

INTERPRETATION AND GENERAL CLAUSES  
ORDINANCE

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**RESOLUTION**

**SEWAGE SERVICES (TRADE EFFLUENT  
SURCHARGE) (AMENDMENT) REGULATION 2008**

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

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RESOLVED that the Sewage Services (Trade Effluent Surcharge) (Amendment) Regulation 2008, published in the Gazette as Legal Notice No. 106 of 2008 and laid on the table of the Legislative Council on 14 May 2008, be amended –

(a) by repealing section 3 and substituting –

**“3. Trade effluent surcharge rates**

Section 3(1)(a) and (b) is repealed and the following substituted –

“(a) if the billing period for the surcharge begins on a date before 1 August 2008 and ends on a date between 1 August 2008 and 31 July 2009 (both days inclusive), at the rate calculated in accordance with the formula specified in Part I of Schedule 5;

(b) if the billing period for the surcharge begins on a date between 1 August 2008

and 31 July 2009 (both days inclusive) and ends on a date before 1 August 2009, at the rate specified in column 3 of Schedule 1;

(c) if the billing period for the surcharge begins on a date between 1 August 2008 and 31 July 2009 (both days inclusive), and ends on or after 1 August 2009, at the rate calculated in accordance with the formula specified in Part II of Schedule 5; or

(d) if the billing period for the surcharge begins on or after 1 August 2009, at the rate specified in column 4 of Schedule 1.”.”;

(b) by adding –

**“3A. Variation of trade effluent surcharge rate**

(1) Section 4(2) is amended by repealing “or II” and substituting “, II or III”.

(2) Section 4(3) is amended by repealing “2 years” where it twice appears and substituting “3 years”.

(3) Section 4(4) is amended by repealing “2 years” and substituting “3 years”.”;

(c) in section 4, by adding –

“(1A) Section 8(1) is repealed and the following substituted –

“(1) Where a new trade effluent surcharge rate –

(a) is determined under section 4(2) before 1 August 2008 during a billing period; and

(b) is applicable to the relevant consumer or agent on 1 August 2008,

the new rate shall be in effect for 3 years from the beginning of the billing period. On the expiry of those 3 years the rate provided for in section 3 shall apply subject to the consumer or agent having further tests done under section 4(1) and the Drainage Authority making another determination under section 4.”.”;

(d) in section 4(2), in the new section 8(4), by repealing “on or after 1 August 2009” and substituting “on a date between 1 August 2009 and 31 July 2010 (both days inclusive)”;

(e) in section 4(2), by adding –

“(5) Where a new trade effluent surcharge rate is determined under section 4(2) and the billing period during which the determination is made begins on or after 1 August 2010 –

(a) the reference to Schedule 2 in section 4(2) shall be read as a

reference to Schedule 2 as in force  
on 1 August 2008; and

(b) the applicable matrix is the matrix  
in Part III of Schedule 4.”;

- (f) in section 5, in the new Schedule 1, within the square  
brackets, by adding “& Sch. 5” after “s. 3”;
- (g) in section 5, in the new Schedule 1, in the heading of  
column 3, by adding “and ending on a date before 1  
August 2009” after “inclusive)”;
- (h) by repealing section 8 and substituting –

**“8. Schedule 4 substituted**

Schedule 4 is repealed and the following  
substituted –

## “SCHEDULE 4

[ss. 4 &amp; 8]

## PART I

TRADE EFFLUENT SURCHARGE RATE MATRIX FOR BILLING PERIOD BEGINNING ON A DATE  
BETWEEN 1 AUGUST 2008 AND 31 JULY 2009 (BOTH DAYS INCLUSIVE)

COD <sub>(s)</sub> (g/m <sup>3</sup> )	COD <sub>(s)</sub> (g/m <sup>3</sup> )															
	0	100	130	160	200	250	320	400	500	630	790	1000	1260	1580	2000	
2000	\$3.78															2000
1580	\$2.82	\$2.82	\$2.82	\$2.86	\$3.06	\$3.30	\$3.63	\$4.02							1580	
1260	\$2.08	\$2.08	\$2.08	\$2.13	\$2.32	\$2.56	\$2.90	\$3.29	\$3.77	\$4.39					1260	
1000	\$1.49	\$1.49	\$1.49	\$1.54	\$1.73	\$1.97	\$2.31	\$2.69	\$3.17	\$3.80	\$4.57	\$5.58				1000
790	\$1.01	\$1.01	\$1.01	\$1.06	\$1.25	\$1.49	\$1.83	\$2.21	\$2.69	\$3.32	\$4.09	\$5.10				790
630	\$0.64	\$0.64	\$0.64	\$0.69	\$0.88	\$1.12	\$1.46	\$1.84	\$2.32	\$2.95	\$3.72	\$4.73	\$5.98			630
500	\$0.34	\$0.34	\$0.34	\$0.39	\$0.58	\$0.82	\$1.16	\$1.55	\$2.03	\$2.65	\$3.42	\$4.43	\$5.68			500
400	\$0.11	\$0.11	\$0.11	\$0.16	\$0.36	\$0.60	\$0.93	\$1.32	\$1.80	\$2.42	\$3.19	\$4.20	\$5.45	\$6.99		400
320	\$0.00	\$0.00	\$0.00	\$0.05	\$0.24	\$0.48	\$0.82	\$1.20	\$1.68	\$2.31	\$3.08	\$4.09	\$5.34	\$6.88		320
250	\$0.00	\$0.00	\$0.00	\$0.05	\$0.24	\$0.48	\$0.82	\$1.20	\$1.68	\$2.31	\$3.08	\$4.09	\$5.34	\$6.88		250
200	\$0.00	\$0.00	\$0.00	\$0.05	\$0.24	\$0.48	\$0.82	\$1.20	\$1.68	\$2.31	\$3.08	\$4.09	\$5.34	\$6.88		200
160	\$0.00	\$0.00	\$0.00	\$0.05	\$0.24	\$0.48	\$0.82	\$1.20	\$1.68	\$2.31	\$3.08	\$4.09	\$5.34	\$6.88		160

130	\$0.00	\$0.00	\$0.00	\$0.05	\$0.24	\$0.48	\$0.82	\$1.20	\$1.68	\$2.31	\$3.08	\$4.09	\$5.34	\$6.88	130	
100	\$0.00	\$0.00	\$0.00	\$0.05	\$0.24	\$0.48	\$0.82	\$1.20	\$1.68	\$2.31	\$3.08	\$4.09	\$5.34	\$6.88	100	
0	\$0.00	\$0.00	\$0.00	\$0.05	\$0.24	\$0.48	\$0.82	\$1.20	\$1.68	\$2.31	\$3.08	\$4.09	\$5.34	\$6.88	\$8.90	0
	0	100	130	160	200	250	320	400	500	630	790	1000	1260	1580	2000	
$\text{COD}_{(t-s)} \text{ (g/m}^3\text{)}$																

## PART II

**TRADE EFFLUENT SURCHARGE RATE MATRIX FOR BILLING PERIOD BEGINNING ON A DATE  
BETWEEN 1 AUGUST 2009 AND 31 JULY 2010 (BOTH DAYS INCLUSIVE)**

$\text{COD}_{(s)}$ ( $\text{g/m}^3$ )	0	100	130	160	200	250	320	400	500	630	790	1000	1260	1580	2000	
	2000	\$4.13														2000
1580	\$3.08	\$3.08	\$3.08	\$3.12	\$3.34	\$3.60	\$3.96	\$4.39								1580
1260	\$2.27	\$2.27	\$2.27	\$2.33	\$2.53	\$2.80	\$3.17	\$3.59	\$4.12	\$4.79						1260
1000	\$1.63	\$1.63	\$1.63	\$1.68	\$1.89	\$2.15	\$2.52	\$2.94	\$3.46	\$4.15	\$4.99	\$6.09				1000
790	\$1.10	\$1.10	\$1.10	\$1.16	\$1.37	\$1.63	\$2.00	\$2.41	\$2.94	\$3.63	\$4.47	\$5.57				790
630	\$0.70	\$0.70	\$0.70	\$0.75	\$0.96	\$1.22	\$1.59	\$2.01	\$2.53	\$3.22	\$4.06	\$5.17	\$6.53			630
500	\$0.37	\$0.37	\$0.37	\$0.43	\$0.63	\$0.90	\$1.27	\$1.69	\$2.22	\$2.89	\$3.73	\$4.84	\$6.20			500

400	\$0.12	\$0.12	\$0.12	\$0.17	\$0.39	\$0.66	\$1.02	\$1.44	\$1.97	\$2.64	\$3.48	\$4.59	\$5.95	\$7.63	400	
320	\$0.00	\$0.00	\$0.00	\$0.05	\$0.26	\$0.52	\$0.90	\$1.31	\$1.83	\$2.52	\$3.36	\$4.47	\$5.83	\$7.51	320	
250	\$0.00	\$0.00	\$0.00	\$0.05	\$0.26	\$0.52	\$0.90	\$1.31	\$1.83	\$2.52	\$3.36	\$4.47	\$5.83	\$7.51	250	
200	\$0.00	\$0.00	\$0.00	\$0.05	\$0.26	\$0.52	\$0.90	\$1.31	\$1.83	\$2.52	\$3.36	\$4.47	\$5.83	\$7.51	200	
160	\$0.00	\$0.00	\$0.00	\$0.05	\$0.26	\$0.52	\$0.90	\$1.31	\$1.83	\$2.52	\$3.36	\$4.47	\$5.83	\$7.51	160	
130	\$0.00	\$0.00	\$0.00	\$0.05	\$0.26	\$0.52	\$0.90	\$1.31	\$1.83	\$2.52	\$3.36	\$4.47	\$5.83	\$7.51	130	
100	\$0.00	\$0.00	\$0.00	\$0.05	\$0.26	\$0.52	\$0.90	\$1.31	\$1.83	\$2.52	\$3.36	\$4.47	\$5.83	\$7.51	100	
0	\$0.00	\$0.00	\$0.00	\$0.05	\$0.26	\$0.52	\$0.90	\$1.31	\$1.83	\$2.52	\$3.36	\$4.47	\$5.83	\$7.51	\$9.72	0
	0	100	130	160	200	250	320	400	500	630	790	1000	1260	1580	2000	

$\text{COD}_{(t-s)} \text{ (g/m}^3\text{)}$

## PART III

TRADE EFFLUENT SURCHARGE RATE MATRIX FOR BILLING PERIOD BEGINNING ON OR AFTER  
1 AUGUST 2010

$\text{COD}_{(s)}$ ( $\text{g/m}^3$ )	0	100	130	160	200	250	320	400	500	630	790	1000	1260	1580	2000	
2000	\$4.51															2000
1580	\$3.36	\$3.36	\$3.36	\$3.41	\$3.65	\$3.94	\$4.33	\$4.79								1580
1260	\$2.48	\$2.48	\$2.48	\$2.54	\$2.77	\$3.05	\$3.46	\$3.92	\$4.50	\$5.23						1260

1000	\$1.78	\$1.78	\$1.78	\$1.84	\$2.06	\$2.35	\$2.75	\$3.21	\$3.78	\$4.53	\$5.45	\$6.65					1000
790	\$1.20	\$1.20	\$1.20	\$1.26	\$1.49	\$1.78	\$2.18	\$2.64	\$3.21	\$3.96	\$4.88	\$6.08					790
630	\$0.76	\$0.76	\$0.76	\$0.82	\$1.05	\$1.34	\$1.74	\$2.19	\$2.77	\$3.52	\$4.44	\$5.64	\$7.13				630
500	\$0.41	\$0.41	\$0.41	\$0.47	\$0.69	\$0.98	\$1.38	\$1.85	\$2.42	\$3.16	\$4.08	\$5.28	\$6.77				500
400	\$0.13	\$0.13	\$0.13	\$0.19	\$0.43	\$0.72	\$1.11	\$1.57	\$2.15	\$2.89	\$3.80	\$5.01	\$6.50	\$8.34			400
320	\$0.00	\$0.00	\$0.00	\$0.06	\$0.29	\$0.57	\$0.98	\$1.43	\$2.00	\$2.75	\$3.67	\$4.88	\$6.37	\$8.20			320
250	\$0.00	\$0.00	\$0.00	\$0.06	\$0.29	\$0.57	\$0.98	\$1.43	\$2.00	\$2.75	\$3.67	\$4.88	\$6.37	\$8.20			250
200	\$0.00	\$0.00	\$0.00	\$0.06	\$0.29	\$0.57	\$0.98	\$1.43	\$2.00	\$2.75	\$3.67	\$4.88	\$6.37	\$8.20			200
160	\$0.00	\$0.00	\$0.00	\$0.06	\$0.29	\$0.57	\$0.98	\$1.43	\$2.00	\$2.75	\$3.67	\$4.88	\$6.37	\$8.20			160
130	\$0.00	\$0.00	\$0.00	\$0.06	\$0.29	\$0.57	\$0.98	\$1.43	\$2.00	\$2.75	\$3.67	\$4.88	\$6.37	\$8.20			130
100	\$0.00	\$0.00	\$0.00	\$0.06	\$0.29	\$0.57	\$0.98	\$1.43	\$2.00	\$2.75	\$3.67	\$4.88	\$6.37	\$8.20			100
0	\$0.00	\$0.00	\$0.00	\$0.06	\$0.29	\$0.57	\$0.98	\$1.43	\$2.00	\$2.75	\$3.67	\$4.88	\$6.37	\$8.20	\$10.61		0
	0	100	130	160	200	250	320	400	500	630	790	1000	1260	1580	2000		

COD<sub>(t-s)</sub> (g/m<sup>3</sup>);

(i) by adding –

**“9. Schedule 5 added**

The following is added –

“SCHEDULE 5 [s. 3]

PART I

RATES OF SURCHARGE IN RESPECT  
OF BILLING PERIOD BEGINNING ON A  
DATE BEFORE 1 AUGUST 2008 AND  
ENDING ON A DATE BETWEEN 1  
AUGUST 2008 AND 31 JULY 2009  
(BOTH DAYS INCLUSIVE)

$$\frac{(N1 \times R1) + (N2 \times R2)}{(N1 + N2)}$$

(a) In this formula –

N1: number of days of the relevant  
billing period before 1 August  
2008;

R1: the rate that is specified in respect of the trade, business or manufacture concerned in column 3 or 4 (as may be appropriate) of Schedule 1 as in force immediately before the commencement of the Sewage Services (Trade Effluent Surcharge) (Amendment) Regulation 2008 (L.N. 106 of 2008);

N2: number of days of the relevant billing period after 31 July 2008;

R2: the rate that is specified in respect of the trade, business or manufacture concerned in column 3 of Schedule 1.

(b) In paragraph (a), “relevant billing period” (有關的發單收費期間) means the billing period that begins on a date before 1 August 2008 and ends on a date between 1 August 2008 and 31 July 2009 (both days inclusive).

## PART II

**RATES OF SURCHARGE IN RESPECT OF BILLING PERIOD BEGINNING ON A DATE BETWEEN 1 AUGUST 2008 AND 31 JULY 2009 (BOTH DAYS INCLUSIVE),**

AND ENDING ON OR AFTER 1 AUGUST  
2009

$$\frac{(N1 \times R1) + (N2 \times R2)}{(N1 + N2)}$$

- (a) In this formula –
- N1: number of days of the relevant billing period before 1 August 2009;
- R1: the rate that is specified in respect of the trade, business or manufacture concerned in column 3 of Schedule 1;
- N2: number of days of the relevant billing period after 31 July 2009;
- R2: the rate that is specified in respect of the trade, business or manufacture concerned in column 4 of Schedule 1.
- (b) In paragraph (a), “relevant billing period” (有關的發單收費期間) means the billing period that begins on a date between 1 August 2008 and 31 July 2009 (both days inclusive), and ends on or after 1 August 2009.”.”.