

**Responses to Questions Raised at the Meeting of
Bills Committee on Waste Disposal
(Charging for Municipal Solid Waste) (Amendment) Bill 2018
On 5 December 2018**

This note sets out our response regarding the follow-up actions arising from the discussion at the meeting of the Bills Committee held on 5 December 2018.

- (a) *the target deliverables of the proposed municipal solid waste ("MSW") charging scheme, and how the Administration would assess the effectiveness of the proposed scheme in achieving the relevant targets;*

Experiences in other places show that quantity-based waste charging is an effective policy tool in driving behavioural change in reducing waste disposal. For instance, in Seoul and Taipei City, waste disposal dropped by some 30% in the initial period after waste charging was introduced. As set out under in the *Hong Kong: Blueprint for Sustainable Use of Resources 2013 – 2022* published in May 2013, the Government has been taking a multipronged approach in implementing various measures to reduce waste disposal in Hong Kong. The implementation of municipal solid waste (MSW) is central to our overall strategy and we envisage that it might help us reduce waste disposal by some 20%.

Despite the above references, the actual effectiveness of MSW charging in reducing waste disposal depends on various factors, not least the extent and pace of behavioural changes of the general public. We would monitor and review the overall effectiveness of MSW charging in reducing waste disposal after its implementation in conjunction with the other waste reduction and recycling initiatives (e.g. pilot schemes on free collection of waste plastics from non-commercial and non-industrial sectors and food waste from commercial and industrial sectors, pilot scheme on reverse vending machines (RVMs) for plastic beverage containers, intensified publicity and education efforts including the new outreaching teams under the Environmental Protection Department (EPD)).

- (b) *the estimated number of additional plastic bags to be landfilled each year as a result of the implementation of the proposed MSW charging scheme if the Waste Disposal (Charging for Municipal Solid Waste) (Amendment) Bill 2018 ("the Bill") is passed;*

Currently in Hong Kong, garbage bags are commonly used by the general public for wrapping and disposal of MSW. Under the proposed implementation arrangements for MSW charging, the public would be required to purchase pre-paid designated bags (DBs) instead of using ordinary garbage bags for disposal of MSW. Hence, we do not expect it will lead to a significant increase in the number of plastic bags to be used for disposing MSW.

As regards the use of plastic shopping bags (PSBs) for the purpose of waste disposal, while we will continue to promote the culture of “bring your own bag” and will further review the effectiveness of PSB Charging in reducing the use and subsequent disposal of PSBs, we will also encourage supermarkets and convenience stores etc. to sell DBs in lieu of PSBs as a means to further promote re-use and waste reduction, and achieve the effect of “one bag for dual purposes”.

More importantly, as the charging effect of MSW charging kicks in, we envisage that there will be a reduction in the overall waste disposal and hence the number of plastic bags that would be used for waste disposal and sent to landfills.

- (c) *the views of the Competition Commission, if any, in respect of the potential arrangement for sale of "designated bags" under the Bill at retail outlets, in lieu of (i) retailers' distribution of plastic shopping bags which are currently subject to environmental levy, and/or (ii) the sale of non-designated bags;*

To be provided later.

- (d) *the policy objectives and effectiveness, with reference to the relevant data, of replacing litter containers in public places with newly-designed litter containers with smaller openings; and whether/how this measure may complement the proposed MSW charging scheme;*

Litter Containers (LCs) placed in public places are for the pedestrians to dispose of street litter, but not for the disposal of trade waste or household waste. Starting from June 2016, the Food and Environmental Hygiene Department (FEHD) introduced in batches newly-designed LCs with smaller openings for disposal of litter with a view to discouraging the public from disposing household or trade waste in the LCs. Bigger warning notices are also affixed to the LCs to publicise the messages that such waste should not be discarded at the side or on top of LCs. The general hygiene conditions on streets

have generally been maintained following the implementation of the change.

While FEHD does not keep data on the amount of waste collected at LCs before and after the adoption of the new designs, we consider that such data would not be able to reflect whether the revised design has achieved the intended objectives given that it will be subject to a number of intervening factors and that it will take time to cultivate the necessary behavioural change.

With reference to the experiences in other cities, the implementation of waste charging scheme was usually accompanied by adjustments to the number and design of recycling bins (RBs) and LCs in public places in order to discourage the abusive use of LCs and promote recycling. In this regard, the Steering Group on the Modification of Recycling and Refuse Collection Facilities in Public Places (SG) has been set up in 2016 to review the design and distribution of RBs and LCs in public places in a more systematic manner to facilitate waste separation and reduction, as well as resource recovery in the community. The consultant engaged by the SG has come up with the conceptual designs of the new RBs and LCs in public places and will seek the views of frontline staff and relevant stakeholders before putting up the recommendations to the SG for consideration.

- (e) ***the work plan for the installation of closed-circuit television systems and/or cameras (including internet-protocol cameras, surveillance cameras with smart technology and other related cameras) to deter fly-tipping and depositing/disposal of "non-compliant waste" under the Bill, including the total number of existing cameras and cameras to be installed, and how the Administration would address privacy issues arising from the use of such cameras for enforcement purpose;***

Both the EPD and FEHD are planning to expand the use of the internet-protocol (IP) cameras to deter fly-tipping at black spots in public places. IP cameras have been installed at around 150 locations by end of 2018. More IP cameras will be installed at additional 25 locations with a view to covering at least 170 locations in 2019.

More specifically, in addition to the existing 69 locations, EPD plans to install IP cameras at 25 additional locations. FEHD launched a six-month pilot scheme on installation of IP cameras at six waste

dumping black spots in three districts in late December 2016, which has effectively deterred illegal dumping of waste through targeted surveillance and enforcement actions. In view of the encouraging result, FEHD, after consulting all District Councils, progressively extended the scheme to cover 84 waste dumping black spots in the territory in November 2018. FEHD officers will continue to closely monitor these targeted black spots and suitably adjust action plans in light of the actual circumstances, including changing IP camera locations to enhance the effectiveness of enforcement actions. The two departments will take into account the operation of the IP cameras installed, their effectiveness in facilitating enforcement against fly-tipping and illegal dumping, the development of latest technology and views of local stakeholders in reviewing the need to further expand the coverage of IP cameras.

Both EPD and FEHD have been using IP cameras to facilitate enforcement in accordance with the Guidance on CCTV Surveillance and Use of Drones issued by the Office of the Privacy Commissioner for Personal Data, including posting notices in the areas covered by the IP cameras. Clear operational guidelines have been promulgated to require staff to strictly comply with the provisions in the Personal Data (Privacy) Ordinance (Cap. 486) regarding collection of personal data and handling of privacy matters. The disclosure of images captured is restricted to the extent necessary for prosecution actions to be taken. Should no prosecution be instituted within six months, the images so captured will be deleted.

(f) ***measures to address members' concerns about the possibility that some members of the public would dispose of their MSW at litter containers in public places to evade the use of designated bags;***

As noted in the reply to (d) above, experiences in other cities showed that implementation of waste charging scheme was usually accompanied by adjustments to the number and design of RBs and LCs in public places in order to discourage the abusive use of LCs to evade MSW charges. Apart from the changes in the design of the LCs and RBs mentioned above, the number of LCs in public places would also be gradually reduced by 40% to around 24 300 while that of RBs will be progressively increased by 45% to around 4 000 by the time when MSW charging is planned to take effect. The RB to LC ratio of 1:14 will therefore be gradually enhanced to 1:6.

Public education and publicity also hold the key to cultivating the necessary behavioural change both in the lead-up to and after the implementation of MSW charging. In this regard, under the theme of “Dump Less, Save More”, we will launch an intensive and sustained territory-wide publicity and public education campaign to educate the public on the importance of waste reduction and recycling and to facilitate their compliance with the charging requirements in future. In particular, we will set up outreaching teams directly under EPD. Building on the existing waste reduction and recycling network, the outreaching teams will collaborate closely with the community green stations and other community partners including green groups and NGOs to provide on-site assistance to residents, property management companies, frontline cleaning staff, and residents’ organisations in practising waste reduction at source, waste separation and clean recycling, as well as in identifying proper outlets for recyclables. At the same time, the outreaching teams will help them with the implementation of the MSW charging.

Meanwhile, in order to tackle the problem of fly-tipping, the FEHD has gradually set up about 20 dedicated enforcement teams (DETs) to tackle illegal dumping at black spots all over the territory since 2017. Subject to availability of resources, FEHD plans to set up additional DETs in 2019-20 financial year (each comprising five frontline enforcement officers) to step up the enforcement work targeting fly-tipping. Further reinforcement will be considered having regard to actual need on the ground and the progress made. The enforcement actions in this regard will help improve environmental hygiene while at the same time facilitate the necessary behavioural changes among the public in complying with the charging requirement in due course.

- (g) *statistics on the prosecutions against illegal waste disposal in recent years, having regard to members' concerns about the anticipated difficulty in enforcing the proposed MSW charging scheme as they consider the existing enforcement regime ineffective for combating illegal waste disposal;*

The relevant figures are set out in the following tables.

Table 1: Figures on the prosecutions concerning street cleanliness handled by FEHD between 2015 and 2017

Total number of prosecutions	Year		
	2015	2016	2017
(1) No. of summonses served	210	278	224
(2) No. of fixed penalty notices issued	31 070	34 221	39 239

Table 2: Figures on the prosecutions against illegal disposal of MSW handled by EPD between 2015 to 2017

Total number of prosecutions	Year		
	2015	2016	2017
(1) No. of summons issued	36	287	113
(2) No. of fixed penalty notices issued	94	166	154

- (h) *(i) the respective numbers of posts in the relevant government bureaux/departments and their contractors (if any) that are currently involved in the administration of the Construction Waste Disposal Charging Scheme ("CWDCS") and enforcement against illegal depositing/disposal of construction waste; (ii) the proportions of the posts mentioned in (i) that were created after the enactment of the legislation for CWDCS; and (iii) the financial implications of (ii);*

To be provided later.

- (i) *the estimated additional manpower resources (including the number of both permanent and contract staff) required for the implementation of the Bill;*

To be provided later.

- (j) *details of the pilot scheme on the application of reverse vending machines ("RVMs") for the recycling of plastic beverage containers, including the number of RVMs to be installed, outlets for the collected containers, and the amount of rebate to be provided for each container; and*

EPD plans to launch a pilot scheme on the application of different types/models of RVMs in the first half of 2019 and is currently working out the operational details. Preliminarily, our plan is to place a total of 50-60 RVMs in phases at different locations or facilities to assess their performance and effectiveness in collecting waste plastic beverage containers, as well as the operational

arrangements for storing and transporting the plastics bottles collected to local recyclers for further processing. Through the pilot scheme, we will also assess the appropriate level of incentive that should be provided having regard to the recommendations to be put forward by the consultant we have commissioned to study the feasibility of introducing the producer responsibility schemes (PRS) for plastic product containers.

(k) the legislative and implementation timetables for taking forward new producer responsibility schemes on various product categories, in particular plastic containers.

The Government has been progressively implementing PRS to promote resource recovery and circular economy. The PRS on waste electrical and electronic equipment commenced operation on 1 August 2018 and has come into full operation on 31 December 2018. In parallel, we are also implementing a PRS on glass beverage containers to promote recovery of the glass materials. Glass Management Contractors were appointed to provide regional collection and treatment services for the Hong Kong Island (including Islands District), Kowloon and the New Territories regions. We are also preparing the relevant subsidiary legislation and aim to introduce it to the Legislative Council for scrutiny in the first half of 2019. As regards plastic product containers, we commissioned a feasibility study in October 2017. Taking into account the recommendations of the consultant, the Government has decided to press ahead with the introduction of a PRS targeting first at plastic beverage containers, which accounts for 60% of the overall waste plastic containers disposed of in Hong Kong. We plan to consult the public on the proposed way forward in mid-2019. We are also preparing to implement a pilot scheme on the application of RVM as elaborated in the reply to part (j) above. Meanwhile, as mentioned in the reply to part (b) above, we will further review the effectiveness of PSB Charging in reducing the use and subsequent disposal of PSBs.

**Environmental Protection Department
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