

**Extract from the Water Pollution Control (Sewerage) Regulation (Cap. 358)**

## SCHEDULE 2

[ss. 1 &amp; 26]

APPLICATION OF THE ROADS (WORKS, USE AND  
COMPENSATION) ORDINANCE

## PART I

PROVISIONS OF THE ROADS (WORKS, USE AND  
COMPENSATION) ORDINANCE APPLIED

Sections 2, 3, 5 to 24 and 36 to 38.

## PART II

## General Modifications and Additions

1. (1) In sections 3, 5, 6, 7, 8, 9, 10, 11, 12, 14 (except 14(2)(e) and (f)), 15, 16 (except 16(2)(f)), 18 (except 18(2)(e)), 19, 20, 21 (except 21(3)(d)), 22 and 36, repeal "Secretary" wherever it occurs and substitute "Authority".
  - (2) In section 13(5), repeal "The Secretary" and substitute "The Authority".
  - (3) In section 20(3), repeal "Secretary's" and substitute "Authority's".
2. In sections 14(2)(f), 16(2)(f), 18(2)(e) and 21(3)(d), repeal everything after "under" and substitute—  
"the Water Pollution Control (Sewerage) Regulation (Cap. 358 sub. leg.) may serve a written claim upon the Secretary."
3. A reference in any section specified in Part I—
  - (a) to another provision of the Roads (Works, Use and Compensation) Ordinance (Cap. 370) shall be read as a reference to the other provision in that Ordinance;
  - (b) to "this Ordinance" shall be read as a reference to the Roads (Works, Use and Compensation) Ordinance (Cap. 370).

## Particular Modifications and Additions

Section applied	Modification or addition
2	(a) In subsection (1)— <ol style="list-style-type: none"> <li>(i) add— "“Authority” has the same meaning as in the Water Pollution Control Ordinance (Cap. 358);”;</li> <li>(ii) in the definition of "claim", repeal "section 29" and substitute "the Water Pollution Control (Sewerage) Regulation (Cap. 358 sub. leg.)";</li> <li>(iii) in the definition of "Secretary", repeal "Transport" and substitute "Planning, Environment and Lands";</li> <li>(iv) in the definition of "use", repeal "road" where it twice occurs and substitute "sewerage";</li> <li>(v) repeal the definition of "works" and substitute— "“works” means any thing which may be done by the Authority or may be required by the Authority to be done under or pursuant to Part II, III or IV of the Water Pollution Control (Sewerage) Regulation (Cap. 358 sub. leg.);”;</li> </ol>
5	(a) Repeal "works, other than under section 4" and substitute "works in respect of which he seeks the exercise of powers conferred under section 6(1), 11(7), 13(1), 15(1), 17(1), 19(1), 20(1), 21(1), 22 or 23(1)". (b) In paragraph (b)(i), repeal "and the use to which he intends the road will be put".
10	In subsection (1), repeal everything after "both" and substitute a full stop.
15	Repeal subsection (5) and substitute— "(5) No person shall, in the exercise of any power of entry referred to in subsection (3), enter upon any land which is occupied without giving to the occupier at least 28 days' notice of his intention to do so unless— (a) the Authority is of the opinion that an emergency exists which necessitates immediate entry; or (b) the entry is required for the purpose of inspecting any works, structure or apparatus or carrying out any routine maintenance on them."
24	Repeal "\$5,000" and substitute "\$10,000".
36	(a) In paragraph (b), repeal "or" at the end. (b) Repeal paragraph (c).
38	(a) In paragraph (a), repeal "nor to any claim for or determination, award or payment of compensation for such resumption;" and substitute "; and". (b) In paragraph (b), repeal "; and" at the end and substitute a full stop. (c) Repeal paragraph (c).