

L.N. 188 of 2013

**Waste Disposal (Designated Waste Disposal Facility)
(Amendment) Regulation 2013**

(Made by the Chief Executive in Council under section 33 of
the Waste Disposal Ordinance (Cap. 354) after consultation
with the Advisory Council on the Environment)

1. Commencement

This Regulation comes into operation on a day to be appointed
by the Secretary for the Environment by notice published in the
Gazette.

**2. Waste Disposal (Designated Waste Disposal Facility) Regulation
amended**

The Waste Disposal (Designated Waste Disposal Facility)
Regulation (Cap. 354 sub. leg. L) is amended as set out in
sections 3 to 7.

3. Section 3A amended (facilities that accept construction waste)

Section 3A(2)—

Repeal

“item 3”

Substitute

“item 1(b), 3”.

4. Section 3B added

After section 3A—

Add

“3B. Requirements for particular vehicles

- (1) This section applies to a vehicle equipped with devices specifically designed for—
 - (a) loading household waste or trade waste (or both); and
 - (b) compacting household waste or trade waste (or both).
- (2) If a person drives the vehicle into any of the designated waste disposal facilities specified in items 1, 2, 3 and 5 to 18 in column 2 of Schedule 1 (*specified facility*), the vehicle must conform with the requirement in subsection (3).
- (3) The requirement is—
 - (a) the vehicle must be equipped with—
 - (i) a metal tailgate cover; and
 - (ii) a waste water sump tank;
 - (b) the construction of the cover and the tank must be suitable for—
 - (i) ensuring safety to all persons present at the specified facility;
 - (ii) avoiding any nuisance, or any danger to health or the environment, arising from any activity in the specified facility; and
 - (iii) preventing disruption to the operation of the specified facility, or any relevant activity in the specified facility; and
 - (c) the cover and the tank must be in good working condition.
- (4) If subsection (2) is contravened, the driver of the vehicle commits an offence and is liable to a fine at level 6.”.

Section 5

5. Section 4 amended (powers of Director)

- (1) Section 4(1)(b)—

Repeal

“personnel”

Substitute

“persons”.

- (2) Section 4(2)(d)—

Repeal

“facility.”

Substitute

“facility; and”.

- (3) After section 4(2)(d)—

Add

“(e) the power to examine a vehicle within or entering or leaving a designated waste disposal facility to check whether the vehicle meets the requirements in this Regulation.”.

- (4) Section 4(4)(a)—

Repeal

“subsection (2)(a) to (d)”

Substitute

“subsection (2)(a) to (e)”.

- (5) Section 4(4)(b)—

Repeal

“subsection (2)(c) or (d)”

Substitute

“subsection (2)(c), (d) or (e)”.

6. Schedule 1 amended (designated waste disposal facilities)

Schedule 1—

Repeal

“[ss. 2”

Substitute

“[ss. 2, 3B”.

7. Schedule 2 amended (types of construction waste accepted at designated waste disposal facilities)

Schedule 2, item 1—

Repeal everything in column 2

Substitute

“(a) Landfills specified in items 1 and 3 of Schedule 1

(b) Landfill specified in item 2 of Schedule 1”.

Kinnie WONG
Clerk to the Executive Council

COUNCIL CHAMBER

26 November 2013

Waste Disposal (Designated Waste Disposal Facility) (Amendment)
Regulation 2013

Explanatory Note
Paragraph 1

L.N. 188 of 2013
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Explanatory Note

The main purpose of this Regulation is to amend the Waste Disposal (Designated Waste Disposal Facility) Regulation (Cap. 354 sub. leg. L) in order to improve the waste disposal arrangement through two measures.

2. One measure is to specify the South East New Territories (SENT) Landfill as a designated waste disposal facility accepting only construction waste of a specified type (under sections 3 and 7 of this Regulation).
3. The other measure is to require particular vehicles to be equipped with specific devices if entering certain designated waste disposal facilities (under section 4 of this Regulation). The Director of Environmental Protection is empowered to examine the vehicles to check whether they meet the requirements (under section 5 of this Regulation).