

Waste Disposal (Amendment) Bill 2024 gazetted today

The Waste Disposal (Amendment) Bill 2024 (Amendment Bill) was published in the Gazette today (October 18), for implementing the relevant amendments to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (Basel Convention) on the control of transboundary movements of electrical and electronic waste (EEW) and their proper management in Hong Kong.

A spokesman for the Environment and Ecology Bureau indicated that the Conference of the Parties to the Basel Convention adopted the amendments to the Basel Convention in June 2022. The amendments, which will take effect from January 1, 2025, expand the control scope of the Basel Convention from hazardous EEW to all EEW. From then, the export of all EEW may only be allowed if the state of import and state(s) of transit, if any, have given their prior consent. The objective is to ensure EEW undergoing transboundary movement is properly managed in the state of import, thereby protecting the local environment and public health.

The spokesman said, "The amendments to the Basel Convention will enter into force in our country on January 1, 2025, and apply to Hong Kong. Therefore, we shall amend the Waste Disposal Ordinance (Cap. 354) (WDO) to expand the scope of import and export control to cover all EEW under the permit control system, with a view to aligning with national policy and complying with the requirements under the Basel Convention alongside with our country."

To facilitate the trade to adapt to the new control, the Environmental Protection Department (EPD) has been actively explaining the implementation details and providing suitable assistance to the trade. Subject to the passage of the Amendment Bill by the Legislative Council (LegCo), a six-month phasing-in period will be put in place once the amendments to the WDO become effective. During the phasing-in period, the EPD will exercise discretion when it handles non-compliance matters. At the same time, the EPD will continue to facilitate trade compliance through further publicity and educational efforts.

The Amendment Bill will be introduced into the LegCo for first and second readings on October 30. The Government will fully complement the work of the LegCo in scrutinising the bill, and hope that the LegCo will support and approve the Amendment Bill. Subject to its passage, the relevant legislative amendments will take effect on January 1, 2025, to align with the effective date of the amendments to the Basel Convention which will be the same date when the country implements the requirement.