

**LEGISLATIVE COUNCIL BRIEF**

Sewage Services Ordinance  
(Chapter 463)

**WAIVER OR REFUND OF SEWAGE CHARGE FOR FRESH WATER  
SUPPLIED FOR NON-DOMESTIC PURPOSES**

**INTRODUCTION**

Annex

At the meeting of the Executive Council on 21 April 2020, the Council ADVISED and the Chief Executive ORDERED that the Sewage Services (Sewage Charge) (Amendment) (Charge Concessions) Regulation 2020, at Annex, should be made under the Sewage Services Ordinance and the Interpretation and General Clauses Ordinance.

**JUSTIFICATIONS**

2. The waiver of the sewage charge for fresh water supplied for non-domestic purposes is to support enterprises and employment in the face of unprecedented challenges in the social and economic environment in Hong Kong. The proposal will benefit about 250 000 non-domestic fresh water users.

**THE REGULATION**

3. The Sewage Services (Sewage Charge) (Amendment) (Charge Concessions) Regulation 2020 at Annex is made under section 12 of the Sewage Services Ordinance (Cap. 463) and section 29 of the Interpretation and General Clauses Ordinance (Cap. 1) to waive, subject to a monthly cap of \$12,500 for each meter covered by a water bill, 75% of the sewage charge for fresh water supplied for non-domestic purposes for twelve months during the period from 1 December 2019 to 30 November 2020.

## **LEGISLATIVE TIMETABLE**

4. The Regulation will be gazetted on 29 April 2020 and tabled in the Legislative Council (“LegCo”) at the next sitting after publication in the gazette for negative vetting.

## **IMPLICATIONS OF THE PROPOSAL**

5. The proposal is in conformity with the Basic Law, including the provisions concerning human rights. The proposal will not affect the binding effect of existing provisions of the Sewage Services Ordinance (Cap. 463) and its subsidiary legislation. It has no implication on productivity, environment, gender, family or sustainability. As for the economic implications, the proposal should help reduce the operating costs of enterprises, thereby rendering them support in the difficult economic situation.

6. The estimated Government revenue forgone is \$360 million. Civil service implications, if any, will be absorbed within the existing provision of the relevant bureau/department.

## **PUBLIC CONSULTATION**

7. The measure was announced by the Financial Secretary on 4 December 2019 and in his Speech for the 2020-21 Budget delivered on 26 February 2020, and by the Government on 8 April 2020.

## **PUBLICITY**

8. A press release will be issued. A spokesman will be available to answer enquiries.

## **ENQUIRIES**

9. Enquiries on the brief should be made to Mr. C K CHEN, Assistant Director (Water Policy) of the Environmental Protection Department at 3509 8628.

**Environment Bureau**

**April 2020**

Sewage Services (Sewage Charge) (Amendment) (Charge Concessions)  
Regulation 2020

Section 1

1

**Sewage Services (Sewage Charge) (Amendment)  
(Charge Concessions) Regulation 2020**

(Made by the Chief Executive in Council under section 12 of the Sewage Services Ordinance (Cap. 463) and section 29 of the Interpretation and General Clauses Ordinance (Cap. 1))

**1. Sewage Services (Sewage Charge) Regulation amended**

The Sewage Services (Sewage Charge) Regulation (Cap. 463 sub. leg. A) is amended as set out in section 2.

**2. Section 2A added**

After section 2—

**Add**

**“2A. Sewage charge concessions for fresh water supplied for several non-domestic purposes between December 2019 and November 2020**

- (1) This section applies in relation to the sewage charge for fresh water supplied during the concession period for use for a purpose described in item 1(a), (d), (e) or (f) of Part 3 of Schedule 1 to the Waterworks Regulations (Cap. 102 sub. leg. A) (*specified sewage charge*).
- (2) Despite section 2 and subject to subsection (3), the amount of specified sewage charge is reduced by 75%.
- (3) The amount that may be reduced under subsection (2) in relation to each meter covered by a water bill must not exceed the maximum amount calculated in accordance with the following formula—

Sewage Services (Sewage Charge) (Amendment) (Charge Concessions)  
Regulation 2020

Section 2

2

maximum amount = \$411.05 × number of days that are covered by the water bill and that fall within the concession period.

(4) If—

- (a) the Water Authority issued, on a day before the commencement date of this section (*billing day*), a water bill that covered the concession period (or a part of it);
- (b) the amount of specified sewage charge (or a part of it) demanded in the bill has been paid (whether before, on or after the commencement date of this section); and
- (c) the amount so paid is in excess of the amount of specified sewage charge that should have been charged had this section been in force on the billing day,

the Drainage Authority must refund the excess payment.

(5) In this section—

*concession period* (寬免期) means the period from 1 December 2019 to 30 November 2020 (both dates inclusive);

*meter* (水錶) has the meaning given by section 2 of the Waterworks Ordinance (Cap. 102);

*water bill* (水費單) means a water bill issued by the Water Authority for a sewage charge.”.

Sewage Services (Sewage Charge) (Amendment) (Charge Concessions)  
Regulation 2020

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Sewage Services (Sewage Charge) (Amendment) (Charge Concessions)  
Regulation 2020

Explanatory Note  
Paragraph 1

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**Explanatory Note**

This Regulation amends the Sewage Services (Sewage Charge) Regulation (Cap. 463 sub. leg. A) to provide for a concession on sewage charges payable in respect of the period from 1 December 2019 to 30 November 2020 (both dates inclusive).

2. The concession applies to the sewage charge for fresh water supplied for construction purposes, trade purposes or several shipping purposes.



Clerk to the Executive Council

COUNCIL CHAMBER

21 April 2020

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