

MUNICIPAL SOLID WASTE CHARGING
BEST PRACTICE GUIDE

Commercial and Industrial Buildings



環境保護署
Environmental
Protection Department

垃圾收費
MSW CHARGING



The purpose of this Best Practice Guide is to introduce the legislative requirements for municipal solid waste charging, and how relevant stakeholders may complement the implementation of MSW charging.

Municipal Solid Waste (MSW) Charging will be implemented on 1 August 2024. The purpose of this Best Practice Guide (Guide) is to introduce the legislative requirements for MSW charging, and how relevant stakeholders may complement the implementation of MSW charging.

This Guide aims at Commercial and Industrial (C&I) Buildings¹, including property management companies (PMCs), owners' corporations (OCs) and other owners' organisations (OOs) (e.g., owners' committees), as well as cleansing contractors, which provide waste collection

services for C&I Buildings. If a C&I Building has not engaged a PMC, its OC/OO should implement the measures applicable to PMCs in the Guide as far as possible. This Guide is for reference only. The actual operation may vary depending on the individual circumstances of the C&I Buildings. 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 public and the industry.



¹ For the purpose of this Guide, commercial and industrial buildings refer to commercial and industrial buildings with property management organisations that sell/rent out the units, including offices, flatted factories, industrial-office buildings, and godown buildings, but excluding private factories or storages occupied by single occupiers, and also excluding restaurants, hotels, shopping malls and markets. For commercial and industrial buildings occupied by single occupiers, please refer to the EPD's Best Practice Guide for "Single-Occupier Premises". For restaurants, hotels, shopping centres, and markets, please refer to the EPD's Best Practice Guide for "Catering", "Hotels" and "Shopping Malls/Markets" respectively.

² For the contact details of the EPD, see Back Cover of this Guide.

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MSW Charging Overview

1.1 Coverage

MSW charging covers the following waste:

(i) Domestic waste – such as household waste and waste generated from daily activities in institutional premises (e.g., schools); and

(ii) Commercial and industrial waste – such as waste arising from shops, restaurants, hotels, offices, markets and all industrial activities.

However, construction waste, chemical waste and clinical waste are not subject to the MSW charging regime but are subject to their existing charging regimes³.



Domestic waste



Commercial and industrial waste

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.

MSW charging is levied in two modes, namely:

(i) charging by pre-paid designated garbage bags (hereinafter referred to as "designated bags")/designated labels ("charging by designated bags") – "pre-paid" means the government charges fees through the sale of designated bags/labels before waste disposal. The price of a designated bag is linked to its

capacity (i.e., also linked to the quantity of waste); and

(ii) charging by weight-based "gate-fee" at refuse transfer stations or landfills (hereinafter collectively referred to as "waste disposal facilities").

"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 tenants) are responsible for the concerned charges, which should not be passed on to any party among the PMCs/cleansing contractors/private waste collectors."

Charging by designated bags/designated labels		Charging by weight through "gate-fee"	
Food and Environmental Hygiene Department (FEHD)'s collection services	Private waste collectors (PWCs)' collection services	Private waste collectors (PWCs)' collection services	
FEHD's refuse collection vehicles (RCVs)	RCVs with rear compactors	RCVs with rear compactors	RCVs without rear compactors

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>

1.2.1 Charging by Designated Bags

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

- (i) waste collected by the RCVs of the FEHD or its contractors (whether or not RCVs with rear compactors are used);
- (ii) waste collected by PWCs using RCVs with rear compactors; and
- (iii) waste disposed of by waste producers themselves/waste collection staff at the FEHD's RCPs (including bin sites⁴).

FEHD's RCVs



FEHD's RCVs with rear compactors



FEHD's RCVs without rear compactors⁵

FEHD's contractors' RCVs



FEHD's contractors' RCVs with rear compactors



FEHD's contractors' RCVs without rear compactors⁵

PWC's RCVs



PWC's RCVs with rear compactors

FEHD's RCPs



Off-street RCPs



Village-type RCPs



Bin Sites

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

⁵ In this Guide, "RCVs without rear compactors" refers to RCVs without installation of rear compactors, such as grab lorries, demountable trucks, tippers, box vans or flatbed trucks, etc. Only one of them is shown in the figure for reference.

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

Generally, "charging by designated bags" applies to most residential buildings⁶, commercial and industrial buildings, village houses, street-level shops, and institutional premises, etc. Members of the public are required to properly wrap their waste in designated bags before disposing of it at the communal waste reception areas (e.g., staircase landings, refuse rooms, the inlets of refuse chutes, etc.)⁷ of relevant premises or the RCPs/bin sites of the FEHD.

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

⁶ In rare cases, the general household waste in some residential buildings is collected by private waste collectors using RCVs without rear compactors, and thus "charging by weight" is adopted. For details of "charging by weight", please refer to Section 1.2.2.

⁷ 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



Refuse rooms on individual floor



Waste collection bin at staircase landing



Inlet of refuse chute on individual floor



Oversized waste reception areas (i)



Oversized waste reception areas (ii)

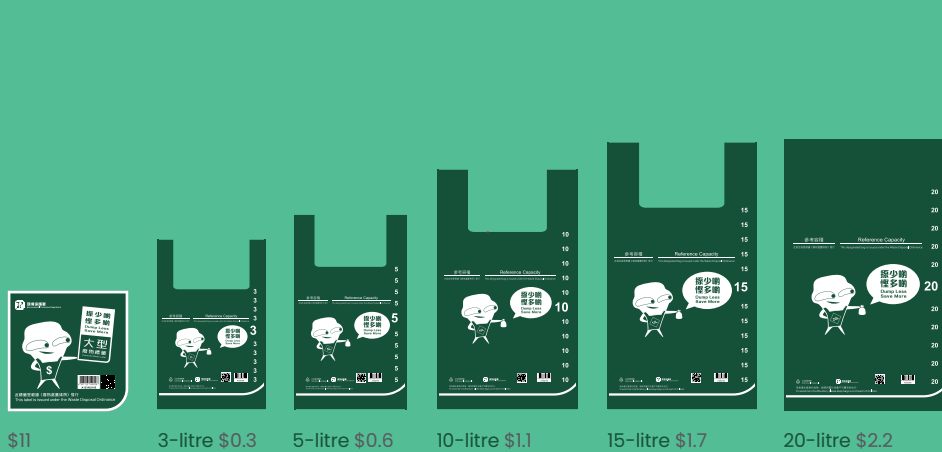
"Any company, organisation or individual member of the public should only purchase designated bags and designated labels from sales points/online platforms authorised by the EPD to avoid purchasing counterfeit products."

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

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

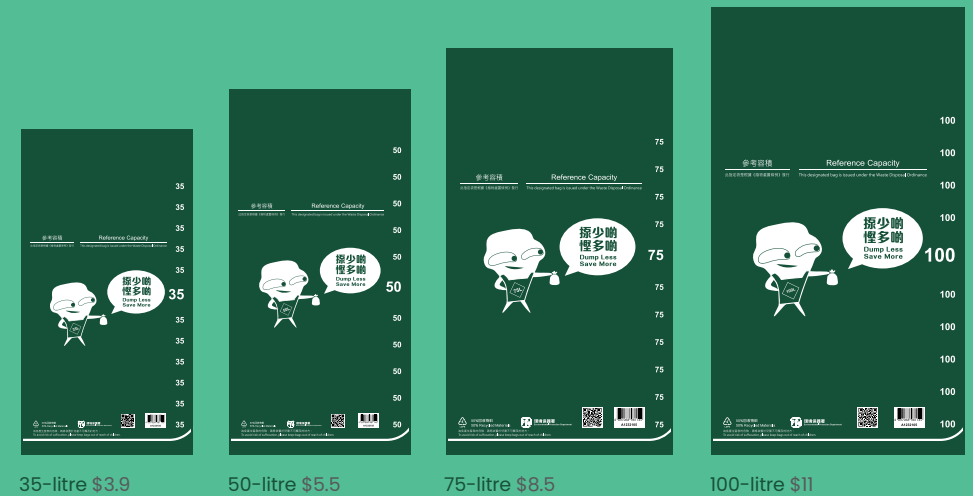
Design and price of the designated label

Capacity, design and price of the designated bags



There are 9 different sizes of designated bags, ranging from 3-litre to 100-litre⁸, to cater for the needs of different users. Designated bags are charged at \$0.11 per litre. See figure below for details.

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



⁸ Designated bags are also available in 240 litre and 660 litre in capacity, they are mainly sold for use by residential buildings with refuse chutes such that frontline cleansing workers would not have to unnecessarily put the waste that is not properly wrapped in designated bags collected at the bottom of the chutes into designated bags for further disposal. As for other organizations or industrial and commercial premises, the EPD will consider based on their operational needs. Designated bags of 240-litre and 660-litre are priced at \$26 and \$73 per bag, respectively. For the details of the sales arrangements of designated bags of these two capacities please visit to the dedicated website for MSW charging.

1.2.2 Charging by Weight

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

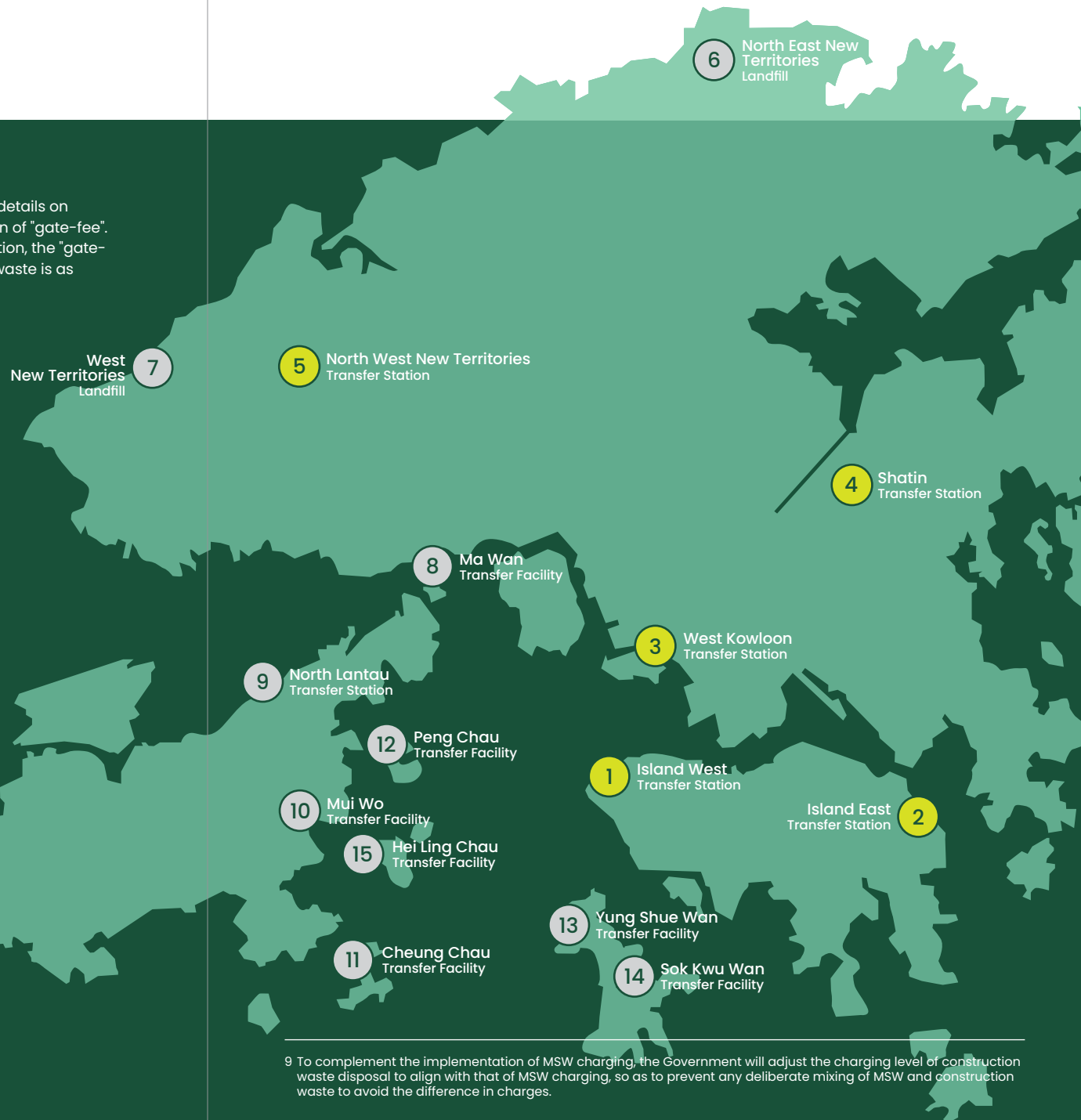
Please refer to Section 3.5.1 for details on account opening and operation of "gate-fee". According to the disposal location, the "gate-fee" charged by weight of the waste is as follows:⁹

- \$395 Per Tonne
- \$365 Per Tonne



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

When a person needs to dispose of waste at a waste disposal facility, registration for the "gate-fee" account is required according to the legislation. The Government is adopting a hybrid system to allow both PWCs and waste producers to register as account holders for paying the "gate-fee" in a flexible manner.



⁹ To complement the implementation of MSW charging, the Government will adjust the charging level of construction waste disposal to align with that of MSW charging, so as to prevent any deliberate mixing of MSW and construction waste to avoid the difference in charges.

Legislative Requirements

2.1 For General Tenants

Under "charging by designated bags", tenants are required to use designated bags to wrap their general commercial and industrial waste or affix with designated labels to oversized waste before placing it at the communal waste reception areas of relevant premises e.g., refuse rooms on individual floors, staircase landings, oversized waste reception areas, etc.¹⁰, to be collected by cleansing contractors, and then handed over to PWCs that collect waste using RCVs with rear compactors. Otherwise, it constitutes an offence.

If there are refuse chutes on individual floors of C&I buildings, tenants are also required to wrap their general C&I waste in accordance with the above requirements before it is deposited into the refuse chutes, otherwise, it constitutes an offence.

In addition, apart from any person who disposes of the waste, the relevant legislation is also applicable to any person who causes or permits another person to commit the offence, for instance, an employer who instructs a staff to dispose of waste in a non-compliant manner.

If individual tenants generate chemical or clinical waste in the course of operating their business, such waste must be separated from their general waste and arranged to be properly delivered to specific treatment facilities for disposal in accordance with the relevant legislation and pay for the charges in accordance with the relevant regulations.

Chemical waste and clinical waste are not regulated by the relevant ordinances on MSW charging. Hence, tenants are not required to use designated bags or designated labels for the disposal of such waste. Such waste should be contained and delivered in suitable containers as required by the relevant legislation. For details on the treatment of chemical waste or clinical waste, please visit the relevant website of the EPD (see footnote 3(b) and (c)).

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

2.2 For Cleansing Contractors' Workers (Cleansing workers)

Waste producers (i.e., 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 requested or instructed by the tenants to assist in the disposal of waste that is not properly wrapped in designated bags or affixed with designated labels (hereinafter referred to as non-compliant waste (NCW)), and to maintain the integrity of the MSW charging regime,

the legislation provides the same that such cleansing workers shall not deposit NCW while working at certain enforcement points.

Cleansing workers shall not deposit NCW at the following waste reception areas/enforcement points:

- (i) RCVs of the FEHD or its contractors;
- (ii) RCVs with rear compactors of PWCs; or
- (iii) The FEHD's RCPs/bin sites¹¹, otherwise, it constitutes an offence¹².

It also constitutes an offence if any person (including cleansing workers handover the NCW to the frontline staff carrying out their duties at the three types of enforcement points mentioned above to remove the waste (hereinafter referred to as "providing removal services"¹³), including staff from the FEHD's RCPs or its contractors, and drivers and staff of relevant RCVs¹⁴.

¹⁰ For relevant legislation, see section 20N in Division 2 of Part IVB of the amended WDO.

¹¹ Under normal circumstances, C&I tenants would arrange PWCs to provide waste collection services. In rare cases where some tenants would arrange cleansing workers to deliver their trade waste to the FEHD's RCPs, it should be noted that no person shall deposit trade waste exceeding 100 litres in quantity at the FEHD's RCPs in one day.

¹² For relevant legislation, see section 20K in Division 2 of Part IVB of the amended WDO.

¹³ See section 2(1) of the amended WDO for the new definition of "removal services".

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

If the cleansing workers discover NCW from unknown sources at the communal waste reception areas when collecting waste, they may still continue to handle the relevant waste, including collection and depositing it into refuse chutes, and deliver to central refuse collection points, without violating the legislation mentioned in Section 2.1 above regarding NCW being deposited at the communal waste reception areas¹⁵.

However, after collecting the NCW, the cleansing workers are required to properly wrap it in designated bags or affix it with designated labels before it can be disposed of at the three types of enforcement points above or handed over to the frontline staff who is providing removal services at these enforcement points. The FEHD, its contractors and PWCs' RCVs with rear compactors (hereinafter referred to as FEHD or waste collectors) will reject NCW. For frequently asked questions regarding legislative requirements, please refer to **Annex I**.

2.3 Penalty

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

Prosecution by way of summons may also be brought against serious or repeated offenders. The penalties are as follows¹⁶:

On the first conviction

A fine at level 4
\$25,000 and
imprisonment for
6 months

On a subsequent conviction

A fine at level 5
\$50,000 and
imprisonment for
6 months

¹⁵ For relevant legislation, see section 20N(3)(C) in Division 2 Part of IVB of the amended WDO.

¹⁶ For relevant legislation, see section 20P in Division 2 of Part IVB of the amended WDO.

2.4 Statutory Defences

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

It is a statutory defence for a cleansing worker charged with an offence under Section 2.2 mentioned above to establish that¹⁷:

- (i) the cleansing worker took all reasonable precautions and exercised all due diligence to avoid committing the offence mentioned in Section 2.2 above;
- (ii) the cleansing worker did the act constituting the offence mentioned in Section 2.2 above at the instruction of his/her employer or was not provided by his/her employer with the necessary means (e.g., designated bags and/or designated labels) for compliance; and the cleansing worker took all steps reasonably open to him/her to avoid committing the offence;
- (iii) the cleansing worker did the act/ caused/permitted to be constituting the offence mentioned in Section 2.2 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 can see from the outer bag of the NCW being handled that all the waste inside has 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 will not be disposed of at a waste disposal facility, based on the fact that such waste is reasonably suitable for recycling or otherwise (e.g., such waste can be reused); or

(vi) the cleansing worker can establish that the relevant NCW escaped from a designated bag that had been damaged or unfastened:

(a) during the compaction by a device for compacting waste; or

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

For other details related to the above-mentioned statutory defences, please refer to Questions 11 and 14 of **Annex I**.

¹⁷ For relevant legislation, see section 20O in Division 2 of Part IVB of the amended WDO.

Implementation of MSW charging in C&I Buildings

The successful implementation of MSW charging relies on the support and participation of different stakeholders (including OCs/OOs, PMCs, cleansing contractors and tenants, etc.). The PMCs should play the role of a coordinator to formulate and implement work plans, with reference to the implementation details of various aspects as described in Sections 3.1 to 3.7 below and according to the charging mode(s) applicable to the premises. OCs/OOs should also actively participate in the formulation and implementation of the relevant plans.

3.1 Determination of the Applicable Charging Mode(s) for the Premises

PMCs and OCs/OOs should determine the applicable charging mode(s) according to the existing waste collection arrangements in the premises, such as the type of RCVs, or the use of RCPs/bin sites, and the disposal method(s) of oversized waste, etc. For details on 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 mobile refuse compactor(s) or stationary refuse compaction system(s) -

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

(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, some C&I Buildings where general waste is collected by the FEHD will have their oversized waste collected through RCVs without rear compactors of PWCs. In other words, general waste of these premises will be charged 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, PMCs should clearly inform the tenants in advance of the collection arrangements and charging mode(s) of all different types of waste in their premises, to avoid the tenants being at a loss when they dispose of the waste.

(iii) Collect oversized waste in a mixed mode - Some large C&I Buildings 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 the FEHD's RCVs or PWCs' RCVs with rear compactors ("charging by designated labels"). In order to avoid confusion, for example, tenants mistakenly believe that the 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 the 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, according to the actual situation, PMCs may consider adopting only one way to collect all the oversized waste that cannot be properly wrapped in designated bags in the premises, so as to avoid misunderstandings. For example, all oversized waste is only collected by PWCs' RCVs without rear compactors and is charged by weight.

If the PMCs consider that it is necessary to collect oversized waste in the above-mentioned mixed mode, the PMCs should formulate detailed guidelines in advance to set out the charging modes and collection arrangements for different types of oversized waste and inform the 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' environmental protection and law-abiding awareness. The PMCs and/or OCs/OOs of premises may coordinate activities promoting MSW charging within the premises, and proactively contact the tenants and distribute relevant information. Cleansing contractors should also actively cooperate and assist tenants in getting ready. For advice on assisting tenants in getting ready, please refer to **Annex III**.



3.3 Staff Training

PMCs 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. For example, cleansing workers should know how to deal with the NCW found during work.

PMCs and/or cleansing contractors should make good use of the 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 Arrangements for the supply of designated bags/labels and associated charges

Currently, the PMCs in some premises have been purchasing garbage bags on behalf of the 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 the tenants may purchase appropriate-sized designated bags/designated labels for disposing of waste through sales points and online platforms authorised by the EPD, allowing them to experience the "Polluter Pays" and "Dump Less, Save More" principles direct. The OCs/OOs/PMCs should make good use of the preparation period to promote and

explain the purpose of MSW charging to the tenants, as well as the arrangements after the implementation of MSW charging and consider posting notices to provide the information of sales points for the tenants' reference.

However, during the initial implementation of MSW charging, OCs/OOs/PMCs may also choose to assist tenants in purchasing and distributing designated bags (As for designated labels, since the expected sales volume will be much lower than that of designated bags, tenants may purchase them from PMCs when necessary.) This arrangement facilitates tenants to develop a new habit of using designated bags for waste disposal, which in turn enhances compliance rate. Possible confrontation between frontline PMC staff and tenants in case of non-compliance or complaints from tenants would also be reduced.

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 have wrapped their waste in designated bags properly or affixed it with designated labels. The PMCs should work with the cleansing contractors to delineate the communal waste reception areas in the premises (e.g., staircase landings, 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 signages at prominent locations (For the signages please visit the dedicated website for MSW charging for download) to remind tenants 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.

Signages



Applicable to staircase landings, refuse rooms on individual floors/refuse chute inlets on individual floors within the premises



Applicable to oversized waste reception areas within the premises

(ii) Other common areas – According to the law, waste disposed of in small litter containers (e.g., small litter containers that are usually placed in the lift lobbies of premises) placed in common areas (e.g., clubhouses, podium gardens, and lift lobbies, etc.) for collecting small quantity of small-sized waste (e.g., used tissue paper) is not required to be wrapped properly in designated bags or affixed with designated labels. In other words, PMCs/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. However, PMCs should instruct cleansing workers to ensure that all waste collected from this kind of small litter containers should be eventually wrapped properly in designated bags or affixed with designated labels before handing it over to the FEHD, its contractors or PWCs who collect waste by RCVs with rear compactors.

Meanwhile, in order to maintain environmental hygiene, PMCs/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.

PMCs 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 the 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 FEHD or waste collectors. PMCs and cleansing contractors should provide designated bags or designated labels for cleansing workers to dispose of the above waste.

3.4.3 Waste Collection

(i) Communal waste reception areas –

The PMCs/cleansing contractors shall instruct the cleansing workers to check whether the general waste/oversized waste disposed of by individual tenants has been properly wrapped in designated bags or affixed with designated labels when collecting waste from the communal waste reception areas and reject any NCW that is being handed over to them face-to-face. To maintain environmental hygiene, PMCs/cleansing contractors may instruct them to collect any NCW from unknown sources found at the communal waste reception areas for further handling.

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

As it is difficult for cleansing contractors to accurately estimate and include the expenditures on designated bags and designated labels for handling the NCW and waste generated in common areas within the premises into the relevant services contracts, PMCs **should not** require cleansing contractors to bear all the related costs on an "all-inclusive" basis when drafting relevant cleansing services contracts.

The PMCs should work out an appropriate plan with the OCs/OOs for the tenants to apportion the relevant expenditures. For example, PMCs may consider purchasing designated bags/ designated labels themselves to provide to the cleansing service contractors for handling the relevant waste.

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

3.5 Implementing "Charging by Weight"

3.5.1 Arrangements for Opening Billing Accounts

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

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

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

(ii) "Type B Account" - Mainly applicable to large scale waste producers (i.e. premises that generate a large amount of daily waste, e.g., large-scale facilities, factories, shopping malls, etc.). When applying for a "Type B Account", the applicant is required to pay a deposit according to the required number of chits issued under the MSW Charging Scheme (hereinafter referred to as "e-chits"). Upon approval of the application, "Type B account" holders can hire vehicles registered under "Type A Accounts" to dispose of waste at the waste disposal facilities. The drivers of the relevant vehicles are required to present the e-chits provided by the above-mentioned "Type B Account" holders when entering the waste disposal facilities to allow the weighbridge computer systems to record the "gate-fee" direct in the accounts of the "Type B Account" holders, so that the relevant fees can be charged direct to the "Type B Account"

holders via monthly statements afterwards. E-chits are only applicable to "Type B Accounts".

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

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

In this way, the "Type B Account" holders do not need to separately verify the relevant "gate-fee" amount with the "Type A Account" holders and arrange for subsequent reimbursement. This arrangement may also reduce the cash flow and bad debt problems which the "Type A Account" holders would otherwise face as they have to pay the "gate fee" in advance.

3.5.2 Arrangements for "Gate-Fee" Apportionment Mechanism(s)

PMCs should discuss the arrangements for apportioning the "gate-fee" and formulate guidelines or rules for the apportionment mechanism(s) for tenants' reference with the OCs/OOs. Meanwhile, the application and fairness of the apportionment mechanism(s) should also be regularly reviewed. For suggestions on the apportionment mechanisms, please refer to **Annex VIII**.

3.5.3 Waste Collection

PMCs **are not required** to instruct cleansing workers to check whether the waste disposed of by individual tenants has been wrapped properly in designated bags or affixed with designated labels. PMCs 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 of C&I waste in Common Areas

Experiences of other cities show that during the initial period of MSW charging implementation, fly-tipping of C&I waste may occur in common areas of the premises. In addition, non-recyclables or waste may be found at the recycling points of the premises. To maintain environmental hygiene of the premises, PMCs and cleansing contractors may instruct cleansing workers to clear away C&I waste from unknown sources without properly wrapped in designated bags or affixed with designated labels.

If PMCs and cleansing contractors receive reports from cleansing workers that C&I waste from unknown sources is frequently found in common areas, or non-recyclables or waste are found at the recycling points, PMCs should consider adopting appropriate follow-up measures, such as erection of warning signs at the locations concerned, installation of closed-circuit televisions (CCTVs), etc. to deter such cases.

Litter containers with small openings



Moreover, PMCs may consider improving the design of litter containers in common areas by adopting "litter containers with small openings" to prevent tenants from disposing of C&I waste in public litter containers to evade MSW charging. PMCs may also review or adjust the number and locations of public litter containers within the premises of the litter containers in common areas as appropriate.

When feasible, PMCs may consider placing public litter containers/recycling facilities within areas covered by CCTVs to monitor whether any tenant is disposing of C&I waste in the public litter containers/recycling facilities.

3.7 Waste Reduction and Recycling Arrangements

Implementation of MSW charging provides more incentives for tenants to practise waste reduction and waste separation at source as well as clean recycling, which in turn reduces the overall expenditures on MSW charging. OCs/OOs, PMCs and/or cleansing contractors of the premises may refer to the content below in supporting tenants to carry out waste reduction and recycling.

3.7.1 Review of Recycling Facilities

PMCs should review their existing waste separation and recycling facilities. Apart from placing three-colour waste separation and recycling facilities (i.e., waste paper, plastics, metals) in their managed premises, they may also consider increasing the types of recyclables from the traditional three types to eight types of common recyclables¹⁸ to facilitate tenants to separate recyclables from waste and thus reduce the amount of overall waste disposal. Moreover, PMCs and/or cleansing contractors can also ask the "Green Outreach" of the EPD to visit their premises to provide on-site assistance on waste separation at source and clean recycling, and offer practical advice on enhancing the relevant work.



3.7.2 Review of Recyclables Collection Arrangements

PMCs and/or cleansing contractors should ensure that items collected from tenants are properly separated and suitable for recycling, and that they should be properly handled, including handling and storing separately from other waste (e.g., checking and removing any sundries or waste inside recycling facilities and oversized recyclables such as cabinets and drawer cabinets). They should also deliver the recyclables to reliable recyclers downstream for subsequent handling and recycling.

Regarding the recycling support of the EPD at the district level and guidelines on clean recycling of the above eight types of recyclables, please refer to **Annex IX**.

3.7.3 Enhancement of Awareness of Waste Reduction and Recycling of Tenants

PMCs and/or OCs/OOs should step up the education and promotion efforts within their premises by organising different types of green activities, to enhance the awareness of waste reduction and clean recycling of tenants and further achieve "Dump Less, Save More". They should educate tenants to correctly sort and identify recyclables, non-recyclables (e.g., contaminated recyclables) and waste, so that to avoid the recycling facilities being misused as dumping grounds of NCW, which affects the quality of the recyclables and the effectiveness of recycling.

For more information on waste reduction and recycling, please refer to **Annex IX**.

Waste Reduction and Recycling Arrangements



Review of Recycling Facilities



Review of Recyclables Collection Arrangements



Enhancement of Awareness of Waste Reduction and Recycling of Tenants

¹⁸ Eight common types of recyclables, including plastics, glass bottles, regulated electrical equipment (REE), small electrical appliances, fluorescent lamps and tubes, rechargeable batteries, waste paper and metals, etc.

Annex

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

Tenants



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

When disposing of general C&I waste using designated bags, tenants should make sure that no part of the waste (e.g., handle/skewer) 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 wrapped¹⁹.

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

2. 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 are located within communal waste reception areas (e.g., also located at refuse rooms at floor level or staircase landings), tenants are required to place the recyclables inside the containers/areas for collecting recyclables (e.g., separation bins/boxes/bags).

Otherwise, it will be an offence for tenants to dispose of any waste (including recyclables) without properly wrapped in designated bags or affixed with designated labels at the communal waste reception areas²⁰.

Examples of separation and recycling facilities in refuse rooms on individual floors



¹⁹ 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".

²⁰ See sections 20N(1) and 20N(3)(d) in Division 2 of Part IVB of the amended WDO for the legislation.

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

3. When a tenant wants to dispose of a piece of furniture that has been separated into different parts (e.g., disassemble a filing cabinet into the cabinet body and drawers), is it necessary to affix a designated label to each part? Or is it acceptable to simply tie all parts together with a rope and affix with just one designated label?

In determining the number of designated labels required, tenants should consider the properties of the oversized waste, including its structure, functions, design, overall size, and quantity, before deciding whether such oversized waste should be considered as one or several articles. The Government will take into account of the above factors and adopt a common-sense approach when deciding whether irregularities are involved.

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

In addition, multiple bags of C&I waste tightly bound together cannot be regarded as one article based on their nature. Therefore, such 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?

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 suitable sizes/designated labels for waste disposal from a few thousand sales points authorised by the EPD.

Even PMCs 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 requirements²¹. If PMCs line the bins with designated bags in advance, extra costs will be involved.

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 (e.g., small litter container placed in lift lobbies) 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 Ordinance²²?

Having regard to the existing practice adopted in multi-storey buildings, PMCs usually place small litter containers at the lobbies or lift waiting areas so as to facilitate individuals to dispose of small quantity of small-sized waste, such as used tissue paper. These small litter containers are however not designed for individuals to dispose of daily waste from individual households or offices. Hence, only when disposing of waste in the abovementioned containers for collection of small quantity of small-sized waste would the members of public be exempted to use designated bags or designated labels.

²¹ See section 20N(1) in Division 2 of Part IVB of the amended WDO for the legislation.

²² See section 20N(3)(a) in Division 2 of Part IVB of the amended WDO for the legislation.

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

The Government 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.

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



Small litter container in lift lobbies (i)



Small litter container in lift lobbies (ii)



Small litter containers in podiums



Small litter containers in parks



dog excreta collection bins



Small litter containers in gardens

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

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

However, litter containers placed in public places are for pedestrians to dispose of litter, but not for disposal of C&I waste.

Littering, including disposal of any waste (such as C&I waste) at the side or on top of litter containers placed in public places or pleasure grounds, 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)²³. In order to discourage abusive use of litter containers as a means to evade MSW charging, starting from June 2016, the FEHD has introduced in batches newly-designed litter containers with smaller openings for disposal of litter with a view to discouraging the public from disposing of C&I waste in the litter containers. Bigger warning notices are also 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 handling and transportation, and renders the waste falling within the definition of NCW, have the tenants committed an offence?

If tenants have followed the legal requirement of "wrapping waste properly in designated bags" (see Note 18 for the definition) before waste disposal, they will not commit an offence even if the designated bags/designated labels are damaged subsequently during the handling and transportation by other persons (which leads to escape of the waste from the designated bags/ detachment of the designated labels from the waste).

²³ Illegal disposal of C&I 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 \$3,000 fixed penalty notices for minor cleanliness offences.

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

Frontline Cleansing/ PMCs Staff



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

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 depositing NCW pending to be handled at the communal waste reception areas²⁴(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 the FEHD or waste collectors.

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)?

Cleansing workers can still continue to handle NCW found at the communal waste reception areas with unknown sources and deliver it to central refuse collection points (including transportation of such NCW via 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 the FEHD or waste collectors. For arrangements on monitoring and handling NCW associated with the use of refuse chutes, please refer to **Annex VII**.

As for C&I Buildings using refuse compactors mentioned in **Annex II**, "charging by designated bags" applies in some cases. Under this charging mode, it will be an offence for cleansing workers to deposit NCW into refuse compactors as the workers may be considered as causing NCW to be deposited onto the RCVs²⁵. Cleansing workers should first check whether the waste disposed of by tenants complies with the law when collecting it from communal waste reception areas such as staircase landings

²⁴ See section 20N(3)(c) in Division 2 of Part IVB of the amended WDO for the legislation.

²⁵ See section 20K(1)(b) in Division 2 of Part IVB of the amended WDO for the legislation.

and refuse rooms on individual floors, and properly wrap all NCW in designated bags or affix with designated labels before depositing it into the above 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 refuse compactors.

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



Refuse chute inlets

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

Depending on the actual circumstances, if the designated bag collected by the cleansing workers is damaged but the waste is still completely contained inside the designated bag with the bag's opening tied so that no solid content escapes from the bag during handling and transportation, such waste still meets the definition of "wrapped in a designated bag" (see footnote 18) and cleansing workers can still follow the normal procedures to handle that bag of waste.

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If the designated bag is severely damaged to the extent that waste escapes or protrudes from the designated bag and it is no longer "wrapped in a designated bag", cleansing workers are required to properly wrap the waste in a designated bag before handing it over to the FEHD or waste collectors.

11. Is it illegal if cleansing workers accidentally damage the designated bags or designated labels during normal handling and transportation? Moreover, is it illegal for cleansing workers to handle waste of which the designated bags are damaged during normal handling and transportation (e.g., dropping from refuse chutes) or the designated labels are damaged/detached during the said processes? Are cleansing workers required to properly wrap NCW in designated bags or affix with designated labels again before depositing that waste onto the vehicles of the FEHD or waste collectors?

If cleansing workers accidentally damage designated bags or designated labels during normal handling and transportation, it may render the concerned waste falling within the definition of NCW²⁶ (i.e., "municipal solid waste that neither is properly wrapped in a designated bag nor has a designated label attached to it", see footnote 18).

However, as mentioned in Question 8, generally speaking, cleansing workers will not commit any offence when depositing NCW pending to be handled at the communal waste reception areas, and they can continue to handle waste that escaped from designated bags which have been damaged during normal handling and transportation, or waste with its designated labels detached during normal handling and transportation, including delivering 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 affix with new designated labels before handing it over to the FEHD or waste collectors. Otherwise, they may commit an offence.

²⁶ See section 2(1) about the definition of "non-complaint waste" of the amended WDO for the legislation, i.e. "means municipal solid waste that neither is wrapped in a designated bag nor has a designated label attached to it".

Generally speaking, the workers of the FEHD or waste collectors 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 compaction of the designated bag by a device designed for compacting waste or when the designated bag is deposited into a refuse chute, a statutory defence can be established (please see Section 2.4 for the details of statutory defences)²⁷. Therefore, if some waste has been properly wrapped in designated bags and the waste escapes from the designated bags damaged in refuse chutes or during compaction, the staff of the FEHD or waste collectors 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



²⁷ See section 200(3)(b) in Division 2 of Part IVB of the amended WDO for the legislation.

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

PMCs/cleansing contractors should provide appropriate guidance to tenants so that suitably sized designated bags can be used to fit the size of refuse chute inlets when disposing of waste inside. If individual tenants require larger designated bags, PMCs/cleansing contractors should discuss the waste collection arrangements with the tenants in advance (i.e., cleansing workers to deliver the waste of those tenants using means other than refuse chutes) to avoid having to break open the designated bags to deposit the waste inside into refuse chutes, and thus reduce environmental hygiene problems. PMCs/cleansing contractors may also suggest tenants to take the initiative to practice waste reduction and recycling by properly separating and recycling plastics, glass bottles, metals and other recyclables which may easily 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.

PMCs/ Cleansing Contractors



13. Does the law allow PMCs/cleansing contractors/cleansing workers to line waste collection bins with large designated bags in advance (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 PMCs have lined the 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 requirements²⁸. If PMCs line the bins in advance, extra costs will be involved.

Depending on the needs of individual premises, PMCs 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 is wrapped in designated bags²⁹.

14. What specific measures can PMCs, cleansing contractors and cleansing workers take to establish the statutory defence of having taken "all reasonable precautions and exercised all due diligence to avoid committing the offence"³⁰ (see Section 2.4 for details of statutory defences)?

The specific measures to be taken by PMCs, 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 measures that are suitable for their premises. PMCs and cleansing contractors should also keep proper records (e.g., records on training and provision of designated bags by PMCs to cleansing contractors) to show that they have followed the relevant guidelines. This would help them establish the relevant statutory defence.

²⁸ See section 20N(1) in Division 2 of Part IVB of the amended WDO for the legislation.

²⁹ See section 20O(2) in Division 2 of Part IVB of the amended WDO for the statutory defences.

³⁰ See section 20O(1)(a) in Division 2 of Part IVB of the amended WDO for the legislation.

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

15. Are PMCs allowed to purchase designated bags and designated labels on behalf of tenants?

Under "charging by designated bags", PMCs should discuss and decide with relevant OCs/OOs the supply arrangements for designated bags/designated labels in the premises. After the implementation of MSW charging, the most effective way to drive waste reduction is to allow the tenants may purchase appropriate-sized designated bags/designated labels for disposing of waste through sales points and online platforms authorised by the EPD, allowing them to experience the "Polluter Pays" and "Dump Less, Save More" principles direct. The OCs/OOs/PMCs should make good use of the preparation period to promote and explain the purpose of MSW charging to the households, as well as the arrangements after the implementation of MSW charging and consider posting notices to provide the information of sales points for the households' reference.

However, during the initial implementation of MSW charging, OCs/OO /PMCs may also choose to assist tenants in purchasing and distributing designated bags (As for designated labels, since the expected sales volume will be much lower than that of designated bags, tenants may purchase them from PMCs when necessary.) This arrangement facilitates households to develop a new habit of using designated bags for waste disposal, which in turn enhances compliance rate. Possible confrontation between frontline PMC staff and households in case of non-compliance or complaints from tenants would also be reduced.

In addition, PMCs are required to note that they shall sell designated bags/designated labels at the prices prescribed by law when selling them to tenants. Any person who does not sell designated bags/designated labels at the prices prescribed by law (including higher/lower prices) commits an offence³¹.

Offenders will be subject to the following penalties:

- (i) on the first conviction – a fine at level 6 (\$100,000);
- (ii) on a subsequent conviction – a fine of \$200,000.

16. Are PMCs required to clearly delineate locations of communal waste reception areas? Can the Government still enforce the law against tenants for not using designated bags/designated labels during waste disposal, even if PMCs have not delineated the locations of communal waste reception areas?

PMCs and cleansing contractors can jointly delineate the locations of communal waste reception areas within the premises, i.e., communal waste reception areas on individual floors (e.g., refuse rooms, staircase landings, etc.) and oversized waste reception areas, which are for temporary waste storage pending collection by cleansing workers, in consideration of the waste collection arrangements of the premises. 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 those reception areas.

This helps clearly inform tenants of the statutory enforcement points in relation to MSW charging and avoid breaching the law inadvertently. This also helps facilitate the evidence collection work of enforcement officers on suspected breaches. However, they can still investigate and collect evidence on suspected breaches even if PMCs do not clearly delineate the locations of communal waste reception areas, and charge suspected offenders when evidence is sufficient.

³¹ See section 20U (2) in Division 2 of Part IVB of the amended WDO for the legislation.

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

17. Under "charging by designated bags", what circumstances can be exempted from the legislation on the use of designated bags/designated labels?

Under "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 legislation on the use of designated bags/designated labels to those depositing waste for or on behalf of the Government³² and in the course of providing service for collecting recyclables³³. Moreover, the DEP may, on the Director's own initiative, exempt any person from the legislation 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 related to the use of designated bags/designated labels³⁴. Generally speaking, waste collected from C&I Buildings may not meet the relevant exemption criteria³⁵.

³² Example includes waste that is generated as a direct and inevitable result of the delivery of public services, such as street waste collected by the FEHD.

³³ For example, 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, so as to avoid causing environmental hygiene problems.

³⁴ For example, recyclers/recycling groups 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 due to unforeseeable reasons, so as to avoid causing environmental hygiene problems. Operationally, it is not feasible to require the related persons to file an application to the DEP for exemption, especially under emergency situations.

³⁵ See sections 20Q and 20R in Division 2 of Part IVB of the amended WDO for the legislation.

Annex II: Charging Modes for Premises with Refuse Compaction Systems

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

Common Types of Refuse Compaction Systems and Their Corresponding Waste Charging Modes:

Mobile Refuse Compaction System (Refuse Compactor)



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

Types of RCVs – Refuse compactor is collected by RCVs of the FEHD – or its contractors

Charging Modes – Charging by Designated Bags – Should ensure that all waste have been properly wrapped in designated bags or affixed with designated labels before being deposited into the refuse compactor

Types of RCVs – Refuse compactor is collected by PWCs using RCVs without rear compactors (e.g., delivery by hook-lift trucks)

Charging Modes – Charging by weight through "gate-fee" – Not required to use designated bags/designated labels

Stationary Compaction System



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

Types of RCVs – Refuse skip is collected by RCVs of the FEHD or its contractors

Charging Modes – Charging by Designated Bags – Should ensure that all waste have been properly wrapped in designated bags or affixed with designated labels before being deposited into the refuse compaction system

Types of RCVs – Refuse skip is collected by PWCs using RCVs without rear compactors (e.g., delivery by hook-lift trucks)

Charging Modes – Charging by weight through "gate-fee" – Not required to use designated bags/designated labels

Rotary Drum Refuse Compaction System



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

Types of RCVs – Waste is discharged onto PWCs' RCVs with rear compactors

Charging Modes – Charging by Designated Bags – Should ensure that all waste have been properly wrapped in designated bags or affixed with designated labels before being deposited into the refuse compaction system

Types of RCVs – Waste is discharged onto PWCs' RCVs without rear compactors

Charging Modes – Charging by weight through "gate-fee" – Not required to use designated bags/designated labels

Automatic refuse collection system (ARCS)



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

Types of RCVs – Refuse skip is collected by RCVs of the FEHD or its contractors

Charging Modes – Charging by Designated Bags – Should ensure that all waste have been properly wrapped in designated bags or affixed with designated labels before being deposited into the refuse chute inlets that are linked to ARCS

Types of RCVs – Refuse skip is collected by PWCs using RCVs without rear compactors (e.g., delivery by hook-lift trucks)

Charging Modes – Charging by weight through "gate-fee" – Not required to use designated bags/designated labels

Annex III: Assisting Tenants in Getting Ready

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

1. Prior communication

- Discuss with tenant representatives the details of implementing MSW charging in the premises and formulate work plans with the responsibilities and roles of different stakeholders defined
- Organise briefings and/or set up publicity corners at ground floor lobbies to inform tenants of the objectives of MSW charging and related arrangements of the premises
- Discuss with tenant representatives how to include the arrangements for handling NCW into the tenant rules and widely publicise the arrangements

2. Dissemination of Information

- Erect thematic boards for MSW charging at prominent locations, such as ground floor lobbies of the premises, to keep disseminating the information on MSW charging announced by the Government and the relevant updates
- Disseminate information on MSW charging and waste reduction to tenants through different channels, for example:
 - Briefings for tenants
 - Publicity corners at ground floor lobbies
 - Questionnaires for tenants
 - Notices, posters, leaflets, tenants newsletters, etc.
 - Setting up online social media accounts
- Print or distribute leaflets prepared by the Government, inform tenants of the locations of recycling facilities within or near the premises, types of recyclables accepted by different recycling facilities and non-recyclables

3. Publicity and Education

- Encourage tenants to keep track of the information provided by the Government, e.g., dedicated website for MSW charging, posters, leaflets, etc., and to actively participate in waste reduction measures and related events of the Government, e.g., briefings, competitions, waste reduction campaigns, etc.

4. Regular review/report

- Stakeholders may have different opinions in view of the characteristics of individual premises and the measures formulated beforehand may not achieve the expected outcome. Therefore, a regular review system is necessary
- Conduct regular meetings with stakeholders to review the implementation and operation of MSW charging in the premises
- Take follow-up actions to further improve the ancillary measures on MSW charging and waste reduction and recycling in the premises after considering the review results and opinions of stakeholders

5. Feedback

- Set up a designated hotline and/or email during the preparation period and early stage of implementation of MSW charging to collect opinions from tenants and other stakeholders and relay them to the Government
- Consider conducting regular surveys before and after the implementation of MSW charging

Annex IV: Staff Training

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

Suggested training content:

Management staff
of PMCs and/or
cleansing
contractors



Relevant legislative requirements

- Legal responsibilities of their companies
- Legal responsibilities of frontline staff
- Relevant penalties
- Statutory defences

Staff of
management
offices



Communication with tenants

- Messages required to be delivered to tenants, e.g., charging modes, their legal responsibilities, points to note when disposing of waste and sorting waste and recyclables, etc.
- How to encourage tenants to comply with the law
- How to effectively deliver the messages

Formulation of work plans

- Stakeholders who need to take part in formulating the plans
- Contents of the work plans
- How to seek support from stakeholders to implement the plans

Annex IV: Staff Training

Handling of non-compliant cases

- Instructions and guidelines to frontline security guards and cleansing workers on handling NCW
- How to follow up on non-compliance of tenants

Formulation of guidelines for frontline staff

- How to formulate the guidelines, e.g., review of the current waste collection workflow and identification of the required changes
- How to ensure that frontline staff understand and familiarise with the guidelines well

Provision of recycling support

- How to review and enhance the existing recycling support to tenants of the premises, and the handling process of recyclables
- How to make good use of different channels/resources to improve recycling facilities

Communication with the EPD

- Publicity and education resources provided by the EPD
- How to report cases of non-compliance to the EPD
- Recycling support provided by the EPD

Frontline security guards



Communication with tenants

- Remind and help tenants to comply with the law
- Answer tenants' questions on MSW charging

Handling of non-compliant cases

- How to follow up on non-compliance of tenants
- Situations which require reporting to supervisors
- Required information for reporting non-compliant cases

Execution of guidelines

- Requirements of the guidelines
- Situations which require reporting to supervisors

Information on waste reduction and recycling

- Help tenants correctly use recycling facilities in the premises and provide the EPD's information on clean recycling
- Answer tenants' questions on recycling arrangements in the premises, including locations of nearby public recycling facilities when necessary

Cleansing workers



Waste collection arrangements

- Changes in waste collection arrangements and the requirements in the guidelines

Handling of NCW

- How to ensure NCW is correctly handled and the relevant requirements in the guidelines

Record and report on non-compliant cases

- Situations which require reporting to supervisors
- Required information for reporting non-compliant cases

Handling of recyclables

- How to ensure recyclables that increased significantly after implementation of MSW charging are properly handled
- How to properly handle waste and non-recyclables that are mixed inside recycling bins

Annex V: Arrangements for Provision of Designated Bags/ Designated Labels for Handling Waste in Common Areas

According to the "polluter-pays" principle, in general, MSW charging arisen from handling waste in common areas should be apportioned equally among tenants. OCs/OOs and PMCs may refer to the following arrangements for provision of designated bags/designated labels for handling waste in common areas and formulate an appropriate plan to apportion the expenditures among tenants.

1. Arrangements for Provision of Designated Bags/Designated Labels

Regarding handling of waste in common areas, PMCs may consider purchasing designated bags/designated labels on their own for cleansing contractors to handle the relevant waste and then recover the expenditures direct from the tenants.

For PMCs providing designated bags/designated labels through cleansing contractors, please refer to **Annex VI** for the EPD's suggestions on MSW charging related arrangements in cleansing/waste collection services contracts.



2. Suggestions on Apportionment of Designated Bags/ Designated Labels expenditures among tenants

PMCs may charge the tenants based on the actual expenditure or in the form of a fixed monthly approximate fee. In case of the latter, PMCs and OCs/OOs should regularly review the fees to ensure that the fees can reflect the changes in the amount of waste in common areas of the premises.

3. Suggested Measures on Reduction of Expenditures on MSW Charging to be Apportioned among tenants

PMCs may consider reviewing the number and locations of communal litter containers within the premises and remove part or even all of the litter containers in common areas, so as to minimise the expenditures on MSW charging to be apportioned among tenants.

4. Regular Surveys on Waste and Garbage Bags Usage in the Premises

PMCs may consider jointly conducting regular (e.g., every 6 months) surveys with cleansing contractors to collect the daily waste and garbage bags usage data in their premises. This would also be useful for PMCs to explain the calculation basis of the relevant expenditures to tenants and collect relevant charges from them. Such data may also provide references for PMCs on the effectiveness of waste reduction in the premises.

Annex VI: 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:

PMCs should not include in their cleansing/waste collection services contracts (contracts) "all-inclusive" provisions requiring cleansing/waste collection services contractors to bear all costs incurred by the implementation of MSW charging, i.e., all additional costs incurred by the implementation of MSW charging during the contract period such as expenditures on the purchase of designated bags/designated labels for handling waste in common areas of the premises as well as NCW, and expenditures on "gate-fee", etc., without providing any calculation methods or mechanisms for the estimation of the said expenditures. Such kind of contractual arrangement is not consistent with the "polluter-pays" principle and will undermine the effectiveness of MSW charging. Moreover, the cleansing/waste collection services contractors may tend to offer higher bids for new contracts to balance the currently uncertain risks, which will not be in the interest of PMCs, cleansing/waste collection services contractors and tenants.

In view of the above, under the "polluter-pays" principle, PMCs should now discuss and establish suitable new contract terms with their cleansing/waste collection services contractors. This includes the supply format and arrangements for designated bags/designated labels. In terms of the quantity of garbage bags used in common areas and the amount of oversized waste handled, the cleansing services contractor can assist in providing an estimated baseline for designated bags/designated labels usage. This serves as a reference indicator for managing expenses incurred beyond the baseline usage of designated bags/designated labels and for evaluating reimbursements when necessary. The contract can also include provisions for regular statistics on the property's daily waste amount and garbage bag usage (refer to **Annex V**). This will help property management companies explain the calculation basis for waste charges to tenants in order to recover related costs from them.

Annex VII: Suggested Measures in Response to NCW in Premises under "Charging by Designated Bags"

1. Measures to Prevent NCW and Monitor the Compliance of Tenants

Communal waste reception areas

- PMCs should display the signages of the EPD (please refer to Section 3.4.2 of this Guide) at prominent locations of communal waste reception areas (e.g., refuse rooms on individual floors, or staircase landings, etc.), so as to remind tenants that these reception areas are statutory enforcement points.
- Apart from displaying signages at the communal waste reception areas, PMCs may prepare notices which list out locations of communal waste reception areas and points to note when disposing of waste there, and post those notices at prominent locations of the premises, such as lift lobbies.
- PMCs and/or cleansing contractors should instruct their cleansing workers to conduct visual screening to check whether the waste is properly wrapped in designated bags or affixed with designated labels when collecting waste at the communal waste reception areas on individual floors.
- PMCs should not line the large waste collection bins at the communal waste reception areas with large designated bags (see Questions 4 and 13 of **Annex I**). Instead, depending on the needs of individual premises, they may arrange the purchase of transparent garbage bags (rather than the large black garbage bags generally in use at present) and line the large waste collection bins (usually about 100-litre) at the communal waste reception areas on individual floors to collect waste that has been properly wrapped in designated bags by tenants, in order to confirm that only designated bags are found in the transparent garbage bags³⁶.
- PMCs may step up the inspection of communal waste reception areas on individual floors to facilitate monitoring of the compliance of tenants. If they discover tenants disposing of NCW, they should request the tenants to properly wrap the waste in designated bags or affix it with designated labels before disposal.
- PMCs, OCs/OOs and cleansing contractors may jointly formulate work plans on the inspection of communal waste reception areas of the premises, including the inspection points, inspection frequency, records and follow-up actions to be taken, etc. Regular reports on inspection findings should be provided to OCs/OOs and site managers of PMCs/cleansing contractors to facilitate monitoring of the compliance of tenants and the effectiveness of the preventive measures.

³⁴See section 200(2) in Division 2 of Part IVB of the amended WDO for the statutory defences.

Annex VII: Suggested Measures in Response to NCW in Premises under "Charging by Designated Bags"

Refuse chutes

- In view of safety and public hygiene considerations, the refuse chutes in most buildings are locked. For the same considerations, if the refuse chutes of the premises are available for use by tenants, PMCs may lock the refuse chutes on individual floors as far as practicable and only allow cleansing workers to unlock them, so as to prevent individual tenants from disposal of NCW into refuse chutes. PMCs should determine the arrangements with tenants and cleansing workers in advance. If cleansing workers need to use refuse chutes for delivering waste, they should lock the refuse chutes after finishing their work.

Oversized waste reception areas

- PMCs should ensure as far as possible that the oversized waste reception areas are spacious enough not only to temporarily store the oversized waste, but also to allow cleansing workers to check whether all oversized waste is affixed with designated labels.

Refuse compaction systems

- If the premises are equipped with refuse compaction system(s), PMCs may consider installing CCTVs at the common areas for collection and temporary storage of waste before delivery to the refuse compaction systems, so as to facilitate the provision of information as per the request of enforcement officers for subsequent investigation.

2. Suggested Measures on Handling NCW

Rejection of NCW

- If tenants handover NCW to cleansing workers in person, PMCs/cleansing contractors should instruct cleansing workers to reject the NCW and remind the tenants to follow the legislative requirements.

General handling of NCW

- If cleansing workers cannot contact the tenants on the spot or identify the tenants that have disposed of the NCW, or if the tenants insist on putting down the NCW and leave even though cleansing workers have rejected the waste, PMCs/cleansing contractors may instruct the cleansing workers to continue to collect the NCW to maintain environmental hygiene. However, PMCs/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 the FEHD or waste collectors.
- If cleansing workers find waste wrapped in non-designated bags inside the transparent garbage bags of the waste collection bins on individual floors, they should take out the NCW and properly wrap it in designated bags. If the transparent garbage bags only contain waste properly wrapped in designated bags, they may direct hand it over to the FEHD or waste collectors.
- Depending on the individual circumstances, PMCs/cleansing contractors may provide cleansing workers with large designated bags (e.g., 100-litre) for properly wrapping all of the NCW collected before handing it over to the FEHD or waste collectors.

Annex VII: Suggested Measures in Response to NCW in Premises under "Charging by Designated Bags"

Handling of NCW involving refuse chutes

- There are 240-litre and 660-litre designated bags which will be sold for use by premises with refuse chutes such that frontline cleansing workers would not have to unnecessarily put the NCW collected at the bottom of the refuse chutes into designated bags for further disposal.

(i) Premises where only cleansing workers can use the refuse chutes

- For premises that can lock the refuse chutes for exclusive use by the cleansing workers, PMCs/cleansing contractors may consider to handle the waste properly wrapped in designated bags (hereinafter referred to as "designated-bag wrapped waste") and the NCW separately, with regard to the actual circumstances. Cleansing workers may first place a large waste collection bin without being lined with 240/660-litre designated bag at the bottom of the refuse chute and deposit the "designated-bag wrapped waste" on each floor into the refuse chute. Then, cleansing workers may replace the large waste collection bin with one that has been lined with a 240/660-litre designated bag for the collection of NCW left on each floor. If the NCW in the premises is not excessive, cleansing workers may collect the waste on each floor by, on one hand, depositing the "designated-bag wrapped waste" into the refuse chute, and, on the other hand, using a large designated bag (e.g., 100 litre) they carry about to collect the remaining NCW on the floor. Regardless of which arrangement is adopted, the cleansing workers should tie the openings of the large designated bags containing the NCW before handing them over to the FEHD or waste collectors to comply with the relevant legislation.
- When cleansing workers deposit "designated-bag wrapped waste" into the refuse chutes, some of the designated bags may get damaged or unfastened in the refuse chutes, causing the waste inside to escape from the designated bags. Some scattered waste that is not properly wrapped in designated bags can thus be found in the large waste collection bins at the bottom of the refuse chutes. Under this situation, PMCs/cleansing contractors should declare to the EPD their adoption of the separate collection approach for "designated-bag wrapped waste" and NCW at their premises. They should also inform the FEHD or waste collectors about the adoption of the above-mentioned approach and their declaration to the EPD so that the FEHD or waste collectors can accept such waste as suitable for collection.

- Additionally, PMCs/cleansing workers should assess the extent of damage or unfastening of the designated bags. If the problem remains to be severe, they should consider lining the large waste collection bins at the bottom of the refuse chutes with designated bags to facilitate collection by the FEHD or waste collectors. PMCs/cleansing contractors should also take appropriate measures to improve the situation, such as reminding tenants to properly tie the designated bags.

(ii) Premises where not only cleansing workers can use the refuse chutes

- As for premises that cannot lock the refuse chutes for exclusive use by the cleansing workers (e.g., due to fire safety restrictions, large waste collection bins cannot be placed on each floor and tenants are required to dispose of their waste into the refuse chutes individually) or where it is not feasible to collect the "designated-bag wrapped waste" and NCW on each floor separately to ensure compliance with legal requirements, PMCs/OCs/OOs may consider procuring and regularly distributing designated bags to the tenants. This arrangement would facilitate tenants' compliance with the law and significantly reduce instances of non-compliance. PMCs should also raise tenants' awareness and promote compliance with the legislation through publicity and education, inspections of refuse rooms on individual floors, and reporting non-compliances to the EPD when necessary.
- Non-compliances may be more frequently encountered during the initial period of MSW charging implementation. Under "charging by designated bags", to ensure that all waste collected from the premises complies with the relevant legislation, PMCs and cleansing contractors should assess the extent to which NCW is found at the bottom of the refuse chutes. If a significant amount of non-compliant waste is persistently found at the bottom of the refuse chutes, PMCs may consider placing large waste collection bins being lined with designated bags at the bottom of the refuse chutes to collect waste deposited by the tenants, including both "designated-bag wrapped waste" and NCW. The cleansing workers should properly tie the large designated bags before handing them over to the FEHD or waste collectors 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



Cleansing workers tightly tie the 240/660-litre designated bags



Apportionment of the expenditures of handling NCW among tenants

- PMCs should follow the approaches previously agreed by OCs/OOs in collecting the expenditures on MSW charging arisen from handling NCW from tenants. For example, PMCs may charge the tenants based on the actual expenditure or in the form of a fixed monthly approximate fee. In case of the latter, PMCs and OCs/OOs should regularly review the fees to ensure that the fees can reflect the level of compliance of the tenants of the premises.

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

- If NCW is found at the communal waste reception areas of certain floors/oversized waste reception areas, PMCs may post notices on the floors concerned or in the lobbies of the buildings to alert those tenants that are involved.
- PMCs may also step up inspection at the communal waste reception areas of the floors concerned/oversized waste reception areas.
- PMCs should regularly review the records of non-compliant floors and install surveillance camera system when non-compliance is serious and when necessary.
- PMCs should report to the EPD on repeated or serious non-compliant cases. The Government will draw up a list of black spots based on intelligence and complaints of PMCs and conduct surveillance and enforcement actions accordingly.
- PMCs should try their best to provide the following information when reporting non-compliant cases to the EPD:
 - The floors concerned and the locations of the communal waste reception areas
 - Frequency, date, and time of NCW discovery
 - Site photos that show the signages at the communal waste reception areas (please refer to Section 3.4.2 of this Guide) and the severity of non-compliance
 - The timeslots with more tenants of the floors concerned to dispose of NCW
- PWCs and their staff can report non-compliance cases using the mobile application developed by the EPD for MSW charging.
- PMCs/OCs/OOs should proactively work with the Government in the enforcement against the disposal of NCW, by reporting the disposal of NCW and working with the enforcement officers of our Department to facilitate their entry into the premises to conduct enforcement work. The deterrence effect thus produced can help decrease the disposal of NCW and subsequently the extra workload or expenditures arisen from handling NCW.

Annex VIII: Suggested Preparatory Measures for Premises under "Charging by Weight"

1. Arrangements for opening "gate-fee" accounts

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

Type A Account

- Mainly targets at companies or individuals with RCVs registered under their names, e.g., PWCs
- Pay deposit according to the number of registered vehicle(s) (\$3,000 per vehicle)
- The system will issue a designated QR code for that vehicle to the account holder upon successful registration. When the vehicle delivers waste to the waste disposal facilities on behalf of a "Type A Account" holder, the driver is required to show the QR code for the weighbridge computer system to identify the corresponding "Type A Account"

Type B Account

- Mainly targets at large scale waste producers (i.e., premises that generate large amount of daily waste, e.g., larger facilities, factories, shopping centres, etc.)
- Pay deposit according to the required number of e-chit(s) (\$550 per e-chit)
- The drivers of the relevant vehicles are required to present the e-chits provided by the above-mentioned "Type B Account" holders when entering the waste disposal facilities, allowing the weighbridge computer system to record the "gate-fee" direct to the accounts of the "Type B Account" holders

2. Payment Arrangements

- The EPD will issue monthly statements to account holders by mail or email. They are required to make payment within 30 days from the issue date of the statement. Otherwise, a surcharge on top of the "gate-fee" will become payable.
- Different payment methods will be available, e.g., through automated teller machines (ATMs), Payment by Phone Service (PPS), Faster Payment System (FPS), post offices, convenience stores, etc.

3. Suggested Arrangements for the Apportionment Mechanisms of "Gate-fee"

PMCs should seek the views of tenants and prepare relevant guidelines or tenant rules for their reference when devising the "gate-fee" apportionment mechanism. PMCs may refer to the following suggested "gate-fee" apportionment mechanisms for reference:

(A) Apportionment of fees proportional to the usage of garbage bags

PMCs may consider adopting standardised garbage bags (Non-designated bags) as the tool of the apportionment mechanism. They may provide tenants with garbage bags of one or more specific capacities while tenants would request for garbage bags of suitable quantities and/or capacities depending on their needs every month. PMCs should make monthly records on the amount of garbage bags/total capacity of garbage bags distributed to each tenant, and then apportion the "gate-fee" based on the record.

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

PMCs may consider adopting weighing equipment coupled with an identification system as the tool of the apportionment mechanism when resources are available and their central refuse collection points/oversized waste reception areas are spacious enough, so as to determine the fees of individual tenants and issue the bills accordingly.

PMCs should regularly check the electronic systems including the weighing systems or other software and make corrective adjustments immediately when noticing errors in the data, so as to ensure that the fee calculation is accurate and reliable.

(C) Specifying the fee levels for common oversized waste

Currently, the oversized waste of a considerable number of C&I Buildings is collected by PWCs using RCVs without rear compactors. PMCs may refer to the List of Weights of Common Oversized Waste and Their Corresponding "Gate-fee" on the next page when determining the fees to be charged for disposing of different oversized waste with OCs/OOs.

Annex VIII: Suggested Preparatory Measures for Premises under "Charging by Weight"

4. Apportionment of "Gate-fee" for Handling Waste generated in Common Areas and Waste from Unknown Sources among Tenants

PMCs may charge the tenants based on the actual expenditure or in the form of a fixed monthly approximate fee. In case of the latter, PMCs and OCs/OOs should regularly review the fees to ensure that the fees can reflect the changes in the amount of waste generated in the common areas and from unknown sources of the premises.

List of Weights of Common Office Oversized Waste and Their Corresponding "Gate-fee"

Common types of office furniture	Average emptied net weight range(kg)*	"Gate-fee" fee range (HKD)		Examples of lighter office furniture	Examples of heavier office furniture
		Calculated based on a fee of \$365 per tonne**	Calculated based on a fee of \$395 per tonne**		
Seating					
Office Chair	10 - 25	3.7 - 9.1	4 - 9.9	Foam seat	Ergonomic Seat
Executive Chair	15 - 25	5.5 - 9.1	5.9 - 9.9	Without armrest	With armrest/ High back/Hydraulic lifting system
Stools	5 - 15	1.8 - 5.5	2 - 5.9	Foam seat	Metal seat
Sofa & Lounge Seating	15-55	5.5-20.1	5.9-21.7	Single sofa	Comb combination
Table					
Work Desk	15 - 60	5.5 - 21.9	5.9 - 23.7	Wooden office desk	Composite computer desk
Electronic Adjustable Desk	30 - 240	11 - 87.6	11.9 - 94.8	Independent lifting computer desk	Lifting office desk combination
Executive Desk	60 - 200	21.9 - 73	23.7 - 79	With single chest of drawers	Combination with drawers
Reception Desk	60 - 200	21.9 - 73	23.7 - 79	With single chest of drawers	Combination with drawers
Meeting Table	70 - 370	25.6 - 135.1	27.7 - 146.2	Short wooden pallet (6 feet)	Long body solid wood table (24 feet)
Pantry Table	20 - 80	7.3 - 29.2	7.9 - 31.6	Oak veneer fibreboard	Solid wood/ Metal Material
Coffee Table	10 - 50	3.7 - 18.3	4 - 19.8	Plastic material	Solid wood/ Metal Material

Common types of office furniture	Average emptied net weight range(kg)*	"Gate-fee" fee range (HKD)		Examples of lighter office furniture	Examples of heavier office furniture
		Calculated based on a fee of \$365 per tonne**	Calculated based on a fee of \$395 per tonne**		
Panel Systems					
Floor screen	10 - 25	3.7 - 9.1	4 - 9.9	Fibreboard narrow screen	Metal wide screen
Table screen	5 - 10	1.8 - 3.7	2 - 4	Fibreboard narrow screen	Metal wide screen
Storage					
Pedestal	10 - 35	3.7 - 12.8	4 - 13.8	Double layer fiberboard activity cabinet	Multi-layer metal activity cabinet
Cabinet	50 - 230	18.3 - 84	19.8 - 90.9	Low body single row cabinet	Tall multi-row cabinet
Storage rack	50 - 150	18.3 - 54.8	19.8 - 59.3	Single file rack	Multi-row file rack combination
Confidential file cabinet	37 - 430	13.5 - 157	14.6 - 169.9	Small confidential file cabinet	Large independent confidential file cabinet
Locker	15 - 95	5.5 - 34.7	5.9 - 37.5	Low body single row locker	Tall multi-row lockers
Compactus	50 - 100	18.3 - 36.5	19.8 - 39.5	Smaller size	Larger size
Office Accessories					
Monitor Arm	5 - 25	1.8 - 9.1	2 - 9.9	Simpler design	Composite design
Step Stool	5 - 15	1.8 - 5.5	2 - 5.9	Mainly plastic material	Mainly metal material
Table Lamp	5 - 15	1.8 - 5.5	2 - 5.9	Mainly plastic material	Mainly metal material

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

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

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

Annex IX: Suggested Measures on Waste Reduction and Recycling in the Premises

1. Review and Enhancement of Recycling Facilities

PMCs and/or OCs/OOs:

- Should actively consider enrolling in the Programme on Source Separation of Commercial and Industrial Waste of the EPD for their C&I Buildings, and purchase or apply for free recycling bins from the Environmental Campaign Committee, so as to facilitate recycling for tenants.
- Apart from the traditional three-colour (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 recyclables (e.g., glass containers, REE, fluorescent lamps and tubes, rechargeable batteries, small electrical appliances, etc.).
- Should place recycling facilities at prominent and highly accessible locations together with eye-catching notices. Location maps of recycling facilities should also be posted in the premises, so that tenants are informed of the locations of nearby recycling facilities and more tenants can be encouraged to use the recycling facilities.
- May consider posting location maps of nearby public recycling facilities at prominent locations if there is not sufficient space to place different kinds of recycling facilities within the premises to encourage tenants to use those facilities.

2. Review of Arrangements for Collection of Recyclables

PMCs and/or cleansing contractors:

- Should arrange cleansing workers to regularly collect recyclables from different recycling points within the premises and deliver them to the locations for the temporary storage of recyclables before they are collected by recyclers, and maintain cleanliness and hygiene of the recycling points.
- May designate several recyclables temporary storage areas in the central refuse collection points for the proper storage of different types of recyclables while awaiting collection by recyclers. When necessary, cleansing workers may be instructed to sort and clean the recyclables to ensure that they are suitable for subsequent handling.
- Should discuss the recycling arrangements with recyclers (e.g., types of recycling facilities (bins/boxes/bags), number and locations of recycling facilities, collection frequency, etc.), review the arrangements from time to time and make corresponding adjustments on the collection frequency according to the amount of recyclables, so as to avoid overflowing of recycling facilities and cater the needs of tenants.
- Should set up recycling facilities (especially storage areas for recyclables) at locations highly accessible by recycling vehicles for loading/unloading as far as possible to safeguard the occupational health and safety of frontline recycling staff and enhance recycling efficiency.
- Should provide frontline property management and cleansing staff with guidelines and training and arrange placing of recyclables at designated locations pending door-to-door collection services at the agreed date and time. No disposal of recyclables is allowed.
- Should regularly check whether only appropriate recyclables are found inside the recycling points/recycling facilities, and properly handle any contaminated recyclables, non-recyclables or waste, to ensure that the recyclables are suitable for subsequent handling.

Annex IX: Suggested Measures on Waste Reduction and Recycling in the Premises

- Should assist operators or contractors concerned to remove any non-recyclables or waste inside the recycling points/recycling facilities of operators of Green@Community or contractors of other recycling programmes of the EPD were sought to handle the recyclables. Also, ensure that the recyclables inside the recycling points/facilities are delivered to the said operators or contractors for proper handling. Recyclables collected inside the recycling facilities are private properties. It is not allowed to intervene, take away or dispose of any recyclables inside the recycling facilities without the authorisation of the EPD or relevant operators/contractors.

PMCs and/or OCs/OOs:

- May consider the credibility of recycling contractors 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 recycling points and maintain the cleanliness and hygiene there;
 - (b) State clearly that recyclers shall ensure that the recyclables will be re-used or recycled, instead of disposal of in landfills; and
 - (c) Require recyclers to regularly provide receipts showing the types and quantities of recyclables collected in each trip for record purposes.
- Should properly keep track of the quantities of recyclables and the related income/expenditure records. They may also consider announcing the information at prominent locations of the premises/designated notice boards to enhance transparency and allow tenants to effectively monitor and understand the overall recycling performance of their premises.

3. Suggested Measures on Enhancing Awareness of Tenants on Waste Reduction and Recycling

PMCs and/or OCs/OOs may consider:

- Jointly formulate appropriate targets on waste reduction and recycling.
- Work with the Government/community organisations/green groups to organise publicity events.
- Set up designated notice boards or green information corners at prominent locations such as lobbies of the premises, clubhouses, etc. to provide updates on the Government's messages on waste reduction and recycling.
- Enhance communication with tenants, e.g., disseminating tenant newsletters, setting up a designated website or creating an online social media account, and regularly announcing achievements on waste reduction and updates on MSW charging, etc. to tenants.
- Set up publicity and information corners in common areas or ground floor lobbies of buildings to provide correct "clean recycling" information to tenants, including identification and sorting of recyclables, clean recycling, no waste to be deposited into recycling facilities, etc., to ensure that the communal recycling points are hygienic, and recyclables are suitable for subsequent handling. This can increase the overall recycling efficiency.
- Organise recycling facilities tours for tenants to know more about the overall recycling procedures and enhance their trust in the recycling arrangements of the premises.
- Organise sharing events or forums with tenants or stakeholders of other premises to share experiences and learn from each other.
- Organise large-scale waste reduction activities, e.g., waste reduction carnivals or barter events, to enhance the overall awareness of the premises on waste reduction and recycling.
- Organise competitive publicity events, e.g., waste reduction competitions among tenants/floors, to boost the environmental protection atmosphere.



Hong Kong Waste Reduction Website
<https://www.wastereduction.gov.hk/en/index.htm>

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 msw_hotline@epd.gov.hk.



EPD's dedicated website for MSW charging
<https://www.mswcharging.gov.hk/en/>