

立法會
Legislative Council

Ref : CB2/BC/13/04

LC Paper No. CB(2)136/05-06
(These minutes have been seen
by the Administration)

Bills Committee on Waste Disposal (Amendment) Bill 2005

**Minutes of the third meeting
held on Friday, 30 September 2005 at 10:45 am
in Conference Room A of the Legislative Council Building**

- Members present** : Hon Audrey EU Yuet-mee, SC, JP (Chairman)
Dr Hon LUI Ming-wah, SBS, JP
Hon Emily LAU Wai-hing, JP
Hon CHOY So-yuk, JP
Hon LI Fung-ying, BBS, JP
Hon LEE Wing-tat
Hon WONG Kwok-hing, MH
Hon Jeffrey LAM Kin-fung, SBS, JP
Dr Hon KWOK Ka-ki
- Members absent** : Ir Dr Hon Raymond HO Chung-tai, S.B.St.J., JP
Hon Andrew LEUNG Kwan-yuen, SBS, JP
- Public Officers attending** : Environmental Protection Department

Mr FAN Wai-ming, Raymond
Deputy Director of Environmental Protection (2)

Mrs Teresa WONG
Assistant Director (Waste Management Policy)

Mr LEI Chee-kwong, Patrick
Principal Environmental Protection Officer (Waste Policy)

Mr NG Yau-wing, Alex
Principal Environmental Protection Officer
(Special Waste & Landfill Restoration)

Mr CHAN Shu-to, Kenneth
Officer-in-charge (Territorial Control)

Dr HA Kwok-kuen, David
Senior Environmental Protection Officer
(Waste Policy) 2

Department of Justice

Ms IP Fung-king, Fanny
Senior Assistant Law Draftsman

Department of Health

Dr HO Mang-ye, Mandy
Principal Medical & Health Officer (5)

Clerk in attendance : Mrs Percy MA
Chief Council Secretary (2)3

Staff in attendance : Miss Monna LAI
Assistant Legal Adviser 7

Mrs Eleanor CHOW
Senior Council Secretary (2)4

Action

I. Confirmation of minutes of meeting

LC Paper No. CB(2)2636/04-05 – Minutes of meeting on 26 July 2005

The minutes of the meeting held on 26 July 2005 were confirmed.

II. Meeting with the Administration

(LC Paper No. CB(3)571/04-05 – The Bill

LC Paper No. CB(2)2171/04-05(01) – Marked-up copy of the Bill

LC Paper No. CB(2)2600/04-05(01) – Draft Waste Disposal (Clinical Waste)
(General) Regulation

LC Paper No. CB(2)2600/04-05(02) – Administration's response to
views/concerns of organizations/ individuals on the Bill

LC Paper No. CB(2)2638/04-05(01) – Administration's response to the issues raised by members at the meeting on 26 July 2005)

2. The Bills Committee deliberated (index of proceedings attached at **Annex**).
3. The Administration was requested to –
 - (a) explain the types of wastes produced by health and beauty centres which should be classified as clinical waste, the procedure and party responsible for disposal of such waste, and which provisions in the Bill or the draft Waste Disposal (Clinical Waste) (General) Regulation (the Draft Regulation) governed such disposal;
 - (b) consider providing a definition for “peripheral medical care” as “medical care and treatment” referred to in the definition of “clinical waste” could include “peripheral medical care”;
 - (c) provide details of the training programme on clinical waste management organised by the Occupational Safety and Health Council, e.g. the number, size, duration, content, purpose and fees of the courses and the expected number of trainees;
 - (d) consider how the procedure for adding new pathogens to Group 4 of Schedule 8 could be simplified. A member suggested that reference could be made to the Employees’ Compensation Ordinance (Amendment of Second Schedule) Order 2004 when SARS and avian influenza A were added as occupational diseases to the schedule to the principal Ordinance;
 - (e) explain the existing arrangements for disposal of dead animals, animal tissues and body parts generated from veterinary clinics, reasons for excluding such waste which could be potentially infectious and pose serious health risks in the definition of “clinical waste”, and provide information on overseas practices in disposal of such waste; and
 - (f) reconsider the arrangement for waste producers to keep the trip tickets, in light of section 12 of the Draft Regulation. Members noted that waste producers were not required but were recommended to keep the trip tickets for a period of 12 months. However, members were concerned that under the Draft Regulation, the Director of Environmental Protection could require a waste producer to provide the trip ticket.

III. Any other business

4. Members noted that the next meeting would be held on 14 October 2005 at 10:45 am.
5. The meeting ended at 12:55 pm.

Council Business Division 2
Legislative Council Secretariat
21 October 2005

**Proceedings of the meeting of the Bills Committee on
Waste Disposal (Amendment) Bill 2005
on Friday, 30 September 2005 at 10:45 pm
in Conference Room A of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action Required
000000 - 000701	Chairman	Confirmation of minutes of meeting Papers received from the Administration	
000702 - 001127	Admin	Highlights of the Administration's response to views/concerns of organisations/individuals on the Bill (LC Paper No. CB(2)2600/04-05(02)) Grace period before implementation of the Clinical Waste Control Scheme	
001128 - 002045	Chairman Admin Ms Emily LAU Ms LI Fung-ying	Explanation on the circumstances under which waste produced by health and beauty centres was classified as clinical waste Definition of "clinical waste" applicable to waste produced by health and beauty centre Knowledge of health and beauty centres of their responsibility to dispose of clinical waste produced by registered medical practitioners, registered nurses or listed Chinese medicine practitioners in their premises Knowledge of registered medical practitioners, registered nurses or listed Chinese medicine practitioners of their responsibility to dispose of the clinical waste produced in health and beauty centres Consultation with health and beauty centres on clinical waste disposal	

002046 - 002658	Ms LI Fung-ying Chairman Admin	Improvement on the clarity of the definition of “clinical waste” so that clinical waste produced by health and beauty centres would be covered by the Bill Explanation on the types of wastes produced by health and beauty centres which should be classified as clinical waste, the procedure and party responsible for disposal of such waste, and which provisions in the Bill or the draft Waste Disposal (Clinical Waste) (General) Regulation (the Draft Regulation) governed such disposal	Admin to explain in writing
002659 - 003119	Mr WONG Kwok-hing Chairman Admin	Providing a definition for “peripheral medical care” as “medical care and treatment” referred to in the definition of “clinical waste” would include “peripheral medical care”	Admin to follow up
003120 - 003536	Mr LEE Wing-tat Chairman Admin	Knowledge of listed Chinese medicine practitioners of their responsibility to dispose of the clinical waste produced in health and beauty centres Consultation with the Chinese medicine practitioners on clinical waste disposal	
003537 - 004118	Admin Chairman Ms Emily LAU	Training provided to front-line workers and supervisory staff on clinical waste management and the fees involved Information on the training programme on clinical waste management organized by the Occupational Safety and Health Council, e.g. the number, size, duration, content, purpose and fees of the courses and the expected number of trainees	Admin to provide the requested information
004119 - 004146	Chairman	Discussion on the Administration’s response to deputations by subject matters (LC Paper No. CB(2)2600/04-05(02))	

004147 - 004433	Mr LEE Wing-tat Admin Ms LI Fung-ying Chairman	<u>General comments</u> Reasons for requiring a 24-month grace period before implementation of the Clinical Waste Control Scheme	
004434 - 004814	Mr LEE Wing-tat Admin Chairman	Availability of the draft CoP to the parties involved in handling clinical waste Review of the Clinical Waste Control Scheme after implementation	
004815 - 004832	Chairman	<u>Definition of clinical waste</u>	
004833 - 005244	Mr LEE Wing-tat Admin Chairman Dr KWOK Ka-ki	Clarification on the definition of “uncontaminated syringes”	
005245 - 010252	Mr LEE Wing-tat Chairman Admin Dr KWOK Ka-ki	Explanation on the treatment of surgical masks during the yellow alert of SARS and Avian Flu Contingency Plan as municipal waste, and masks contaminated by SARS being controlled as Group 4 clinical waste	
010253 - 010623	Mr WONG Kwok-hing Chairman Admin Dr KWOK Ka-ki	Proposal to simplify the procedure for adding new pathogens to Group 4 of Schedule 8. Reference to be made to the Employees’ Compensation Ordinance (Amendment of Second Schedule) Order 2004 when SARS and avian influenza A were added as occupational diseases to the schedule to the principal Ordinance	Admin to follow up
010624 - 012152	Mr LEE Wing-tat Admin Chairman Dr LUI Ming-wah	Concern of the Environmental Contractors Management Association about segregation of clinical waste from other wastes based on the infectious and hazardous nature of the waste The requirement for medical practitioners or hospitals to segregate clinical waste from other wastes Proper disposal of clinical waste as set out in section 3 of the Draft Regulation and CoP	

012153 - 012524	Mr LEE Wing-tat Admin Chairman	Proper disposal of clinical waste by small clinics as required in section 3 of the Draft Regulation and CoP	
012525 - 013209	Dr KWOK Ka-ki Admin	Support the view that an express provision for sorting of clinical waste in the Bill was not necessary Proper disposal of clinical waste as set out in section 3 of the Draft Regulation and CoP Status of CoP Penalty for non-compliance with the Draft Regulation and CoP	
013210 - 014733	Ms Emily LAU Admin Ms LI Fung-ying Chairman	Concerns of the City University of Hong Kong about waste produced from domestic premises that could spread diseases Existing arrangements for disposal of dead animals, animal tissues and body parts generated from veterinary clinics, reasons for excluding such waste which could be potentially infectious and pose serious health risks in the definition of “clinical waste”, and information on overseas practices in disposal of such waste	Admin to provide the requested information
014734 - 015404	Chairman Admin ALA	The need for the Bill to specify the handling of infectious materials (group 4 of Schedule) generated from residential premises Handling of infectious materials from SARS patients staying at home	
015405 - 015448	Mr LEE Wing-tat Chairman	Reasons for excluding dead animals generated from veterinary clinics in the definition of “clinical waste”	

015449 - 020129	Mr WONG Kwok-hing Chairman Admin Ms LI Fung-ying	<u>Disposal, collection and treatment of clinical waste</u> Inconsistent approach of record keeping - waste collectors and operators of licensed waste disposal facilities were required to keep the trip tickets while waste producers were not required but were recommended to keep the trip tickets for a period of 12 months	
020130 - 020237	Chairman	Requirement for healthcare professionals who delivered clinical waste of not more than 5 kg to an authorized collection point to keep the trip tickets The type of form ordered to be produced to the Director of Environmental Protection (Director) under section 12 of the Draft Regulation	
020238 - 020431	Dr KWOK Ka-ki	Support the view that waste producers should not be required to keep the trip tickets	
020432 - 020544	Chairman Admin Mr WONG Kwok-hing	The Hong Kong Medical Association supported that waste producers should not be required to keep the trip tickets The type of form ordered to be produced to the Director under section 12 of the Draft Regulation Requirement for healthcare professionals who delivered clinical waste of not more than 5 kg to an authorised collection point to keep a receipt for clinical waste disposal given by the authorized collection point	
020545 - 020922	Mr WONG Kwok-hing	Inconsistent approach of record keeping - waste collectors and operators of licensed waste disposal facilities were required to keep the trip tickets while waste producers were not required but were recommended to keep the trip tickets for a period of 12 months	

020923 - 021047	Ms Emily LAU	The trip ticket system should be user-friendly. Random checking should be conducted on waste producers, collectors and operators of licensed waste disposal facilities to ensure compliance	
021048 - 021118	Admin	Preference of waste producers not to keep the trip tickets	
021119 - 021228	Chairman	Reconsider the arrangement for waste producers to keep the trip tickets, in light of section 12 of the Draft Regulation whereby the Director could require clinical waste producers to provide the trip tickets	Admin to reconsider the arrangement
021229 - 021444	Dr KWOK Ka-ki	Did not support the proposal for making it a statutory requirement for waste producers to keep the trip tickets for a period of 12 months	
021445 - 021521	Chairman Admin	Date of next meeting	

Note : The audio records of the above proceedings are kept at the LegCo Library

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