

L.N. 113 of 2023

Interpretation and General Clauses Ordinance

Resolution of the Legislative Council

Environmental Impact Assessment Ordinance (Amendment of Schedules 2 and 3) Order 2023

Resolution made and passed by the Legislative Council under section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1) on 29 June 2023.

Resolved that the Environmental Impact Assessment Ordinance (Amendment of Schedules 2 and 3) Order 2023, published in the Gazette as Legal Notice No. 77 of 2023 and laid on the table of the Legislative Council on 10 May 2023, be amended as set out in the Schedule.

Schedule

Amendments to Environmental Impact Assessment Ordinance (Amendment of Schedules 2 and 3) Order 2023

1. **Section 3 amended (Schedule 2 amended (designated projects requiring environmental permits))**

(1) Section 3(5), Chinese text, new item A.8—

Repeal

“，並”

Substitute

“的、”。

(2) Section 3—

Repeal subsection (12)

Substitute

“(12) Schedule 2, Part I—

Repeal item C.2

Substitute

“C.2 (1) Reclamation works (including associated dredging works) that are of more than 1 ha in size, and a boundary of which is—

- (a) less than 500 m from the nearest boundary of an existing or planned specified area that is wholly or partly situated on or over any foreshore and sea-bed;

- (b) less than 200 m from the nearest boundary of an existing or planned specified area that is not wholly or partly situated on or over any foreshore and sea-bed; or
- (c) less than 100 m from the nearest boundary of an existing residential area.

(2) In this item—

foreshore and sea-bed (前濱及海床) has the meaning given by section 2 of the Foreshore and Sea-bed (Reclamations) Ordinance (Cap. 127);

specified area (指明地區) means—

- (a) site of special scientific interest;
- (b) site of cultural heritage;
- (c) bathing beach;
- (d) marine park;
- (e) marine reserve;
- (f) fish culture zone;
- (g) wild animal protection area;
- (h) coastal protection area;
- (i) conservation area;
- (j) country park; or
- (k) special area.”.”.

(3) Section 3—

Repeal subsections (13) and (14).

(4) Section 3—

Repeal subsection (18)

Substitute

“(18) Schedule 2, Part I—

Repeal item C.12

Substitute

“C.12 (1) A dredging operation that is—

- (a) with a dredging volume of more than 500 000 m³;
- (b) less than 500 m from the nearest boundary of an existing or planned specified area that is wholly or partly situated on or over any foreshore and sea-bed; or
- (c) less than 200 m from the nearest boundary of an existing or planned specified area that is not wholly or partly situated on or over any foreshore and sea-bed.

(2) In this item—

foreshore and sea-bed (前濱及海床) has the meaning given by section 2 of the Foreshore and Sea-bed (Reclamations) Ordinance (Cap. 127);

specified area (指明地區) means—

- (a) site of special scientific interest;
- (b) site of cultural heritage;
- (c) bathing beach;

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- (d) marine park;
 - (e) marine reserve;
 - (f) fish culture zone;
 - (g) wild animal protection area;
 - (h) coastal protection area; or
 - (i) conservation area.”.”.
- (5) Section 3—
Repeal subsection (19).

Kenneth CHEN Wei-on
Clerk to the Legislative Council

29 June 2023