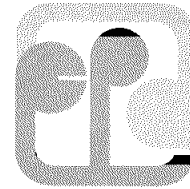


本署檔號
OUR REF: EP 170/3P/051
來函檔號
YOUR REF: LS/B/27/04-05
電話
TEL. NO.: 2594 6110
圖文傳真
FAX NO.: 2318 1877
電子郵件
E-MAIL: patlei@epd.gov.hk
網址:
HOMEPAGE: <http://www.epd.gov.hk/>

46/F, Revenue Tower,
5 Gloucester Road,
Wan Chai, Hong Kong.



環境保護署總部

香港
灣仔告士打道五號
稅務大樓四十六樓

14 September 2005

Miss Monna LAI
Assistant Legal Adviser
Legal Service 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 dated 7 September 2005, in which you have raised the following questions relating to the Basel Convention and the Basel Ban –

- (a) Whether the “waste of a kind specified in the Seventh Schedule” as provided under section 20A(4)(e) is equivalent to the “hazardous wastes which are destined for operations according to Annex IV A” as mentioned in the new Article 4A(1) and the “hazardous wastes under Article 1(1)(a) of the Convention which are destined for operations according to Annex IV B” as mentioned in the new Article 4A(2) of the Basel Convention?
- (b) The policy intent as to whether the Basel Ban will be reflected in the export of hazardous waste from Hong Kong.

Question (a)

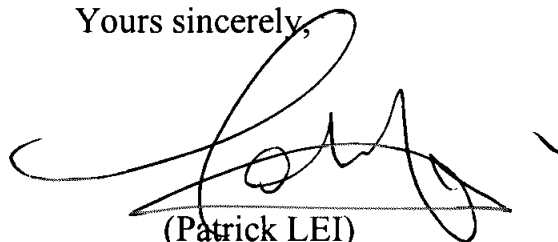
2. The new Article 4A(1) and Article 4A(2) of the Basel Convention (the Convention) will only be formally adopted as an amendment after the Basel Ban has been ratified by three-fourth of the parties to the Convention. The hazardous wastes as referred to in these articles include those listed in Annex VIII to the Convention.

3. The Seventh Schedule of the Waste Disposal Ordinance provides a list of those waste streams which are considered hazardous. We have proposed some amendments to the Schedule in the Bill so as to improve its coverage, and to ensure that all the hazardous waste listed in Annex VIII to the Basel Convention are sufficiently covered even though we do not copy verbatim the descriptions under various Annexes of the Convention.

Question (b)

4. Our policy intent to implement the Basel Ban regarding the import and export of hazardous waste to and from Hong Kong is provided under the new section 20A(4)(e).

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Patrick LEI', written over a horizontal line.

(Patrick LEI)

For Director of Environmental Protection

c.c. DoJ (Attn: Ms. Fanny Ip, SALD)