

MERCHANT SHIPPING (PREVENTION AND CONTROL OF POLLUTION) (CHARGES FOR DISCHARGE OF POLLUTING WASTE) REGULATION
- CHAPTER 413I

Empowering section VerDate:30/06/1997

(Cap 413, section 3)

[1 August 1995] L.N. 352 of 1995

(L.N. 320 of 1995)

SECT 1

(Omitted as spent) VerDate:30/06/1997

(Omitted as spent)
(Enacted 1995)

SECT 2

Interpretation VerDate:02/01/2007

In this Regulation, unless the context otherwise requires-

"authority" means the public officer specified in Schedule 1;

"Centre" means the premises situated at Tsing Yi Island and known as the Chemical Waste Treatment Centre;

"noxious liquid substance" has the meaning assigned to it by regulation 1(2) of the Merchant Shipping (Control of Pollution by Noxious Liquid Substances in Bulk) Regulations (Cap 413 sub. leg.B);

"polluting waste" means-

(a) any liquid oil waste or any other mixtures which contain oil;

(b) any sludge; or

(c) any noxious liquid substance or any other mixtures which contain a residue of any noxious liquid substance;

"reception facilities" means facilities provided by the Centre which enable sea-going ships to discharge polluting wastes;

"sea-going ship" means any vessel other than a vessel required to be certificated under the Merchant Shipping (Local Vessels) Ordinance (Cap 548); (43 of 1999 s. 91)

"sludge" means any oil residue which cannot be discharged through ordinary piping arrangement.
(Enacted 1995)

SECT 3

Charges payable VerDate:30/06/1997

(1) Subject to subsection (3), the charges prescribed under subsection (2) shall be payable to the authority for the use of reception facilities for the purpose of discharging polluting waste from a sea-going ship.

(2) The charges payable under subsection (1) shall consist of a collection charge and a disposal charge determined in accordance with the rates prescribed in Schedule 2.

(3)The authority may, where he thinks fit, exempt any sea-going ship, or any class of sea-going ship from the payment of any charge payable under this Regulation.
(Enacted 1995)

SECT 4

Procedure VerDate:30/06/1997

The owner or his agent or the master of a sea-going ship from which it is intended to discharge polluting waste shall, not less than 72 hours prior to the intended time of arrival of the ship at the Centre, give notice in writing to the authority of the following information-

- (a) the intended date and time of arrival of the ship at the Centre;
- (b) the intended duration of stay of the ship in Hong Kong; and
- (c) the type of waste intended to be discharged.(Enacted 1995)

SECT 5

Failure to pay charges VerDate:30/06/1997

If any charges payable in respect of a sea-going ship under section 3 are not paid on demand made by the authority, the Director may detain the ship in the waters of Hong Kong until the charges are paid.
(Enacted 1995)

SECT 6

Amendment of Schedule 1 VerDate:01/07/1997

Adaptation amendments retroactively made - see 64 of 1999 s. 3
The Chief Executive may, by order in the Gazette, amend Schedule 1.
(Enacted 1995. 64 of 1999 s. 3)

SCHEDULE 1 VerDate:30/06/1997

[sections 2 & 6]

The Director of Marine
(Enacted 1995)

SCHEDULE 2
VerDate:01/07/2008

[section 3]

Item	Particular Amount	\$
1.	Collection charge (for each cubic metre or part thereof)-	
	(a) for all types of polluting waste other than sludge	675
	(b) for sludge	2540
2.	Disposal charge (for each cubic metre or part thereof)-	
	For each type of polluting waste-	
	(a) liquid oil waste or any other mixtures which contain oil	840
	(b) sludge	9230
	(c) noxious liquid substance or any other mixtures which contain residue of any noxious liquid substance	1320

(Enacted 1995. L.N. 465 of 1996; L.N. 569 of 1997; L.N. 8 of 2006; L.N. 99
of 2008)