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(ACE 16/95)

For advice

Increase of Fees under
Noise Control Ordinance - Cap. 400
Waste Disposal Ordinance - Cap. 354
Air Pollution Control Ordinance - Cap. 311
Water Pollution Control Ordinance - Cap. 358

INTRODUCTION

The purpose of this paper is to seek Members' advice on the increases in various fees payable under environmental legislation. The fees and charges review is a regular exercise and is designed to take into account the increase in costs since the fees were last revised. A separate paper (ACE 17/95) informing Members of fee revisions under other Ordinances should be read in conjunction with this paper.

BACKGROUND

2. It is Government policy that fees should, in general, be set at levels sufficient to recover the full cost of providing the services. The fees payable to the Director of Environmental Protection under the Noise Control Ordinance, the Waste Disposal Ordinance and the Air Pollution Control Ordinance were last reviewed in December 1993 and revised in June 1994. The fees payable to the Director of Environmental Protection under the Water Pollution Control Ordinance have not been revised since 1990.

3. Section 29A of the Interpretation and General Clauses Ordinance (Cap. 1) empowers the Financial Secretary (which means also Secretary for the Treasury) to vary fees which have previously been fixed by subsidiary legislation made by the Governor-in-Council. The Secretary for the Treasury, following discussion with Environmental Protection Department and Planning, Environment and Lands Branch, intends to revise the fees specified in the following subsidiary legislation -

- (a) Noise Control (General) Regulations made pursuant to the Noise Control Ordinance (Cap. 400)
- (b) Noise Control (Air Compressors) Regulations made pursuant to the Noise Control Ordinance (Cap. 400)
- (c) Noise Control (Hand Held Percussive Breakers) Regulations made pursuant to the Noise Control Ordinance (Cap. 400)

- (d) Waste Disposal (Forms and Fees for Licences) Regulation made pursuant to the Waste Disposal Ordinance (Cap. 354)
- (e) Waste Disposal (Chemical Waste) (General) Regulation made pursuant to the Waste Disposal Ordinance (Cap. 354)
- (f) Water Pollution Control (General) Regulations made pursuant to the Water Pollution Control Ordinance (Cap. 358)

4. The fees payable for the issue of permits set out in the Noise Control (General) Regulations, the Noise Control (Air Compressors) Regulations and the Noise Control (Hand Held Percussive Breakers) Regulations; and the fees payable for the issue of licences set out in the Waste Disposal (Forms and Fees for Licences) Regulation and for the registration of chemical waste producers under the Waste Disposal (Chemical Waste) (General) Regulation were last revised in 1994. It is now proposed to amend the fees to account for the increase in administrative costs on the basis of inflation from 1993-95 i.e. 17.8%. The fees payable for the issue of licences set out in the Water Pollution Control (General) Regulations were last revised in 1990. To cover the increased cost since 1990, these fees should be increased by 58.5%.

5. The fees related to the application of licences for conducting a specified process under the Air Pollution Control Ordinance were revised in 1994. It is proposed that the fees should be increased by about 17.8% to cover inflation. The Secretary for Planning, Environment and Lands, after consultation with the Secretary for the Treasury and the Director of Environmental Protection, intends to revise the fees payable under the Air Pollution Control Ordinance.

THE PROPOSAL

6. It is proposed to revise fees under the specified Ordinances as follows -

	<u>Existing</u> \$	<u>Proposed</u> \$
I Noise Control Ordinance - Cap.400		
(a) Noise Control General Regulations		
- General Works (8(1))	150.00	180.00
- Percussive Piling (8(2))	150.00	180.00
(b) Noise Emission Label		
- Air Compressors	120.00	145.00
- Hand Held Percussive Breakers	120.00	145.00
	<u>Existing</u> \$	<u>Proposed</u> \$
II Waste Disposal Ordinance - Cap. 354		
(a) Licence for Provision of Waste Collection Services (S.21(1))	15,615.00	18,395.00
(b) Renewal of Licence (a) (S.23(2))	7,810.00	9,200.00
(c) Licence for Collection of Waste Produced by Licensee (S.21(1))	3,605.00	4,250.00
(d) Renewal of Licence (c) (S.23(2))	1,805.00	2,130.00
(e) Licence for Provision of a Waste Disposal Service (S.21(2))	28,825.00	33,960.00
(f) Renewal of Licence (e) (S.23(2))	14,415.00	16,985.00
(g) Licence for Disposal of Waste Produced by Licensee (S.21(2))	2,885.00	3,400.00
(h) Renewal of Licence (g) (S.23(2))	1,445.00	1,705.00
(i) Waste Producer Registration Fee (S.7)	240.00	285.00
(j) Certified Copy of an entry in register (S.7)	125.00	150.00

III Air Pollution Control Ordinance -
Cap.311

(a) Application for a licence (S.14)	190.00	225.00
(b) Application for renewal of licence (S.16)	NIL	NIL
(c) Application for variation of a licence (S.18)	190.00	225.00
(d) Application for transfer of a licence (S.18A)	190.00	225.00
(e) Application for variation or cancellation of any term or condition (S.23)	190.00	225.00
(f) Certified copy of an entry in the register	125.00	150.00

<u>Existing</u>	<u>Proposed</u>
\$	\$

IV Water Pollution Control Ordinance
- Cap.358

1 Discharge or deposit from
industrial, institutional or
commercial premises -

(a) for a new licence, except at the expiry of a licence granted under section 15 of the Ordinance, or variation of a licence -		
(i) where the flow rate does not exceed 10 cubic metres per day	500.00	795.00
(ii) where the flow rate exceeds 10 cubic metres but does not exceed 30 cubic metres per day	750.00	1,190.00
(iii) where the flow rate exceeds 30 cubic metres per day	1,500.00	2,380.00

30.00	150.00
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FINANCIAL AND STAFFING IMPLICATIONS

7. Additional revenue to be generated by the fee increases is estimated to be \$2,438,000 per annum. There is no staffing implication. .

ECONOMIC IMPLICATIONS

8. The revised fees represent an insignificant portion of the operating costs borne by the affected sectors. The general public will not be affected.

PUBLIC REACTION

9. It is unlikely that the proposed fee revisions will attract much public attention. We do not envisage organisations and individuals requiring these documents to raise any strong objection as the increases are in line with inflation.

ADVICE SOUGHT

10. Members' advice is sought as to whether the proposed fee revisions as set out in paragraph 6 above should be made. The revised fees are expected to be implemented in mid-1995.

Environmental Protection Department
April 1995