory" from the new section 3A(5) of the Amendment Regulation so as to include them under the control of the Amendment Regulation.

The Subcommittee has discussed and is in support of the proposed amendment. I hope Members would support the motion.

Madam President, I beg to move the above motion.

- End -