

Municipal Solid Waste (MSW) Charging Best Practice Guide

Private Waste Collectors

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Introduction

The Waste Disposal (Charging for Municipal Solid Waste) (Amendment) Bill 2018 has been passed by the Legislative Council in August 2021. The purpose of this Best Practice Guide (Guide) is to introduce the legislative requirements for municipal solid waste (MSW) charging, and how relevant stakeholders may complement the implementation of MSW charging.

This Guide aims at private waste collectors (PWCs) which provide waste collection services. This Guide is for reference only. The actual operation may vary depending on the individual circumstances of the customers' premises. Please contact the Environmental Protection Department (EPD) if you have any questions.¹ In addition, the EPD has set up a dedicated website for MSW charging (<https://www.mswcharging.gov.hk/>) to provide the latest information for the public and the industry.

¹ For the contact details of the EPD, see Chapter 4 of this Guide.

1 MSW Charging Overview

1.1 Coverage

MSW charging covers the following waste:

- (i) Domestic waste - such as household waste and waste generated from daily activities in institutional premises (e.g., schools); and
- (ii) Commercial and industrial waste - such as waste arising from shops, restaurants, hotels, offices, markets and industrial activities.

However, construction waste, chemical waste and clinical waste are not subject to the MSW charging regime but are subject to their existing charging regimes².

1.2 Charging Mechanism

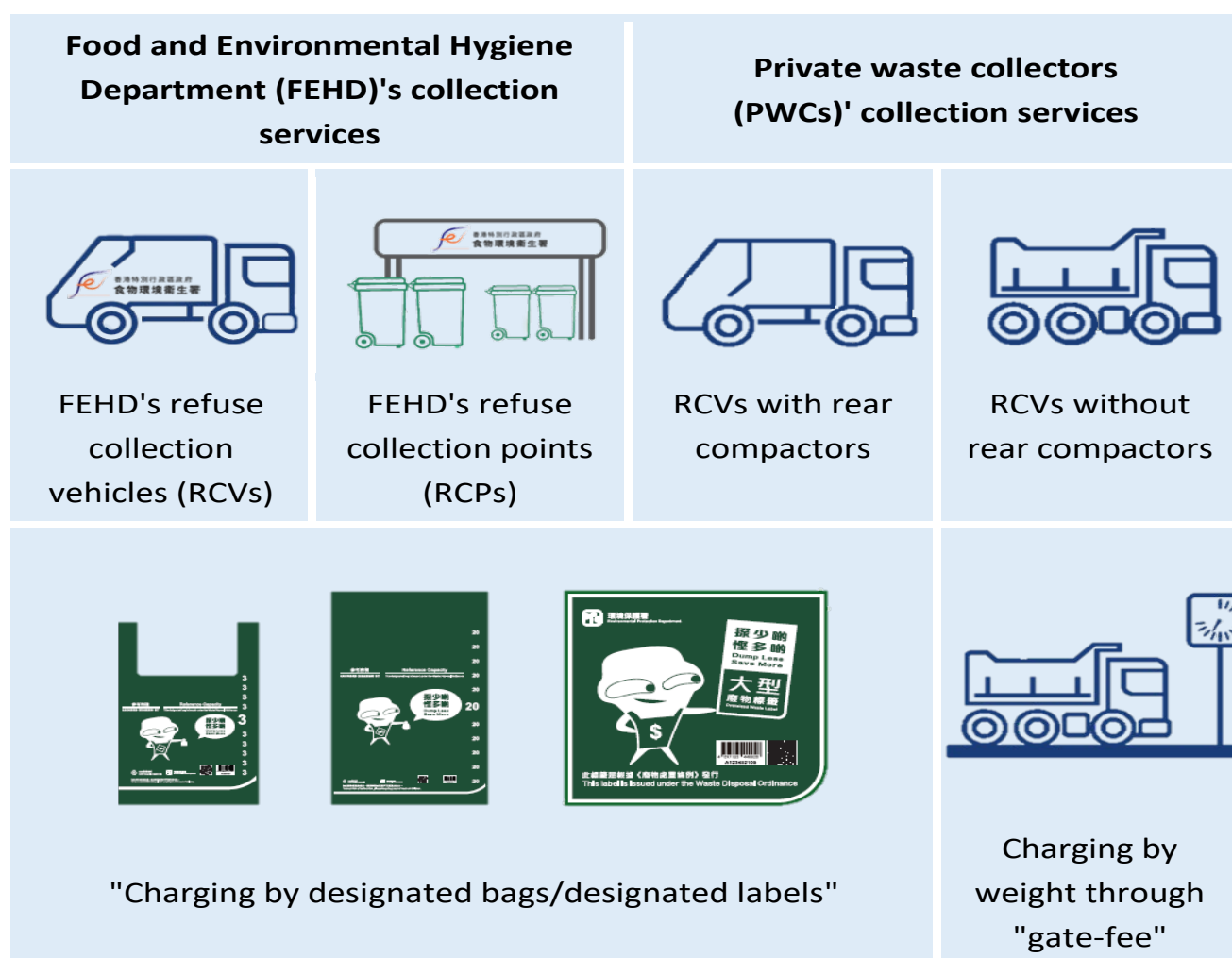
MSW charging is based on the "polluter-pays" principle. All waste disposed of by residential and non-residential premises (including commercial and industrial sectors) in Hong Kong will be subject to charging based on its quantity, so as to drive behavioural changes in waste generation and hence reduce overall waste disposal. In other words, the more waste you dispose of, the more you have to pay.

To comply with the "polluter-pays" principle, regardless of which of the following charging mode(s) is/are adopted, the waste producers (e.g., individual owners/households) are responsible for the concerned charges, which should not be passed on to any party among the PMCs/cleansing contractors/private waste collectors.

MSW charging is levied in two modes, namely:

2 (a) For details of the Construction Waste Disposal Charge Scheme, please visit:
<https://www.epd.gov.hk/epd/misc/cdm/scheme.htm>
(b) For details of the Chemical Waste Control Scheme, please visit:
https://www.epd.gov.hk/epd/english/environmentinhk/waste/guide_ref/guide_cwc.html
(c) For details of the Clinical Waste Control Scheme, please visit:
<https://www.epd.gov.hk/epd/clinicalwaste/en/scheme.html>

- (i) charging by pre-paid designated garbage bags (hereinafter referred to as "designated bags")/ designated labels ("charging by designated bags") – "pre-paid" means the government charges fees through the sale of designated bags/ labels before waste disposal. The price of a designated bag is linked to its capacity (i.e., also linked to the quantity of waste); and
- (ii) charging by weight-based "gate-fee" at refuse transfer stations or landfills (hereinafter collectively referred to as "waste disposal facilities").

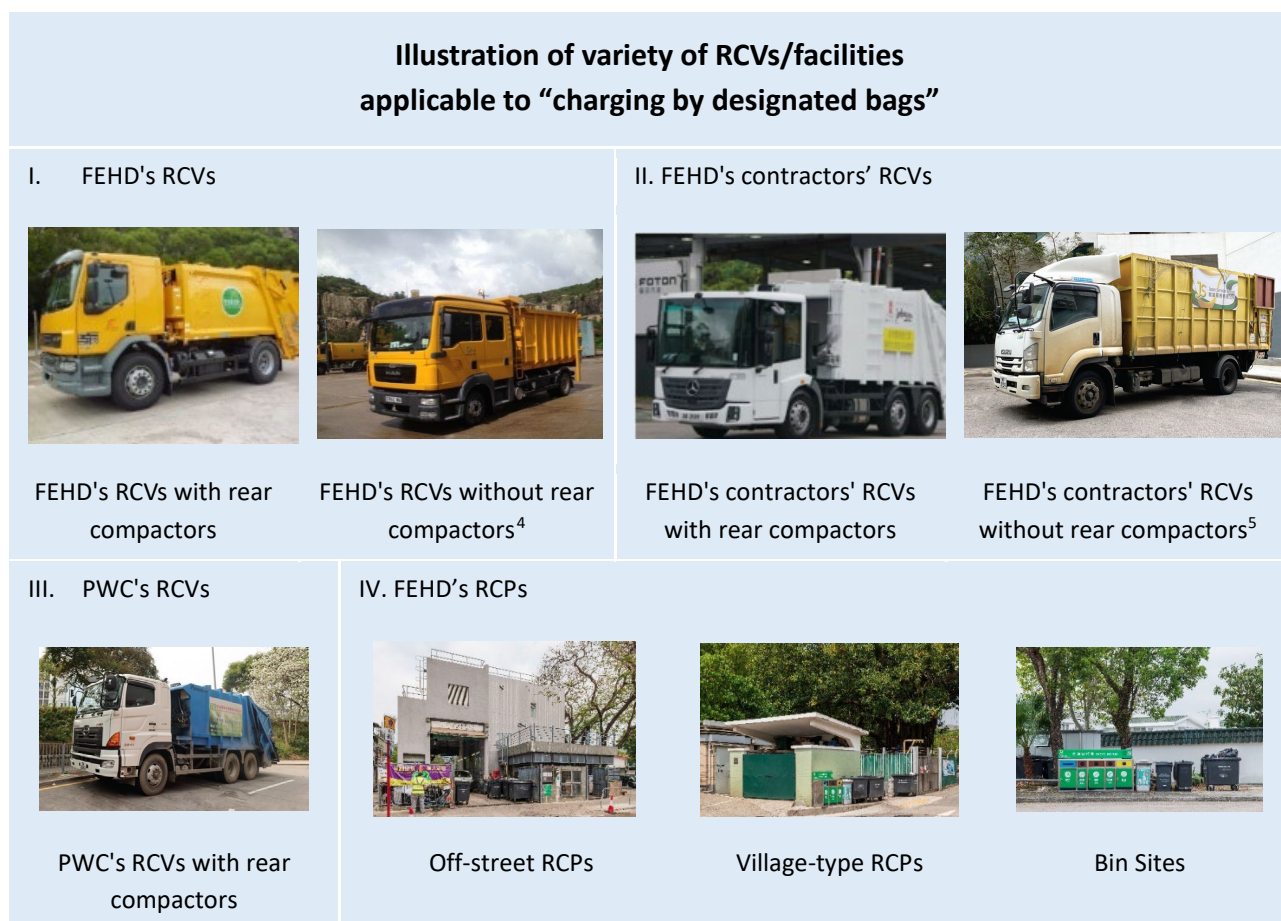


1.2.1 Charging by Designated Bags

"Charging by designated bags" is applicable under the following waste collection modes:

- (i) waste collected by the RCVs of the FEHD or its contractors (whether or not RCVs with rear compactors are used);
- (ii) waste collected by PWCs using RCVs with rear compactors; and

- (iii) waste disposed of by waste producers themselves/waste collection staff at the FEHD's RCPs (including bin sites³).



Members of the public are required to first purchase designated bags to wrap their waste properly before disposal.

Generally, “charging by designated bags” applies to most residential buildings⁵, commercial and industrial buildings, village houses, street-level shops, and institutional premises, etc. Members of the public are required to properly wrap their waste in designated bags before disposing of it at the communal waste

³ Since some RCPs in rural areas have no building structures and only some large waste collection bins (usually of 240-litre or 660-litre capacity) are placed there, they are known as bin sites.

⁴ In this Guide, "RCVs without rear compactors" refers to RCVs without installation of rear compactors, such as grab lorries, demountable trucks, tippers, box vans or flatbed trucks, etc. Only one of them is shown in the figure for reference.

⁵ In rare cases, the general household waste in some residential buildings is collected by private waste collectors using RCVs without rear compactors, and thus "charging by weight" is adopted. For details of "charging by weight", please refer to Section 1.2.2.

reception areas (e.g., staircase landings, refuse rooms, the inlets of refuse chutes, etc.)⁶ of relevant premises or the RCPs/bin sites of the FEHD.

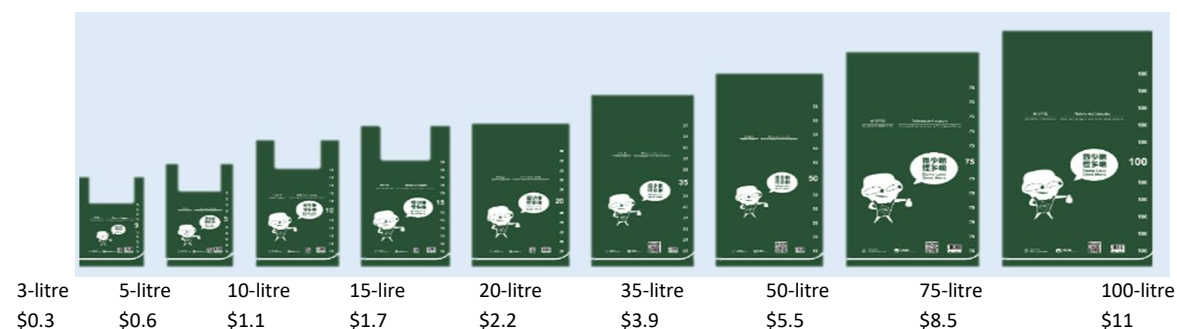
As for oversized waste which cannot be wrapped in designated bags (e.g., large furniture such as dining tables, bookshelves or mattresses, etc.), if they are to be collected through one of the waste collection modes mentioned in (i)-(iii) above, members of the public are required to affix with a designated label on each piece of oversized waste before they can be disposed of at the oversized waste reception areas. (If oversized waste is collected by PWCs using RCVs without rear compactors, please refer to Section 1.2.2 “Charging by Weight” below.)



6 I.e., the "common area for waste" in section 20N in Division 2 of Part IVB of the Waste Disposal Ordinance (Cap. 354) as amended by the Waste Disposal (Charging for Municipal Solid Waste) (Amendment) Ordinance 2021(hereinafter referred to as the amended WDO), which refers to a common area of any premises that is used for depositing waste pending removal from the premises for disposal.

There are 9 different sizes of designated bags, ranging from 3-litre to 100-litre⁷, to cater for the needs of different users. Designated bags are charged at \$0.11 per litre. See figure below for details.

Capacity, design and price of the designated bags



Each designated label is priced at a uniform rate of \$11. A designated label is required to be affixed to each oversized waste.

Design of the designated label



Designated bags and designated labels are available for sale on authorised online platforms and at a few thousands of authorised sales points, including supermarkets, convenience stores, pharmacies, and vending machines, etc.

Any company, organisation or individual member of the public should only purchase designated bags and designated labels from sales points/online platforms authorised by the EPD to avoid purchasing counterfeit products.

7 Designated bags are also available in 240 litres and 660 litres in capacity, they are mainly sold for use by residential buildings with refuse chutes such that frontline cleansing workers would not have to unnecessarily put the waste that is not properly wrapped in designated bags collected at the bottom of the chutes into designated bags for further disposal. As for other institutional or industrial and commercial premises, the EPD will consider based on their operational needs. Designated bags of 240- litre and 660- litre are priced at \$26 and \$73 per bag, respectively. The sales arrangements of designated bags of these two capacities, please visit the dedicated website for MSW charging.

In addition, if you need to purchase designated bags and/or designated labels in bulk, you can visit the EPD's sales online platform. For the details of specific sales arrangements of designated bags and designated labels, please visit the dedicated website for MSW charging.

1.2.1 Charging by Weight

For the waste collected by PWCs using RCVs without rear compactors and disposed of at waste disposal facilities, a "gate-fee" will be charged based on its weight. The "charging by weight" arrangement is mainly applicable to oversized waste or waste in irregular shape disposed of by commercial and industrial premises, and also some residential buildings.

Illustration of a PWC's RCVs without rear compactors 錯誤! 尚未定義書籤。



Designated bags/designated labels are not applicable under the "charging by weight" arrangement. Members of the public do not need to wrap their waste in designated bags or affix with a designated label on each piece of oversized waste; otherwise it would lead to double payment.

Registration for a "gate-fee" account is required, according to the legislation, when a person needs to dispose of waste at waste disposal facilities. The Government is adopting a hybrid system to allow both PWCs and waste producers to register as account holders with EPD for paying the "gate-fee" in a flexible manner. Please refer to Section 3.5.1 for details on account opening and operation of "gate-fee".

As for the charging level, PWCs currently have to pay \$30 per tonne for waste disposed at the four urban refuse transfer stations (RTSs)⁸, while no charge at landfills. To avoid any over-capacity problem, the charging differential of \$30 per tonne between disposal at urban RTSs and landfills will be maintained after the implementation of MSW charging and will be applied to the Northwest New Territories Transfer Station (currently charging at \$38 per tonne) as well to simplify the structure of the charging scheme (this charging differential of \$30 also applies to PWCs' RCVs with rear compactors, as outlined in Section 3.4.3).

According to the disposal location, the "gate-fee" charged by weight of the waste is as follows:

- (i) the four urban RTSs and the Northwest New Territories Transfer Station: \$395 per tonne;
- (ii) other RTSs and landfills: \$365 per tonne.^{9,10}



8 The urban RTSs include the Island West Transfer Station, the Island East Transfer Station, the West Kowloon Transfer Station, and the Shatin Transfer Station.

9 Currently, PWCs have to pay \$68 and \$110 per tonne for waste disposed of at the Ma Wan Transfer Facility and North Lantau Transfer Station respectively while no charge at landfills. After the implementation of MSW charging, the charging level for disposal of MSW at these RTSs and RTSs in other outlying islands would be set at the same level as that at landfills considering that there is no other alternative waste disposal outlet to these RTSs.

10 To complement the implementation of MSW charging, the Government will adjust the charging level for construction waste disposal to align with that of MSW charging, so as to prevent any deliberate mixing of MSW and construction waste to avoid the difference in charges.

2 Legislative Requirements

2.1 For PWCs' staff

2.1.1 Depositing non-compliant waste prohibited

Waste producers (i.e., households/ tenants) are the main targets to be regulated by the legislation. Under “charging by designated bags”, in order to prevent the PWCs’ staff from being requested or instructed by the households / tenants to assist in the disposal of waste that is not properly wrapped in designated bags or affixed with designated labels (hereinafter referred to as non-compliant waste (NCW)), and to maintain the integrity of the MSW charging regime, the legislation provides the same that such PWCs’ staff shall not deposit NCW while working at certain enforcement points.

PWCs’ staff shall not deposit NCW at the following waste reception areas/enforcement points:

- (i) Its RCVs with rear compactors;
 - (ii) RCVs with rear compactors of FEHD or its contractors; or
 - (iii) The FEHD’s RCPs / bin sites,
- otherwise, it constitutes an offence¹¹.

To avoid violating the above regulations, PWCs’ staff should reject NCW.

It constitutes an offence if the PWCs causes or permits its staff to violate the above regulations. For frequently asked questions regarding legislative requirements, please refer to **Annex I**.

2.1.2 Penalty

Any PWCs/ PWCs’ staff who contravenes or causes others to contravene the above-mentioned requirements of the relevant legislation on MSW charging will be subject to a fixed penalty of \$1,500 under the Fixed Penalty (Public Cleanliness and Obstruction) Ordinance (Cap. 570).

Prosecution by way of summons may also be brought against serious or repeated offenders and the convicted person may be subject to a fine at level 2 (\$5,000).

11 For relevant legislation, see section 20K in Division 2 of Part IVB of the amended WDO.

2.1.3 Statutory Defences

The main purpose of MSW charging is to regulate waste producers rather than PWCs' staff. PWCs' staff do not need to be overly concerned about breaching the law inadvertently because of their work.

It is a statutory defence for a PWCs' staff charged with an offence under Section 2.1.1 mentioned above to establish that¹²:

- (i) the PWCs' staff took all reasonable precautions and exercised all due diligence to avoid committing the offence mentioned in Section 2.1.1 above;
- (ii) the PWCs' staff did the act constituting the offence mentioned in Section 2.1.1 above at the instruction of the employer or was not provided by his/her employer with the necessary means (e.g. designated bags and / or designated labels) for compliance; and the cleansing worker took all steps reasonably open to him/her to avoid committing the offence;
- (iii) the PWCs' staff did the act/ caused / permitted to be constituting the offence mentioned in Section 2.1.1 above in an emergency to avoid danger to the public; and informed the EPD in writing of the act as soon as reasonably practicable;
- (iv) the PWCs' staff can see from the outer bag of the NCW being handled that all the waste inside has been properly wrapped by the individual households in designated bags (e.g., because the outer bag is a transparent bag);
- (v) the PWCs' staff, handled the relevant NCW, in an honest and reasonable belief that such waste will not be disposed of at a waste disposal facility, based on the fact that such waste is reasonably suitable for recycling or otherwise (e.g., such waste can be reused); or
- (vi) the PWCs' staff can establish that the relevant NCW escaped from a designated bag that had been damaged or unfastened:
 - (a) during the compaction by a device for compacting waste; or

12 For relevant legislation, see section 200 in Division 2 of Part IVB of the amended WDO.

- (b) when it was deposited into a refuse chute.

For other details related to the above-mentioned statutory defences, please refer to Questions 2 and 5 of **Annex I**.

2.2 For PWCs' RCV Drivers

To facilitate easy identification by the public and effective enforcement actions of the MSW charging, RCV drivers must ensure the proper exhibition of prescribed signs on their RCVs.

2.2.1 Prescribed Signs

(i) Waste Vehicle in Government Service

When providing waste collection services under the FEHD's contracts, a PWC's driver must ensure that a prescribed sign indicating "Waste Vehicle in Government Service" is exhibited on the RCV (whether with or without rear compactors) in the prescribed way by the legislation.¹³

"Waste Vehicle in Government Service" sign in rectangular shape



"Waste Vehicle in Government Service" sign in circular shape



(ii) Waste Vehicle in Private Use

When providing waste collection services under non- FEHD's contracts, a PWC's driver must ensure the prescribed sign indicating "Waste Vehicle in Private Use"

¹³ For the relevant legislation, see Section 20Y in Division 2 of Part IVB of the amended WDO.

is exhibited on the RCV with a rear compactor in the prescribed way by the legislation.¹⁴

**“Waste Vehicle in Private Use”
sign in rectangular shape**



**“Waste Vehicle in Private Use”
sign in circular shape**



A PWC's driver must not allow the exhibition of the sign prescribed by the legislation on the RCV when the vehicle is not a “Waste Vehicle in Government Service” (i.e., not providing waste collection services for the FEHD) or “Waste Vehicle in Private Use (with Compactor)” (e.g., RCVs without rear compactors).¹⁵

A PWC's driver commits an offence in contravention of any of the requirements set out in this section. Furthermore, the driver's employer also commits an offence if the driver did the act constituting the offence at the instruction of the employer or if the employer failed to provide the necessary means (i.e., the prescribed sign) for the driver to comply with the relevant requirements.

2.2.2 Way of Exhibition Prescribed by Legislation¹⁶

- (i) The sign must be at least 30 cm in height and at least 40 cm in width if it is rectangular in shape. The sign must be at least 35 cm in diameter if it is circular in shape.
- (ii) The sign must be:

¹⁴ For the relevant legislation, see Section 20Y in Division 2 of Part IVB of the amended WDO.

¹⁵ For the relevant legislation, see Section 20Z in Division 2 of Part IVB of the amended WDO.

¹⁶ For the relevant legislation, see the new subsidiary regulations Waste Disposal (Prescribed Sign for Waste Vehicles in Government Service) Notice (Cap. 354T) and Waste Disposal (Prescribed Sign for Waste Vehicles in Private Use (with Compactor)) Notice (Cap. 354U) of the WDO.

- (a) exhibited in a conspicuous way on the left and right sides of a waste vehicle in Government service/in private use (with compactor); and
- (b) printed in a clearly legible way.

2.2.3 Penalties

If a PWC's driver contravenes the relevant legislation on exhibiting or not exhibiting prescribed signs as mentioned in Section 2.2.1 above, a fine at Level 4 (\$25,000) will be imposed.

A fine at Level 4 (\$25,000) will also be imposed if the employer of a PWC's driver directs the driver to contravene the relevant legislation on exhibiting or not exhibiting the prescribed signs as mentioned above or fails to provide the driver with the prescribed signs required for compliance with the relevant requirements.

2.2.4 Statutory Defences

It is a defence for a PWC's driver charged with an offence under Section 2.2.1 mentioned above to establish that the driver did the act constituting the offence at the instruction of the employer or was not provided by the employer with the prescribed signs to comply with the relevant requirements.

3 Implement MSW Charging in Coordination with Customers' Premises

3.1 Determination of the MSW Charging Mode(s) for Customers' Premises

PWCs should familiarise themselves with the above MSW mechanism and consult with the PMCs, OCs or relevant management bodies and cleansing companies of customers' premises to determine the type(s) of RCVs to be used and the corresponding charging mode(s). Please refer to Section 1.2 Charging Mechanism for details on the charging mode(s).

Some premises (such as some public rental housing estates, shopping malls, industrial buildings, etc.) are equipped with refuse compactor(s) or stationary refuse compaction system(s) in the central refuse collection points to reduce the volume of waste before it is removed. For the charging modes applicable to premises with refuse compaction system(s), please refer to **Annex II**.

3.2 Proper communication with Customers' Premises

The successful implementation of MSW charging relies on the support and participation of different stakeholders. In addition to the compliance of households/tenants with the relevant legislation and on-site monitoring by building management staff and frontline cleansing workers, the cooperation of PWCs' frontline staff is also essential.

PWCs should proactively maintain communication with the stakeholders from their customers' premises, hold regular meetings, and review the progress of preparation and implementation of MSW charging. Items for deliberation may include:

- whether the waste collection process runs smoothly after the implementation of MSW charging;
- the extent to which PWCs should reject waste mixed with NCW from the premises and the necessary follow-up measures;
- whether the PWCs could handle the NCW on-site smoothly and the support required; and
- the situation regarding PWCs reimbursing for the expenditures on collecting and processing NCW, etc.

3.3 Staff Training

PWCs should provide their staff with appropriate trainings and formulate relevant guidelines, specify the scope of work for their staff in different positions and arrange briefings for new staff and circulate relevant notices regularly to ensure that they have a clear understanding on the relevant legislative requirements and guidelines, as well as the corresponding work procedures and arrangements. For example, PWCs' staff should know how to deal with the NCW found during waste collection.

PWCs should make good use of the various training programmes and materials provided by the EPD to assist the industry in implementing MSW charging. For more details, please visit the dedicated website for MSW charging.

For suggestions on providing trainings to staff, please refer to Annex III.

3.4 Complement the Implementation of Charging by Designated Bags

3.4.1 Exhibition of Prescribed Signs on RCVs

Employers of PWC's drivers must provide their drivers with the prescribed signs required for compliance with the relevant requirements. These relevant prescribed signs must be properly installed on the RCVs in accordance with the prescribed style and way of exhibition requirements by the legislation. For the exhibition requirements of the relevant prescribed signs, please refer to Sections 2.2.1 and 2.2.2 above.

Under different circumstances, drivers of some PWCs are required to comply with different prescribed sign requirements when providing waste collection services. If a RCV with a rear compactor is used to provide waste collection services for the FEHD at times, and for non FEHD's customers at other times, the vehicle must be installed with both the prescribed signs of "Waste Vehicle in Government Service" and "Waste Vehicle in Private Use (with compactor)". However, the inapplicable prescribed signs must be covered according to the services being provided by the RCV and must not be exhibited.

On the other hand, if a RCV without a rear compactor is used to provide waste collection services for the FEHD at times and for non FEHD's customers at other times, the vehicle must be installed with the prescribed sign of "Waste Vehicle in Government Service" and the prescribed sign must be exhibited when providing collection services for the FEHD while it must be covered and not exhibited when providing waste collection services for non FEHD's customers.

For the different requirements of the prescribed signs for the RCVs that provide collection services for both the FEHD and non FEHD's customers, please refer to the table below:

	RCVs with rear compactors	RCVs without rear compactors
When providing waste collection services for the FEHD	The following prescribed sign (take the rectangular prescribed sign as an example) must be exhibited, and the prescribed sign of "Waste Vehicle in Private Use (with compactor)" must be covered.	The following prescribed sign (take the rectangular prescribed sign as an example) must be exhibited.

	 <p>政府用廢物車輛 Waste Vehicle in Government Service</p> <p>根據《廢物處置條例》展示 Exhibited under the Waste Disposal Ordinance</p>	 <p>政府用廢物車輛 Waste Vehicle in Government Service</p> <p>根據《廢物處置條例》展示 Exhibited under the Waste Disposal Ordinance</p>
When providing waste collection services for <u>non FEHD's customers</u>	<p>The following prescribed sign (take the rectangular prescribed sign as an example) must be exhibited, and the prescribed sign of "Waste Vehicle in Government Service" must be covered.</p>  <p>設有壓縮裝置 非政府用廢物車輛 Waste Vehicle in Private Use (with Compactor)</p> <p>根據《廢物處置條例》展示 Exhibited under the Waste Disposal Ordinance</p>	<p>No prescribed sign shall be exhibited, and the prescribed sign of "Waste Vehicle in Government Service" must be covered.</p>

For frequently asked questions on the legislative requirements for exhibiting and not exhibiting the relevant prescribed signs, please refer to **Annex I**.

3.4.2 Waste Collection

As required by the legislation, cleansing workers are required to ensure that all waste collected (including waste from individual households/tenants and waste generated from the common areas of the premises) have been properly wrapped in designated bags or affixed with designated labels before handing it over to the PWCs who collect waste using RCVs with rear compactors. Whether collecting waste inside or outside the premises (e.g., rear lanes, footpaths)¹⁷, PWCs should instruct their staff to reject NCW and ensure that all waste discharged onto RCVs

17 Due to space limitations, some premises' cleansing contractors may temporarily place the waste they collected within the premises outside the premises (such as on rear lanes, footpaths) for collection from PWCs' RCVs with rear compactors.

with rear compactors have been properly wrapped in designated bags or affixed with designated labels.

For the details of the handling of NCW found by PWCs during waste collection, including the points to note when collecting waste for premises with refuse chutes, please refer to **Annex IV**.

3.4.3 Disposal of Waste at Waste Disposal Facilities

To avoid disrupting the current usage distribution of waste disposal facilities, after the implementation of MSW charging, PWCs have to pay \$30 per tonne for disposing of waste properly wrapped in designated bags at the four urban RTSs (see Footnote 8) and the Northwest New Territories Transfer Station using RCVs **with rear compactors**. However, there will be no additional charge for disposal at other RTSs or landfills. It should be noted that PWCs disposing of waste using RCVs with rear compactors are required to open a “Type A account” and register the RCVs under their names, irrespective of whether the four urban RTSs and the Northwest New Territories Transfer Station are used or not. For details of account opening and payment, please refer to Section 3.5.1 and **Annex V**.

When transferring waste to waste disposal facilities for disposal, waste that escapes from crushed designated bags may fall out of the waste vehicles. PWC’s drivers and staff should consider carrying an appropriate number of designated bags to wrap the waste that falls out from the vehicles in a reasonable, feasible, and safe manner before depositing it back onto the RCVs, preventing the contravention of the legislation against illegally disposing of waste onto waste vehicles.

In addition, after the implementation of MSW charging, EPD staff stationed at waste disposal facilities and their contractors will intensify their monitoring of the tipping areas. If a PWC’s RCV with a rear compactor is found to have dumped a large quantity of NCW, besides issuing a warning to the driver/staff of the RCV, and the relevant information of the associated RCV will also be provided to the relevant enforcement colleagues for the necessary investigation and follow-up actions. Consequently, PWCs should reject NCW and refer the non-compliance to the PMCs/customers they provide the services to for follow-up.

3.5 Implement Charging by Weight in Coordination with Customers’ Premises

3.5.1 Arrangements for Opening Billing Accounts

There are two types of “gate-fee” billing accounts, namely “Type A Account” and “Type B Account”. Details of the two “gate-fee” accounts are as follows:

(i) “Type A Account”

Mainly applicable to companies or individuals (e.g., PWCs) with RCVs registered in their names. Upon approval of the application, “Type A Account” holders can use the vehicles registered under their accounts to transfer waste to the waste disposal facilities for disposal. General PMCs and cleansing contractors may engage PWCs with “Type A Accounts” direct to collect and dispose of waste on their behalf.

PWCs should discuss with PMCs and cleansing contractors the arrangements for waste collection services, such as confirming the type(s) of RCVs, relevant details of fee settlements, including billing arrangements (e.g., on a per service or monthly basis, to relieve cash flow pressure on their own operations. In the case of regular settlement, the settlement date, payment method, payment period, etc. should be set), how to calculate the fee by quantity of waste and how to verify the fee, etc., and list the relevant arrangements and calculation methods in the contract, to protect the interests of both parties.

(ii) “Type B Account”

Mainly applicable to large scale waste producers who use PWCs’ RCVs without rear compactors for waste collection (i.e., premises that generate a large amount of daily waste, e.g., large-scale facilities, factories, shopping malls, etc.). When applying for a “Type B Account”, the applicant is required to pay a deposit according to the required number of chits issued under the MSW Charging Scheme (hereinafter referred to as “e-chits”). Upon approval of the application, “Type B Account” holders can hire vehicles registered under “Type A Accounts” to dispose of waste at the waste disposal facilities. The drivers of the relevant vehicles are required to present the “e-Chits” provided by the above-mentioned “Type B Account” holders upon entering the waste disposal facilities to allow the weighbridge computer systems to record the “gate-fee” direct in the accounts of the “Type B Account” holders so that the relevant fees can be charged direct to the “Type B Account” holders via monthly statements afterwards. “E-Chits” are only applicable to “Type B Accounts”.

According to the legislation¹⁸, a RCV shall not dispose of waste at a waste disposal facility unless the registered owner of the vehicle is registered as a “Type A Account” holder for that waste disposal facility and the vehicle is registered for the

18 For the relevant legislation, see Section 4(1) of the Waste Disposal (Refuse Transfer Station) Regulation (Cap. 354M) as amended by the Waste Disposal (Charging for Municipal Solid Waste) (Amendment) Ordinance 2021 (revised and re-titled “Waste Disposal (Charge for Disposal of Municipal Solid Waste at Scheduled Facilities) Regulation”), hereinafter referred to as Scheduled Facilities Regulation).

purpose of disposing of waste at the relevant waste disposal facility. If the relevant waste is disposed of on behalf of a “Type B Account” holder, the “Type B Account” holder must have also registered for the waste disposal facility. Any person who contravenes the above regulations commits an offence and is liable to a fine at level 6 (\$100,000).

For details on the account opening and “gate-fee” payment arrangements of the two types of accounts, **please refer to Annex V.**

We encourage large PMCs to apply for “Type B Accounts” direct. “Type B Account” holders may use the registered vehicles of “Type A Account” holders to transfer waste to the waste disposal facilities and then pay the relevant fees direct to the EPD.

In this way, the “Type B Account” holders do not need to work out separate arrangements for apportioning the “gate-fee” with the “Type A Account” holders. This arrangement may also reduce the problems of fee splitting, cash flow, and bad debt arising from the “gate-fee” advance payment by the “Type A Account” holders.

3.5.2 Collection and Disposal of Waste

3.5.2(a) Dispose of Waste Through “Type A Accounts”

- (i) *Establishment of a mechanism for the apportionment of “gate-fee” arrangements for each collection service involving more than one premises*

For PWCs serving more than one premises in a single trip with RCVs without rear compactors, the PWCs should consult with each premises in advance and develop an appropriate formula for calculating and apportioning the expenditures of the “gate-fee”.

For the proposed calculation and apportionment of the “gate-fee” arrangement between PWCs and PMCs, please refer to **Annex V.**

- (ii) *Weighing out and payment arrangements at waste disposal facilities*

Once a “Type A Account” holder has successfully registered a vehicle under his or her name, the computer system will issue a QR code unique to that vehicle to the account holder’s smart device. The driver is required to present the QR code when transferring waste to the waste disposal facility on behalf of the “Type A account” holder. The computer system will confirm the vehicle licence plate as the registered vehicle when the vehicle passes over the weighbridge. The weighbridge computer system will allow the vehicle to enter the waste disposal facility, and information

such as date, licence plate, time of entry and exit, and weight of the vehicle at entry and exit, will be recorded.

The vehicle will leave the waste disposal facility via the weighbridge after the disposal of waste. The driver will also receive the transaction record via SMS or a mobile application developed by the EPD. The driver can send the transaction record to the account holder for verification.

The EPD will send monthly statements to “Type A Account” holders by mails or emails to remind them to log in to the system to download the monthly statement and pay the “gate-fee”. Payment must be made within 30 days of the billing date; otherwise, a surcharge on top of the “gate-fee” will become payable. Payment for “gate-fee” can be made through different methods, such as ATMs, PPS, FPS, post offices and convenience stores, etc.

3.5.2 (b) Collection and Disposal of Waste for “Type B Account” Holders

(i) *Use of e-Chits*

“Type B Account” holders need to log in to the designated website or use the mobile application and fill in the information to activate the “e-Chits”. The computer system will send the “e-Chits” in the form of QR codes to the smart devices of the drivers based on the phone numbers provided by the account holders. Drivers can use the mobile application developed by the EPD or receive “e-Chits” via SMS and enter the waste disposal facility to dispose of waste with valid “e-Chits”.

(ii) *Weighing out and payment arrangements at waste disposal facilities*

When the vehicle registered under “Type A Account” transfers waste to waste disposal facilities on behalf of a “Type B Account” holder, the computer system will confirm the vehicle licence plate as the registered vehicle when the vehicle passes over the weighbridge. The weighbridge computer system will allow the vehicle to enter the waste disposal facilities, and information such as date, licence plate, time of entry and exit, and weight of the vehicle at entry and exit, will be recorded. Driver must also present “e-Chit” of relevant “Type B Account” to the weighbridge staff.

The vehicle will leave waste disposal facilities via the weighbridge after the disposal of waste, and the driver will receive a transaction record via SMS or the mobile application developed by the EPD. The driver can send the transaction record to the account owner for verification.

The EPD will send monthly statements to “Type B Account” holders associated with

the “e-Chits” by mails or emails to remind them to log in to the system to download monthly statements and pay the “gate-fee”. Payments must be made within 30 days of the billing date; otherwise, a surcharge on top of the “gate-fee” will become payable. Payment for “gate-fee” can be made through different methods, such as automated teller machines (ATMs), PPS, Faster Payment System (FPS), post offices and convenient stores, etc.

3.6 Waste Reduction and Recycling Arrangements

Implementation of MSW charging provides greater incentives for households/tenants to put waste separation at the source and clean recycling into practice, thereby reducing the overall expenditures on MSW charging. If PWCs also provide recycling collection services, they can consult with PMCs or other relevant management organisations on waste separation/recycling arrangements and coordinate with them to promote waste reduction and recycling.

4 Contact the EPD

If you have any questions regarding this Guide or need to seek support for the implementation of MSW charging, please call the EPD hotline at 2838 3111 or send an email to mswcharging@epd.gov.hk.

Disclaimer

This Guide is for general reference only and have no legal effect and should not be regarded as legal advice. All legislative requirements are subject to the Waste Disposal Ordinance (Cap. 354), Laws of Hong Kong.

5 Annex

Annex I	Frequently Asked Questions on the Legislative Requirements for MSW Charging
Annex II	Charging Modes for Premises with Refuse Compaction Systems
Annex III	Staff Training
Annex IV	Proposed Measures in Response to NCW in Customers' Premises under "Charging by Designated Bags"
Annex V	Account Opening, Fee Payment, and Apportionment Arrangement for "Gate-Fee" Accounts Charged by Weight

Annex I Frequently Asked Questions on the Legislative Requirements for MSW Charging

Depositing NCW prohibited

- 1. If premises are equipped with refuse chutes/compactor systems, and waste properly wrapped in designated bags is damaged during the normal handling and transportation, can the PWCs allow the waste mentioned above to be deposited onto RCVs with rear compactors?**

Generally speaking, PWCs using RCVs with rear compactors are required to check whether the waste is properly wrapped in designated bags and reject waste that is not properly wrapped in designated bags.

If NCW is discovered, e.g., waste wrapped in non-designated bags, PWC's staff should ask the cleansing workers of the premises concerned to wrap the waste properly in designated bags before handing it over to them.

If cleansing workers accidentally damage designated bags or cause designated labels to fall off the waste during normal handling and transportation, it may render the concerned waste falling within the definition of "NCW" (e.g., "municipal solid waste that neither is wrapped in a designated bag nor has a designated label attached to it"¹⁹). It is an offence for the PWC's staff to deposit the NCW onto their RCVs with rear compactors, or to allow the cleansing workers to deposit the NCW onto their RCVs with rear compactors.

However, it is a defence if the person prosecuted can establish according to the legislation that the bag was damaged or unfastened during the process of being deposited into the refuse chutes or compressed by the compaction systems, causing the waste in question escaped from the designated bag²⁰. PWCs may still collect the waste, depending on the actual circumstances, without requiring the cleansing workers to properly wrap the waste in designated bags again. Regarding points to note for PWCs when collecting waste for premises with refuse chutes, please refer to **Annex IV**.

- 2. If PWCs' staff discover that there is NCW in the 240 litre/660 litre bins when discharging waste into the RCV, can they continue to collect the relevant waste? Would the PWCs' staff be committing an offence if it is not practicable to stop the compaction system of the RCV immediately?**

¹⁹ For the definition of "NCW", see Section 2(1) of the amended WDO.

²⁰ For the relevant legislation, see Section 200(3)(b) in Division 2 of Part IVB of the amended WDO.

Generally speaking, PWCs' staff should visually inspect the surface of the 240-litre/660-litre bins before unloading the waste into the RCV to ensure that all waste is properly wrapped in the designated bags. If NCW is discovered, they should notify the property management or cleansing workers on site and reject the NCW or ask them to properly wrap the NCW in designated bags immediately on-site if practicable before allowing it to be discharged into the RCV.

If PWCs' staff discover the presence of NCW during the process of unloading the bins into a RCV, it may be impractical at this point to reject the waste (e.g., due to safety concerns with RCV's compaction system in operation). However, the PWCs' staff should immediately report the relevant violation to the PMCs and/or cleansing contractors on site and request assistance in checking for any NCW in the remaining 240-litre/660-litre bins to be loaded onto the tipping device of the RCV. If further NCW is found, photos should be taken as records, and the on-site staff of the above premises should be reminded that continuous violations are not in compliance with the relevant legislation, and requested to follow-up with improvements, including some feasible on-site improvement arrangements (e.g., on-site re-examination of the remaining 240-litre/660-litre bins of waste to be collected). In the absence of the PMC and/or cleansing contractor staff on site, PWCs' staff should report the situation to PMCs and/or cleansing contractors subsequently through their supervisors, requesting follow-up actions and informing the PWCs of the necessary improvement measures. In addition, the PWCs' staff should also report the incident to the EPD through its mobile application or their supervisors afterwards.

It will be a defence if it can be established that the PWCs' staff has taken all reasonable precautions and exercised all due diligence to avoid committing the relevant offence (please refer to Annex IV for details)²¹. Depending on the actual facts and circumstances of individual cases, EPD staff will consider the above defence, and decide whether enforcement activity should be taken in a case, and the priority of such enforcement activity.

- 3. When a household wants to dispose of a piece of furniture that has been separated into different parts (e.g., feet and bed base of a bed), is it necessary to affix with designated label to each part? Or is it acceptable to simply tie all parts together with a rope and affix with just one designated label?**

In determining the number of designated labels required, households should consider the properties of the oversized waste, including its structure, functions, design, overall

21 For the relevant legislation, see Section 200(1)(a) in Division 2 of Part IVB of the amended WDO.

size, and quantity, before deciding whether such oversized waste should be considered as one or several articles. The Government will take into account of the above factors and adopt a common-sense approach when deciding whether irregularities are involved.

For example, subject to the actual facts and circumstances, the dismantled parts of the same abandoned furniture firmly tied together by a rope is likely to be regarded as one article of waste requiring one designated label for disposal. However, in case of a table and some chairs, or a bed and a mattress, they are likely to be regarded as separate articles even being tied together, and one designated label is required for each article for disposal.

In addition, multiple bags of household waste tightly bound together cannot be regarded as one article based on their nature. Therefore, such household waste should be properly wrapped in several designated bags but not just affixed with a designated label.

- 4. Due to environmental constraints in the customers' premises, if PWCs need to collect waste from the premises by small RCVs without rear compactors firstly and then transfer the waste onto RCVs with rear compactors midway to the waste disposal facilities (e.g., connection vehicles), should the PWCs' drivers of the RCVs without rear compactors request their customers to properly wrap all the waste in designated bags or affix with designated labels before depositing them onto their RCVs without rear compactors?**

There is no statutory requirement that waste deposited onto the RCVs without rear compactors must be properly wrapped in designated bags or affixed with designated labels. However, under the above circumstances, as the waste from the customers' premises is eventually transferred by RCVs with rear compactors to the waste disposal facilities for disposal, the relevant waste should be charged by designated bags.

It is an offence if the drivers/staff of the two RCVs deposit (or cause or permit to deposit) waste that is not properly wrapped in designated bags /affixed with designated labels from RCVs without rear compactors onto RCVs with rear compactors during the "connection" process.²²

In addition, if the PMCs/cleansing contractors of the customers' premises and their staff are aware of the "connection" arrangement and hand over waste that is not properly wrapped in designated bags/affixed with designated labels to the PWCs, and

22 For the relevant legislation, see Section 20K(1) and 20L(1) in Division 2 of Part IVB of the amended WDO.

subsequently the drivers/staff of the that RCVs deposited the waste onto RCVs with rear compactors before transferring to waste disposal facilities, depending on the actual circumstances of each case, the PMCs/cleansing contractors concerned may have contravened the relevant legislation by causing the NCW to be deposited onto the RCVs with rear compactors.²³

Furthermore, as the waste from the relevant customers' premises is not transferred to the waste disposal facilities by RCVs without rear compactors and is not subject to the "gate-fee", by law²⁴, the households from the premises are required to properly wrap the waste in designated bags or affix it with designated labels before placing it at the communal waste reception areas of the premises, otherwise, it is a violation of the relevant legislation on MSW charging.

5. What measures should PWCs take in order to be considered as having taken all reasonable precautions and exercised all due diligence to avoid contravening the legislation on the mandatory use of designated bags or designated labels?

The specific measures to be taken by PWCs depend on the actual circumstances of each premises/case.

To establish a defence in the legislation, PWCs should familiarise themselves with the practices mentioned in this Guide and put the guidelines applicable to their vehicle types and different situations into practice. Measures that can be taken by the PWCs concerned include (but are not limited to):

- adequate communication with customers' premises on specific arrangements for MSW charging (see paragraph 3.2);
- provide adequate guidance and trainings to frontline staff on the legislative requirements for MSW charging, such as how to handle NCW (see paragraph 3.3 and **Annex IV**);
- provide appropriate prescribed signs to RCV drivers and instruct them to properly exhibit the relevant prescribed signs on RCVs providing services to the FEHD or RCVs with rear compactors providing services to non FEHD's customers as required by law; (see paragraph 3.4.1)
- provide frontline staff with sufficient designated bags or designated labels for spare use (see **Annex IV**);
- report noncompliance to customers' premises and request improvements (see paragraph 3.4.4 and **Annex IV**); and

23 For the relevant legislation, see section 20K(1) and 20M(1) of Division 2 of Part IVB of the amended WDO.

24 For the relevant legislation, see section 20N(1) and 20N(3)(b) of Division 2 of Part IVB of the amended WDO.

- report persistent noncompliance to the EPD (see **Annex IV**).

PWCs should keep proper records to show that they have followed the relevant best practice guidelines. This will help establish the relevant defences.

Exhibition of Prescribed Signs

6. If prescribed signs exhibited by PWCs on their RCVs are discoloured or blurred due to external factors (e.g., prolonged exposure to sunlight or repeated washing of the vehicle body), will the RCV drivers be contravening the relevant legislation?

The legislation requires the prescribed signs to be printed in a clear and legible manner.²⁵ If the clarity of the prescribed signs is affected by any factor, both the PWCs and the RCV drivers concerned may have contravened the relevant legislation.

As mentioned in section 2.2, PWCs are obliged to provide their drivers with prescribed signs that comply with the relevant legislative requirements. We recommend PWCs regularly check the prescribed signs on their RCVs to ensure that any discoloured or blurred signs are replaced in a timely manner.

7. When are the prescribed signs required to be exhibited on the refuse compactor skips (i.e., refuse compactor skips of mobile/stationary refuse compactors and automatic refuse collection systems) in Annex II?

A refuse compactor skip is not required to exhibit the prescribed sign as it is not a vehicle until it is attached to a hook-lift truck. When a refuse compactor skip is coupled with a hook-lift truck from the FEHD or its contractors, the hook-lift truck (together with the refuse compactor skip) is a “Waste Vehicle in Government Service” under the legislation and is required to exhibit the prescribed signs applicable to “Waste Vehicle in Government Service” as required by the legislation; when a refuse compactor skip is coupled with a PWCs’ hook-lift truck and that hook-lift truck itself does not have a closed compartment with a compacting device, we consider that the hook-lift truck (together with the refuse compactor skip) is not a “Waste Vehicle in Private Use (with compactor)”²⁶ and therefore the prescribed sign for “Waste Vehicle in Private Use (with compactor)” should not be exhibited.

25 For the relevant legislation, see Section 2(4)(b) in the Waste Disposal (Prescribed Sign for Waste Vehicles in Private Use (with Compactor)) Notice (Cap. 354U).

26 In the case of a hook-lift truck hooking up a refuse compactor skip, we consider that the refuse compactor skip is only fixed to the hook-lift truck by means of a hook and is not an enclosed compartment of the vehicle. Therefore, the vehicle does not meet the description in the definition of “Waste Vehicle in Private Use (with compactor)” in section 2(1) of the amended WDO

MSW Charging and Recyclables Collection

- 8. If PWCs provide their customers' premises with recyclables delivery services to recycling facilities, but due to force majeure, the recyclables have to be transferred to the waste disposal facilities for disposal (e.g., the recycling facilities have stopped accepting and processing recyclables due to non-functional operation), should the PWCs properly wrap the recyclables in designated bags/affix with designated labels before disposing of them at the waste disposal facilities or pay a "gate-fee" for the disposal of the recyclables?**

According to the legislation, the delivery of recyclables for recycling is not subject to the waste charging scheme and no waste charges are required, but if a recyclables collector disposes of the recyclables collected at a waste disposal facility, the items are treated as normal waste. Depending on the mode of delivery, PWCs are required to either properly wrap the recyclables in designated bags/affix them with designated labels for disposal or pay a "gate-fee" at the waste disposal facility charged by weight.

However, in certain special circumstances where PWCs may need to transfer recyclables collected to waste disposal facilities for disposal, e.g., when the storage of recycling facilities are full due to technical or transportation issues, and unable to operate properly and continue to receive and process recyclables, in the absence of other feasible means, recyclables collectors need to transfer the collected recyclables to waste disposal facilities, otherwise, it may affect the upstream recycling chains and cause environmental hygiene problems. In such cases, the Director of Environmental Protection has the authority to exempt the recyclables collectors from the requirement of properly wrapping the recyclables in designated bags or affixing with designated labels, or paying a "gate-fee", in accordance with the mechanism under the legislation. Recyclables collectors who wish to apply for exemption from the provisions on the use of designated bags or designated labels must do so in the specified format and provide relevant details and evidence to the EPD. For details of the application for exemption, please visit the dedicated website for MSW charging.

- 9. Is there MSW charging for food waste collected by PWCs' RCVs?**

(e.g., the vehicle "has an enclosed compartment equipped with a device designed for compacting waste within the compartment") and should not be regarded as "Waste Vehicle in Private Use (with compactor)".

MSW charging is not required for delivering food waste to food waste recycling facilities if households/tenants/customers' premises properly separate the food waste, as is the case with MSW charging not being required for the general public regarding properly recycled recyclables. Nevertheless, if the food waste is not delivered to a food waste recycling facility but is disposed of at a waste disposal facility, it will be treated as normal waste and will be subject to the MSW charging in accordance with the legislation. Depending on the mode of delivery, PWCs are required to properly wrap the relevant food waste in designated bags for disposal or pay a "gate-fee" charged by weight at waste disposal facilities, unless there are special circumstances (e.g., suspension of food waste acceptance at the food waste disposal facilities due to technical issues as mentioned in the answer to Question 8 above) that warrant exemption.

Annex II Charging Modes for Premises with Refuse Compaction Systems

The following are four common types of refuse compaction systems. Regardless of the type of refuse compaction systems being used, the charging mode for premises with refuse compaction systems is determined by the type of RCVs that collect the waste. The respective charging modes are as follows:

Charging by Designated Bags

- Collection by RCVs of the FEHD or its contractors; or
- Collection by PWCs using RCVs with rear compactors

Charging by weight through "gate-fee"

- Collection by PWCs using RCVs without rear compactors (e.g., delivery by hook-lift trucks)

Common Types of Refuse Compaction Systems



Mobile refuse compactor

The refuse skip possesses built-in compacting device and no other fixed external device is required to be installed in the refuse room.



Stationary refuse compactor

The refuse skip does not possess a built-in compacting device and fixed external compacting device is required to be installed in the refuse room.



Rotary drum refuse compactor

The fixed compactor is installed inside the refuse room. Waste can be discharged onto a RCV for onward delivery after compaction.



Automatic refuse collection system

The system uses underground suction pipes to convey waste that is deposited into the refuse chute inlets on individual floors to the centrifugal chamber at the central refuse collection station. The waste will be collected for onward delivery after compaction.

Annex III Staff Training

Enhancing the knowledge of staff on MSW charging helps PWCs implement MSW charging smoothly with the Government. PMCs and/or cleansing contractors may refer to the following suggestions on staff training to ensure that they clearly understand the legislative requirements and guidelines, and the related workflow and arrangements.

	PWCs' staff	Suggested training content
1.	Management staff	<ul style="list-style-type: none"> – Relevant legislative requirements <ul style="list-style-type: none"> ■ Legal responsibilities of their companies ■ Legal responsibilities of frontline staff ■ Relevant penalties ■ Statutory Defences – Communication with PMCs and cleansing contractors <ul style="list-style-type: none"> ■ Messages required to be delivered to customers' premises, e.g., charging modes, their legal responsibilities, points to note when disposing of waste and sorting waste and recyclables, etc. ■ How to encourage customers' premises to comply with the law ■ How to effectively deliver the messages – Formulation of work plans <ul style="list-style-type: none"> ■ Stakeholders who need to take part in formulating the plans ■ Contents of the work plans ■ How to seek support from stakeholders to implement the plans – Formulation of guidelines for frontline staff <ul style="list-style-type: none"> ■ How to formulate the guidelines, e.g., review of the current waste collection workflow and identification of the required changes ■ How to ensure that frontline staff understand and familiarise with the guidelines well

		<ul style="list-style-type: none"> - Handling of non-compliant cases <ul style="list-style-type: none"> ■ Instructions and guidelines to frontline PWCs' staff on handling NCW ■ How to follow up on non-compliance of customers' premises - Communication with the EPD <ul style="list-style-type: none"> ■ Publicity and education resources provided by the EPD ■ How to report cases of non-compliance to the EPD
2.	Frontline PWCs' staff	<ul style="list-style-type: none"> - Communication with cleansing contractors' frontline workers <ul style="list-style-type: none"> ■ Remind and help cleansing contractors' frontline workers to comply with the law - Execution of guidelines <ul style="list-style-type: none"> ■ Requirements of the guidelines ■ Situations which require reporting to supervisors - Handling of non-compliant cases <ul style="list-style-type: none"> ■ How to follow up on non-compliance of customers' premises ■ Situations which require reporting to supervisors ■ Required information for reporting non-compliant cases

Annex IV Proposed Measures in Response to NCW in Customers' Premises under "Charging by Designated Bags"

1. Suggested measures for inspecting and rejecting NCW on customers' premises

General handling of NCW in premises

- PWCs' staff should visually inspect the surface of waste collection bins before unloading them onto compactors to ensure that all waste is wrapped properly in the designated bags. If the waste collection bins are found to contain NCW, the PWCs' staff should reject the NCW or request the cleansing contractors or PMCs' staff on site to wrap the waste properly in designated bags as far as practicable before allowing it to be discharged onto the RCVs.
- If no NCW is found on the surface of waste collection bins, but the PWCs' staff discover the presence of NCW during the process of unloading the bins into a RCV with a rear compactor, it may be impractical at this point to reject the waste (e.g., due to safety concerns with RCVs' compaction system in operation). However, the PWCs' staff should immediately report the relevant violation to the PMCs and/or cleansing contractors on site and request assistance in jointly checking for any NCW mixed in the remaining 240-litre/660-litre bins to be loaded onto the tipping device of the RCV. If further NCW is found, photos should be taken as records, and the on-site staff of the above premises should be reminded that continuous violations are not in compliance with the relevant legislation, and requested to follow-up with improvements, including some feasible on-site improvement arrangements (e.g., on-site re-examination of the remaining 240-litre/660-litre bins of waste to be collected). In the absence of PMCs' and/or cleansing contractors' staff, PWCs' staff should report the situation to PMCs and/or cleansing contractors subsequently through their supervisors, requesting follow-up actions and informing the PWCs of the necessary improvement measures. In addition, the PWCs' staff should also report the incidents to the EPD through its mobile application or their supervisors afterwards.
- PWCs' staff should also visually inspect oversized waste to be collected and ensure that it has been affixed with designated labels before accepting and depositing it onto RCVs with rear compactors.
- In rare cases where the waste is temporarily placed on the street for collection and PWCs do not have immediate access to the management or cleansing staff of the premises to handle the NCW, in order to maintain the environmental hygiene of the street, the PWCs'

staff should, as far as reasonably practicable and in a safe manner, wrap the waste properly in designated bags or affix with designated labels before depositing it onto RCVs with rear compactors.

- The PWCs' staff should report to their supervisors for the discovery of NCW during waste collection at the customers' premises. PWCs and PMCs should consider providing some additional designated bags or designated labels for the PWCs' staff to accommodate occasional needs.
- The PWCs' staff should report to their supervisors on the situation of handling of NCW with designated bags and/or with designated labels during waste collection. The PWCs should report the situation and relevant expenditures (e.g., the expenditures of using additional designated bags to properly wrap the NCW) to the PMCs afterwards and, if necessary, formulate appropriate solutions to reimburse the related expenditures from the PMCs²⁷.

Handling of NCW in premises with refuse chutes

- There are 240-litre and 660-litre designated bags which will be sold for use by premises with refuse chutes so that frontline cleansing workers would not have to unnecessarily put NCW collected at the bottom of the refuse chutes into designated bags for further disposal.
- If customers' premises have refuse chutes, PWCs should inquire with PMCs or cleansing contractors regarding whether the refuse chutes are locked on a daily basis as recommended by EPD for cleansing workers only. If the refuse chutes at the customers' premises are locked during normal days, individual households/tenants can only dispose of their waste in the large waste collection bins outside the refuse chutes. Cleansing workers can inspect and sort out any NCW from individual households/tenants when collecting waste on individual floors.
- If the refuse chutes are locked on a daily basis, when collecting waste, the cleansing workers may place large waste collection bins without lining with 240-litre/660-litre designated bags at the bottom of the refuse chutes in advance to collect waste properly wrapped in designated bags by households/tenants from communal waste reception areas on each floor of the premises, after which they may replace the large waste collection bins lining with 240-litre/660-litre designated bags for the collection of NCW left on each floor. The cleansing workers are required to tightly tie the 240-litre/660-litre

27 To effectively implement "Polluter Pays", the expenditures related to the handling of NCW should eventually be reimbursed from households/tenants through PMCs.

designated bags before handing them over to the FEHD, its contractors or PWCs that collect waste using RCVs with rear compactors to comply with the relevant legislation.

- In the above case, the designated bags used by the households/tenants to properly wrap their waste may be damaged when deposited into the refuse chutes by the cleansing workers, causing the waste inside to escape. As a result, PWCs' staff may find waste not properly wrapped in designated bags inside the large waste collection bins without lining with 240-litre/660-litre designated bags when they collect the waste from these premises where refuse chutes are normally locked. At this point, the PWCs' staff can visually inspect the large waste collection bins. If they see that the surfaces of the bins are generally designated bags²⁸ as illustrated in the photos below (for more reference photos, please visit the dedicated website for MSW charging), they can assume that the scattered waste inside the bins has escaped from the damaged designated bag and would be allowed to be discharged from large waste collection bins into the RCVs. However, if the PWCs' staff find that the surfaces of the bins are mostly waste wrapped in non-designated bags and the waste does not appear to have escaped from the designated bags, the PWCs' staff should refuse to allow the bins to be discharged direct into the RCVs. The PWCs' staff should also report the non-compliance immediately to the PMCs and/or cleansing contractors of the premises and request them to follow-up with improvements and report the incident to the EPD through its mobile application or their supervisors afterwards.



28 Generally speaking, the garbage bags on the surface of a large waste collection bin are usually the latest waste to be deposited into the refuse chute. These garbage bags are less likely to be severely damaged because of the buffer cushion created by the waste that has already filled the large waste collection bin. Hence, relatively intact garbage bags should generally be seen on the surfaces of large waste collection bins, and it should not be too difficult to distinguish whether they are designated bags or not.

Illustrations of the surfaces of bins with mostly designated bags

- For waste collection bins lining with 240-litre/660-litre designated bags, PWCs' staff should check that the designated bags are tightened before allowing the waste to be discharged onto the RCVs. If the refuse chutes are not normally locked, individual households/tenants can deposit their waste into the refuse chutes themselves, making it difficult for PMCs and cleansing workers to monitor whether individual households have properly wrapped their waste in designated bags before depositing it into the refuse chutes. Given this situation, especially at the initial stage of MSW charging, the cleansing workers at customers' premises are expected to line the large waste collection bins at the bottom of all refuse chutes with 240-litre/660-litre designated bags in advance for the ease of handling the NCW deposited by individual households/tenants. In this case, the PWCs' staff only need to inspect whether the 240-litre/660-litre designated bags are tightened before the waste can be discharged onto the RCVs.

2. Suggested Measures on Following Up and Reporting Non-compliance

- PWCs should strengthen staff awareness and encourage them to report illegal dumping of waste to the EPD in a timely manner after the implementation of MSW charging.
- If PWCs encounter situations of repeated or serious non-compliant cases, they may instruct frontline staff to record relevant information (such as taking photos) for follow-up actions in the future (such as reporting to PMCs or the EPD).
- Upon receiving reports from their staff, PWCs should consider taking appropriate follow-up measures, such as reminding the PMCs of the customers' premises to address the issues. PWCs should report to the EPD on repeated or serious non-compliant cases. The Government will draw up a list of black spots based on intelligence and complaints of PMCs and conduct surveillance and enforcement actions accordingly.
- PWCs should try their best to provide the following information when reporting non-compliant cases to the EPD:
 - The floors concerned and the locations of the communal waste reception areas
 - Frequency, date, and time of NCW discovery
 - Site photos that show the signages at the communal waste reception areas and the severity of non-compliance
 - The general timeslots for waste collection in the premises concerned

- PWCs and their staff can report non-compliance cases using the mobile application developed by the EPD for MSW charging.

Annex V Account Opening, Fee Payment, and Apportionment Arrangement for “Gate-Fee” Accounts Charged by Weight

1. Arrangements for opening "gate-fee" accounts

- The EPD has set up an online platform for account opening and the required documents can be uploaded to the system for submission. For more details, please visit the dedicated website for MSW charging.

Type A Account	Type B Account
<ul style="list-style-type: none">• Mainly targets at companies or individuals with RCVs registered under their names, e.g., PWCs• Pay deposit according to the number of registered vehicle(s) (\$3,000 per vehicle)• The system will issue a designated QR code for that vehicle to the account holder upon successful registration and confirmation of the receipt of the deposit. When the vehicle transfers waste to the waste disposal facilities on behalf of a “Type A Account” holder, the driver is required to show the QR code for the weighbridge computer system to identify the corresponding “Type A Account”	<ul style="list-style-type: none">• Mainly targets at large scale waste producers (i.e., premises that generate large amount of daily waste, e.g., large-scale facilities, factories, shopping malls, etc.)• Pay deposit according to the required number of e- chit(s) (\$550 per e- chit)• The drivers of the relevant vehicles are required to present the e-chits provided by the above-mentioned "Type B Account" holders when entering the waste disposal facilities, allowing the weighbridge computer system to record the “gate-fee” direct to the accounts of the "Type B Account" holders

2. Payment Arrangements

- The EPD will issue monthly statements to account holders by mails or emails. They are required to make payment within 30 days from the issue date of the statement. Otherwise, a surcharge on top of the “gate-fee” will become payable.
- Different payment methods will be available, e.g., through ATMs, PPS, FPS, post offices and convenient stores, etc.

3. Suggested calculation and apportionment arrangements for expenditures between PMCs and PWCs on charging by weight

In general, PWCs use other types of RCVs (i.e., RCVs without rear compactors) such as grab lorries, demountable trucks, and tippers to collect oversized waste or waste in irregular shapes which cannot be wrapped in designated bags (e.g., mattresses, sofas, large metal items, cardboards, etc.) mostly on a special/intermittent basis rather than on a regular basis. In most cases, customers of PWCs will pay on a per service basis when using the service. Accordingly, we anticipate that PWCs providing services using RCVs without rear compactors should not face serious problems in terms of fee apportionment with customers and cash flow/bad debts.

- **Collection service involving only one premises in a single trip**

We encourage large PMCs to apply for “Type B Accounts” to receive monthly statements direct from the EPD and pay the relevant fees. This arrangement would eliminate procedures required for PWCs holding “Type A Accounts” to reconcile with PMCs, thus avoiding disputes with customers over the “gate-fee” amount and relieving PWCs from having to pay the “gate-fee” for oversized waste producers.

If the premises have not yet applied for “Type B Accounts”, PWCs may consider installing electronic scales on RCVs without rear compactors or advise their customers to consider installing electronic scales in their premises, subject to the availability of resources and space in the central refuse collection points/oversized waste reception areas, so that the weight of waste and “gate-fee” of their premises can be estimated on-site with the PMCs for verification when settling the relevant charges from the premises after receiving the monthly statement from the EPD.

- **Collection service involving more than one premises in a single trip**

If a PWC is using a RCV without rear compactor to collect waste from multiple premises in a single trip and only transfer a full load of non-compacted waste to a waste disposal facility for disposal, the PWC would inevitably have to apportion the expenditures of “gate-fee” among multiple customers under this operating mode.

PWCs may consider installing electronic scales on their RCVs without rear compactors to facilitate on-site estimation of the “gate-fee” for the premises with the PMCs, and then apportion the expenditures of the “gate-fee” to different premises in proportion based on the previously estimated weight after receiving the monthly statement from the EPD.

For the convenience of PWCs and PMCs to estimate the weight of typical oversized waste and the corresponding “gate-fee”, a list is attached below for reference.

List of Weights of Common Oversized Waste and Their Corresponding "Gate-fees"						
Common Furniture Types		Average emptied net weight range(kg)*	"Gate-fee" fee range (HKD)		Examples of Lighter Furniture	Examples of heavier furniture
			Calculated based on a fee of \$365 per tonne**	Calculated based on a fee of \$395 per tonne**		
Bedroom	Single bed	15 - 45	5.5 - 16.4	5.9 - 17.8	Bed frame only without drawers	With headboard and drawers
	Double bed	35 - 65	12.8 - 23.7	13.8 - 25.7	Bed frame only without drawers	With headboard and drawers
	King bed	50 - 100	18.3 - 36.5	19.8 - 39.5	Bed frame only without drawers	Hydraulic bed frame and with under-bed storage box
	Single mattress	10 - 20	3.7 - 7.3	4 - 7.9	Foam mattress	Spring mattress
	Double mattress	20 - 35	7.3 - 12.8	7.9 - 13.8	Foam mattress	Spring mattress
	King mattress	30 - 45	11 - 16.4	11.9 - 17.8	Foam mattress	Spring mattress
	Wardrobe	40 - 100	14.6 - 36.5	15.8 - 39.5	Single door wardrobe	Double door wardrobe with drawers
	Chest of drawers	30 - 75	11 - 27.4	11.9 - 29.6	Narrow chest of 2 drawers	Wide chest of 2 drawers
Living Room	Sofa	15 - 55	5.5 - 20.1	5.9 - 21.7	Single armchair/sofa	3-seat sofa
	Sofa bed	25 - 115	9.1 - 42	9.9 - 45.4	Single sofa bed	Sofa bed with Storage corners
	TV cabinet	30 - 80	11 - 29.2	11.9 - 31.6	Single unit TV cabinet	TV cabinet combination
	Coffee table	10 - 50	3.7 - 18.3	4 - 19.8	Wooden coffee table	Marble/glass coffee table

Dining	Dining table	10 - 80	3.7 - 29.2	4 - 31.6	Wooden dining table	Marble/glass dining table
	Dining chair	5 - 15	1.8 - 5.5	2 - 5.9	Plastic dining chair	Wooden dining chair
Kitchen	Sideboard	20 - 60	7.3 - 21.9	7.9 - 23.7	Single unit sideboard	Modular sideboard
	Base cabinets	20 - 35	7.3 - 12.8	7.9 - 13.8	Single door base cabinet	Double door base cabinet
	Wall cabinet	15 - 30	5.5 - 11	5.9 - 11.9	Single door wall cabinet	Double door wall cabinet
	Trolley	5 - 10	1.8 - 3.7	2 - 4	Steel trolley	Wooden trolley
Bathroo	Mirror cabinet	15 - 30	5.5 - 11	5.9 - 11.9	Single door mirror cabinet	Double door mirror cabinet
	Wash-basin cabinet	15 - 45	5.5 - 16.4	5.9 - 17.8	Single wash-basin cabinet	Wash-basin cabinet combination with a washbasin
Study	Bookshelf	25 - 75	9.1 - 27.4	9.9 - 29.6	Single unit bookshelf	Bookshelf combination
	Desk	10 - 60	3.7 - 21.9	4 - 23.7	Wooden personal desk	Computer desk unit
	Swivel chair	10 - 25	3.7 - 9.1	4 - 9.9	Foam seat	Leather seat

*The above list of weight ranges is compiled based on the information provided by various furniture stores and moving companies, and it is for reference only. The actual weight of individual furniture depends on various factors such as materials used, size, design, etc.

**These fees are calculated based on the weight listed in the table (rounded to one decimal place).

Remarks: The above fees do not include charges for administration/collection services of PMCs/cleansing contractors/PWCs (if applicable).