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25 July 2005

Miss Mona Lai  
Assistant Legal Advisor,  
Legal Services Division  
Legislative Council Secretariat  
Legislative Council Building  
8 Jackson Road  
Central  
Hong Kong

Dear Miss Lai

**Waste Disposal (Amendment) Bill 2005 ("the Bill")**

I refer to your letter of noon today seeking certain clarification on the duties of and sanctions imposed on various parties in the clinical waste management chain. Since points of law drafting are involved, we need to clarify the relevant legal issues with the Law Draftsman. Given the time available, I append below an interim response to the last part of your letter, which relates to the collection of clinical waste by healthcare professionals. The rest of the requested information or clarifications will be sent to you as soon as they are available.

*(a) Whether this arrangement only applies to healthcare professionals? Can other small clinical waste producers, e.g. laboratories, also transport small quantities of clinical waste to a licensed disposal facility?*

Healthcare professionals who are allowed to deliver no more than 5 kg of clinical waste to a licensed disposal facility include registered medical practitioners, dentists or veterinary surgeons, registered or listed Chinese medicine practitioners, and registered or enrolled nurses. This will be stipulated in the Regulation to be made under the Waste Disposal Ordinance. Other small clinical waste producers such as laboratories could also deliver no more than 5 kg of clinical waste if they are also healthcare professionals as described above.

*(b) Whether the small clinical waste producers/healthcare professionals are required to apply for a licence for collection or removal of clinical waste?*

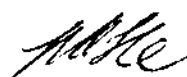
Healthcare professionals will not be required to apply for a collection licence under the Waste Disposal Ordinance if they carry no more than 5 kg of clinical waste to a licensed disposal facility.

*(c) Are there any restrictions on the small quantities of clinical waste carried by the small clinical waste producers/healthcare professionals, e.g. restricted to the waste generated by them ?*

Healthcare professionals will have to follow certain requirements relating to the types of clinical waste, the packaging, labeling and transportation of clinical waste. These requirements will be set out in the Regulation to be made under the Waste Disposal Ordinance. Healthcare professionals will be allowed to carry waste generated by other small clinical waste producers provided that the quantity is no more than 5 kg.

2. The Chinese version of this reply will follow as soon as possible.

Yours sincerely



(David Ha)  
for Director of Environmental Protection

c.c. DoJ (Attn: Ms, Fanny IP, SALD)  
DoJ (Attn: Ms Frances HUI, SGC)