

**Environmental Impact Assessment Ordinance, Cap.499
Guidance Note**

Advertisement and Public Inspection of Documents

(Important Note :

The guidance note is intended for general reference only. You are advised to refer to and follow the requirements in the Environmental Impact Assessment Ordinance (Cap 499) and the Technical Memorandum on the Environmental Impact Assessment (EIA) Process. Each case has to be considered on individual merits. This guidance note serves to provide some good practices on EIA and was developed in consultation with the EIA Ordinance Users Liaison Groups and the Advisory Council on the Environment. This guidance note may be subject to revision without prior notice. You are advised to make reference to the guidance note current to the date. Any enquiry on this guidance note should be directed to the EIA Ordinance Register Office of EPD on 27th Floor, Southorn Centre, 130 Hennessy Road, Wan Chai, Hong Kong. (Telephone: 2835-1835, Faxline: 2147-0894), or through the EIA Ordinance web site (www.epd.gov.hk/eia)

1. Purpose

1.1 This guidance note sets out the advertisement requirements and the arrangement for public inspection of a project profile or an environmental impact assessment (EIA) report submitted under the Environmental Impact Assessment (EIA) Ordinance (the Ordinance).

1.2 This guidance note should be read in conjunction with "A Guide to the EIA Ordinance" which can be obtained from the EIA Ordinance Register Office at 27/F, Southorn Centre, 130 Hennessy Road, Wan Chai, Hong Kong or downloaded from the EIA Ordinance website (<https://www.epd.gov.hk/eia>).

2. Advertising the Availability of Project Profile and the Arrangement for its Public Inspection

The Requirement

2.1 Under the Ordinance, an applicant should advertise, at his or her own expense, the availability of a project profile for the following applications:

- (i) an application for EIA study brief under section 5.(1)(a) of the Ordinance; or
- (ii) an application for permission to apply directly for environmental permit under section 5.(1)(b) of the Ordinance.

Timing and Frequency of Advertisement

2.2 An applicant should advertise the availability of the project profile on the day following the submission of the application form and the project profile to the Director of Environmental Protection (the Director).

2.3 The applicant would only need to make one advertisement in a Chinese newspaper and an English newspaper, unless further information relating to the project profile is required and the applicant has been advised by the Director to advertise the availability of the additional information.

The Format and Size of Advertisement

2.4 For a project profile submitted for an application for EIA study brief, the format of advertisement should follow Appendix 1.

2.5 For a project profile submitted for an application for permission to apply directly for environmental permit, the format of advertisement should follow Appendix 2. The applicant should state clearly whether the application is pursuant to section 5.(9), 5.(10) or 5.(11) of the Ordinance.

Advertising the Availability of Additional Information

2.6 If the Director requires further information concerning the project profile, the applicant may have to advertise the availability of the additional information. The Director will advise the applicant the details of such an advertisement.

Period and Place of Public Inspection of Project Profile

2.7 The Director will place the project profile at the following locations for the public to inspect for 14 days from the day of the advertisement:

- (a) The EIA Ordinance Register Office, Environmental Protection Department, 27th floor, Southorn Centre, 130 Hennessy Road, Wan Chai, Hong Kong (Opening hours: Monday to Friday 0900 to 1700, closed on Saturday, Sunday and Public Holidays);
- (b) Wan Chai Environmental Resource Centre, 221 Queen's Road East, Wan Chai, Hong Kong (Opening hours: Monday, Wednesday to Friday 1000 to 1700, closed on Tuesday, Saturday, Sunday and Public Holidays) [Note: Temporarily closed due to renovation.]; and
- (c) the relevant District Offices in those districts where the designated project will be located (Opening hours: normal office hours of District Offices).

The Director will also upload the project profile to the EIA Ordinance website (<https://www.epd.gov.hk/eia>).

2.8 Before the public inspection period expires, the public may forward written comments to the Director by post or fax or email to the EIA Ordinance Register Office at the following address:

The EIA Ordinance Register Office
Environmental Protection Department
27th floor, Southorn Centre,
130 Hennessy Road,
Wanchai, Hong Kong
Fax. no.: 2147 0894
Email address: eiaocomment@epd.gov.hk

3. Advertising the Availability of EIA Report and the Arrangement for its Public Inspection

The Requirement

3.1 Under the Ordinance, an applicant should advertise the availability of the EIA report when the report is considered by the Director as meeting the requirements of the EIA study brief and the Technical Memorandum on EIA Process.

Delivery of EIA Reports

3.2 The applicant should notify EPD of date of advertisement at least two full working days before the day of first advertisement and submit (no. of EIA report specified in the EIA study brief) with electronic copy to the EIA Ordinance Register Office on the 27th Floor, Southorn Centre, 130 Hennessy Road, Wan Chai, Hong Kong. If EPD find the electronic copy differs from the hard copy substantially, the applicant would be required to defer the date of advertisement until the defect is rectified.

Timing and Frequency of Advertisement

3.3 The applicant should advertise the availability of the EIA report once every 10 days of the 30 days public inspection period. The arrangement should be as follows:

- (a) the first advertisement to be placed on the same day of the placing of the report at locations required by the Director;
- (b) the second advertisement to be placed 10 days after the first advertisement; and
- (c) the third advertisement to be placed 10 days after the second advertisement.

The Format and Size of Advertisement

3.4 The format of the advertisement should follow Appendix 3. If the Director requires any other information relating to the project to be set out in the advertisement, the applicant will be informed of the requirements.

Re-advertisement

3.5 If the applicant fails to comply with the requirements for advertising the availability of the EIA report, the Director may require the applicant to re-advertise or extend the period of public inspection for up to another 30 days.

Period and Place of Public Inspection of EIA Report

3.6 The applicant should make available at least two copies of the EIA report at a location in his or her office that is accessible to the public during normal office hours. The advertisement notice should be attached to the EIA report so that the public can know the duration of the public inspection period and the address to which his or her written comments can be sent.

3.7 The applicant should provide sufficient copies of the EIA report for the Director to place them at the following locations for the public to inspect for 30 days:

- (a) The EIA Ordinance Register Office, Environmental Protection Department, 27th floor, Southorn Centre, 130 Hennessy Road, Wan Chai, Hong Kong (Opening hours: Monday to Friday 0900 to 1700, closed on Saturday, Sunday and Public Holidays);
- (b) Wan Chai Environmental Resource Centre, 221 Queen's Road East, Wan Chai, Hong Kong (Opening hours: Monday, Wednesday to Friday 1000 to 1700, closed on Tuesday, Saturday, Sunday and Public Holidays) [Note: Temporarily closed due to renovation.]; and
- (c) the relevant District Offices in those districts where the designated project will be located (Opening hours: normal office hours of District Offices).

The Director will also upload the EIA report to the EIA Ordinance website (<https://www.epd.gov.hk/eia>).

3.8 Before the public inspection period expires, the public may forward written comments to the Director by post or fax or email to the EIA Ordinance Register Office at the address given in this guidance note.

4. Confirmation of Advertisement

4.1 The applicant should confirm that the advertisement have been placed as required by filling in Appendix 4 or 5 and faxing it back on the day of the advertisement to the EIA Ordinance Register Office at fax. no. 21470894, together with copies of the advertisements.

5. Further Enquiries

5.1 Any further enquiries could be made to the EIA Ordinance Register Office.

Environmental Protection Department
Date of issue: October 2010

Appendix 1 - Format of Advertisement for Application for EIA Study Brief

ENVIRONMENTAL IMPACT ASSESSMENT ORDINANCE (CHAPTER 499) Application for Environmental Impact Assessment Study Brief under Section 5.(1)(a)

An application for environmental impact assessment (EIA) study brief to proceed with EIA study for << *title of the proposed designated project* >> has been submitted by << *name of the applicant* >> to the Director of Environmental Protection under section 5.(1)(a) of the EIA Ordinance.

The project profile prepared by the applicant is now available for inspection from << *date of this advertisement* >> to << *date of this advertisement + 13 calendar days* >> at the following locations:

- i. The EIA Ordinance Register Office, Environmental Protection Department, 27th floor, Southorn Centre, 130 Hennessy Road, Wan Chai, Hong Kong (Opening hours: Monday to Friday 0900 to 1700, closed on Saturday, Sunday and Public Holidays); and
- ii. << *relevant District Office(s)* >> during normal office hours.

The project profile will also be uploaded to the EIA Ordinance website (<https://www.epd.gov.hk/eia>).

The public may forward written comments on the project profile to the Director of Environmental Protection on environmental issues covered by the Technical Memorandum on EIA Process within 14 days of this advertisement. The Technical Memorandum can be obtained from the EIA Ordinance Register Office or the EIA Ordinance website. The comments from the public may be forwarded to any relevant parties in processing of the application. Any written comments should be sent to the following address by post or fax or email:

The EIA Ordinance Register Office
Environmental Protection Department
27th floor, Southorn Centre,
130 Hennessy Road,
Wanchai, Hong Kong.

Fax. no.: 2147 0894

Email address: eiaocomment@epd.gov.hk

<< *Date of advertisement* >>

Appendix 2 - Format of Advertisement for Application for Permission to Apply Directly for Environmental Permit

ENVIRONMENTAL IMPACT ASSESSMENT ORDINANCE (CHAPTER 499)
Application for Permission to Apply Directly for Environmental Permit under Section 5.1(b) and << either Section 5.(9), 5.(10) or 5.(11), use one number only in this box >>

An application for permission to apply directly for environmental permit has been submitted by << name of the applicant >> for the << title of the proposed designated project >> to the Director of Environmental Protection under section 5.1(b) and << section 5.(9), 5.(10) or 5.(11), fill in one section number only in this box >> of the Environmental Impact Assessment (EIA) Ordinance.

The project profile prepared by the applicant is now available for inspection from << date of this advertisement >> to << the date of this advertisement + 13 calendar days >> at the following locations:

- i. The EIA Ordinance Register Office, Environmental Protection Department, 27th floor, Southorn Centre, 130 Hennessy Road, Wan Chai, Hong Kong (Opening hours: Monday to Friday 0900 to 1700, closed on Saturday, Sunday and Public Holidays); and
- ii. << relevant District Office(s) >> during normal office hours.

The project profile will also be uploaded to the EIA Ordinance website (<https://www.epd.gov.hk/eia>).

The public may forward written comments on the project profile to the Director of Environmental Protection on environmental issues covered by the Technical Memorandum on EIA Process within 14 days of this advertisement. The Technical Memorandum can be obtained from the EIA Ordinance Register office or the EIA Ordinance website. The comments from the public may be forwarded to any relevant parties in processing of the application. Any written comments should be sent to the following address by post or fax or email:

The EIA Ordinance Register Office
Environmental Protection Department
27th floor, Southorn Centre,
130 Hennessy Road,
Wanchai, Hong Kong.

Fax. no.: 2147 0894

Email address: eiaocomment@epd.gov.hk

<< Date of advertisement >>

Appendix 3 - Format of Advertisement for Application for Approval of EIA Report

ENVIRONMENTAL IMPACT ASSESSMENT ORDINANCE (CHAPTER 499) Public Inspection of Environmental Impact Assessment Report under Section 7.(1)

An application for approval of environmental impact assessment (EIA) report for the << *title of the proposed designated project* >> has been submitted by << *name of the applicant* >> to the Director of Environmental Protection under section 6.(2) of the EIA Ordinance.

The EIA report prepared by the applicant is now available for the public to inspect under section 7.(1) of the Ordinance from << *date of the first advertisement* >> to << *date of the first advertisement + 29 calendar days* >> at the following locations:

- i. The EIA Ordinance Register Office, Environmental Protection Department, 27th floor, Southorn Centre, 130 Hennessy Road, Wan Chai, Hong Kong (Opening hours: Monday to Friday 0900 to 1700, closed on Saturday, Sunday and Public Holidays); and
- ii. << *the applicant's office address and opening hours* >>; and
- iii. << *relevant District Office(s)* >> during normal office hours.

The EIA report will also be uploaded to the EIA Ordinance website (<https://www.epd.gov.hk/eia>).

The public may seek clarification or assistance in understanding the EIA report from the << *name of the applicant* >> at << *telephone numbers* >> during office hours << *the applicant's office opening hours* >>. The public may forward written comments on the EIA report to the Director of Environmental Protection on environmental issues covered by the Technical Memorandum on EIA Process before the public inspection period expires. The Technical Memorandum can be obtained from the EIA Ordinance Register office or the EIA Ordinance website. The comments from the public may be forwarded to the applicant or any relevant parties in processing of the application. Any written comments should be sent to the following address by post or fax or email:

The EIA Ordinance Register Office,
Environmental Protection Department,
27th floor, Southorn Centre,
130 Hennessy Road,
Wanchai, Hong Kong.

Fax. no. : 2147 0894

Email address : eiaocomment@epd.gov.hk

Date of the first advertisement: << *Date of the first advertisement* >>

Date of this advertisement: << *Date of this advertisement* >>

**Environmental Impact Assessment Ordinance
Confirmation of Advertisement for the Availability of Project Profile**

From: _____ To: EIA Ordinance Register Office
(Fax. no.: 2147 0894)

Date: _____

Tel. no.: _____

Please complete the following and return it by fax to 21470894, with a copy of the advertisements appeared in the newspapers, on the day the advertisement has been made.

1. Title of the Designated Project:

2. Reference No. of Application:

3. The Name of the Chinese Newspaper and the Date of Advertisement:

4. The Name of the English Newspaper and the Date of Advertisement:

5. Number of pages faxed:

**Environmental Impact Assessment Ordinance
Confirmation of Advertisement for the Availability of
Environmental Impact Assessment Report**

From:

To: EIA Ordinance Register Office
(Fax. no.: 2147 0894)

Date:

Tel. no.:

Please complete the following and return it by fax to 21470894, with a copy of the advertisements appeared in the newspapers, on the day the advertisement has been made.

1. Title of the Designated Project:

2. Reference No. of Application:

3. Please tick one of the following:

- the first advertisement during the public inspection period
- the second advertisement during the public inspection period
- the third advertisement during the public inspection period

4. The Name of the Chinese Newspaper and the Date of Advertisement:

5. The Name of the English Newspaper and the Date of Advertisement:

6. Number of pages faxed:
