

A BILL

Annex A

To

Amend the Waste Disposal Ordinance

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. Short title and commencement

(1) This Ordinance may be cited as the Waste Disposal (Amendment) Ordinance 1996.

(2) This Ordinance shall come into operation on a day to be appointed by the Secretary for Planning, Environment and Lands by notice in the Gazette.

2. Regulations

Section 33 of the Waste Disposal Ordinance (Cap. 354) is amended by adding -

"(3) Regulations made under this section may provide, in respect of any charge payable to the Director under this Ordinance -

- (a) for the Director to authorize the deferral of payment of any such charge and, in that connection, to receive from the person liable to pay the charge, a sum of money deposited with the Director as security for such deferred payment;

- (b) for the appointment by the Director of a person to collect on the Director's behalf any such charge or any deposit referred to in paragraph (a);
 - (c) for methods of the collection of charges by persons appointed under paragraph (b) and for the manner in which charges so collected should be accounted for.
- (4) Regulations made under this section may -
- (a) confer on the Director in relation to such premises as may be specified in the regulations, being premises used for the collection, removal, transportation, transfer, reception or disposal (including treatment, reprocessing or recycling) of waste (which activities are in this subsection referred to as "relevant activities"), such powers as may be necessary -
 - (i) to regulate traffic within, entering or leaving the premises;
 - (ii) to ensure the safety of persons present in the premises;
 - (iii) to avoid any health or environmental nuisance;
 - (iv) to prevent disruption to the operation of any relevant activity in the premises;
 - (v) to prevent and detect the commission of any offence against this Ordinance in or in relation to the premises;

(b) authorize the Director -

(i) to delegate -

(A) any person charged with carrying out or assisting in the carrying out of any relevant activity in premises referred to in paragraph (a), or any person employed by such person; or

(B) any person charged with the collection of charges payable to the Director under this Ordinance, or any person employed by such person,

to exercise any of the powers conferred on the Director by regulations made under paragraph (a)(i) to (v);

(ii) to give directions of a general character to any person such as is specified in subparagraph (i) in relation to the performance of functions or the exercise of powers vested by this Ordinance.

(c) generally make provisions in respect of the matters specified in sub-paragraphs (i) to (vi) of paragraph (a)."

3. Repeal

Section 28 of the Waste Disposal Ordinance is repealed.