

**Municipal Solid Waste (MSW) Charging
Best Practice Guide**

Shopping Mall/Market Premises

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Municipal Solid Waste (MSW) Charging Best Practice Guide

Shopping Mall/Market Premises

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 complement the implementation of MSW charging.

This Guide targets at management companies (MCs), owners, as well as cleansing contractors, which provide waste collection services for shopping mall/market¹ premises. This Guide is for reference only. The actual operation may vary depending on the individual circumstances of the shopping mall/market premises. Please contact² the Environmental Protection Department (EPD) if you have any questions. 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 reference of the public and the industry.

1 The good practices introduced in this Guide are applicable to general shopping mall/market premises under the management of management organizations, excluding markets managed by the Food and Environmental Hygiene Department (FEHD).

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

1 An Overview of MSW Charging

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 generated from shops, restaurants, hotels, offices, markets in private housing estates and all commercial and industrial activities.

However, construction waste, chemical waste and clinical waste are not subject to the MSW charging regime but are regulated by their existing charging mechanism³.

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 commercial tenants) are responsible for the related charges, which should not be passed on to any party





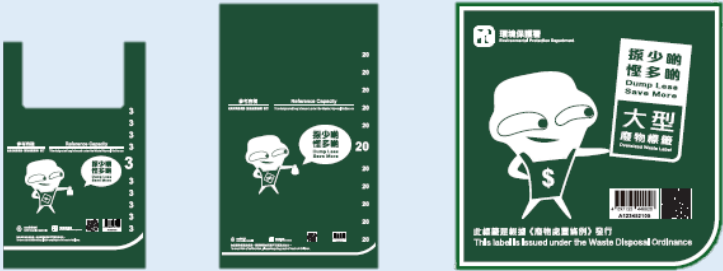

3 (a) For details of the Construction Waste Disposal Charge Scheme, please visit:
<https://www.epd.gov.hk/epd/misc/cdm/scheme.htm>
(b) For details of the Chemical Waste Control Scheme, please visit:
https://www.epd.gov.hk/epd/english/environmentinhk/waste/guide_ref/guide_cwc.html
(c) For details of the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

among PMCs / cleansing contractors / private waste collectors who handle the waste on their behalf.

MSW charging is levied in two modes, namely:

- (i) charging by pre-paid designated garbage bags (hereinafter referred to as "designated bags") / designated labels (hereinafter collectively referred to as "Charging by Designated Bags") – "pre-paid" means the government charges fees through the sale of designated bags / labels before handling 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").

Please see the photos below for the application of the waste collection service for the two charging modes:

FEHD's collection services	Private waste collectors (PWCs)' collection services
 <p>FEHD's refuse collection vehicles (RCVs)</p>	 <p>RCVs with rear compactors</p>
 <p>FEHD's refuse collection points (RCPs)</p>	 <p>RCVs without rear compactors</p>
 <p>"Charging by designated bags / designated labels"</p>	
 <p>"Charging by Weight" through "gate-fee"</p>	









Waste Collection Mode

1.2.1 "Charging by Designated Bags" (Charging by Designated Bags / Designated Labels)

"Charging by Designated Bags" is applicable under the following waste collection modes:

- (i) waste collected by the FEHD's RCV 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 sites⁴)

Illustration of various RCVs / facilities applicable to "Charging by Designated Bags"			
I. FEHD's RCVs		II. FEHD's contractors' RCVs	
			
FEHD's RCVs with rear compactors	FEHD's RCVs without rear compactors ¹	FEHD's contractors' RCVs with rear compactors	FEHD's contractors' RCVs without rear compactors ⁵
III. PWC's RCVs		IV. FEHD's RCPs	
			
PWC's RCVs with rear compactors	Off-street RCPs	Village-type RCPs	Bin Sites

1.2.2 Charging by Weight (Charging by Weight-based "Gate-fee")

A "gate-fee" is applicable to the waste collected by PWCs using RCVs without rear compactors (see picture below) and disposed of at the waste disposal facilities. The "Charging by Weight" arrangement is mainly applicable to oversized waste or waste in irregular shape disposed of by the commercial and industrial premises, and also some residential buildings.

⁴ Since some RCPs in rural areas have no building structures and only some large waste collection bins (usually large waste collection bins of 240-litre or 660-litre capacity) are placed there, they are known as bin sites.

Illustration of a PWC's RCV without rear compactor⁵



1.3 Charging Arrangement

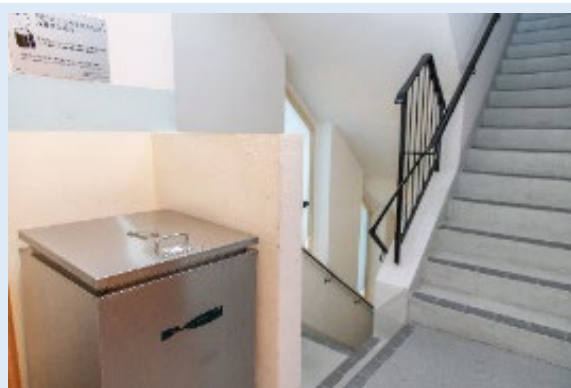
1.3.1 Arrangements for “Charging by Designated Bags”

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

Generally, “Charging by Designated Bags” applies to most residential buildings, commercial and industrial buildings, village houses, street-level shops, public institutions premises and some shopping malls / markets, etc. If the waste collection modes mentioned in Sections 1.2.1(i) to (iii) above are used, members of the public are required to properly wrap their waste in designated bags before disposing of it at the communal waste reception areas / communal temporary storage areas ⁵ of relevant premises (hereinafter collectively referred to as communal waste reception areas) (e.g. rear staircase, refuse rooms, the inlets of refuse chutes, etc.) or at the FEHD’s RCPs / bin sites. As for oversized waste which cannot be wrapped in designated bags, e.g. waste display racks, waste trolleys, members of the public are required to affix with a designated label on each piece of oversized waste before it 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 1.3.2 “Charging by Weight” below.)

⁵ 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.

Communal waste reception areas



Waste collection bin
at rear staircase



Refuse rooms
on individual floor












Oversized waste reception area

Capacity, design and price of designated bags

There are 9 different capacities of designated bags, ranging from 3 litres to 100 litres⁶, to cater for the needs of different users. Designated bags are charged at \$0.11 per litre. See the picture below for details.

-
- 6 Designated bags are also available in 240 litres and 660 litres in capacity, mainly sold to residential premises 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. Application details would be announced later. Designated bags of 240 litres and 660 litres are priced at \$26 and \$73 per bag respectively. For the details of the sales arrangements of designated bags of these two capacities, please visit the dedicated website for MSW charging.

								
3-litre	5-litre	10-litre	15-litre	20-litre	35-litre	50-litre	75-litre	100-litre
\$0.3	\$0.6	\$1.1	\$1.7	\$2.2	\$3.9	\$5.5	\$8.5	\$11

Design and price of designated label

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



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

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

1.3.2 Arrangements for Charging by Weight

For the waste collected by PWCs using RCVs without rear compactors and disposed of at the waste disposal facilities, a "gate-fee" will be charged based on its weight.

Designated bags / designated labels are not applicable under the "Charging by Weight" arrangement. Commercial tenants (hereinafter collectively referred to as tenants) do not need to wrap their waste in designated bags or affix with a designated label on each piece of oversized waste to avoid double payment.

When a person needs to dispose of waste at a waste disposal facility, he must register for the "gate-fee" account according to the legal requirements. The Government will adopt a hybrid system to flexibly allow PWCs and waste producers to apply to the EPD for registration as account holders for paying the "gate-fee". Please refer to Section 3.5.1 for details on account opening and operation of the "gate-fee".

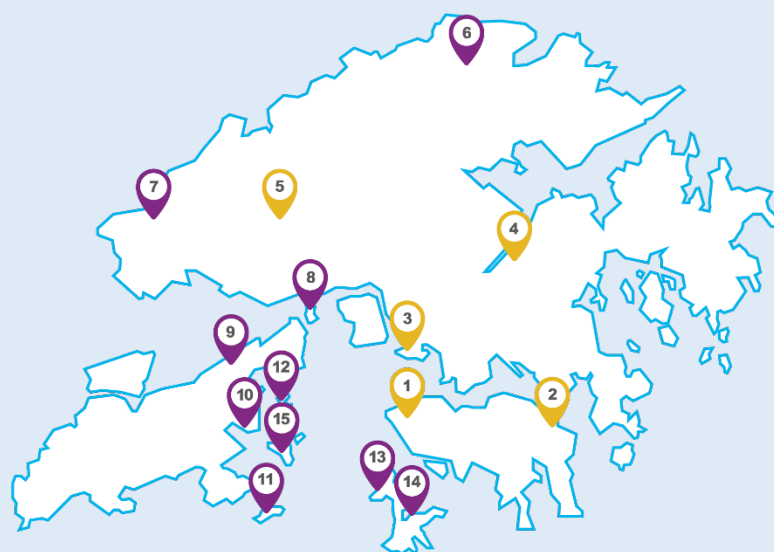
According to the disposal location, the "gate-fee" charged by weight of the waste is as follows:⁷

\$395 per tonne:

1. Island West Transfer Station
2. Island East Transfer Station
3. West Kowloon Transfer Station
4. Shatin Transfer Station
5. North West New Territories Transfer Station

\$365 per tonne:

6. North East New Territories Landfill
7. West New Territories Landfill
8. Ma Wan Transfer Facility
9. North Lantau Transfer Station
10. Mui Wo Transfer Facility
11. Cheung Chau Transfer Facility
12. Peng Chau Transfer Facility
13. Yung Shue Wan Transfer Facility
14. Sok Kwu Wan Transfer Facility
15. Hei Ling Chau Transfer Facility



⁷ To complement the implementation of MSW charging, the Government will revise the charging level of construction waste disposal at the same time 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 Enforcement Points for MSW Charging

Under “Charging by Designated Bags”, the FEHD, its contractors or PWCs that collect waste using RCVs with rear compactors will reject waste that is not properly wrapped in designated bags or affixed with designated labels (hereinafter referred to as non-compliant waste (NCW)).

According to the law, NCW shall not be deposited at the following waste reception areas / enforcement points:

- (i) RCVs of the FEHD or its contractors;
- (ii) RCVs with rear compactors of PWCs;
- (iii) The FEHD’s RCPs / bin sites, or
- (iv) Communal waste reception areas, e.g. refuse chutes (including any hoppers to the chutes), refuse rooms on individual floors, oversized waste reception areas, etc., for depositing waste pending removal for disposal.

2.1.1 Applicable to General Tenants

Under “Charging by Designated Bags”, tenants and their staff are required to use designated bags to wrap their general waste or affix designated labels to oversized waste before depositing it at the communal waste reception areas in shopping centres / markets for collection by cleansing contractors to be handed over to PWCs that collect waste using RCVs with rear compactors. Otherwise, it constitutes an offence.

If tenants depositing NCW at the enforcement points (including inside refuse chutes) mentioned in Section 2.1(i) to (iv) above⁹, it constitutes an offence.

It constitutes an offence if tenants hand over NCW to the frontline staff who perform duties at the enforcement points mentioned in

⁹ For relevant legislation, see Sections 20K(1) and 20N(1) and (2) in Division 2 of Part IVB of the amended WDO.

Section 2.1(i) to (iii) above to remove the waste (hereinafter referred to as “providing removal services”¹⁰), including staff from the FEHD’s RCPs or its contractors, and drivers and staff of relevant RCVs¹¹.

In addition, apart from the person who disposes of the waste, the relevant legislation is also applicable to any person who causes or permits other person(s) to commit the offence, for instance, an employer who instructs a staff to illegally dispose of waste.

For frequently asked questions regarding legislative requirements, please refer to **Annex I (I)**.

2.1.2 Applicable to Cleansing Contractors’ Staff (Cleansing Workers)

Waste producers (e.g. tenants) are the main targets to be regulated by the legislation. Under “Charging by Designated Bags”, in order to prevent the cleansing workers from being asked or instructed by tenants to assist in disposing of NCW, and to maintain the integrity of the MSW charging regime, the law stipulates the same that these cleansing workers shall also not deposit NCW while working at certain enforcement points. It also provides a legal basis for cleansing workers to reject NCW handed over from tenants.

Cleansing workers (including cleansing contractors and cleansing workers employed by tenants) shall not deposit NCW at the communal waste reception areas / enforcement points mentioned in Section 2.1(i) to (iii) above, or hand over NCW to frontline staff who perform duties for “providing removal services” at the above three types of enforcement points, otherwise, it constitutes an offence¹¹.

If cleansing workers discover NCW from unknown sources at the communal waste reception areas mentioned in Section 2.1(iv) above when collecting waste, they can still continue handling the relevant waste, including collecting and depositing it into refuse

10 See Section 2(1) of the amended WDO for the new definition of “removal services”.

11 For relevant legislation, see Section 20M(1) in Division 2 of Part IVB of the amended WDO.

chutes inlet (including hoppers equipped with refuse compactors, refuse chutes inlets directly connected to refuse compactors or directly connected to automatic refuse collection systems (ARCSs)), and deliver to central refuse collection points of the premises, without committing the law mentioned in Section 2.1.1 above regarding depositing NCW at the communal waste reception areas¹².

However, after collecting NCW, cleansing workers are required to properly wrap it in designated bags or affix it with designated labels before disposal at the three types of enforcement points mentioned in Section 2.1(i) to (iii) above or hand over to the frontline staff providing removal services at those enforcement points. PWCs will reject NCW. For frequently asked questions regarding legislative requirements, please refer to **Annex I (II) and (III)**.

2.2 Penalty

Any person (e.g. tenants / tenants' staff / MCs / cleansing contractors / cleansing workers) who contravenes or causes others to contravene the requirements of the relevant legislation on MSW charging mentioned in Sections 2.1.1 and 2.1.2 above 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 particularly serious or repeated offenders. The relevant penalties are as follows¹³:

- (i) on the first conviction — to a fine at level 4 (\$25,000) and to imprisonment for 6 months; and
- (ii) on a subsequent conviction — to a fine at level 5 (\$50,000) and to imprisonment for 6 months.

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

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

2.3 Statutory Defences

The main purpose of MSW charging is to regulate waste producers rather than tenants' staff or cleansing workers. Tenants' staff or cleansing workers do not need to overly concern about breaching the law inadvertently because of their work.

It is a defence for any person (e.g. a tenant's staff or cleansing worker) charged with an offence under Section 2.1.2 mentioned above to establish that ¹⁴:

- (i) that person took all reasonable precautions and exercised all due diligence to avoid committing the offence mentioned in Section 2.1.2 above;
- (ii) that person did the act committing the offence mentioned in Section 2.1.2 above at the instruction of his / her employer or the staff was not provided by his / her employer with the necessary means (e.g. designated bags and / or designated labels) for compliance; and the person took all steps reasonably possible to him / her to avoid committing the offence mentioned in Section 2.1.2 above;
- (iii) that staff committed or caused or permitted to have committed the offence mentioned in Section 2.1.2 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 cleansing worker could see from the outer bag of NCW being handled that the waste inside had been properly wrapped by the individual tenants in designated bags (e.g. because the outer bag is a transparent bag);
- (v) the cleansing worker, handled the relevant NCW, in an honest and reasonable belief that such waste would not be disposed of at a waste disposal facility, whether because such waste was reasonably suitable for recycling or for other reasons (e.g. such waste could be reused); or

¹⁴ For relevant legislation, see Section 200 in Division 2 of Part IVB of the amended WDO.

- (vi) the cleansing worker could establish that the relevant NCW escaped from a designated bag which was :
 - (a) during the process of being compacted by a compacting device; or
 - (b) when it was deposited into a refuse chute

damaged or bags unfastened.

3 Implementation of MSW Charging in Shopping Mall / Market Premises

The successful implementation of MSW charging relies on the support and participation of different stakeholders (including owners, MCs, cleansing contractors and tenants, etc.). MCs should assume a coordinating role to formulate and implement work plans, with reference to the implementation details of various aspects as mentioned in Sections 3.1 to 3.7 below and according to the charging mode(s) applicable to the premises.

3.1 Determination of the Applicable Charging Mode(s) for Shopping Mall / Market Premises

MCs should determine the applicable charging mode(s) according to the existing waste collection arrangements in the premises, e.g. the type of RCVs, or the use of RCPs, and the handling method(s) of oversized waste, etc. For details of the charging modes, please refer to Section 1.2 on “Charging Mechanism”. Special circumstances that may be encountered when determining the applicable charging mode(s) for the premises are explained below.

- (i) Equipped with refuse compactor(s) or stationary refuse compaction system(s)

Some premises are equipped with refuse compactor(s) or stationary refuse compaction system(s) in central refuse collection points to reduce the volume of waste before removal. For the charging modes applicable to these refuse compactor(s) or refuse

compaction system(s), please refer to **Annex II**. In brief, if the waste inside refuse compactor(s) is collected by PWCs using RCVs with rear compactors, it will be “Charging by Designated Bags, and if it is collected by PWCs using RCVs without rear compactors, a “gate-fee” will then be charged.

(ii) More than one applicable MSW charging modes

There may be more than one applicable MSW charging modes depending on the existing waste collection modes of the premises. For example, general waste is collected by PWCs using RCVs with rear compactors, while oversized waste is collected by PWCs using RCVs without rear compactors. In other words, general waste of these premises will be “Charging by Designated Bags”, and oversized waste will be charged by weight-based “gate-fee” instead of by designated labels.

Regardless of the charging mode(s) adopted, MCs should clearly inform tenants in advance of the collection arrangements and charging mode(s) of all different types of waste in their premises, to avoid tenants being at a loss of what to do when they dispose of the waste.

(iii) Collect oversized waste in a mixed mode

Some premises may collect oversized waste in a mixed mode, that is, most of the non-compactable oversized waste (e.g. large furniture) is collected by PWCs’ RCVs without rear compactors (“Charging by Weight”), but also a small portion of compactable oversized waste (e.g. brooms / long-handled umbrellas) is collected by PWCs’ RCVs with rear compactors (“charging by designated labels”).

To avoid confusion, e.g. tenants mistakenly believe that oversized waste that should be charged by designated labels is charged by weight, so no designated label is affixed before disposal; or they mistakenly believe that oversized waste that should be charged by weight is charged by designated labels and affix a designated label on the disposed oversized waste, resulting in double payment. MCs, may according to the actual situation consider adopting only one mode to collect all oversized waste in the premises that cannot be properly wrapped in designated bags so as to avoid

misunderstanding. For example, all oversized waste will only be transported by PWCs' RCVs without rear compactors and charged by weight.

If MCs consider that it is necessary to collect oversized waste in the above-mentioned mixed mode, detailed guidelines should be formulated in advance setting out the charging modes and collection arrangements for different types of oversized waste, and inform tenants of the relevant arrangements in advance to avoid confusion.

3.2 Assisting Tenants in Getting Ready

The key to the smooth implementation of MSW charging is to cultivate tenants' (including their staff) environmental protection and law-abiding awareness. MCs may coordinate publicity activities promoting MSW charging within the premises, and proactively contact tenants and distribute relevant information, e.g. designated bags / labels sales points, websites / posters / publicity leaflets on MSW charging for tenants' reference. Cleansing contractors should also actively cooperate and assist tenants in getting ready.

For suggestions on assisting tenants in getting ready, please refer to **Annex III**.

3.3 Staff Training

MCs and / or cleansing contractors 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, e.g. cleansing workers should know how to deal with NCW found during work.

MCs and / or cleansing contractors should make good use of various training programmes and materials provided by the EPD to assist the industry in implementing MSW charging. Please visit the EPD's

dedicated website for MSW charging for details. For suggestions on providing trainings to staff, please refer to **Annex IV**.

3.4 Implementing “Charging by Designated Bags”

3.4.1 Explanation of Charging Arrangements to Tenants

Currently, MCs in some shopping malls have been purchasing garbage bags on behalf of tenants and distributing those bags to them regularly. After the implementation of MSW charging, the most effective way to drive waste reduction is to allow tenants to purchase suitable sizes of designated bags / designated labels through sales points and online platforms authorised by the EPD for disposing of waste, allowing them to experience "Polluter Pays" and "Dump Less, Save More" direct. Besides, MCs should make good use of the preparatory period prior to the implementation of MSW charging to publicize and explain the purpose of MSW charging to tenants, as well as the arrangements after the implementation of MSW charging, assisting tenants in getting ready, e.g. consider posting notices to provide websites / posters / publicity leaflets on MSW charging for tenants' reference and information on sales points of designated bags.

3.4.2 Clear Delineation on Communal Waste Reception Areas

The communal waste reception areas of the premises are the enforcement points under the relevant legislation on MSW charging. When disposing of waste at the relevant locations, tenants are required to wrap their waste in designated bags properly or affixed it with designated labels. MCs should work with cleansing contractors to delineate the communal waste reception areas in the premises (e.g. rear staircases, refuse rooms on individual floors / ground floor, central refuse collection points, and oversized waste reception areas) according to the waste collection arrangements of the premises, and displaying promotional signages at prominent locations (please visit the dedicated website for MSW charging to download the relevant details of the promotional signages) to remind tenants (including their staff) that they are required to properly wrap their waste using designated bags or affix it with designated labels when disposing of waste at these reception areas.

3.4.3 Waste Collection

(i) Door-to-door waste collection by cleansing workers

If MCs / cleansing contractors provide door-to-door waste collection modes for individual tenants, cleansing workers are required to check whether the waste disposed of is wrapped in designated bags or affixed with designated labels, and reject NCW when collecting waste.

MCs / cleansing contractors may reach an agreement with tenants in advance. When collecting waste from tenants, the cleansing workers can prepare a small number of extra designated bags for use by tenants who cannot wrap their waste properly in designated bags immediately. Cleansing workers shall record the information of the relevant tenants to facilitate MCs / cleansing contractors to recover the relevant fees of designated bags from them.

(ii) Direct disposal of waste at communal waste reception areas by tenants

MCs / cleansing contractors must instruct cleansing workers to check whether the general waste / oversized waste disposed of by individual tenants have been properly wrapped in designated bags or affixed with designated labels when collecting waste from the communal waste reception areas in shopping malls / markets and reject any NCW that is being handed over to them in person. NCW includes waste that is not “wrapped in designated bags”, please refer to Question 1 of **Annex I** for relevant examples. To maintain environmental hygiene, MCs / cleansing contractors may instruct cleansing workers to collect NCW from unknown sources found at the communal waste reception areas for further handling.

To facilitate the monitoring of NCW, MCs should consider posting warning signs around the communal waste reception areas (e.g. outside refuse rooms, oversized waste reception areas, etc.), providing pictures of waste properly wrapped and disposed and setting out the legal penalties, to remind tenants to comply with the law and encourage them to report the

illegal acts to the EPD or MCs. If necessary, closed-circuit televisions (CCTVs) can also be installed at the communal waste reception areas to facilitate monitoring.

As for market premises, it is recommended to provide the same designated waste collection bins for use by individual / several market stalls to facilitate monitoring and let them remind each other if circumstances allow. In addition, it is also recommended that waste collection bins are placed at suitable locations or CCTVs are installed to prevent other outsiders from disposing of NCW.

In addition, MCs should review whether the waste / oversized waste collection services, e.g. the type of vehicles (using PWCs' RCVs with rear compactors or RCVs without rear compactors), collection time and frequency, number of collection points, location, opening hours, etc. need to be adjusted.

(iii) Other common areas

According to the law, waste disposed of in waste containers (e.g. small litter containers that are placed in the lift lobbies of the premises) placed at common areas in the premises (e.g. recreational facilities of shopping malls, etc.) for collecting small quantity of small-sized waste (e.g. used tissue paper from customers) is not required to be wrapped properly in designated bags or affixed with designated labels. In other words, MCs / cleansing contractors are not required to instruct cleansing workers to check for NCW when collecting waste from such litter containers, or line the relevant containers with designated bags in advance.

In order to maintain environmental hygiene, MCs / cleansing contractors may instruct cleansing workers to collect NCW from unknown sources found in common areas (including communal recyclables collection points (hereinafter referred to as "recycling points")) for further handling.

MCs and cleansing contractors should instruct cleansing workers to ensure that all waste collected (including waste from the above-mentioned small litter containers placed in common areas for collecting small quantity of small-sized waste, and NCW found at the communal waste reception areas and common areas) in the premises have been properly wrapped in designated bags or affixed with designated labels before handing it over to PWCs. MCs and cleansing contractors should provide designated bags or designated labels for cleansing workers to handle the above waste.

3.4.4 Arrangements for the Expenditures on Handling of Waste in Common Areas and NCW

As it is difficult for MCs and cleansing contractors to accurately estimate and include the expenditures on designated bags and designated labels for handling waste generated in common areas and NCW within the premises into the relevant services contracts, owners / tenants should not require MCs / cleansing contractors to bear all the costs on an "all-inclusive" basis without providing any calculation methods or mechanisms for the estimation of the said expenditures when drafting relevant management contract / cleansing services contracts.

For details on handling waste generated in common areas and NCW within the premises and relevant expenditures and contractual arrangements as set out in Sections 3.4.3 and 3.4.4, please refer to **Annex V** and **Annex VI**.

3.5 Implementing “Charging by Weight”

3.5.1 Arrangements for Opening a Billing Account

There are two types of “gate-fee” accounts, namely “Type A Account” and “Type B Account”.

<u>Type A Account</u>	<u>Type B Account</u>
• Mainly applicable to companies or individuals with	Mainly applicable to large-scale waste producers (i.e.

RCVs registered in their names, e.g. PWCs	premises that generate a large quantity of daily waste, e.g. large-scale facilities, factories, shopping malls, etc.)
<ul style="list-style-type: none"> Pay deposit according to the number of registered vehicle(s) (\$3,000 per vehicle) 	<ul style="list-style-type: none"> Applicants are required to pay a deposit according to the required number of chits issued under the MSW Charging Scheme (hereinafter referred to as "e-chits") (\$550 per e-chit)
<ul style="list-style-type: none"> Upon approval of the application, "Type A Account" holders can use the vehicles registered under their accounts to transport waste to the waste disposal facilities for disposal. General MCs and cleansing contractors may engage PWCs with "Type A Account" direct to collect and dispose of waste on their behalf 	<ul style="list-style-type: none"> 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
<ul style="list-style-type: none"> The system will issue a designated QR code exclusively for that vehicle to the account holder upon successful registration of the vehicle. When the vehicle transports 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 	<ul style="list-style-type: none"> 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 systems to record the "gate-fee" direct in the accounts of "Type B Account" holders, so that the relevant fees can be charged direct to "Type B

the corresponding "Type A Account"	Account" holders via monthly statements afterwards. Operation of e-chits is only applicable to "Type B Account"
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MCs / cleansing contractors should discuss with PWCs the arrangements for waste collection services, e.g. confirming the type(s) of RCVs and relevant details of fee settlement, including billing arrangements (e.g. on a per service or monthly basis, so as to relieve cash flow pressure on small-sized waste collectors. In the case of regular settlement, the settlement date, payment method, payment due date, etc. should be set), how to calculate the fee by quantity of the waste and how to verify the fee, etc., and specify the relevant arrangements and calculation methods in the contract, to protect the interests of both parties.

3.5.2 Payment Arrangements

The EPD will issue monthly statements to account holders by mail or email. Account holders are required to make payment within 30 days from the issue date of the statement. Otherwise, a surcharge will be payable.

Different payment methods will be available, e.g. through automated teller machines (ATMs), Payment by Phone Service (PPS), Faster Payment System (FPS), post offices, convenience stores, etc.

Oversized waste producers / MCs may directly apply for a "Type B Account". "Type B Account" holders may use the registered vehicles of "Type A Account" holders to transport waste to the waste disposal facilities on their behalf, and then pay the relevant fees direct to the EPD.

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

3.5.3 Suggested Arrangements for "Gate-fee" Apportionment Mechanism(s)

When formulating the “gate-fee” apportionment mechanism, MCs should discuss the arrangements for apportioning the "gate-fee" with tenants and formulate guidelines or rules for the apportionment mechanism(s) for tenants’ reference. Meanwhile, the application and fairness of the apportionment mechanism(s) should also be regularly reviewed. Suggested apportionment mechanisms are -

(1) Apportionment of fees proportional to shop tenants’ usage of garbage bags

MCs may consider adopting specific garbage bags as a tool for the apportionment mechanism. They provide tenants with one or several types of garbage bags with specific capacities while tenants would ask for garbage bags of appropriate quantities and / or capacities according to their actual needs every month. MCs should make monthly records on the number of garbage bags / total capacity of garbage bags distributed to each tenant, and then apportion the “gate-fee” based on the data.

(2) Apportionment of fees based on the weight of waste

MCs may consider adopting weighing equipment coupled with an identification system as a tool for the apportionment mechanism when resources are available and their central refuse collection points / oversized waste reception areas are spacious enough, so as to calculate the fees that should be collected for the disposal of different oversized waste by individual tenants and issue the bills to them accordingly.

MCs should regularly check the relevant electronic systems such as the weighing systems or other software and make adjustments immediately when noticing errors in the data, so as to ensure that the fee calculation is accurate and reliable. MCs may also inspect the communal waste reception areas from time to time or install monitoring systems to ensure that the waste is weighed before disposal.

(3) Specifying the fee levels for common oversized waste

The MCs can produce a list of weights for common oversized waste and their corresponding “gate-fees” according to the type of tenants’ business to draw up the fees to be charged for disposing of different oversized waste.

3.5.4 Waste Collection

Under “Charging by Weight”, MCs / cleansing contractors **are not required** to instruct cleansing workers to check whether the waste disposed of by individual tenants has been properly wrapped in designated bags or affixed with designated labels. MCs can provide cleansing workers with ordinary garbage bags to collect and dispose of the above-mentioned waste and waste from unknown sources, just like the practices before the implementation of MSW charging.

3.6 Tackling Fly-tipping in Common Areas

Experiences of other cities show that after the implementation of MSW charging, waste may be disposed of everywhere in common areas of the premises, e.g. waste from tenants and visitors. In addition, **items** unsuitable for recycling or waste may be found at recycling points of the premises. To maintain environmental hygiene of the premises, MCs and cleansing contractors shall instruct cleansing workers to clear away waste from unknown sources without properly wrapped in designated bags or affixed with designated labels in common areas of shopping malls / markets.

If MCs and cleansing contractors receive reports from cleansing workers that waste from **unknown** sources is frequently found in common areas, or items unsuitable for recycling or waste are found at recycling points, MCs should consider taking appropriate follow-up measures, e.g. erection of warning signs at the relevant locations, installation of CCTVs, etc. to curb the situation.

In the meantime, MCs may consider improving the design of litter containers in common areas by adopting “litter containers with small openings” to reduce disposing of waste by tenants / visitors in public litter containers to evade MSW charging. MCs may also review the number and location of communal litter containers within the

premises, reduce / adjust the number of litter containers in common areas as appropriate, and review the need for additional recycling facilities.

When feasible, MCs may consider placing communal litter containers / recycling facilities within areas covered by CCTVs to monitor whether any tenants / visitors disposing of their waste in the public litter containers / recycling facilities. They may also post promotional signages, erect warning signs, provide pictures of waste properly wrapped and disposed of, and set out the legal penalties at prominent locations in common areas to remind the relevant persons to comply with the law.

3.7 Waste Reduction and Recycling Arrangements

Pursuant to the implementation of MSW charging, tenants have more incentives to practise waste reduction at source, waste separation at source and clean recycling, which in turn reduces the overall expenses on MSW charging. MCs and / or cleansing contractors may refer to the content below in supporting tenants to carry out waste reduction and recycling.

3.7.1 Review of Recycling Facilities

MCs should review their existing waste separation and recycling facilities (e.g. types of recyclables, number and location of recycling bins. Apart from the traditional three-colour waste (i.e., waste paper, plastics, metals) recycling bins, they may also actively consider participating in other recycling programmes of the EPD to collect other common types of recyclables, e.g. glass bottles, styrofoam boxes, etc. to facilitate tenants to separate recyclables from waste and thus reduce the overall quantity of waste disposal.

3.7.2 Review of Arrangements for Collection of Recyclables

MCs and / or cleansing contractors should ensure that recyclables collected from tenants are properly sorted and suitable for recycling, and that recyclables are properly handled, including handling and storing recyclables separately from other waste (e.g. checking and removing sundries or waste inside recycling

facilities), and deliver to reliable recyclers downstream for proper handling and recycling.

3.7.3 Enhancement of Awareness of Tenants on Waste Reduction and Recycling

MCs / cleansing contractors should step up the education and promotion efforts within their premises by organising different types of environmental protection activities, e.g. promoting the reduction on the use of disposable items in shopping malls / markets, to enhance the awareness of tenants and their staff / visitors on waste reduction and clean recycling to further achieve the effect of "Dump Less, Save More". Moreover, they should educate tenants / visitors to correctly sort and identify recyclable items, items unsuitable for recycling (e.g. contaminated recyclables) and waste, so as to avoid recycling facilities being misused for dumping NCW, which affects the quality of the recyclables and the effectiveness of recycling.

For the **suggested measures on waste reduction at source and clean recycling in the premises**, and for more information on waste reduction and recycling, please refer to **Annex VII**.

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 is not legally binding and should not be construed as legal advice. All legislative requirements are subject to the Waste Disposal Ordinance (Cap. 354) of the Laws of Hong Kong.

5 Annex

Annex I	Frequently Asked Questions on the Legislative Requirements on MSW Charging
Annex II	Charging Modes for Shopping Mall Premises with Refuse Compaction Systems
Annex III	Assisting Tenants in Getting Ready
Annex IV	Staff Training
Annex V	Contractual Arrangements for Cleansing / Waste Collection Services in Relation to MSW Charging
Annex VI	Suggested Measures in Response to NCW in Premises under “Charging by Designated Bags”
Annex VII	Suggested Measures on Waste Reduction and Recycling in Shopping Mall / Market Premises

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

I. Tenants

1. What should be taken note of when "wrapping waste in designated bags"?

When disposing of general waste in designated bags, tenants should ensure that no part of the waste (e.g. handle / bamboo stick) is protruded from the opening of the bags or pierced through the body of the bags. In the meantime, the opening of the bags must be tied so that no waste can escape from the bags. Tenants should use designated bags of appropriate size to ensure that the relevant waste is completely and properly wrapped.¹⁵

Demonstration on how to properly "wrap waste in a designated bag"



Examples of waste not properly "wrapped in a designated bag"



Some of the waste protrudes from the opening of the bag



Some of the waste pierces through the body of the bag



The opening of the bag is not tied well and the waste inside escapes

¹⁵ According to Section 2(1) of the amended WDO, "wrapped in a designated bag" means completely contained in a designated bag with the bag's opening tied so that no solid contents can escape from the bag during handling and transportation".

2. Under “Charging by Designated Bags”, is it illegal for tenants to dispose of recyclables that are not properly wrapped in designated bags / affixed with designated labels at the communal waste reception areas?

If the containers / locations for collecting recyclables of the premises are located within the communal waste reception areas (e.g. also located at refuse rooms or rear staircases), tenants are required to place the recyclables inside the containers or areas for collecting recyclables (e.g. waste separation bins / boxes / bags).

Otherwise, it will be an offence for tenants to dispose of any waste (including recyclables) not properly wrapped in designated bags or affixed with designated labels at the communal waste reception areas.¹⁶

Examples of containers for collecting recyclables in shopping malls



3. Under “Charging by Designated Bags”, if a tenant disposes of a piece of oversized waste that has been dismantled into multiple parts (e.g. dismantling a small display rack into multiple different parts), is it necessary to affix a designated label to each part? Or should they be firmly tied together with a rope and affixed with just a designated label?

In determining the number of designated labels to be affixed to oversized waste, tenants should consider the nature of oversized

¹⁶ For relevant legislation, see Sections 20N(1) and 20N(3)(d) in Division 2 of Part IVB of the amended WDO.

waste, e.g. its structure, functions, design, overall size and quantity, before deciding whether such oversized waste should be considered as one or more articles. The Authority will take into account of the above factors and adopt a common-sense approach when deciding whether irregularities are involved in individual cases.

For example, subject to the actual facts and circumstances, several dismantled parts of the same abandoned oversized waste firmly tied together by a rope is likely to be regarded as one piece of waste requiring to be affixed with one designated label only for disposal. And a table and some chairs are likely to be considered as separate articles even being tied firmly together, and one designated label is required to be affixed for each article for disposal.

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

4. Are tenants required to wrap the waste in designated bags or affix with designated labels when disposing of it in waste collection bins which have been lined with designated bags at the communal waste reception areas of shopping malls / markets?

MSW charging is premised on quantity-based and the "polluter-pays" principles. Our policy intent is that it is primarily the responsibility of individual tenants to bear the charges for designated bags and designated labels, so as to drive behavioural changes for achieving waste reduction. Tenants can purchase designated bags of appropriate sizes / designated labels for waste disposal through thousands of sales points authorised by the EPD.

Even if MCs / cleansing contractors have lined waste collection bins at the communal waste reception areas with large designated bags in advance, tenants are still required to wrap their waste in designated bags or affix with designated labels before disposing of it at the communal waste reception areas to meet the legislative

requirements¹⁷. Extra costs will be involved for such act performed by MCs / cleansing contractors.

5. **The law stipulates that no designated bags or designated labels are required for waste (e.g. used tissue paper) placed inside litter containers in common areas for collection of small quantity of small-sized waste. What volume of waste would fit the description of "small quantity" of "small-sized" waste under the Ordinance?**¹⁸

MCs usually place small litter containers in areas with high pedestrian flow in shopping malls / markets so as to facilitate individual visitors to dispose of small quantity of small-sized waste, e.g. used tissue paper. These small litter containers are however not designed for individuals to dispose of daily waste from individual tenants or domestic waste from individual visitors. Hence, only when disposing of waste in the above-mentioned containers for collection of small quantity of small-sized waste would members of the public be exempted to use designated bags or designated labels.

Examples of Small Litter Containers for Collection of Small Quantity of Small-sized Waste

Small litter containers in shopping malls



The Authority will take into account the actual facts and circumstances and adopt a common-sense approach when deciding whether individual litter containers serve the above purpose.

17 For relevant legislation, see Section 20N(1) in Division 2 of Part IVB of the amended WDO for the legislation.

18 For relevant legislation, see Section 20N(3)(a) in Division 2 of Part IVB of the amended WDO for the legislation.

6. Are tenants allowed to dispose of their waste which is properly wrapped in designated bags in roadside litter containers outside shopping malls or those placed in public places?

No designated bags or designated labels are required when disposing of waste in roadside litter containers placed outside shopping malls or in public places.

However, litter containers placed in public places are for the convenience of pedestrians / visitors to dispose of litter, but not for disposal of tenants' waste.

Littering, including disposal of any waste (e.g. tenants' waste) at the side or on top of litter containers, is an offence under Section 4(1) of the Public Cleansing and Prevention of Nuisances Regulation (Cap. 132BK) and Section 23(b) of the Pleasure Grounds Regulation (Cap. 132BC).¹⁹ In order to prevent people from abusive use of litter containers as a means to evade MSW charging, MCs should purchase newly designed litter containers with smaller openings with a view to avoiding the public from disposing of domestic waste in the litter containers. Bigger warning notices should also be affixed to litter containers to publicise the messages that such waste should not be discarded at the side or on top of litter containers.

7. If tenants have already properly wrapped their waste in designated bags or affixed with designated labels before placing it at the communal waste reception areas, but the designated bags / designated labels are damaged / detached during normal process of handling and transportation, and renders the waste falling within the definition of NCW, have tenants committed an offence?

If tenants have followed the legal requirement of "wrapping waste properly in designated bags" (see Note 15 for the definition) for waste disposal, they will not commit an offence even if designated bags /

¹⁹ Illegal disposal of household waste in litter containers located in public areas contravenes litter offences and public cleanliness. The Fixed Penalty (Public Cleanliness and Obstruction) Ordinance empowers enforcement officers to issue \$1,500 fixed penalty notices for minor cleanliness offences.

designated labels are damaged subsequently during the process of handling and transportation by other persons (which leads to escape of the waste from designated bags / detachment of designated labels from the waste).

II. Cleansing / MC's Frontline Staff

8. Is it illegal for cleansing workers to temporarily deposit NCW pending to be handled at the communal waste reception areas of the premises?

The law has already provided exemption for cleansing workers regarding the above scenario.

Generally speaking, cleansing workers will not commit any offence regarding deposition of NCW at the communal waste reception areas when temporarily depositing NCW pending to be handled at the communal waste reception areas²⁰ of the premises (for depositing waste into refuse compactors, please refer to Question 9 below). However, cleansing workers are required to properly wrap NCW in designated bags or affix with designated labels before handing it over to PWCs using RCVs with rear compactors.

9. Is it illegal for cleansing workers to deposit NCW into refuse chutes? Also, is it illegal for cleansing workers to deposit NCW into refuse compaction systems (i.e. the systems mentioned in Annex II)?

During waste collection, cleansing workers can still continue handling NCW found at the communal waste reception areas with unknown sources and transport it to central refuse collection point (including transportation of such NCW through refuse chutes). This act does not contravene the law regarding deposition of NCW at the communal waste reception areas. However, cleansing workers are required to properly wrap such waste in designated bags or affix with designated labels before handing it over to PWCs using RCVs with rear compactors. For arrangements on monitoring and handling NCW when refuse chutes are used, please refer to **Annex VI**.

20 For the relevant legislation, see Section 20N(3)(c) of Division 2 of Part IVB of the amended WDO.

As for shopping malls equipped with refuse compactors mentioned in **Annex II**, the charging mode is determined by the type of RCVs that finally transport the waste. Under "Charging by Designated Bags", it will be an offence²¹ for cleansing workers to deposit NCW into refuse compactors who may be considered to have caused NCW to be deposited onto RCVs. Cleansing workers should first check whether the waste disposed of by individual tenants complies with the law when collecting it from the communal waste reception areas such as rear staircase, refuse rooms, etc., and properly wrap all NCW in designated bags or affix with designated labels before depositing it into the above-mentioned refuse compactors. They are also required to ensure that all waste collected in common areas of the premises is properly wrapped in designated bags or affixed with designated labels before depositing it into the above-mentioned refuse compactors.

Cleansing workers deposit waste which are properly wrapped in designated bags into refuse chute inlets



- 10. If a designated bag containing waste is damaged (e.g., with small cracks or small holes) but no waste escapes or protrudes from the designated bag, should cleansing workers collect the waste?**

Depending on the actual circumstances, if designated bag collected by cleansing workers is damaged but the waste is still completely contained inside designated bag with the bag's opening tied so that solid contained inside cannot escape from the bag during the process of handling and transportation, such waste still meets the definition

²¹ For the relevant legislation, see Section 20K(1)(b) of Division 2 of Part IVB of the amended WDO.

of "wrapped properly in a designated bag" (see footnote 15) and cleansing workers can still follow the normal procedures to continue handling that bag of waste.

If designated bag is severely damaged that waste escapes or protrudes from designated bag and it is no longer "wrapped properly in a designated bag", cleansing workers are required to properly wrap the waste in a designated bag before handing it over to PWCs using RCVs with rear compactors.

- 11. Is it illegal when cleansing workers accidentally damage designated bags or detach designated labels during the process of normal handling and transportation? Moreover, is it illegal for cleansing workers to handle designated bags damaged (e.g. dropping from refuse chutes) during the process of normal handling and transportation; or designated labels damaged / detached during the process of normal handling and transportation? Are cleansing workers required to properly wrap NCW in designated bags or re-affix with designated labels such that PWCs will allow to deposit that waste onto their RCVs with rear compactors?**

If cleansing workers accidentally damage designated bags or detach designated labels affixed to the waste during the process of normal handling and transportation, it may render the waste concerned falling within the definition of NCW (i.e., "municipal solid waste that is neither properly wrapped in a designated bag nor affixed with a designated label", see footnote 15).

However, as mentioned in Question 8, generally speaking, cleansing workers will not commit any offence when handling NCW during the process of providing waste collection service by depositing NCW at the communal waste reception areas, and they can continue handling waste that escapes from designated bags which have been damaged during the process of normal handling and transportation, or waste with its designated labels detached during the process of normal handling and transportation, including transporting the waste from the bottom of refuse chutes to a designated location for collection by RCVs. However, cleansing workers should properly wrap such waste

in designated bags or re-affix with designated labels before handing it over to PWCs using RCVs with rear compactors. Otherwise, they may commit an offence.

Generally speaking, when collecting the waste, workers of PWCs using RCVs with rear compactors will check whether the waste is properly wrapped in designated bags / affixed with designated labels and reject waste which is not properly wrapped in designated bags / affixed with designated labels. However, the law stipulates that when NCW escapes from a designated bag that has been damaged or unfastened during the process of compaction of designated bag by a compacting device or when designated bag is deposited into a refuse chute, a defence can be established (please see Section 2.3 for the details of defences²²). Therefore, if some waste has been properly wrapped in designated bags but the waste escapes from the designated bags damaged in refuse chutes or during compaction, workers of 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.

Cleansing workers collect waste properly wrapped in designated bags at the bottom of refuse chutes



12. Is it illegal for cleansing workers to break open designated bags and deposit the waste into refuse chutes to avoid blockage of refuse chutes?

If cleansing workers break open the designated bags that have been properly wrapped in compliance with the law by tenants, and then

²² For the relevant legislation, see Section 200(3)(b) of Division 2 of Part IVB of the amended WDO.

deposit the waste inside the bags into refuse chutes, this may be considered as causing NCW to be deposited on RCVs under certain circumstances and committing an offence (see Question 9 above). Under other circumstances, if cleansing workers do not properly re-wrap NCW in designated bags before handing it over to PWCs using RCVs with rear compactors, they may also commit an offence. Simultaneously, breaking open designated bags to deposit the waste may also easily lead to environmental hygiene problems.

MCs / cleansing contractors should remind tenants to use refuse chutes properly, e.g. using designated bags of appropriate size for waste disposal and preventing to stuff designated bags with oversized waste to avoid blocking refuse chutes. If individual tenants require larger designated bags, PMCs / cleansing contractors should discuss the relevant waste collection arrangements with tenants in advance (i.e., cleansing workers to transport the waste of those tenants by means other than refuse chutes). MCs / cleansing contractors may also suggest tenants to take the initiative to practise waste reduction and recycling by properly separating and recycling recyclables such as plastics, glass bottles, metals, etc. which are easily to cause blockage of refuse chutes. The volume of waste can then be reduced and smaller designated bags can be used to avoid blockage of refuse chutes.

III. MCs / Cleansing Contractors

13. Does the law allow MCs / cleansing contractors / cleansing workers to line waste collection bins with large designated bags in advance at the communal waste reception areas of the premises (please also refer to Question 4 above)?

MSW charging is premised on quantity-based and the "polluter-pays" principles. Our policy intent is that it is primarily the responsibility of individual tenants to bear the charges for designated bags and designated labels, so as to drive behavioural changes for achieving waste reduction.

Even if MCs have lined waste collection bins at the communal waste reception areas with large designated bags in advance, tenants are still required to wrap their waste properly in designated bags or affix with designated labels before disposing of it to meet the legislative requirements.²³ Extra costs will be involved for such act performed by MCs.

Depending on the needs of individual premises (e.g. avoid frequent cleaning of waste collection bins), MCs /cleansing contractors may separately use transparent garbage bags to collect waste which has been wrapped in designated bags by individual tenants. This helps ensure that all the waste inside transparent bags is wrapped in designated bags.²⁴

14. What specific measures can MCs, cleansing contractors and cleansing workers take to establish the defence of having taken "all reasonable precaution measures and exercising all due diligence to avoid committing the related offence"²⁵ (see Section 2.3 for details of defences)?

The specific measures to be taken by MCs, cleansing contractors and cleansing workers depend on the actual circumstances of each premises / case.

For example, they should refer to this Guide and adopt the guides that are applicable to their premises. MCs and cleansing contractors should also keep proper records (e.g. records on training of cleansing workers and provision of designated bags by MCs to cleansing contractors) to show that they have followed the relevant guides. This would help them establish the relevant defence.

15. Are MCs required to clearly delineate the locations of the communal waste reception areas? Can the Authority still enforce the law

²³ For the relevant legislation, see Section 20N(1) of Division 2 of Part IVB of the amended WDO.

²⁴ For the relevant legislation, see Section 20O(2) of Division 2 of Part IVB of the amended WDO.

²⁵ For the relevant legislation, see section 20O(1)(a) in Division 2 of Part IVB of the amended WDO.

against tenants for not using designated bags / designated labels for waste disposal, even if MCs have not delineated the locations of the communal waste reception areas?

MCs can work with cleansing contractors to delineate the communal waste reception areas within the premises, i.e. communal waste reception areas for temporary storage of waste pending collection by cleansing workers (e.g. refuse rooms, rear staircase, etc.) and oversized waste reception areas according to the waste collection arrangements of the premises. Promotional signages of the EPD should be displayed at prominent locations (see Section 3.4.2 of this Guide) to remind tenants to properly wrap the waste in designated bags or affix with designated labels when disposing of the waste in these collection points.

This helps tenants clearly understand the enforcement points within the premises in relation to MSW charging so as to avoid breaching the law inadvertently. This also helps facilitate the evidence collection work of enforcement officers on suspected breaches. Nevertheless, the enforcement officers can still investigate and collect evidence on suspected breaches and prosecute suspected offenders when evidence is sufficient even if MCs do not clearly delineate the locations of the communal waste reception areas.

16. Under the mode of "Charging by Designated Bags", what circumstances can be exempted from the legislation on the use of designated bags / designated labels?

Under the mode of "Charging by Designated Bags", if satisfied that it is reasonable to do so, the Director of Environmental Protection (DEP) may, on application, grant exemption from the regulation on the need to use designated bags / designated labels to those collecting waste for or on behalf of the Government²⁶ and in the course of providing service for collecting recyclables²⁷. Moreover, the DEP

26 Example of relevant situation includes waste that is generated as a direct and unavoidable result in the course of the delivery of public services, e.g. street waste collected by the FEHD.

27 Example of relevant situation includes recyclers/recycling organisations may have to deliver the collected recyclables to landfills for disposal when recyclables treatment facilities fail to operate properly and cannot continue to accept and handle recyclables, and the relevant service providers have no other feasible means, so as to avoid causing environmental hygiene problems.

may, on his own initiative, exempt any person from the regulation on the use of designated bags / designated labels when the exemption is necessary for public safety, environmental hygiene or environmental protection, or when exceptional circumstances render it impracticable or unreasonable for the person to comply with the provisions relating to the use of designated bags / designated labels.²⁸ Generally speaking, waste collected from shopping malls / markets may not meet the relevant exemption criteria.²⁹

28 For example, recyclers/recycling groups may have to deliver the collected recyclables to landfills for disposal when due to unforeseeable reasons, recyclables treatment facilities fail to operate properly and cannot continue to accept and handle recyclables, , and the relevant service providers have no other feasible means. so as to avoid causing environmental hygiene problems. Operationally, it is not feasible to require the relevant persons to file an application to the DEP for exemption, especially under emergency situations.

29 For the relevant legislation, see Sections 20Q and 20R in Division 2 of Part IVB of the amended WDO.

Annex II Charging Modes for Shopping Mall Premises with Refuse Compaction Systems

The following are four common types of refuse compaction systems. Regardless of the type of refuse compaction systems being provided in the premises, its charging mode is determined by the type of RCVs that collect the waste ultimately. 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. transportation by hook-lift trucks)

Common Types of Refuse Compaction Systems



Mobile refuse compactor

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



Rotary drum refuse compactor

The refuse room is required to be provided with a fixed compacting device. Waste can be discharged onto a RCV for onward transportation after compaction.



Automatic refuse collection system

Waste deposited into refuse chute inlets on individual floors is transported through underground suction pipes to the centrifugal chamber at the central refuse collection station for onward transportation after compaction.

Annex III Assisting Tenants in Getting Ready

During the preparation period and after the implementation of MSW charging, MCs and / or cleansing contractors may make reference to the following examples to make suitable arrangements to assist tenants in getting ready for MSW charging and waste separation for recycling.

	Type	Examples
1.	Prior communication	<ul style="list-style-type: none"> • Discuss with tenants the details of implementing MSW charging in the premises and formulate work plans to determine the responsibilities and roles of different stakeholders, and how to enhance waste reduction and recycling, etc. • Organise briefings and / or deploy staff to visit tenants to publicize the objectives of MSW charging and relevant arrangements of the premises
2.	Dissemination of Information	<ul style="list-style-type: none"> • Set up dedicated notice boards for MSW charging at prominent locations of the premises, providing government websites / posters / publicity leaflets for tenants' reference, continue disseminating the information on MSW charging announced by the Government and update the relevant information timely, and encourage tenants to keep track of the information and the latest news provided by the Government • Disseminate information on MSW charging and waste reduction to tenants through different channels, for example: <ul style="list-style-type: none"> ■ Briefings ■ Sending staff to visit tenants ■ Questionnaires ■ Notices, posters, publicity leaflets,

		<p>shopping malls / market newsletters, etc.</p> <ul style="list-style-type: none"> • Produce or distribute publicity leaflets printed by the Government, provide tenants with the locations of recycling facilities within the premises, types of recyclables accepted by different recycling facilities and items unsuitable for recycling
3.	Publicity and Education	<ul style="list-style-type: none"> • Organise briefing to let tenants, frontline staff, etc. understand the MSW charging arrangements • Continue providing relevant information regularly regarding MSW charging, waste reduction and recycling: <ul style="list-style-type: none"> ➤ Shopping mall / market office notice boards (notices / posters / publicity leaflets); and ➤ Tenants newsletters <p>Information includes: designated bag sales points, arrangements on MSW charging, pictures of proper disposal of waste, relevant penalties, number of cases prosecuted or fined, channels for reporting, performance of waste reduction and recycling in the premises, etc. to</p> <ul style="list-style-type: none"> (i) remind tenants to use designated bags to properly wrap general waste or affix designated labels to oversized waste before disposing of it at the communal waste reception areas within the premises; (ii) encourage tenants to take the initiative to practise waste reduction and recycling; (iii) encourage tenants to report cases of non-compliance;

		<p>(iv) remind tenants to dispose of waste by using appropriate capacity / size of designated bags to avoid blocking refuse chutes; and</p> <p>(v) provide the communal waste reception areas and arrangements for waste collection services (e.g. collection time, collection frequency) in order to remind tenants to dispose of their waste properly</p> <ul style="list-style-type: none"> • Through publicity and education, not only enhance tenants' awareness and acceptance of MSW charging, but also reduce the burden of MCs and cleansing contractors in handling non-compliance in the future, and reduce the financial expenditure of owners in handling NCW
4.	Regular review / report	<ul style="list-style-type: none"> • Stakeholders may have different opinions in view of the characteristics of the premises and the pre-established measures may also not achieve the expected outcome. Therefore, establishing a mechanism for regular review is necessary • Conduct regular meetings with stakeholders to review the implementation and operation of MSW charging in the premises • Taking into account the review results and opinions of stakeholders, take measures to further improve the supporting facilities relating to MSW charging and waste reduction and recycling in the premises
5.	Feedback	<ul style="list-style-type: none"> • May set up a designated hotline and / or email during the preparation period and early stage of implementation of MSW

		<p>charging to collect opinions from other stakeholders and relay them to the Government</p> <ul style="list-style-type: none">• Consider conducting regular surveys before and after the implementation of MSW charging
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Annex IV Staff Training

Enhancing the knowledge of staff on MSW charging helps owners, MCs and / or cleansing contractors to cope with the Government to implement MSW charging smoothly. MCs 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 corresponding workflow and arrangements.

	Staff	Suggested training content
1.	Management of MCs and / or cleansing contractors	<ul style="list-style-type: none"> – Relevant legislative requirements <ul style="list-style-type: none"> • Legal responsibilities of the companies • Legal responsibilities of frontline staff • Relevant penalties • Defences – Formulate implementation, management and monitoring plans – Management and execution skills <ul style="list-style-type: none"> • Resources and time arrangement • Monitoring and implementation details • Staff management and work report
2.	Staff of management offices	<ul style="list-style-type: none"> – Relevant legislative requirements <ul style="list-style-type: none"> • Legal responsibilities of frontline staff • Relevant penalties • Defences – Communication with tenants <ul style="list-style-type: none"> • Messages required to be delivered to tenants, e.g. charging modes, their legal responsibilities, points to note on waste disposal and separation for recyclables, etc. • How to encourage tenants to comply with the law

		<ul style="list-style-type: none"> • How to effectively deliver the relevant messages <ul style="list-style-type: none"> – Formulation of work plans <ul style="list-style-type: none"> • Stakeholders who need to be involved in formulating the plans • Contents of work plans • How to seek support from stakeholders to implement the plans – Formulation of work guidelines for frontline staff <ul style="list-style-type: none"> • How to formulate the relevant guidelines, e.g. review of the current waste collection workflow and identify the required changes • How to ensure that frontline staff understand and are familiar with the guidelines – Handling of non-compliant cases <ul style="list-style-type: none"> • Instructions and assistance to frontline management and cleansing workers on handling NCW, e.g. reporting mechanism • How to follow up non-compliance of tenants – Provision of recycling support <ul style="list-style-type: none"> • How to review and enhance the existing recycling support provided by the premises to tenants, and the relevant handling process of recyclables • How to make good use of different channels / resources to enhance recycling facilities – Communication with the EPD <ul style="list-style-type: none"> • Publicity and education resources provided by the EPD
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		<ul style="list-style-type: none"> • How to report cases of non-compliance to the EPD • Recycling support provided by the EPD
3.	Frontline management staff	<ul style="list-style-type: none"> – Relevant legislative requirements <ul style="list-style-type: none"> • Legal responsibilities of frontline staff • Relevant penalties • Defences – Communication with tenants <ul style="list-style-type: none"> • Remind and assist tenants to comply with the law • Respond to tenants' queries relating to MSW charging – Execution of work guidelines <ul style="list-style-type: none"> • Requirements of work guidelines • Situations which require reporting to supervisors – Handling of non-compliant cases <ul style="list-style-type: none"> • How to follow up non-compliance of tenants • Situations which require reporting to supervisors • Required information to be collected for reporting non-compliant cases – Information on waste reduction and recycling <ul style="list-style-type: none"> • Assist tenants to properly use recycling facilities in the premises and provide the EPD's information on clean recycling • Respond to tenants' queries relating to recycling arrangements in the premises, e.g. locations of public recycling facilities in and nearby the premises.

4.	Management staff of cleansing contractors	<ul style="list-style-type: none"> - Relevant legislative requirements <ul style="list-style-type: none"> • Legal responsibilities of frontline staff • Relevant penalties • Defences - Formulation of work guidelines for cleansing workers <ul style="list-style-type: none"> • How to formulate the relevant guidelines, e.g. review of the current waste collection workflow and identify the required changes • How to ensure that cleansing workers understand and are familiar with the relevant guidelines
5.	Cleansing workers	<ul style="list-style-type: none"> - Relevant legislative requirements <ul style="list-style-type: none"> • Legal responsibilities of frontline staff • Relevant penalties • Defences - Waste collection arrangements <ul style="list-style-type: none"> • Relevant changes in waste collection arrangements and the requirements of work guidelines - Handling of recyclables <ul style="list-style-type: none"> • How to ensure recyclables that increased significantly after implementation of MSW charging are properly handled • How to properly handle waste and items unsuitable for recycling that are mixed inside recycling bins - Handling of NCW <ul style="list-style-type: none"> • How to ensure NCW is properly handled according to the

		<p>requirements of the relevant work guidelines</p> <ul style="list-style-type: none">– Recording and reporting of non-compliant cases<ul style="list-style-type: none">• Situations which require reporting to supervisors• Required information to be collected for reporting non-compliant cases
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Annex V Contractual Arrangements for Cleansing / Waste Collection Services in Relation to MSW Charging

The EPD provides the following suggestions on contractual arrangements for cleansing/waste collection services in relation to MSW charging:

Owners / MCs should not insert/amend clauses in their new / existing cleansing / waste collection services contracts (contracts) "all-inclusive" provisions requiring cleansing / waste collection services contractors to bear all costs incurred due to the implementation of MSW charging, i.e. all additional costs incurred due to the implementation of MSW charging during the contract period, e.g. expenditures on purchasing designated bags/designated labels for handling waste in common areas of the premises, expenditure arising from handling NCW, and expenditures on "gate-fee", etc., to be borne by cleansing / waste collection services contractors without providing any calculation methods or mechanisms for the estimation of the said expenditures. Such kind of "all-inclusive" arrangement is difficult to reflect the "polluter-pays" principle and will affect the effective implementation of MSW charging. Simultaneously, it may render cleansing / waste collection services contractors to tend to offer higher bids for new contracts to balance the related risks. This arrangement will not be beneficial to owners / MCs, cleansing / waste collection services contractors and tenants.

Having considered the above situations, owners / MCs should incorporate provisions in the new contracts at this stage that provide an estimation on the basic usage of designated bags / designated labels in the cleansing service contract based on the current usage of garbage bags and the quantity of handling oversized waste in common areas of the premises, and reimburse cleansing / waste collection services contractors for any extra expenditures of designated bags / designated labels on top of the basic usage.

The owners / MCs may also consider including terms in the contracts on conducting regular statistics (e.g. every three months or six months) together with cleansing / waste collection services contractors on the daily waste and garbage bags usage within the premises. On one hand, this would facilitate cleansing / waste collection services contractors to have a reference for working out their bids in the future. On the other hand, such data would also be useful when owners / MCs explain the calculation basis of the relevant expenditures on MSW charging to tenants so as to

recover relevant fees from them in the future and also provide reference data for owners / MCs on the effectiveness of waste reduction in managing the premises.

Templates of the relevant contract terms in Government cleansing / waste collection services contracts have been uploaded to the dedicated website for MSW charging for the reference of owners / MC.

Annex VI Suggested Measures in Response to NCW in Premises under “Charging by Designated Bags”

1. Measures to Prevent NCW and Monitor the Compliance

Communal waste reception areas

- MCs should display the promotional signages of the EPD at prominent locations of the communal waste reception areas (e.g. refuse rooms, rear staircase, etc.) (please refer to Section 3.4.2 of this Guide) so as to remind tenants / visitors that these reception areas are enforcement points.
- Apart from displaying promotional signages at the communal waste reception areas, MCs may produce notices and location maps specifying the locations of the communal waste reception areas and points to note when disposing of waste there, and distribute them to tenants or post them on notice boards.
- MCs and / or cleansing contractors should instruct their cleansing workers to conduct visual screening to check whether the waste has been properly wrapped in designated bags or affixed with designated labels when collecting waste at the communal waste reception areas.
- MCs should not take up tenants’ responsibilities by using large capacity of designated bags (see Questions 4 and 13 of **Annex I**). If necessary, they can arrange to purchase and use transparent garbage bags (rather than large black garbage bags commonly used at present) and line the large waste collection bins (usually about 100-litre waste collection bins) at the communal waste reception areas to collect waste that has been properly wrapped in designated bags by individual tenants, in order to ensure that transparent garbage bags³⁰ inside are all designated bags.
- MCs may step up inspection at the communal waste reception areas to facilitate monitoring of the compliance of regulations. If they discover tenants / visitors disposing of NCW, they should request

³⁰ For the relevant defences, see Section 200(2) in Division 2 of Part IVB of the amended WDO.

them to properly wrap the waste in designated bags or affix it with designated labels according to the law before disposal.

- MCs and cleansing contractors may jointly formulate work plans on inspection of the communal waste reception areas of the premises, including inspection points, inspection frequency, records and follow-up actions to be taken, etc. Reports on inspection findings should be regularly provided to on-site supervisors of MCs / cleansing contractors so as to continuously monitor the compliance situation and the effectiveness of the preventive measures.

Refuse chutes

- If the premises are equipped with refuse chutes, MCs may lock the refuse chutes as far as practicable and stipulate that only cleansing workers can open them, so as to prevent individual tenants / visitors from disposal of NCW into refuse chutes. MCs should make the relevant arrangements with cleansing workers in advance. If cleansing workers need to use refuse chutes for transporting waste, they should lock refuse chutes after finishing their work.

Refuse compaction systems

- If the premises are equipped with refuse compaction system(s), MCs may consider installing CCTVs in common areas for collection and temporary storage of waste before delivery to the refuse compaction systems, so as to provide information upon request of enforcement officers for investigation purpose.

2. Suggested Measures on Handling NCW

Rejection of NCW

- If tenants / visitors hand over NCW in person, MCs / cleansing contractors should instruct cleansing workers to reject NCW and remind tenants / visitors to comply with the legislative requirements.

General handling of NCW

- If cleansing workers cannot contact the relevant tenants / visitors on the spot or identify the relevant tenants / visitors who have disposed of NCW, or if someone insists on putting down NCW and leaves the spot even though cleansing workers have rejected the waste, MCs /

cleansing contractors may instruct cleansing workers to continue collecting NCW to maintain environmental hygiene. However, MCs / cleansing contractors should instruct cleansing workers to properly wrap the waste in designated bags or affix it with designated labels before handing it over to PWCs using RCVs with rear compactors.

- If cleansing workers find waste wrapped in non-designated bags inside transparent garbage bags of waste collection bins placed at the communal waste reception areas, they should take out NCW from transparent garbage bags and then properly wrap it in designated bags. If transparent garbage bags only contain waste properly wrapped in designated bags, they may directly hand it over to PWCs using RCVs with rear compactors.
- Depending on the circumstances, MCs / cleansing contractors may provide cleansing workers with large designated bags (e.g. 100 litres) for properly wrapping all NCW collected before handing it over to PWCs using RCVs with rear compactors.

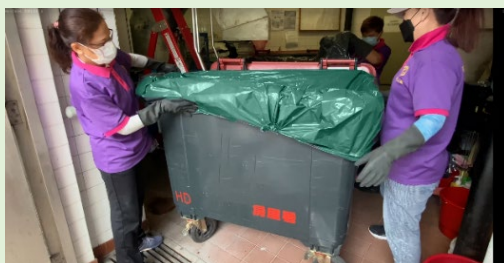
Handling of NCW involving refuse chutes

- There are 240-litre and 660-litre designated bags for sale to the premises with refuse chutes such that frontline cleansing workers would not have to unnecessarily put NCW at the bottom of the refuse chutes into designated bags for further disposal.
- For premises where the refuse chutes can be locked for use by cleansing workers only, MCs / cleansing contractors may consider separately handling the waste properly wrapped in designated bags and NCW on each floor depending on the actual circumstances. Cleansing workers may first place large waste collection bins without lining with 240 / 660-litre designated bags at the bottom of refuse chutes to collect waste properly wrapped in designated bags at the communal waste reception areas of each floor of the premises. Afterwards, cleansing workers may replace the large waste collection bins lining with 240 / 660-litre designated bags for collection of the remaining NCW on the floor. Finally, cleansing workers are required to tightly tie the 240/660-litre designated bags before handing them over to PWCs using RCVs with rear compactors, so as to comply with the relevant legislation.

- For premises that cannot lock the refuse chutes (e.g. due to fire safety concern), MCs / cleansing contractors may consider placing large waste collection bins lined with 240 / 660-litre designated bags at the bottom of refuse chutes for collection of waste deposited inside, including waste that has been properly wrapped in designated bags and NCW, at the early stage of implementation of MSW Charging when there is more non-compliance. Cleansing workers are required to tightly tie the 240 / 660-litre designated bags before handing them over to PWCs using RCVs with rear compactors, so as to comply with the relevant legislation.

Demonstration on lining waste collection bins with 240 / 660-litre designated bags

Cleansing workers may line waste collection bins with designated bags securely by tying knots or using ropes



Finally, cleansing workers should tightly tie 240 / 660-litre designated bags



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

- If NCW is found at the communal waste reception areas / oversized waste reception areas, MCs may post notices at the places involved to alert those tenants / visitors involved.

- MCs may also step up inspection at the communal waste reception areas / oversized waste reception areas involved.
- MCs should regularly review the records of non-compliant location and install surveillance camera system as needed when the non-compliance is serious.
- MCs should report to the EPD on repeated or serious non-compliant cases. The Authority will draw up a list of black spots based on intelligence and complaints of MCs and conduct inspections and take enforcement actions according to the list.

MCs should try their best to provide the following information when reporting non-compliant cases to the EPD:

- Locations of the communal waste reception areas involved
 - Frequency, date and time of NCW discovered
 - On-site photos that can show the promotional signages at the communal waste reception areas (please refer to Section 3.4.2 of this Guide) and the severity of non-compliance
 - The timeslots when tenants / visitors are more likely to dispose of NCW on weekdays at the locations involved
- MCs / cleansing contractors and their staff can report non-compliance cases by using the mobile application developed by the EPD for MSW charging.
- Owners / MCs should actively cope with the Government's enforcement action to tackle disposal of NCW, by reporting the disposal of NCW and cooperating with enforcement officers of the EPD to enter the premises to carry out the enforcement, resulting in a deterrent effect. On the one hand, it reduces the quantity of NCW disposal, and on the other hand, it helps relieve the extra workload or expenditures arisen from handling NCW.

Annex VII Suggested Measures on Waste Reduction and Recycling in Shopping Centre / Market Premises

1. Review and Enhancement of Recycling Facilities

Owners and MCs:

- Apart from the traditional three-colour (i.e., waste paper, plastics, metals) recycling bins, owners and MCs should also actively consider participating in other recycling programmes of the EPD to collect other common recyclables (e.g. glass containers, disposable plastic tableware, food waste, etc.)
- Should place recycling facilities at prominent and accessible locations, supplemented by eye-catching signs and location maps of recycling facilities should also be displayed in the premises for tenants / visitors' information of the location of nearby recycling facilities in order to encourage more tenants / visitors to use recycling facilities.
- May consider displaying location maps of nearby public recycling facilities at prominent locations to encourage tenants / visitors to use them if there is not sufficient space to place different kinds of recycling facilities in the premises.

2. Review of Arrangements for Collection of Recyclables

MCs and / or cleansing contractors:

- Should arrange cleansing workers to regularly collect recyclables from different recycling points within the premises and transport them to temporary storage areas for recyclers to arrange recycling, and maintain cleanliness and hygiene of recycling points.
- May designate several temporary storage areas for recyclables in central refuse collection points for the proper storage of different types of recyclables for recycling by recyclers. When necessary, cleansing workers may be instructed to assist in separating and cleaning recyclables to ensure that they are suitable for subsequent handling.

- Should discuss the recycling arrangements with recyclers (e.g. types of recycling facilities (e.g. bins / boxes / bags), number, locations, collection frequency, etc. of recycling facilities), and review the arrangements from time to time and make adjustments on the collection frequency according to the quantity of recyclables, so as to avoid overflowing of recycling facilities and cater for the needs of tenants / visitors.
- Should set up recycling facilities (especially storage areas for recyclables) at locations that are convenient to recycling vehicles for loading / unloading as far as possible to safeguard the occupational health and safety of frontline recycling staff and enhance efficiency of recycling process.
- Should provide frontline management staff and cleansing workers with guidelines and training and arrange placing of recyclables at designated locations pending offsite collection services according to the agreed date and time. Disposal of recyclables indiscriminately is not allowed.
- MCs or cleansing workers should regularly check whether only relevant recyclables are collected at recycling points / recycling facilities, and properly handle any contaminated recyclables, items unsuitable for recycling or waste, to ensure that the recyclables are suitable for subsequent handling.

Owners / MCs:

- May consider the credibility of recycling contractors when choosing a contractor and should put the recycling service requirements into services contracts to ensure that recyclables will be properly recycled. The following provisions should be included:
 - (a) Arrange recyclers to regularly collect recyclables from every recycling point and maintain the cleanliness and hygiene there;
 - (b) State clearly that recyclers shall ensure that the recyclables will be delivered for re-use or recycling, instead of disposal of in landfills; and

(c) Require recyclers to regularly provide receipts showing the types and quantities of recyclable materials collected in each trip for record purposes.

- Should properly keep the quantities of recyclables collected and the related income / expenditure records. Consideration can also be made to post regularly the relevant information at prominent locations of the premises / designated notice boards to enhance transparency and let tenants / visitors understand the overall recycling performance of their premises.

3. Suggested Measures on Enhancing Awareness of Tenants / Visitors / Cleansing Workers on Waste Reduction and Recycling

- Jointly formulate appropriate targets on waste reduction and recycling.
- Collaborate with the Government / community organisations / green groups to organise publicity events.
- Set up designated notice boards or green information corners at prominent locations of the premises to post or update timely the Government's messages on waste reduction and recycling.
- Set up publicity and information booths in common areas to provide correct "clean recycling" information to tenants / visitors / cleansing workers, including identification of recyclable materials that could be recycle, clear separation, clean recycling, waste not to be deposited into recycling facilities, etc., to ensure that recycling points are kept hygienic, and recyclables are suitable for subsequent handling, improving the overall recycling efficiency.

4. Reduction of Waste Generated During Events

MCs should ensure that organisers have a clear understanding of MSW charging, recycling guidelines and related information. Prior to organising events, MCs should assist and encourage organisers to plan ahead to reduce waste generation and to properly separate recyclables for recycling such as by category for reuse, donation or recycling. Organisers should also take away their own waste for

disposal after events. .

5. Suggested Measures on Waste Reduction at Source and Clean Recycling

(i) Reduce the use of disposable plastic tableware

To reduce the use of disposable plastic tableware at source and minimise the impacts of plastic pollution on the marine ecological environment and human health, and to mitigate climate change, the EPD plans to introduce legislation to control the sale and use of nine types of disposable plastic tableware (including EPS tableware, straws, stirrers, cutlery (such as forks, knives and spoons), plates, cups, cup lids, food containers and food container covers) in phases. The person in charge / management staff of the restaurant should be well aware of the relevant requirements of the legislation and the implementation timeline and should step up efforts to educate frontline staff and take appropriate measures to ensure that all frontline staff comply with the relevant regulations and guidelines.

(ii) Food Waste Recycling

In order to handle food waste effectively, MCs may consider implementing a food waste collection program in shopping malls / markets to encourage tenants that generate food waste (e.g. restaurants, supermarkets, and wet market stalls) to practise food waste separation and assist in coordinating matters relating to food waste collection. MCs need to set up food waste collection points at suitable locations of the premises with sufficient space to place food waste bins and facilitate vehicles to collect food waste on-site daily. In addition, MCs can consider providing appropriate supporting measures for tenants, e.g. providing small storage bins to facilitate tenants to conduct food waste separation at source and for proper temporary storage. MC or owners can then transport food waste to food waste collection points daily awaiting recycling.

Before implementing food waste collection program, MCs should actively conduct publicity and promotion, invite all relevant tenants to participate, and discuss with them on the food waste collection modes, e.g. location, number and collection frequency, etc. of food waste bins. These arrangements should be reviewed and enhanced from time to time after the program starts. In addition, MCs should regularly inspect food waste collection points to prevent other tenants / visitors from disposing of waste other than food waste in food waste bins.

The EPD launched a larger scale Pilot Scheme on food waste collection in 2021, focusing on premises with higher food waste quantities and lower impurities including public premises and private commercial and industrial sectors. Food waste collected is sent to the governmental food waste treatment facilities to transform into renewable energy and compost. If needed, the EPD will provide frontline staff of participating entities with training on food waste source separation and collection, as well as promotional materials for distribution to tenants. If MCs would like to participate in the pilot program, they can contact the EPD at fwc@epd.gov.hk.

(iii) Glass Container recycling




- The Government has appointed Glass Management Contractors (GMCs) to provide the collection and treatment services for waste glass containers in 3 regions, i.e. Hong Kong Island (including Islands District), Kowloon and the New Territories. MCs can place glass container recycling bins in convenient and conspicuous places in their premises to facilitate the participation of tenants / visitors in the glass container recycling, and to manage the glass container recycling bins properly. MCs may call EPD's hotline at 2838 3111 or contact the respective GMCs direct³¹, for arrangement of regular collection service of waste glass containers.

31 The contact details of the GMCs are available at the following website:
https://www.epd.gov.hk/epd/tc_chi/environmentinhk/waste/pro_responsibility/gprs_gmc.html

- In general, the GMCs provide collection services of waste glass containers on a bin-replace-bin basis. The GMCs would discuss with the person in-charge of the shopping mall premises on the number, location and collection frequency of the recycling bins (or other collection containers such as recycling bags). The collection arrangement would be reviewed from time to time so as to suit the need of the catering premises. MCs should first discuss with tenants who generate waste glass for the number and location of the collection containers required.

For the points to note regarding the disposable plastic tableware, food waste reduction at source and separation and glass container recycling, please refer to Annex VI and Annex VII of the “Best Practice Guide on MSW Charging - Catering Sector”.

6. General Waste Reduction and Recycling Information

Information	QR code / website link
Hong Kong Waste Reduction Website	 https://www.wastereduction.gov.hk/en/index.htm
Waste glass container collection service	 https://www.epd.gov.hk/epd/english/environmentinhk/waste/pro_responsibility/gprs_gmc.html
Food Waste Management Strategy	 https://www.epd.gov.hk/epd/english/environmentinhk/waste/prob_solutions/food_waste_challenge.html