

本署接獲 () in EP62/B1/1
OUR REF:
來函編號
YOUR REF:
電話 2835 1185
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圖文傳真
FAX NO.: 2305 0453
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Environmental Protection Department
Headquarters
28th Floor, Southorn Centre,
130 Hennessy Road,
Wan Chai, Hong Kong.



環境保護署總部
香港灣仔
軒尼詩道
一百三十號
修頓中心廿八樓

10 September 2004

Dear Sir/Madam,

Control on Import of Hazardous Electronic Wastes
Waste Disposal Ordinance, Cap.354

I write to solicit your cooperation and support in stopping import of hazardous electronic wastes, in particular waste televisions and computer monitors, into Hong Kong.

Surveillance in recent months shows that there is a continuous flow of hazardous electronic wastes (mainly waste televisions and computer monitors) from North America and Asia Pacific region. Most of them are imported in the name of recyclable waste such as "mixed metal scraps" or under the disguise of second-hand goods in order to by-pass the local permit control of the Waste Disposal Ordinance, Cap 354 (WDO) and the scrutiny of the Basel Conventional internationally. Our investigation reveals that these so-called "used monitors" or "used televisions" are in fact controlled waste destined for recycling in some developing countries in Asia. In this regard, I would like to advise you to stop accepting any order or instruction for importing used monitors and televisions into Hong Kong, unless you have taken ALL measures to ensure that they are not subject to control under the WDO. In addition, before accepting any instruction to import into Hong Kong any "metal scrap", "mixed metal scrap" or "used appliances", you should first check and confirm with shipper that no used monitors, used televisions or other hazardous waste subject to control under the WDO are included.

.... / You should

You should note that import of controlled waste into Hong Kong without a permit (whether knowingly or not) constitutes an offence under the WDO and the offender is liable to a fine of \$200,000 and 6 months' imprisonment. You should therefore refrain from getting involved inadvertently in these offences in bringing any waste shipment into Hong Kong. For this reason, it is in your company's interest to avoid accepting those dubious orders or instructions; you should also inform your overseas offices and agencies to follow the same. In addition, in case there is any of such suspected shipment come to your attention, you should refer them to us for investigation.

We will, in collaboration with the Customs and Excise Department and the overseas control authorities, closely monitor all the cargoes coming to Hong Kong. Should any illegally imported hazardous electronic waste be found in any shipment, legal proceedings will be initiated against the responsible parties without warning.

Should you have any queries in this relation, please feel free to contact us at 2755 5462. For more information about the waste import and export control, please visit our website at <http://www.epd.gov.hk/>.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Stephen C.W. Siu', written in a cursive style.

(Stephen C.W. SIU)
for Director of Environmental Protection

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執事先生：

輸入有害電子廢物的管制
《廢物處置條例》(第 354 章)

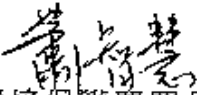
本函旨在籲請貴公司的支持和合作，阻止有害電子廢物，特別是廢電視機和電腦顯示器輸入香港。

本署近幾個月來的監察發現，有害電子廢物（主要為廢電視機及電腦顯示器）不斷從北美洲和亞太區流入本港。這些廢物大多數以可循環再造廢料的名稱（例如「雜五金廢料」）或偽稱二手物品的方式輸入，以逃避香港法例第 354 章《廢物處置條例》的進口許可證管制，以及國際間「巴塞爾公約」的監管。據本署的調查顯示，這些所謂「舊顯示器」或「舊電視機」，其實是打算運往一些亞洲發展中國家循環再造的受管制廢物。因此，現謹通知閣下，倘若接獲任何有關將舊顯示器或電視機輸入香港的委託或指示時，除非貴公司已採取一切措施，確保有關廢物並非受《廢物處置條例》管制之列；否則，不應接受有關訂單或指示。此外，在接受有關將任何「五金廢料」、「雜五金廢料」或「舊電器」輸入香港的指示前，必須先向付貨人查證，確保付運的貨物並無任何舊顯示器、舊電視機或受《廢物處置條例》管制的其他有害廢物。

貴公司務須注意，在沒有許可證的情況下，將受管制的廢物輸入香港，不論知情與否，均構成《廢物處置條例》中所訂的罪行，違例者可處罰款 20 萬元及監禁 6 個月。因此，貴公司在將任何廢物輸入香港時，應避免因不慎而觸犯有關罪行。基於上述原因，為保障貴公司的利益，閣下應避免接受這類可疑的委託或指示，並應通知海外的辦事處及代理採取相同措施。此外，如發現這類可疑的付運貨物，請通知本署以作調查。

本署會聯同香港海關及海外管制當局，密切監察所有進入香港的貨物。如發現任何付運貨物中有非法輸入的有害電子廢物，本署會向有關負責的人士提出檢控，事前不會作出警告。

如閣下對上述事宜有任何疑問，請與本署聯絡（電話號碼 2755 5462）。欲知更多有關廢物進出口管制的資料，可瀏覽本署網站（網址：<http://www.epd.gov.hk/>）。


環境保護署署長
(蕭智慧代行)

2004 年 9 月 10 日

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香港灣仔

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修頓中心廿八樓

9 October 2003

Dear Sir/Madam,

Control on Import of Waste Televisions and Computer Monitors
Waste Disposal Ordinance, Cap.354

I write to advise you of the measures that should be taken when receiving instructions or orders to import into Hong Kong any container declared as to contain "used televisions" or "used computer monitors" in order to avoid committing any import offence under the Waste Disposal Ordinance (WDO), Cap.354, inadvertently.

It has come to our attention that there is an increasing quantity of hazardous electronic wastes (mainly waste televisions and computer monitors) transshipped through Hong Kong. These hazardous electronic wastes are subject to the import and export permit control of the WDO. Any person who wishes to import or export such waste into/from Hong Kong should obtain a permit from this department. Failing to do (whether knowingly or not) is an offence under the said Ordinance and the offender is liable to a fine of \$200,000 and 6 months' imprisonment.

To avoid being caught by this department, many waste importers would declare their hazardous electronic waste in the names of the respective used appliances (e.g. used televisions and used computer monitors, etc.) and import them into Hong Kong under the disguise of secondhand goods. In this regard, we would like to draw your attention to the fact that any cargo declared as something "used" would inevitably imply that the articles could be something unwanted that have been discarded by their original owners and therefore are potentially waste. As such, you, being the party bringing the cargo into Hong Kong, have the duty under the law to exercise due diligence to ensure that such cargo does not contain any hazardous waste subject to permit control of the WDO before importing it into Hong Kong. Otherwise, you may be held liable and prosecuted for any import offence committed.

...../ In view of

In view of the above, it is to your own interest to take all necessary measures to ensure that any container declared as to contain "used televisions", "used computer monitors" or "used appliances" does not include any hazardous controlled waste in it before bringing it into Hong Kong. This may include but shall not be limited to the following:-

- i. Request the concerned shipper or consignee to produce document or other proof to show that the used televisions or computer monitors are of workable quality and merchantable as secondhand goods;
- ii. Confirm with the concerned shipper or consignee that adequate protective packaging is provided to the used televisions or computer monitors to protect them from accidental damage in the course of transportation and the associated handling processes; and
- iii. In case of "used appliances", request the concerned shipper or consignee to provide cargo packaging list to check and confirm whether there are any used televisions or computer monitors. If yes, adopt measures (i) and (ii) to ensure no controlled hazardous waste is included in the cargo.

As the above measures should have been taken before the cargo leaves the loading port, it is advisable for you to inform your overseas agents or branches to adopt similar measures in considering accepting any orders for exporting used televisions or computer monitors to Hong Kong and pass on the information to you for your advice. Should the concerned parties fail to provide the required information or proof, you should advise your overseas agents/branches not to accept the orders.

We will in collaboration with the Customs and Excise Department closely monitor all imported cargoes declared as to contain any used appliances. Should any controlled hazardous waste is found, legal proceedings will be initiated against the responsible parties without further warning.

Should you have any queries in this relation, please feel free to contact us at 2755 5462. For more information about the waste import and export control, please visit our website at <http://www.epd.gov.hk/>.

Yours faithfully,



(Stephen C.W. SIU)

Environmental Protection Officer
for Director of Environmental Protection