

**Bills Committee on Waste Disposal
(Charging for Municipal Solid Waste) (Amendment) Bill 2018**

**List of follow-up actions arising from the discussion
at the meeting on 7 January 2019**

This note sets out our response regarding the follow-up actions arising from the discussion at the meeting of the Bills Committee held on 7 January 2019.

(a) the views and concerns expressed by deputations and individuals at the meeting and/or in the relevant written submissions, and in particular the following questions:

- (i) given that recyclables collected by some waste collection contractors of the Government are temporarily stored at refuse collection points (“RCPs”) pending further transportation under the existing practice, whether the Administration would consider amending the proposed section 20M of the Waste Disposal Ordinance (Cap. 354) with reference to the proposed section 20P to the effect that a person who delivers to an RCP recyclables (including food waste) not wrapped in a designated bag (“DB”) or attached with a designated label (“DL”) would not commit an offence, and the said existing practice can then be maintained after the proposed charging scheme for the disposal of municipal solid waste (“MSW”) comes into effect if the Waste Disposal (Charging for Municipal Solid Waste) (Amendment) Bill 2018 (“the Bill”) is passed; and*

Currently, the Food and Environmental Hygiene Department (FEHD) provides recycling bins (RBs) outside refuse collection points (RCPs) for the collection of waste paper, metal and plastics. Members of the public are required to deposit recyclables into corresponding RBs outside RCPs or bring them to other nearby recycling facilities (e.g. community green stations and community recycling centres (CRCs)) as appropriate. Only FEHD or its contractors are allowed to temporarily store the recyclables inside the RCPs in cases where the RBs outside RCPs are full, pending collection by the recyclable collection contractors.

To complement the implementation of MSW charging, the Government plans to enhance recycling support at RCPs subject to the actual conditions such as space availability. FEHD will carry out various improvement and upgrading measures at RCPs, including provision of more RBs outside RCPs as appropriate; relocation of existing recycling

facilities to prominent locations outside RCPs; installation of signages of RCPs to facilitate easy identification by the public; provision of notice boards with information about waste reduction and recycling facilities in the vicinity; and hardware improvement works including lighting system.

Apart from enhancing the recycling provision at the RCPs, the Government will also review and enhance the frequency of collection service of recyclables provided by recyclable collection contractors. As such, we do not expect recyclables such as waste paper, metal and plastics will need to be temporarily stored in RCPs pending further transportation, especially food waste which may easily create hygiene and odour problems.

In addition to the above, in connection with FEHD's plan to construct a six-storey building at the junction between Hung Yuen Road and Hung Ping Road for re-provisioning of the existing RCP at Hung Tai Road, EPD proposed to set up a CRC on the second floor of the proposed building, with reference to the operation mode of the existing CRCs. The proposed CRC will provide service to residents in the neighbourhood. In addition to receiving different types of recyclables from residents, the CRC will provide a convenient platform for promoting waste reduction and recycling to the community. FEHD and EPD have consulted the Yuen Long District Council and will follow up with the implementation of the proposal.

(ii) the policy intention in relation to the proposed section 20N of Cap. 354, which seeks to prohibit the depositing of MSW that has a DL attached to it but that is not wrapped in a DB onto a "private waste vehicle" (as defined under the Bill); and

Bulky waste that cannot be wrapped into a designated bag (DB) could be produced by domestic premises or commercial and industrial (C&I) premises alike. However, the bulky waste from C&I premises come in a much greater variety in terms of sizes and volumes, e.g. large size metal ware and wood panels, etc. While a uniform charge of \$11 will be charged for disposing of a single piece of bulky waste regardless of its size, it will not accord with the polluter-pays principle should the same arrangement be applied to the bulky waste from C&I premises. Unlike public waste vehicles which collect MSW only from domestic premises, private waste vehicles may collect MSW from domestic and/or C&I premises, and hence there are practical difficulties in distinguishing if a particular private waste vehicle is collecting MSW from domestic or C&I premises. Therefore, private waste collectors (PWCs) would not be allowed to collect MSW that has a DL attached to it under the proposed

MSW charging framework. Bulky waste from domestic or C&I premises engaging the service of PWCs should be collected by the latter's waste collection vehicles without compactors (e.g. grab lorries, demountable trucks, and tippers, etc.) and a gate-fee will be charged based on the weight of MSW disposed of at the waste disposal facilities, i.e. landfills or refuse transfer stations. The proposed section 20N serves to reflect this requirement.

(b) whether a person would commit any offence if he/she removes the packaging materials of a product purchased from a retailer and disposes of or leaves the materials inside the retailer's premises without wrapping them in a DB.

Based on the information provided in the scenario described, the conduct involved would unlikely constitute any new offence under the Bill.