

Drainage Service Department
Technical Circular No. 6/2006

Delegation of Powers of the Drainage Authority
under the Sewage Services Ordinance (Cap. 463),
its Subsidiary Regulations and the Technical Memorandum

(This Circular should be brought to the attention of all staff working in the Sewage Revenue Section, Customer Services Section, Operation Section of the Sewage Services Branch and all officers to whom part of the powers of the Drainage Authority is delegated.)

Introduction

For the efficient administration of the Sewage Services Ordinance (Cap. 463) (hereafter referred to as the Ordinance) and its subsidiary Regulations, it is necessary for the Director of Drainage Services as the Drainage Authority (DA) to delegate the powers and duties conferred upon him under the Ordinance and the Regulations to other public officers of the Department. This Circular sets out the revised schedule of the officers to whom the powers and duties of the DA are delegated.

2. This Circular supersedes DSD Technical Circular No. 11/2000 issued in August 2000 which is hereby cancelled. With the deletion of the post of STA/SS and SEO/SS, office re-organization and re-distribution of duties between the DA and the Water Authority (WA), the delegation of powers of the DA under Section 8, 9(1)(a), (b), (c) and 9(3) of the Sewage Services Ordinance is amended with the deletion of delegation to STA/SS and SEO/SS and replacement of STA/SS by

SE/SS where appropriate.

Background

3. The imposition of sewage charges (SC) and trade effluent surcharges (TES) and other related matters were provided under the Ordinance passed by LegCo in December 1994. The Ordinance defines "Drainage Authority" as "Director of Drainage Services or his authorized representative".

4. The sewage charges and the trade effluent surcharges were established under the Sewage Services (SC) Regulation and the Sewage Services (TES) Regulation made under section 12 of the Ordinance in February 1995 and came into operation on 1 April 1995.

5. The Technical Memorandum on the Procedures and Methods for Sampling and Analysis of Trade Effluents for the TES Scheme was issued in February 1995. It sets out the procedures and methods for sampling, analysis, approval of laboratories, presentation of results, and any other matters relating to the establishment of specific effluent characteristics for the determination of the DA in processing applications for the variation of TES rates.

6. On the basis of the Ordinance, its subsidiary Regulation and the Technical Memorandum, the DA operates the sewage charging scheme viz. to issue bills for the collection of SC and TES, to notify the WA of consumers with outstanding SC and TES, to consider and investigate applications for changes in the parameters for the calculation of the SC and TES, and to reduce, waive or refund SC or TES.

7. The schedule of the officers-in-charge to whom the powers and duties of the DA are delegated is shown on **Appendix A** attached to this Circular. The officers-in-charge are required to take overall control of the execution of the powers and duties delegated to them. In the case where the execution of the powers or duties results in the cancellation or adjustment of bills, such work should be carried out under the control of SE/SS. Similar work related to the general sewage charge should be carried out under the control of the WA. The power to waive or write-off charges should be exercised in compliance with the Financial Circular No. 6/2000. The power to enter premises pursuant to section 10 of the Sewage Services Ordinance is spelt out in DSD Technical Circular No. 5/2000.

The Effective Date

8. This Circular shall take effect immediately.



(C K WONG)

Director of Drainage Services

Powers of the Drainage Authority (DA)
under the Sewage Services Ordinance (Cap. 463)

<u>Section</u>	<u>Power/duties</u>	<u>Delegated to</u>
8	To provide documentation for civil proceedings	) AD/SS) SE/SS) AOI/SR
9(1)	To reduce, waive or refund a sewage charge or TES due to	
(a)	change in the category of trade, business or manufacture;	) ) AD/SS
(b)	no connection to the public sewerage system;	) SE/SS) SC/SS)
(c)	leakage in water pipes or errors in water consumption records;))
(d)	change in discharge factor	) AD/SS) SC/SS
9(3)	To reduce, waive or refund a sewage charge or TES (as a result of changes in the volume of chargeable water consumption)	) AD/SS) SE/SS) Water Authority)

**Powers of the Drainage Authority (DA)
under the Sewage Services (Trade Effluent Surcharge) Regulation**

<u>Section</u>	<u>Power/duties</u>	<u>Delegated to</u>
4(2)	To determine a new trade surcharge rate due to variation of effluent strength	) AD/SS) SC/SS
7(1)	To determine the correct trade, business or manufacture	) AD/SS) SE/SS) SC/SS

**Powers of the Drainage Authority (DA) in relation to the
Technical Memorandum on Procedures and Methods
for Sampling and Analysis of
Trade Effluent issued in pursuant of
section 13 of the Sewage Services Ordinance**

<u>Section</u>	<u>Power/duties</u>	<u>Delegated to</u>
3.2	To approve sample collection arrangement and to inspect the site at any time to confirm compliance with the agreed sampling protocol	) AD/SS) SC/SS) C/SS
3.3.2	To agree special arrangements for the collection of samples	) AD/SS) SC/SS) C/SS
5.1.1	To agree the method of homogenization and combination of water samples	) AD/SS) SC/SS) C/SS
6.5.6	To require the verification of any data or procedures in support of the application for re-assessment with the persons/organization responsible for provision of such information before acceptance of the results of the survey	) ) AD/SS) SC/SS) C/SS)