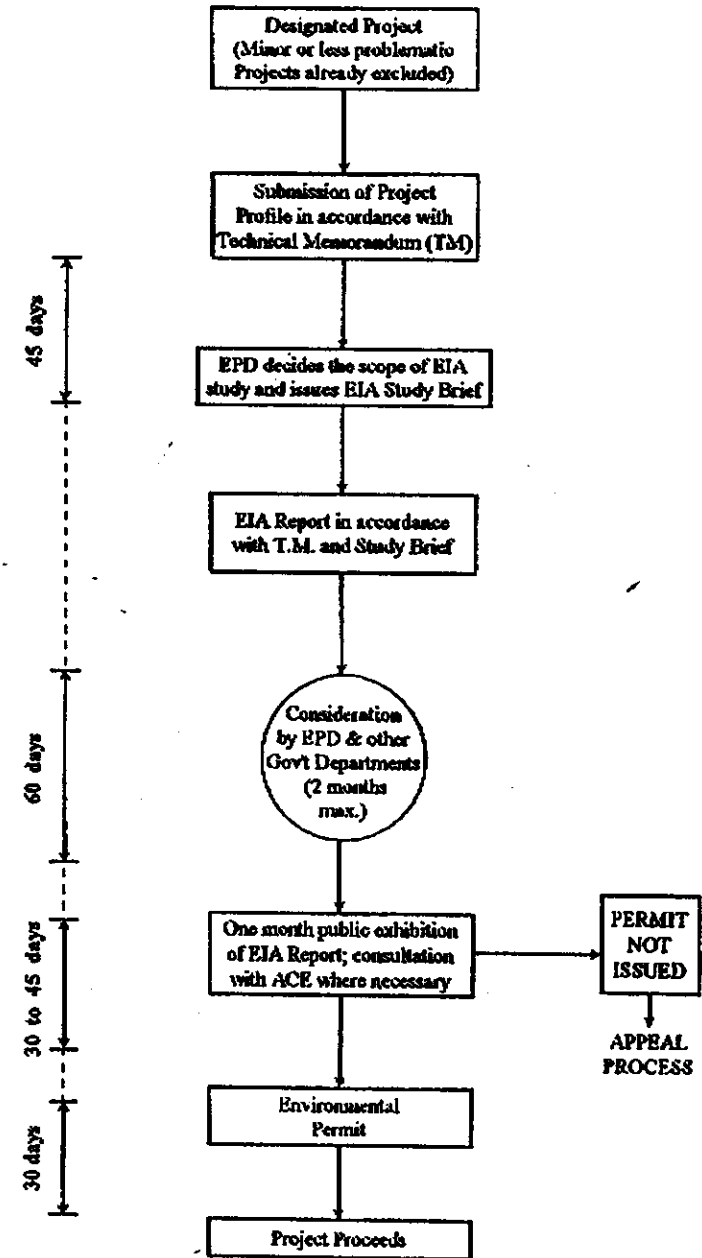


Table : **Comparison of the EIA System under the EIA Bill to the Existing EIA System laid down in Government EIA Circular and EPD Advice Note 2/92**

	Existing EIA System (PELB TC 2/92, PELB GC 2/94, EPD Advice Note 2/92)	The Proposed EIA System under the EIA Bill
Types of Projects	cover a very wide range of public and private sector projects of any size or location, including minor or less problematic projects.	a fully defined list of designated projects be included as Schedules to the Bill, with clearly defined project thresholds or locational criteria. There would be no need for minor or less problematic projects to go through the EIA process.
Project Profile	prepared by proponents in accordance with administrative guidelines, for EPD to carry out an environmental review to determine the need for and the scope of the EIA study.	prepared by the proponents in accordance with the TM. DEP will decide the scope of the EIA study, with guidelines laid down in the Technical Memorandum.
EIA Study Brief	For projects requiring EIA, an EIA study brief will be issued to project proponents, within <u>60 days</u> upon the receipt of an adequate project profile. DEP would ask for additional information if the project profile does not contain adequate information. For minor or less problematic projects, no EIA will be required, but conditions may be imposed.	An EIA study will be issued by EPD within <u>45 days</u> . EPD would ask for additional information within 14 days if the project profile does not contain adequate information. Minor or less problematic projects are excluded from the start and need not submit a project profile. EIA studies would be exempted if the projects have been adequately addressed in an EIA report previously approved by EPD.
Initial Assessment Report	For more complex project, an initial assessment report is required to identify key issues of concern.	The Initial Environmental Report, initially proposed under the legislative scheme, has been deleted to simplify the process.
EIA report	prepared by the proponents in accordance with the EIA study brief to assess environmental impacts, and to determine the full extent of the mitigation measure, for endorsement by EPD and relevant authorities (eg. AFD on ecology)	same as the existing system, but <i>with detailed guidance and criteria laid down in the TM.</i>
Review of Adequacy and Acceptability of EIA findings	EPD in conjunction with other relevant authorities to review the adequacy and acceptability of EIA findings (no detailed guidance is available).	EPD in conjunction with other relevant authorities to review whether the EIA report meets the EIA study brief and the TM. EPD's discretion is constrained by the TM.

	Existing EIA System (PELB TC 2/92, PELB GC 2/94, EPD Advice Note 2/92)	The Proposed EIA System under the EIA Bill
Time Limit on EPD's Review of Reports	No time limit	EPD to respond within a specified period of time (eg. 2 months maximum)
Conflict Resolution Mechanism	DEP to refer disagreements to SPEL for resolution.	DEP to refer to SPEL and follow his advice when there are disagreements with other relevant authorities, or the refusal to issue permits are not in the public interest, or the issuing of permit would cause strong public concern.
Consultation with the public and the ACE on EIA	proponents to consult District Boards and the Advisory Council on the Environment (ACE), make available the reports to the public, and deal with public comments.	EIA reports would be exhibited for one month for the public to comment. Where necessary, ACE will be consulted.
Environmental Permits	No such provision and mechanism	this is the main new component to ensure that measures recommended in EIAs but not covered by other ordinances will be stipulated as enforceable conditions in the permits to ensure maximum protection to the community and the environment.
Appeal against DEP's decisions	No formal provision for appeal, except that DEP will refer any disagreements to SPEL for resolution	adequate provisions for appeal against all key decisions by DEP to ensure the reasonableness and fairness of DEP's decisions.

Environmental Impact Assessment Ordinance
Proposed EIA Process



Existing EIA Process

