

URBAN PLANNING AND  
**ENVIRONMENTAL LAW**  
**QUARTERLY**

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Our feature in this edition covers the important issue of the applicability of strict liability for environmental offences prosecuted under Hong Kong environmental legislation. In many other developed countries the trend is towards imposing strict (or, at least, quasi-strict) liability in the area of offences "against the community", such as pollution offences. Is this the direction of the Hong Kong legislation and courts?

Topical environmental issues are covered in Hong Kong Briefing, and important amendments to anti-pollution laws are summarised in the Digest of Legislation. The comparative table of penalties for convictions for environmental offences reveals another \$100,000 fine under the Water Pollution Control Ordinance. But fines for dumping of waste offences, for example, remain unrealistically low.

The Editors.

· CONTENTS ·

**Page**

FEATURE: Strict Liability for Environmental Offences . . . .	1
LEGISLATION DIGEST . . . .	3
HONG KONG BRIEFING . . . .	5
Environment and Public Health . . . . .	5
Planning and Land Use . . . . .	5
PADS Update . . . . .	5
CASELAW Update . . . . .	6
Regional and International . . . .	7
Contributors . . . . .	7
Prosecution Statistics . . . . .	8
ABBREVIATIONS . . . . .	8

**Strict Liability for Environmental Offences**

One of the most ancient and fundamental principles of criminal responsibility in British law is that a person will not be guilty of a criminal offence unless he knows or intends the consequences of his criminal acts and is therefore morally blameworthy for committing those acts. This mental ingredient in criminal offences is known to lawyers as *mens rea* or "a guilty mind".

In more recent times, however, statutory exceptions to the requirement of *mens rea* have become quite common because of the difficulty in proving that certain conduct is the result of some

particular knowledge or intention. In such cases the law imposes "strict liability", that is, criminal responsibility without the need to prove criminal knowledge or intention.

Many of these statutory exceptions are regulatory offences which do not carry a high degree of moral blameworthiness, such as, minor traffic offences. But some are serious offences designed to protect society from people, for example, who participate in or facilitate the use of dangerous drugs. Still others include environmental offences where the moral blameworthiness of the conduct may be unclear but preventing pollution is nevertheless of great public importance.

The moral blameworthiness of certain acts and the public importance of preventing them are important factors the courts have considered in deciding whether a statutory offence imposes strict liability. In a leading case on appeal from Hong Kong, the Privy Council said that to create strict liability the words or effect of a statute must not only be clear but there must also be an issue of social concern or public safety which is promoted by the creation of strict liability.

English cases have long accepted that environmental statutes can create strict liability. This is also the policy behind Hong Kong's environmental legislation but Hong Kong criminal law is now being reassessed in the light of the guarantees of individual freedom and liberty enshrined in the Bill of Rights.

In *R. v. Wang Shih-Hung* the Hong Kong Court of Appeal recently said that legislation which created strict liability offences could be consistent with the Bill of Rights, even where the penalties included long sentences of imprisonment or heavy fines. However, the potential harshness of strict liability would be mitigated by allowing the defendant to show that there was reasonable cause for him to lack the required knowledge or intention for him to be guilty of the offence.

This interpretation depends on the fictitious assumption that the offence does include a mental ingredient but that the prosecution is not required to prove it. The justification for this fiction is that it squares the strict liability offence with the protection of individual liberty in the Bill of Rights.

Although this case concerned the interpretation of a revenue statute, the *Dutiable Commodities Ordinance*, it has implications for all types of statutory offences, including environmental legislation, which create strict liability.

*Where rules of construction sufficiently strongly disposed in favour of individual freedom are employed, and an offence is nevertheless construed, in the public interest, to be one of strict liability, then that result can sit comfortably with the most powerful guarantees of individual freedom, even where the offence is punishable by a substantial term of imprisonment.*

There appears to be an assumption that Hong Kong's major environmental laws create strict liability offences but, in fact, only two out of the four environmental ordinances expressly create strict liability. The *Water Pollution Control Ordinance* (s.10) and the *Waste Disposal Ordinance* (s.31) provide that it is not necessary to prove "intention, knowledge or negligence" to establish a pollution offence.

The *Noise Control Ordinance* and the *Air Pollution Control Ordinance* are silent on the mental ingredient in offences but do provide a number of specific defences. It has generally been assumed by enforcement authorities that noise and air pollution offences are also based on strict liability but in the light of the Court of Appeal's recent decision this will be open to challenge.

Recent amendments to all the above laws (except the *NCO*) created personal liability for directors of a company or partners

of a firm convicted of a pollution offence (see our XXX issue). However, personal liability only arises in case of "consent, connivance, neglect or omission" on the part of the director or partner. Unlike some Canadian legislation, there is no defence of "due diligence". Moreover, at the same time as introducing personal liability *APCO* increased penalties to include up to 12 months of imprisonment in addition to substantial fines.

The Court of Appeal's recent decision could help to create some order out of the chaos in Hong Kong's environmental legislation. Where environmental laws are found to create strict liability, in addition to the express defences, a "due diligence" defence could be implied by the court. This would be consistent with some Canadian case law which was referred to in the Hong Kong Court of Appeal.

In other words, to avoid liability the person charged with an environmental offence would be required to show that in the circumstances of the case no reasonable person could be expected to have known or intended that his acts would cause the pollution in question.

This defence could have practical consequences. Take the case of a factory which is prosecuted for pollution discharged from a broken pipe negligently installed by independent contractors. In a recent UK decision, the factory was held strictly liable but if this case had occurred in Hong Kong the factory could now argue in its defence that it was reasonable to rely on the plumbing contractor and the factory could not be expected to have known or intended that its pipes would fracture and cause pollution.

## Digest of LEGISLATION

(This digests Legal Supplements to the GAZETTE Nos. 40-43, 45, 47, 48 and 51 of 1994)

### WASTE DISPOSAL

**Waste Disposal (Amendment) Ordinance 1994 (28 of 1994) (Commencement) (No. 2) Notice 1994** (L.S. No. 2 to GAZETTE No. 47/1994 dated 25th November 1994 / L.N. 637 of 1994 P. B2395) Section 14 of the Ordinance was effective on 1st December 1994.

**Waste Disposal (Amendment) Bill 1994** (L.S. No. 3 to GAZETTE NO. 51 dated 23rd December 1994 P. C2309)

1. The Bill provides that a person wishing to import or export certain waste is required to: (a) apply to the Waste Disposal Authority for a permit for such import or export (clause 3 - new sections 20A(1) and 20B(1)); (b) make arrangements for the environmentally satisfactory disposal of the waste (clause 3 - new sections 20A(4) and 20B(4)); (c) secure certain insurance and bond arrangements covering the intended consignment both as regards Hong Kong and as regards the originating or receiving state and any state of transit (clause 3 - new sections 20A(4) and 20B(4)); and (d) comply with such other directions as may be issued by the Waste Disposal Authority (clause 3 - new section 20D).

2. The import or export of certain waste other than in accordance with a permit will constitute an offence carrying a maximum penalty of \$200,000.00 and 6 months' imprisonment for a first offence (clause 3 - new section 20E). In addition, on conviction for any such offence the Waste Disposal Authority is empowered to seize and dispose of the waste, or to require the person convicted to dispose of the waste (clause 3 - new section 20F).

3. The Bill also makes a number of miscellaneous amendments to the principal Ordinance.

### WATER

**Water Pollution Control (Victoria Harbour (Phase One) Water Control Zone) Order** (L.S. No. 2 to GAZETTE No. 40/1994 dated 7th October 1994/L.N. 519 of 1994 P. B2035) This Order declares a new water control zone known as the Victoria Harbour (Phase One) Water Control Zone for the purposes of the Water Pollution Control Ordinance (Cap. 358).

**Water Pollution Control (Victoria Harbour (Phase One) Water Control Zone) (Appointed Days) Order** (L.S. No. 2 to GAZETTE No. 40/1994 dated 7th October 1994 / L.N. 520 of 1994 P. B2037) This Order is to introduce the controls imposed by the Water Pollution Control Ordinance (Cap. 358) to the Victoria Harbour (Phase One) Water Control Zone.

1. Section 7(2) of the Ordinance empowers the Governor to appoint a day by reference to which discharges or deposits shall be classified as existing discharges or deposits under the Ordinance. Section 7(3) empowers the Governor to appoint a day on and after which all existing discharges or deposits are prohibited unless licensed under the Ordinance.

2. Any discharge or deposit made after the day appointed under section 7(2) of the Ordinance will be classified as a new discharge or deposit and from that day shall be prohibited under section 8(1)(a) and (b) and 9 unless licensed under the Ordinance.

**Statement of Water Quality Objectives (Victoria Harbour (Phase One) Water Control Zone)** (L.S. No. 2 to GAZETTE No. 40/1994 dated 7th October 1994 / L.N. 521 of 1994) This Statement sets out the water quality objectives of the Victoria Har-

bour (Phase One) Water Control Zone.

**Dumping at Sea Bill** (L.S. No. 3 to GAZETTE No. 45 dated 11th November 1994 P. C1808) This Bill provides for the control of the disposal or dumping of substances and articles at sea and under the sea-bed. The Bill repeals and replaces the Dumping at Sea Act (U.K.) 1974 (Overseas Territories ) Order 1975 (App. III, p. DK1) in its application to Hong Kong.

1. Part I is the preliminary part of the Bill. Clause 1 deals with the short title and commencement. Clause 2 defines terms for the purposes of the Ordinance. Clause 3 sets out what is to happen if a public officer acts in contravention of the Ordinance.

2. Part II provides in clause 4 for the designation of the Director of Environmental Protection as the Authority and the Secretary for Planning, Environment and Lands as the Secretary for the administration of the Ordinance. Authorized officers are appointed under clause 5 and clause 6 deals with the keeping of records.

3. Part III allows for the establishment of marine dumping areas within Hong Kong waters. Certain operations (dumping waste, scuttling vessels, aircraft and marine structures and incineration, at sea) require a permit under clauses 8(1) and 9(1). Clauses 10 and 11 provide for the issue of permits and exemptions.

4. Part V provides for control of marine pollution caused by marine construction work, dredging, marine borrowing, land reclamation or stock piling on the seabed. Clause 12 allows the Authority to issue a marine pollution abatement notice requiring polluters to cease or modify activities. Clause 13 enables the Authority to issue a technical memorandum to set the principles, procedures, guidelines, standards and limits used to predict, mea-

sure, assess and determine the relationship between a process and marine pollution.

5. Part VI sets out the powers of authorized officers to enforce the Ordinance. An authorized officer is empowered to enter premises and detain aircraft, vessels and marine structures where he has reason to believe that the relevant place or thing is connected to unlawful actions under the Ordinance. Part VII gives further powers to assist in enforcing the Ordinance including power to take remedial action (Clause 23) and power to test (Clause 24). Clause 25 deals with offences under the Ordinance. Clause 26 allows a defence of due diligence to charges under the Ordinance.

**Sewage Services Ordinance 1994** (Ordinance No. 105 of 1994 L.S. No. 1 to GAZETTE No. 51 dated 23rd December 1994 P. A1508) enacts a scheme of payment of sewage and trade effluent charges.

#### LAND USE PLANNING

**Buildings (Amendment) Ordinance 1994 (77 of 1994) (Commencement) (No. 2) Notice 1994** (L.S. No. 2 to GAZETTE No. 42/1994 dated 1994/L.N. 549 of 1994 P. B2105) This Ordinance (other than sections 9 and 10) was effective on 16th November 1994.

**Fish Culture Zone (Designation) (Amendment) Order 1994** (L.S. No. 2 to GAZETTE No. 41/1994 dated 14 October 1994/L.N. 535 of 1994 P. B2071) This Order increases the area of water in the Cheung Sha Wan fish culture zone.

**Town Planning (Taking Possession and Disposal of Property) Regulation** (L.S. No. 2 to GAZETTE No. 42/1994 dated 21st October 1994/L.N. 540 of 1994 P. B2087) This Regulation sets out the procedure for taking possession, removal, detention and disposal of property (including perishable or hazardous prop-

erty) by the Authority where the Authority exercises his power to discontinue a development which is in contravention of the Town Planning Ordinance (Cap. 131) and requires the reinstatement of the land on which such development has occurred.

#### PUBLIC HEALTH

**Smoking (Public Health) (Notices) (Amendment) Order 1994** (L.S. No. 2 to GAZETTE No. 43/1994 dated 28th October 1994/L.N. 588 of 1994 P. B2127) This Order makes provision relating to (a) the form of health warning to be borne on packets, containers, drums or wrappers of cigars and pipe tobacco; (b) the form of signs to be exhibited by restaurants indicating whether they have no-smoking areas; (c) the form of sign to be exhibited by persons offering tobacco products for sale, etc.

**Smoking (Public Health) (Amendment) Ordinance 1994** (Ord. No. 91 of 1994 L.S. No. 1 to GAZETTE No. 42 dated 21st October 1994 P. A1318) This Ordinance amended the Smoking (Public Health) Ordinance by :- (i) adding a new section (Section 6A) concerning the display of signs outside restaurants; (ii) amending Section 9 in relation to the prescribed form and manner of the health warnings when tobacco products are sold; (iii) providing new sections (Part IVA Section 15A to 15D) regarding the prohibition on selling or giving of tobacco products to minors, the display of a sign when offering tobacco products for sale, offences under Part IVA and the interpretation of "promotion or advertisement"; (iv) making amendments in respect of the definitions of "cigarette", "cigarette advertisement", "cigarette tobacco", "manager" and "retail container"; and (v) adding the terms of "cigar", "pipe", "pipe tobacco" and "tobacco advertisement".

#### SHIPPING

**Merchant Shipping (Safety) (Dangerous Goods and Marine Pollutants) Regulation** (L.S. No. 2 TO GAZETTE No. 48/1994 dated 2nd December 1994/L.N. 642 of 1994 p. B2460) This Regulation replaces the Merchant Shipping (Safety) (Dangerous Goods) Regulations (Cap. 369 sub. leg.).

1. So far as it relates to dangerous goods, the Regulation is made under sections 101 and 107 of the Merchant Shipping (-Safety) Ordinance (Cap. 369) and gives effect to Chapter VII (Carriage of Dangerous Goods) of the International Convention for the Safety of Life at Sea 1974 as amended.

2. So far as it relates to marine pollutants, the Regulation is made under the Merchant Shipping (Prevention and Control of Pollution) Ordinance (Cap. 413) and gives effect to the provisions of Annex III to the International Convention for the Prevention of Pollution from Ships.

**Merchant Shipping (Prevention of Oil Pollution) (Amendment) Regulation 1994** (L.S. No. 2 TO GAZETTE No. 48/1994 dated 2nd December 1994 / L.N. 641 of 1994). This Regulation amends the principal Regulations to give effect to Resolutions 47(31), 5(32), 52(32) and 60(33) of the Marine Environment Protection Committee of the International Marine Organization amending Annex I to the International Convention for the Protection of Pollution from Ships 1973, as amended by its Protocol of 1978 (known as MARPOL 73/78).

## HONG KONG Briefing

### ENVIRONMENT AND PUBLIC HEALTH

**THE GOVERNMENT** has tentatively proposed that construction firms may be banned from tendering for public works contracts for between three and six months if they have more than three convictions for environmental offences within three months. Offences would include burning rubbish on site, unauthorised dumping at sea and noise pollution.

**THE HONG KONG CONSTRUCTION ASSOCIATION** expressed view that the penalties under the proposals were more stringent than similar proposals being considered against companies which broke safety regulations. But the Government said that the proposals have been circulated to each of the Works Branch's operational departments for comment, and the exact penalties have not finalised. (SCMP 24/10/94)

**THE FIRST PHASE** of the Licensing Scheme to monitor waste water discharges into the Victoria Harbour water control zone was launched today. The scheme demands that businesses discharging waste water in the zone must obtain a licence from the Environmental Protection Department and the waste water discharge should be treated to a standard specified in the licence. The Environmental Protection Department estimated that 8,000 premises would be affected, 1,500 of those being major industrial businesses. (SCMP 1/11/94)

**AN INDEPENDENT STUDY** on the air pollution at schools and recreation areas close to main roads across Hong Kong Island and Kowloon revealed that lead, carbon monoxide and nitrogen oxide reading were well within

safety limits, levels of Respirable Particulates (RSP) - usually construction site dust or diesel engine emission - were double those quoted by the Environmental Protection Department. High level of RSP has attributed to respiratory illness and reduced lung functioning.

Nevertheless, the Environmental Protection Department stressed the Government's success in reducing lead in Hong Kong over the past 13 years : lead emission from cars was down 90 per cent while the amount of lead in the air was halved.

It also explained that the findings of the study were based on six-hour tests usually during peak school hours but the EDP's calculations are over a 24-hour period which includes lower level at night-time. (SCMP 4/12/94)

### PLANNING AND LAND USE

**THE GOVERNMENT** has agreed in principle for the Hong Kong Resort International to build a two-kilometre road including a 500 metre tunnel which would link Discovery Bay with North Lantau Expressway. But one of the conditions is that private cars are banned until a separate coastal road is built and that could take more than a decade. Instead, a shuttle bus services will takes Discovery Bay residents to and from the new airport at Chek Lap Kok and the new Mass Transit Railway station at Tung Chung. The road, together with the tunnel, is scheduled to be completed within 3 years. (SCMP 20/10/94)

### "PADS" UPDATE

**THE GOVERNMENT** promised to provide 22 hectares by the end of 1994 and at least another seven hectares by 1997 for cargo backup services to support the port operation. The government also promised to recruit at least 80 air traffic controllers over the

next three years to prepare for the new airport. A new unit in the Civil Aviation Department would be set up to map out operating standards for the new airport by the end of 1996. The Marine Department would also invest \$80 million over the next three years to upgrade its vessel tracking system to maintain safety in the increasingly congested waters. (SCMP 6 October 1994)

**CONSERVATIONISTS** claim time is running out for the endangered Chinese white dolphin after the Government announced its intention to go ahead with the Container Terminal Number 10 project. They further claim the development will greatly damage essential feeding grounds and further pollute the water, the degraded quality of which has already seen many dolphins suffering from an unidentified fungal growth. (SCMP 16 October 1994)

**BRITAIN AND CHINA** have reached a deal officially releasing all land for the new airport and 11 hectares of airport railway land for the construction of 10,000 homes. The sale of airport railway land will finance \$20 billion of the Government's equity injection into the project. (HKS 18 November 1994)

**THE SECOND RUNWAY** for the new airport is not expected to be fully operational until 2001 - at least two years behind recently announced schedules. By this time the ultra modern airport will have reached saturation point despite its 24-hour operation. (EE 2 December 1994)

**WORK** on the foundations for the terminal building at Chek Lap Kok is behind schedule. Just 35 per cent of the foundations for the 1.2-kilometer-long building have been completed, though work should have already passed half-way. (SCMP 9 December 1994)

**THE COST** of building the passenger terminal at the new airport is expected to exceed the original

budget. In June, the PAA requested \$8.89 billion from the Finance Committee for the construction of the passenger terminal. Market sources suggest that all tenders from the four prequalified consortiums exceed \$10 billion. (HKS 31 December 1994)

## CASELAW Update

### **Auburntown Limited v. Town Planning Board**

(High Court, Rhind, J. 18 April 1994 unreported)

**Judicial review - Town Planning Board - Drafting Plans Legislative Process - Hebe Haven - Draft Development Permission Area Plan - Planning Permission Rejected - Plan not Ultra Vires;**

**Objection to Draft Plan - Objection Rejected - Hearing - Bill of Rights Ordinance - Art. 10 not applicable to Town Planning Appeal Board.**

In 1988, the applicant purchased a 6.4233 hectare site on the foreshores of Hebe Haven with a view to developing it into a residential-commercial marina complex on the basis of negotiations conducted between the previous owners and Government.

In 1990, the Hebe Haven Interim Development Plan was gazetted by the Director of Planning freezing development on the applicant's site. In 1991 the Draft Development Permission Area Plan (Draft Plan) was published by the Town Planning Board (TPB) designating the applicant's site as part of a green belt.

Applications for planning permission to erect 399 houses on the site were rejected both by the Director of Planning and the TPB before and after the Draft Plan was published.

In September 1991 the applicant objected to the Draft Plan which

objection was rejected in January 1992. The applicant then requested a hearing which took place in September 1992 but the objection was again rejected on the same grounds.

On judicial review, the applicant argued (1) that the TPB acted beyond its powers by imposing restrictions on the type of buildings permitted under the Draft Plan and (2) that Article 10 of the Bill of Rights applies to the hearing of the applicant's objection to the Draft Plan by the TPB. Both of the applicant's arguments were rejected by Rhind, J.

The applicant's second argument invoking art. 10 of the Bill of Rights was based on three propositions: (1) that the Draft Plan affected the applicant's 'civil rights and obligations' within the meaning of art. 10 of the Bill of Rights as interpreted with reference to relevant treaty law; (2) that the decision by the TPB to reject the applicant's objection to the zoning was a 'determination' of the applicant's 'civil rights and obligations'; and (3) that the hearing by the TPB was not a 'fair and public hearing by a competent, independent and impartial tribunal established by law'.

Whilst agreeing with the first and third propositions, Rhind, J. held that the process by which the TPB prepared and published plans as well as hearing objections to those plans was part of the legislative process not a 'determination' within the meaning of art. 10 of the Bill of Rights.

The applicant has appealed.

### **Commentary**

This is an important case for both the town planning process and the Bill of Rights in Hong Kong. The decision of Rhind, J. to treat the planning process as a legislative process is controversial.

For many years zoning plans

have been assumed to be subsidiary legislation. Rhind, J. cites a number of Hong Kong authors who have made the same assumption. He also refers to the Buildings Ordinance which allows building plans to be rejected if they 'would contravene the provisions of this Ordinance or any other enactment, or would contravene any approved or draft plan prepared under the Town Planning Ordinance [s.16(1)(d)]. The problem with this conventional wisdom is that it does not go back to basic principles so that the assumption remains questionable. Why?

First, town plans are not published in the legal supplements to the Government Gazette like other subsidiary legislation. A notice of the promulgation of new or amended plans does appear in the Government Gazette but interested parties must inspect or buy a copy at the Lands Department.

Secondly, town plans are not laid on the table of the Legislative Council as required of all subsidiary legislation by the Interpretation and General Clauses Ordinance [s.34]. Rhind, J. does not seem to have received any evidence of compliance with this procedure and did not think it was important.

In this way, town plans in Hong Kong are much more like plans made by local government in the United Kingdom. In contrast, town plans made in some Australian States are unmistakably legislative in effect.

Thirdly, and more to the point, the amendments to the Town Planning Ordinance in 1991 created a process of consultation which gives the appearance of being public but is not really public at all. Owners of sites affected by a plan are entitled to object and have their objections heard on a case by case basis. Although this looks like consultation, it is really a process of nego-

tiation between Government and individual land owners.

The hearing of aggrieved parties on a case by case basis may be a more structured and frank accommodation of a practice which is also well established in other countries (where it is called consulting or lobbying). But it is, with all due respect to Rhind, J., out of touch with political reality to say that such a hearing is part of a legislative process when everyone participating in the process knows that the TPB is balancing public and private, particularly economic, interests in order to make a decision whether or not to entertain the objection in an individual case.

## REGIONAL AND INTERNATIONAL

TAIWAN, ROC

### Rules for Environmental Protection Engineering Industries

In order to upgrade the capability

of the environmental protection industry, the Environmental Protection Administration ("EPA") has promulgated the Regulations Governing the Environmental Protection Engineering Industries. The outlines of the regulations are as follows:

#### *Classification*

Industry operators are classified into two categories pursuant to the qualifications under the current pollution control laws and regulations, and the business scopes are distinguished.

#### *Delegation of Operations*

The operations of the industry are integral and are similar to the operations of licensed engineers of the water, electricity and construction industries. In order to further define the responsibilities of the industry, the services and work to be performed are well delegated.

#### *Registration*

Domestic and foreign operators who intend to engage in the industry are required to be licensed

and registered.

#### *Administration and Assistance*

The competent authority may conduct investigations and order corrections on the performance of the operators, and may inspect the operators or provide technology training.

#### *Administrative Sanction*

Two type of administrative sanctions specified in the regulations, namely warning and cancellation of registration.

#### *Existing Operators*

Operators established prior to the promulgation of the regulations, whose Company Licenses, Business Licenses and other licenses contain the business scope of the industry, and water engineering operators should apply for the Registration Certification of the Environmental Protection Engineering Industry within the prescribed time limit.

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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:

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**Comparative Table of Environmental Convictions:  
September - November 1994**

	Number	1st Offence	2nd Offence	3rd + Of- fence	Highest Fine
APCO	18	13	3	2	\$ 30,000
	14	10	4	-	\$ 7,500
	37	21	8	8	\$ 40,000
WPCO	17	13	2	2	\$ 40,000
	25	21	3	1	\$ 30,000
	30	23	1	6	\$ 100,000
NCO	8	7	-	1	\$ 20,000
	15	10	2	3	\$ 50,000
	26	17	7	2	\$ 30,000
OLPO	1	-	1	-	\$ 50,000
	2	2	-	-	\$ 5,000
	-	-	-	-	-
DASO	-	-	-	-	-
	6	4	-	2	\$ 5,000
	1	-	-	1	\$ 5,000
WDO	-	-	-	-	-
	1	1	-	-	\$ 1,000
	1	-	1	-	\$ 5,000
Total	44	33	6	5	
	63	48	9	6	
	95	61	17	17	

**ABBREVIATIONS**

- AFD Agriculture & Fisheries Department
- APCO Air Pollution Control Ordinance
- CFCs Chlorofluorocarbons
- DASO Dumping At Sea Ordinance
- EC European Community
- EE Eastern Express
- EPCOM Environmental Pollution Advisory Committee
- EPD Environmental Protection Department
- EXCO Executive Council
- FEER Far Eastern Economic Review
- HKS Hong Kong Standard
- HKU University of Hong Kong
- JLG Joint Liaise Group
- LDC Land Development Corporation
- LEGCO Legislative Council
- LS Legal Supplement
- NCO Noise Control Ordinance
- NT New Territories
- OLPO Ozone Layer Pollution Ordinance
- 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

*September figures appear on the first line, October figures on the second, and November figures on the third of each item. Source: EPD, Anti-Pollution Prosecution Figures.*