

WASTE DISPOSAL (CHARGES FOR DISPOSAL OF WASTE) REGULATION

(Made by the Governor 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 shall come into operation on a day to be appointed by the Secretary of Planning, Environment and Lands by notice in the Gazette.

2. Charges for disposal of waste

(1) Any person who disposes of any waste at any land used for tipping by the Civil Engineering Department or authorized by the Director shall pay to the Director the appropriate charge prescribed in the Schedule.

(2) No charge shall be payable by the Urban Council and the Regional Council under subsection (1).

(3) The Director may specify the manner in which any charge payable under this section shall be paid.

(4) Any charge payable under this section shall be recoverable as a civil debt due to the Crown.

(5) For the avoidance of doubt, nothing in this section shall require any person to pay the charge prescribed in the Schedule for the disposal of any waste at a reclamation authorized under the Foreshore and Sea-bed (Reclamations) Ordinance (Cap. 127).

3. Exemption and reduction of charge

(1) The Director may, on any conditions as he thinks fit, exempt any person from paying any charge under section 2 if he is satisfied that the waste that the person seeks to dispose of is household waste.

(2) For the purposes of subsection (1), the Director may require any person to furnish to him any information or to make any certification as he thinks fit.

(3) The Director may reduce the charge payable under section 2 in respect of any load of waste to \$43 if he thinks that -

- (a) it is impracticable to ascertain the actual weight of the load; or
- (b) to ascertain the actual weight of the load will cause public health problems.

4. Offences and penalties

(1) Any person who contravenes section 2 commits an offence and is liable to a fine at level 3 and to imprisonment for 6 months.

(2) Any person who knowingly or recklessly provides incorrect or misleading information or knowingly or recklessly certifies as correct anything which is incorrect for the purpose of section 3(2) commits an offence and is liable to a fine of \$200,000 and to imprisonment for 6 months.

SCHEDULE

[s. 2]

CHARGES FOR DISPOSAL OF WASTE AT LAND USED FOR TIPPING

Item	Particular	Charge for load of waste \$
1.	For each load of 1 tonne or less	43
2.	For each load of more than 1 tonne	43 per tonne or part thereof

Note: In assessing the charge payable under item 2, any weight of less than 1/10 tonne shall be disregarded.

Clerk to the Executive Council.

COUNCIL CHAMBER,

1995.

Explanatory Note