

**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 11 November 2019**

This note sets out our response to the follow-up actions arising from the discussion at the meeting of the Bills Committee held on 11 November 2019.

- (a) *recent statistics, in tabular form, on the successful cases of prosecution against illegal disposal of construction and demolition ("C&D") waste that did not involve the use of surveillance camera systems, with breakdowns by (i) enforcement method(s) and (ii) location(s) of the illegal waste disposal;*

In order to step up efforts in combating illegal disposal of construction and demolition waste, the Environmental Protection Department (EPD) has been adopting various approaches to facilitate enforcement and step up deterrence, including installation of surveillance camera systems at fly-tipping black spots and expansion of the surveillance coverage, by making use of technologies to enhance enforcement effectiveness.

EPD also carries out proactive inspections to closely monitor the illegal construction waste disposal black spots in the territory. In addition, we promptly conduct on-site inspections for following up complaint cases and analyse intelligence with a view to planning and taking enforcement actions.

If offences are spotted, the enforcement staff of EPD will prosecute the offenders by summons or Fixed Penalty Notices, having regard to the prevailing circumstances. For cases not involving the use of surveillance camera systems, the numbers of successful prosecutions involving illegal disposal of construction and demolition waste handled by EPD under relevant Ordinances in the past 3 years are as follows:

	Years			
	2016	2017	2018	2019 (Jan - Sep)
Number of Convictions that Did Not Involve the Use of Surveillance Camera Systems				
(1) Number of Convictions by Summons	52	69	67	30
(2) Number of Fixed Penalty	13	16	44	24

	Years			
	2016	2017	2018	2019 (Jan - Sep)
Notices Issued				
(3) Total Number of Convictions [(1) + (2)]	65	85	111	54

Note: In 2018 and 2019 (up to September), the numbers of successful prosecutions involving illegal disposal of construction waste handled by EPD were 136 and 78 respectively (including by summonses and Fixed Penalty Notices), which included cases both involving and not involving the use of surveillance camera systems to facilitate enforcement.

The numbers of convictions against illegal disposal of construction waste, which did not involve the use of surveillance camera systems, by districts are at **Annex**.

(b) *the average cost of installing a surveillance camera system for combating illegal disposal of C&D waste; and*

As at September 2019, EPD has installed surveillance camera systems at about 115 locations for combating illegal disposal of construction waste. The average annual cost of each surveillance camera system is about \$60,000, covering relevant expenditures on installation, relocation, system operation, maintenance and repair, etc.

(c) *the average time taken by the Administration to clear fly-tipped C&D waste after it had received information on a fly-tipping case.*

The Highways Department (HyD) and the Lands Department (LandsD) arrange waste clearance, upon receipt of reports of construction waste disposal on public roads or government land respectively.

HyD is responsible for clearance of construction waste abandoned on public roads. In 2019 (January to September), about 89% of the clearance cases were completed within 5 working days upon receipt of complaints / referrals, whilst about 98% within 7 working days. There were only very few cases requiring longer time for waste clearance, due to different reasons such as huge amount of construction waste to be cleared, or other emergency works or conducting emergency inspections carried out by the staff or contractors of HyD.

LandsD inspects whether the construction waste has been disposed of on unleased government land. After investigation and confirmation, statutory notices under the Land (Miscellaneous Provisions) Ordinance

(Cap. 28) will be posted at the sites concerned to require the owners of materials occupying government land to remove the concerned construction waste before the deadlines. If the construction waste is still not removed after the expiry of notice deadlines, LandsD will arrange its contractor to carry out waste clearance. Under normal circumstances, LandsD clears the relevant construction waste within 10 days, from the date of detection or upon receipt of complaints / referrals.

**Number of Convictions against Illegal Disposal of Construction Waste
(including by Summonses and Fixed Penalty Notices)
(Not Involving the Use of Surveillance Camera Systems)**

Districts	Years			
	2016	2017	2018	2019 (Jan - Sep)
Central & Western	1	1	2	0
Eastern	6	3	9	7
Southern	1	3	10	5
Wan Chai	0	0	4	1
Kowloon City	0	7	4	2
Kwun Tong	2	3	5	0
Sham Shui Po	15	6	5	3
Wong Tai Sin	3	0	0	1
Yau Tsim Mong	6	7	7	0
Islands	0	0	3	2
Kwai Tsing	4	4	12	5
North	3	5	7	3
Sai Kung	1	12	7	4
Shatin	1	2	2	1
Tai Po	1	2	6	5
Tsuen Wan	2	1	11	1
Tuen Mun	2	2	2	5
Yuen Long	17	27	15	9
Total	65	85	111	54