



立法會秘書處 法律事務部  
LEGAL SERVICE DIVISION  
LEGISLATIVE COUNCIL SECRETARIAT

來函檔號 YOUR REF : (7) in EP CR 9/150/38  
本函檔號 OUR REF : LS/S/8/13-14  
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By Fax (3121 5758)

12 December 2013

Miss CHENG Ching-mon, Libera  
Sr AO(Waste Mgt Policy Div)  
Environmental Protection Department  
15/F, East Wing  
Central Government Offices  
2 Tim Mei Avenue  
Tamar, Hong Kong

Dear Miss CHENG,

**Re: Waste Disposal (Designated Waste Disposal Facility)  
(Amendment) Regulation 2013 (the Regulation)**

To assist my scrutiny of the Regulation, please let me have your response to the issues set out below.

Section 3

In the Chinese text of section 3A(2) of the Waste Disposal (Designated Waste Disposal Facility) Regulation (Cap. 354L), "第3" appears twice. Please amend the Chinese text of section 3 of the Regulation so that it is the first "第3" in section 3A(2) of Cap. 354L to be repealed.

Section 4

(a) New section 3B(1) of Cap. 354L

Please clarify whether a vehicle which is equipped with devices designed for loading and compacting any waste (including household waste or trade waste) generally is a vehicle equipped

with devices specifically designed for loading and compacting household waste or trade waste. Further, is there any vehicle which is only equipped with devices specifically designed for loading household waste or trade waste (or both) without also compacting such waste?

(b) New section 3B(2) of Cap. 354L

This new provision only applies to those vehicles that are driven into any of the designated waste disposal facilities specified in items 1, 2, 3 and 5 to 18 in column 2 of Schedule 1. Please explain the policy reason(s) for not including those designated waste disposal facilities specified in other items in column 2 of Schedule 1.

Section 5(3)

Should "the requirements in this Regulation" under new section 4(2)(e) of Cap. 354L rather be "the requirement in section 3B(3)"?

Sections 5(4) and (5)

As "第(2)(a)至(d)款" appears twice in the Chinese text of section 4(4)(a) of Cap. 354L, please amend the Chinese text of section 5(4) of the Regulation so as to repeal "第(2)(a)至(d)款" in section 4(4)(a) of Cap. 354L wherever appearing.

Please make similar amendment to the Chinese text of section 5(5) of the Regulation as "第(2)(c)或(d)款" also appears twice in the Chinese text of section 4(4)(b) of Cap. 354L.

Section 7

Paragraphs (a) and (b) of both the English and Chinese texts to be inserted into item 1 of Schedule 2 to Cap. 354L seem to be out of alignment. Please clarify.

I would be grateful if you could let me have the Administration's response in bilingual form before 5:00 pm on 17 December 2013.

Yours sincerely,



(Wendy KAN)  
Assistant Legal Adviser

cc. DoJ (Attn.: Mr Alan CHONG, SGC (By Fax: 2869 1302))  
Clerk to Subcommittee