

URBAN PLANNING AND
ENVIRONMENTAL LAW
QUARTERLY

簡 家 聰 律 師 行 · 城 規 環 保 簡 訊

In this issue we continue our focus on town planning with a feature on the tensions between planning regulations and Crown lease conditions as planning instruments in Hong Kong. As odd as it may seem to outsiders, approval of building plans in Hong Kong does not mean that the plans may be built. As well as satisfying town planning requirements building plans must satisfy the conditions of the Crown lease.

We also digest and comment on the recent decision of Mayo, J. in *Ex parte Supermate Ltd* which will be of interest to developers in Hong Kong.

In our review of recent regional developments, we report on Taiwan's new measures to encourage recycling of can and bottles.

The Editors

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**Town Planning in Hong Kong:
 Planning Regulations or
 Crown Leases?**

Section 14(2) of Hong Kong's Buildings Ordinance provides that the Building Authority's approval of building plans 'shall not be deemed to confer any title to land, to act as a waiver of any term in any lease, or to grant exemption from or to permit any contravention of the provisions of this Ordinance or of any other enactment.' This cautious and restrictive wording explains a lot about Hong Kong's schizophrenic system of town planning.

As odd as it may seem to outsiders, approval of building plans in Hong Kong does not mean that the plans may be built. As well as satisfying town planning

requirements building plans must satisfy the conditions of the Crown lease (or equivalent agreement) between the Government and the 'owner' of the site who is legally just a tenant of the Government landlord.

In practice, the Buildings Ordinance Office does seek comments on the building plans from the appropriate District Lands Office (DLO) but the Building Authority has no power to refuse to approve plans where the DLO does not like the plans. Instead, the owner must separately ensure that the DLO does not think that the plans contravene the lease conditions.

Similarly, where the Crown lease requires special consent from the Government, the owner must procure such con-

sent from the DLO before commencing construction. For example, the 'DDH clause' is one such common clause in Crown leases. This type of clause requires the owner to procure the Government's consent to the design elevation, disposition and height of the buildings in a proposed development.

If the owner fails to procure consent or ensure that the plans are not in contravention of the Crown lease, he risks the Government reentering (*ie.* resuming) the site without compensation.

Sometimes the the Government will permit a modification of Crown lease conditions upon payment of a premium. In the past, the courts have said that, as landlord, the Government is perfectly entitled to a premium in return for modifying Crown lease conditions, even if the demand is unreasonable. Similarly, the courts have held that the Government is entitled to withhold its consent to a development pursuant to a condition in the Crown lease.

It has long been recognised that having a dual system of approvals is full of anomalies. First, from a town planning point of view, using lease conditions to achieve planning objectives is undesirable. Unlike zoning plans, lease conditions are very particularistic and inflexible. They can only be changed on a case by case basis. Compared to planning conditions, lease conditions use archaic legal terminology, are usually vague and thus difficult to interpret. Lease conditions are also private and not subject to even the minimal standards of public consultation in Hong Kong's town planning system.

Secondly, lease conditions and

town planning regulations are not necessarily consistent. Building development which is perfectly legitimate under a Crown lease may become unlawful under planning regulations and no compensation will be payable for the loss in economic potential of the site. So too, plans which are in compliance with planning law may be unbuildable because they breach the lease conditions or the Government will not give its consent.

As well as satisfying town planning requirements building plans must satisfy the conditions of the Crown lease (or equivalent agreement) between the Government and the 'owner' of the site who is legally just a tenant of the Government landlord.

Thirdly, from a legal point of view, the existing system is becoming unworkable. Where the Government relies on conditions in a Crown lease to achieve a town planning objective, there is no appeal and the existing case law says that contract law applies and the Government's exercise of discretion cannot be reviewed by the courts.

Where the Government relies on town planning regulations, however, there is a statutory appeal process and the Government's decision is amenable to judicial review. This legal anomaly arises notwithstanding the Government's rationale is the same in both situations, that

is, to achieve town planning objectives.

This distinction is based on the idea that the Government can operate sometimes in the 'public realm' (like an omnipotent administration with public power that must be checked lest it do harm to ordinary citizens) and at other times in a 'private' capacity (like ordinary people and companies).

Of course, governments do sometimes function like businesses (*eg.* soliciting tenders and making contracts) but the English and Hong Kong courts have taken this distinction too far. They have failed to grasp the fact that some conditions in Crown leases have for a long time served a completely 'public' function, that is, town planning.

Hong Kong town planners almost universally agree that Crown lease conditions are not the ideal means of town planning and are being replaced by proper planning laws.

During this transition, however, the Government should not be allowed to hide behind Crown leases as though they were only some ordinary contract. Rather, the courts should realise that Crown lease conditions are also an instrument of administrative power used to achieve public ends and therefore should be subject to the same checks on the abuse of power which exist in Hong Kong's administrative law.

After all, checking the abuse of administrative power is the foundation of the Bill of Rights which, it should be noted, makes no distinctions on the basis of whether the Government is acting in the public or private realm.

Digest of LEGISLATION

(This digests Legal Supplements to the
GAZETTE No.30 & No.34 of 1994)

AIR

Air Pollution Control (Specified Processes) (Removal of Exemption) Order 1994 (L.S. No. 2 to GAZETTE No. 34/1994 dated 26th August 1994/L.N. 477 of 1994 p. B1819) The purpose of this Order is (a) to remove an exemption from the requirement to comply with Section 13 of the Air Pollution Control Ordinance (Cap. 311) granted under section 20 of the Ordinance to the owner of following classes of premises used for the conduct of (i) Acrylates Works; (ii) Cement Works; (iii) Ceramic Works; (iv) Copper Works; (v) Iron and Steel Works; (vi) Mineral Works; (vii) Frit Works; (viii) Zinc Galvanising Works; (ix) Non-ferrous Metallurgical Work and (x) Glass works; and (b) to amend the title to the Air Pollution Control (Specified Processes) (Removal of Exemption) Order (Cap.311 sub. leg.) made in 1993.

Air Pollution Control (Specified Processes) (Specification of Required Particulars and Information) Order 1994 (L.S. No. 2 to GAZETTE No.34 /1994 dated 26th August 1994/L.N. 478 of 1994 p.B1821) The purpose of this Order is (a) to specify the particulars and information required to be given to the air pollution control authority by the owners of premises used for the conduct of (i) Organic Chemical Works; (ii) Zinc Galvanising Works; (iii) Rendering Works; (iv) Non-ferrous Metallurgical Works and (v) Glass Works listed in Schedule 1; and (b) to amend the title to the Air Pollution Control (Specified Processes) (Specification of Required Particulars and

Information) Order (Cap. 311 sub. leg.) made in 1993.

Air Pollution Control (Amendment) Ordinance 1993 (13 of 1993) (Commencement) Notice 1994 (L.S. No.2 to GAZETTE No. 34/1994/L.N. 480 of 1994 dated 26th August 1994 p. B1834) Section 33 that enacts the specified processes numbered 25 (Organic Chemical Works) and 27 (Zinc Galvanising Works), 28 (Rendering Works) 29 (Non-ferrous Metallurgical Works) and 30 (Glass Works) inclusive in Schedule 1 to the principal Ordinance shall be come into operation on 26 August 1994.

CONSERVATION

Environment and Conservation Fund Ordinance (42 of 1994) (Commencement) Notice 1994 (L.S. No.2 to GAZETTE No. 30/1994 dated 29th July 1994/L.N. 462 of 1994 p.B1764) This Ordinance establishes a trust fund called the Environment and Conservation Fund and to provide for due administration thereof and for all other connected matters, including the Secretary of Planning, investment of moneys and to provide for the objects of the trust fund. This Ordinance shall come into operation on 1 August 1994.

NOISE

Noise Control (General) (Amendment) (No.2) Regulation 1994 (L.S. No. 2 to GAZETTE No. 30/1994 dated 29th July 1994 /L.N. 458 of 1994 p.B1759) The purpose of this Regulation is to change the references to the amount of fines under various sections of the Ordinance in the Schedule to the Noise Control (General) Regulations to bring them in line with the increases in the fines provided by the Noise Control (Amendment) Ordinance 1994 (2 of 1994).

Noise Control (Amendment) Ordinance 1994 (2 of 1994) (Commencement) (No.2) Notice 1994 (L.S. No.2 to GAZETTE No.30 /1994 dated 29th July 1994 /L.N. 459 of 1994 p. B1761) Section 9 (Repealing this section regarding technical memoranda relating to noise emanating from construction sites.) including the Schedule of the Noise Control (Amendment) Ordinance 1994 shall come into operation on 1 August 1994.

PUBLIC HEALTH

Public Health and Municipal Services Ordinance (Public Markets) (Designation and Amendment of Tenth Schedule) (No.2) Order 1994 (L.S. No.2 to GAZETTE No. 34/1994 dated 26th August 1994/L.N. 479 of 1994 p.B1833) The purposes of this Order are (a) to designate the Shek Wu Hui Market as a public market ; (b) to vest the management and control of the market in the Regional Council; and (c) to be read in conjunction with the Declaration of Markets in the Regional Council Areas (Amendment) Declaration 1994.

Diary

1 August 1994: Environment and Conservation Fund Ordinance effective.

s.9 and schedule 1 Noise Control (Amendment) Ordinance 1994 effective.

26 August 1994: s.33 and Schedule 1 Air Pollution Control (Amendment) Ordinance 1993 effective.

HONG KONG Briefing

ENVIRONMENT AND PUBLIC HEALTH

PLANS TO CLEAN up the environmental blight in the New Territories might fall through as the taskforce for the clear-up operation lacked legislative back-up and had to rely on the farmers' goodwill for the clear-up. It is estimated that 700 hectares of agricultural land in the New Territories has been converted into dumping grounds for wrecked cars or storage space for containers. The Heung Yee Kuk has vowed to ignore the taskforce until the Government could agree on the compensation but the taskforce said that the Government could not pay compensation for regulating land use. (SCMP 11/07/1994)

THE URBAN and Regional Councils agreed to amend their bylaws to the effect that restaurants, market stalls and food shops would be forced to keep seafood in clean water. The move came after a cholera outbreak in South District had been traced to water from the Aberdeen typhoon shelter that was used in restaurant fish tanks. The long-term strategy to combat the cholera was to improve the territory's sewage system and the first part of the upgrading of the sewage system would be completed in 1997. (SCMP 12/07/1994)

A COMPANY specially established to deal with the toxic asbestos waste was fined \$16,000 after its sealed bags containing asbestos waste at the construction site had been torn by sub-contractors. The magistrate also commented that landfill space was not being provided quickly enough. It was the first prosecution for asbestos waste in Hong Kong. (SCMP 19/07/1994)

A WASTE DISPOSAL plant will be set up at Tseung Kwan O and is expected to salvage 30 per cent of the 12,000 tonnes of timber, metal and other construction materials currently dumped in landfills. Construction firms believe that the waste disposal scheme could collapse because the scheme's costs would make it cheaper to use landfills but the E.P.D. argues that the disposal fees at the plant will be set by the market forces and such fees would compare favourably with those at landfills. (SCMP 22/07/1994)

MARINE life in Mirs Bay has been destroyed by a mysterious grey and brown blanket of muck on the seafloor that coincided with an outbreak of the red tide in the Bay. The Agriculture and Fisheries Department said that the cause of marine death was an undercurrent of low oxygen water being washed into the Bay instead of the red tide itself and it was a natural phenomenon. Nevertheless, the World Wide Fund for Nature said that red tide was likely caused by the pollution and the coincidence of the red tide and death could not be ignored. A total of 6 red tides have been reported in Mirs Bay this year. (SCMP 28/07/1994)

SWIMMERS have been warned by the Environmental Protection Department not to bathe at 19 beaches until the weather improved as the heavy rains had washed the pollution from the land and caused some septic tanks to overflow into the sea. (SCMP 19/08/1994)

THE CANADIAN geotechnical expert, Professor Morgenstern revealed in his initial report that the Kennedy Town landslide, which killed five people, was partly caused by a substandard retaining wall and other possible causes were still under investigation such as the seeping of water into the soil during the rains and

water sources within the wall such as storm drains. He also said that the one metre thick wall would have been about three times the thickness if built by today's standards. (SCMP 24/08/1994)

THE WORKS BRANCH said that more thorough checks of walls and slopes in areas where the public congregated would be made after the Kennedy Town landslide and those walls and slopes would be classified as high risk category. The definition of risk is based on the livelihood of people being killed or injured if the wall or slope collapsed, not on whether the structure is likely to fall down. (SCMP 05/08/1994)

A PLAN to charge landfill users will be implemented by the Hong Kong Government as two of the territory's three landfills will be full before replacements are ready. The plan aims at extending the life of the landfill by encouraging construction firms to sort their waste and dump only degradable material such as paper and wood. The Planning, Environment and Lands Branch warned that if the plan were not be implemented soon, rubbish would be piling up by early next year. (SCMP 28/08/1994)

A CAMPAIGN to clear the harbour of floating rubbish will be launched by the Government, as the floating rubbish poses a hazard to ships in Hong Kong waters. A blitz on local shipyards, joint land and sea patrols to clear up the refuse black spots, as well as a rubbish collecting vessels are the main parts of this campaign. Moreover, the Government will also review whether the existing penalty of \$10,000 imposed on those littering the harbour is stiff enough to deter people from marine littering and dumping. (SCMP 28/08/1994)

ONLY FOUR out of the 1,300

livestock farmers have applied for licences under the waste disposal scheme. The Hong Kong Livestock Industry Association said that its members would defy the new livestock licensing law which required the livestock farmers to install waste discharge systems and apply for licences. But the Agriculture and Fisheries said that it received many inquiries on how to apply for licence. (SCMP 29/08/1994)

PLANNING AND LAND USE

THE 14 British military sites to be handed over to China under the agreement on defence lands were estimated to be worth more than \$ 100 billion at today's prices whilst another 25 military sites passed to the Hong Kong Government were expected to enter the disposal programme which would provide an extra 15,000 flats. On the other hand, pressure mounts on the Government to retain at least one of two military sport grounds namely, the San Kon Po sports ground near the Hong Kong Stadium and Mission Road sports grounds being made for recreational use by the public amongst the 25 military sites. The Hong Kong Sports Development Board said that the grass sports pitches were desperately needed as there were less than 40 grass pitches in Hong Kong. (SCMP 18/07/1994)

MARKET analysts estimated that the Government would reap at least \$40 billion if it sold its own five prime under-utilised sites for redevelopment. These sites include the Oil Street depot of the Government Supplies Department, the Electrical and Mechanical Department Depot in Caroline Hill Road, San Po Kong Government Offices, magistracy and adjacent clinic and the Lingnan College and Lingnan Secondary School in Stubbs Road and King's Park Rise government staff quarters in

Wylie Road, Yau Ma Tei. (SCMP 05/07/1994)

THE EXECUTIVE Council approved the development of the Hong Kong Ferry Company's new four piers which would be built on reclaimed land under the Central reclamation project. Three piers are expected to be ready by mid-1995, and the other pier by March 1997. (SCMP 06/07/1994)

THE GOVERNMENT'S traffic proposals for the first phase of the Central-Wanchai reclamation call for a new dual two-lane road, known as the Central and Wanchai by-pass, linking the Western Harbour Crossing and Cross Harbour Tunnel. Town Planning Board members have expressed their reservations to the Government's traffic proposals and suggested that the bypass would need to be a dual three-lane route, or at least have some space reserved for future expansion. A member of the Airport Consultative Committee even said that if the proposal was approved without amendment, Central would become paralysed. But the Government claimed that it was difficult to reserve spaces for future expansion as tenders had already been invited to bid for construction project. (SCMP 10/07/1994)

THE GOVERNMENT has proposed new legislation to give the right of access to information for all those affected by any planning application before it is approved by the Town Planning Board. The new legislation aims to plug loopholes in the existing law which leave occupants and the owners of affected sites in ignorance of the plan unless they are the applicants and they can only discover the details of the plan until it is gazetted after the approval of the Board. But some developers believe that the proposed legislation may delay the planning of the new develop-

ment by up to 9 months. (SCMP 21/08/1994)

'PADS' UPDATE

DEVELOPMENT RIGHTS of the Container Terminal No. 9 granted to the Tsing Yi Container Terminal, led by Jardine Matheson Group, by private treaty instead of public tendering had lead to allegations that the Government has shown favouritism to a British related company. Hong Kong New China Agency launched a vociferous attack on the Government, claiming lucrative container terminal business was given to the Jardine Matheson Group in return for its support of Governor Chris Patten's political reform. (SCMP 06/07/1994 & 14/09/1994)

THE AIRPORT Consultative Committee has accused the Government of ignoring its advice and denying requests for information, and has demanded a bigger role in the project. (SCMP 12/07/1994)

TOP GOVERNMENT policy-makers are still deadlocked over where the new airport's fuel storage depot should be sited and whether the jet fuel would be delivered to the airport by pipeline or barge. Government sources have revealed that no matter which site and fuel transport option the government ultimately chooses, it was unlikely the depot would be ready by the airport's 1997 opening date. (Hong Kong Standard 25/07/1994)

THE MASS TRANSIT Railway Corporation has chosen "preferred" contractors for about \$9 billion worth of airport railway projects. The contracts have been awarded mainly to European and Japanese-based civil engineering firms previously active in the territory. (Hong Kong Standard 30/07/1994)

CHINA has proposed a specific clause for the agreement over financing of the new airport which puts a ceiling on borrowing for the project. The proposed wording, which puts a cap on borrowing of \$23 billion, marks progress over a long-standing deadlock on the issue. However, a Hong Kong Government official said they were trying to find a form of wording which would satisfy the Chinese without actually putting a cap on the borrowing. (Eastern Express 06/08/1994)

THE GOVERNMENT has drafted a shortlist of firms invited to bid for 11 projects. The PAA indicated that tenders would soon be invited for projects to provide lifts, escalators, walkways, aircraft loading bridges, a passenger and baggage screening system, airfield tunnels, storm water culverts, concrete production, material testing and work force accommodation. (SCMP 09/08/1994)

THE THREE consortiums with development rights on Container Terminal No 9 had reached agreement among themselves and with the government on all the major points. The key issues are the cash land premium and the infrastructure work to be undertaken by the terminal operators. (SCMP 16/08/1994)

THE HEAVY RAINSTORMS that hit Hong Kong over the past few weeks have disrupted work on the Tsing Yi bridge. However, contractors say construction is on schedule and will meet the deadline. (Hong Kong Standard 25/08/1994)

DR. HANK TOWNSEND, the chief executive of the PAA hinted that the new Airport may not meet the target of operating before July 1, 1997. He said the construction of the passenger terminal would not be "physically complete" until mid-1997. And it

would take some time after the completion to "coordinate" it with other aspects of the airport. (SCMP 07/09/1994)

THE THIRD new bridge in the airport project is to be built by a consortium of Spanish, German and Hong Kong companies for \$1.7 billion. The government signed a contract with the four-company international consortium to build the Ting Kau Bridge and approach viaduct on 6 August. The bridge will consist of dual three-lane expressways with a total length of 1,178 metres. (Hong Kong Standard 07/09/1994)

THE FIRST two deck sections of the 850 meter-long Kap Shui Mun bridge have been put in position. The remaining 18 concrete sections which form the side spans of the bridge will be put in place over the next few months. (SCMP 22/09/1994)

CASELAW Update

R. v. The Director of Buildings and Lands; Ex parte Supermate Limited (High Court Mayo, J. 9 June 1994)

Building plans - rejection by Buildings Authority - admission that rejection was wrong - resubmission of plans - change in law - whether plans to be considered under law at time of first submission or resubmission - Privy Council in Attorney-General v. Firebird applied.

The applicant submitted plans in February 1993 to build a 27 storey building in Western. These were rejected by the BA. An appeal was brought by the applicant to the Buildings Appeal Tribunal which was conceded by the BA before the hearing because of the Tribunal's recent decision in *11-13 Sands Street Hong Kong* [1994] HKDCLR 7. The plans were resubmitted on 27 October. On 5 November an amended Outline Zoning Plan came into effect which reduced the buildable storeys from 27 to 12. The BA requested that the plans be amended to comply with the new OZP.

It was accepted by both sides that the applicable law was that which obtained at the time the BA performs its statutory duty of considering the plans within 60 days and not some other spent law. (*Attorney-General v. Firebird* unreported Privy Council Appeal 17/82 applied)

Therefore, the issue was whether the plans resubmitted in October were a fresh application or part of a continuing application first made in February. Mayo, J. found that the plans resubmitted were in all essential respects similar to those first submitted and therefore the law before the amended OZP came into effect was the applicable law.

Mayo, J. found that although the applicant could appeal to the Buildings Appeal Tribunal mandamus was an appropriate remedy for correcting mistakes made in the performance of a public duty (dicta of Channell J. in *R. v. The Revising Barrister for the Borough of Hanley* [1912] 3 K.B. 518 and *R. v. Woodbury Licensing Justices; Ex parte Ordham* [1960] 1 WLR 461 applied).

Commentary

This is a very important case for developers at a time when Hong Kong's zoning plans are in state of flux. An appeal against the decision of Mayo, J. will be heard early next year. No doubt, argument will again focus on the question of whether the plans resubmitted were to be treated as a fresh application.

Mayo J.'s decision that the plans were a continuing part of the first application is perfectly sensible and accords with planning practice. It is common for developers to submit several sets of modified plans for a major development in order to come up with the "perfect formula". This is true even where the first set *has* been approved. Often the subsequent sets of plans will be substantially the same as the previous sets.

However, Mayo J.'s decision may not stand up to a strict interpretation of s.15 of the Buildings Ordinance. It was argued for Government, although not accepted by Mayo, J., that s.15 means every application for approval of building plans is, in effect, a fresh application because the BA has only a limited time to consider each application before the plans are deemed to be approved. Moreover, there is no provision in the Ordinance which deals with continuing submissions of similar sets of plans. As impractical as the result of this interpretation may be, the Court

of Appeal may yet agree with it as a matter of law.

The result of Mayo, J.'s decision, however, can also be reached by a different line of reasoning. Rather than asking what law was applicable at the time the application was made it is more appropriate to ask what was the law the Buildings Appeal Tribunal would have been bound to apply when hearing the appeal. Clearly, if the applicant's appeal had been heard and allowed by the appeal tribunal the law applied would have been the law at the time the plans were first submitted.

REGIONAL AND INTERNATIONAL

TAIWAN, ROC

Disposing Cans and Bottles

In order efficiently to control the clean-up and disposal of general containers, the EPA has promulgated the *Regulations Governing the Disposal of General Used Containers* (Regulations), and has abolished the regulations governing the disposal of used PET bottles, aluminum cans, iron cans and polymeric-plastic containers.

The Regulations govern containers made out of aluminum, iron, paper, glass, aluminum sheet, plastic and other components permitted by the government authority. They may contain edibles such as beverages, milk, meats, and vegetables, or non-edible substances such as sanitary materials and coatings. The Regulations apply to the general containers industries, including manufacturers and importers of containers.

The General containers industry operators shall apply to the local government authority for registration within three months from the date prescribed by the central

government authority. Within three months after the promulgation of the Regulations, container operators must submit a recycling and disposal plan to the government authority.

The Operators may recycle used containers in accordance with the following methods:

- establish local recycling stations or centres;
- establish recycling stands or recycling facilities;
- introducing recycling deposits;
- retain public or private waste disposal and clean-up organizations (based on an agreement);
- retain waste disposal and clean-up foundation (based on an agreement);
- other recycling and clean-up programs approved by the central government authority.

When recycling the used containers, if (i) operators fail to reach the announced recycling rate within two consecutive years or (ii) used containers are replaceable with other containers which are recycled by adopting recycling deposits causing unfairness to other operators, the central government authority may prescribe to operators the recycling deposit for used containers.

If the containers are sold by means of vending machines, machinery operators must also establish recycling facilities.

Operators may establish organizations to do the recycling work for a fee, if so approved by the central government. The central government authority may establish a recycling foundation which may hire outside organizations to do recycling and disposal work for a fee.

Eddie Liu, Lee and Li, Attorneys-at-Law, Taipei

**Comparative Table of Environmental Convictions:
July and August 1994**

	Number	First Offence	Second Offence	Third + Offence	Highest Fine
Air	14	7	5	2	\$ 15,000
	11	4	2	5	\$ 30,000
Dumping	1	1	-	-	\$ 5,000
	3	-	-	3	\$200,000
Noise	11	6	2	3	\$ 30,000
	18	16	0	2	\$ 30,000
Ozone	1	-	-	-	\$ 15,000
	2	1	1	-	\$ 40,000
Waste	3	3	-	-	\$ 6,000
	1	1	-	-	\$ 15,000
Water	20	18	1	1	\$ 50,000
	31	26	1	4	\$100,000
Total	50	17	8	6	
	66	48	4	14	

July figures appear on the first line and August figures on the second line of each item.
Source: EPD, Anti-Pollution Prosecution Figures (16 August & 20 September 1994).

ABBREVIATIONS

AFD	Agriculture & Fisheries Department
APCO	Air Pollution Control Ordinance
CFCs	Chlorofluorocarbons
EC	European Community
EPCOM	Environmental Pollution Advisory Committee
EPD	Environmental Protection Department
EXCO	Executive Council
FEER	Far Eastern Economic Review
HKU	University of Hong Kong
JLG	Joint Liaison Group
LDC	Land Development Corporation
LEGCO	Legislative Council
LS	Legal Supplement
NCO	Noise Control Ordinance
NT	New Territories
PAA	Provisional Airport Authority
PADS	Port and Airport Development Strategy
SCMP	South China Morning Post
SMP	Sunday Morning Post
WDO	Waste Disposal Ordinance
WPCO	Water Pollution Control Ordinance

This report does not constitute advice of a legal nature. Whilst all effort has been made to ensure completeness and accuracy at the time of publication, no responsibility is accepted for errors or omissions. Further information, inquiries and advice in respect of this report should be directed to:

HONG KONG

FRED KAN & CO. *Solicitors & Notaries*

31/F, Central Plaza
18 Harbour Road, Hong Kong
Telephone: (852) 598 1318
Facsimile: (852) 588 1318

Suite 1506-8
Chinachem Golden Plaza
77 Mody Road
Tsim Sha Tsui East, Kowloon
Telephone: (852) 301 1700
Facsimile: (852) 311 3224

CANADA

Smith, Lyons, Torrance, Stevenson & Mayer
Barristers & Solicitors

Suite 6200, Scotia Plaza
40 King Street West
Toronto, Canada M5H 3Z7
Telephone: (416) 369 7200
Facsimile: (416) 369 7250

World Trade Centre
Suite 550-999 Canada Place
Vancouver, Canada V6C 3C8
Telephone: (604) 662 8082
Facsimile: (604) 685 8542

UNITED KINGDOM

IRWIN MITCHELL
S O L I C I T O R S

St. Peter's House
Hartshead
Sheffield S1 2 EL
United Kingdom
Telephone: (742) 767 777
Facsimile: (742) 753306

190 Corporation Street
Birmingham B4 6QD
Telephone: (21) 212 1828
Facsimile: (21) 212 2265