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**ACE Paper 19/2007**  
***For advice***

**Proposed Amendment to the  
Waste Disposal (Permits and Licences) (Forms and Fees) Regulation  
(Cap. 354D)**

**Purpose**

This paper seeks Members' views on the proposed introduction of a new fee under the Waste Disposal (Permits and Licences) (Forms and Fees) Regulation (Cap. 354D) to deter the disposal of imported non-hazardous waste in Hong Kong.

**Background**

2. The Waste Disposal (Amendment) Ordinance 2006 was enacted in April 2006 to, *inter alia*, strengthen the control on the disposal of imported non-hazardous waste. In particular, a new section 20DA (copy at **Annex**) will be introduced under the Waste Disposal Ordinance (Cap. 354) (WDO) to require any person who wishes to dispose of imported non-hazardous waste at local designated waste disposal facilities (primarily landfills and refuse transfer stations) to obtain an authorization from the Director of Environmental Protection. An authorization will not normally be granted unless the applicant can prove that he has exhausted all possible recycling outlets and all means to return the waste to the place of origin. An application for the authorization shall be accompanied by a prescribed fee. The applicant shall also pay the full cost of disposing of such waste at our waste disposal facilities.

**Proposed Application Fee for Authorization**

3. In giving their support to the proposed control regime on the

disposal of imported non-hazardous waste during the deliberation of the Waste Disposal (Amendment) Bill 2005, Members of the Legislative Council (LegCo) suggested that, in addition to requiring an applicant to bear the full cost of waste disposal, the application fee for authorization should also be sufficiently high in order to deter the disposal of such waste in Hong Kong. In response to this suggestion, we have undertaken to impose an application fee for authorization to recover the full administrative cost incurred in processing the application. On this basis, the application fee will be \$11,250.

4. We plan to bring the new section 20DA of the WDO into operation on 1 April 2008. To support the operation of this new provision, it is necessary to amend the Waste Disposal (Permits and Licences) (Forms and Fees) Regulation (Cap. 354D) (the Regulation) to prescribe the application fee for authorization.

### **Consultation**

5. The proposed fee level has incorporated the suggestion of the LegCo. We have informed the trade of the new statutory requirement on and associated administrative arrangement for the disposal of imported non-hazardous waste in April 2007.

### **Legislative Timetable**

6. We plan to table the proposed amendment to the Regulation at the LegCo in January 2008, with a view to introducing the new application fee on 1 April 2008 to tie in with the implementation of the new section 20DA of the WDO.

### **Advice Sought**

7. Members are invited to comment on the proposal at paragraphs 3 and 4.

**Environmental Protection Department**  
**October 2007**