

Project Administration Handbook for Civil Engineering Works**2022 Edition****AMENDMENT NO. 5/2023****CHAPTER 3 LAND MATTERS**

- (a) Para. I **Add “CSTB” and “Culture, Sports and Tourism Bureau” under “Abbreviation” and “Term” respectively.**

PARAGRAPH 3 MAIN PROCEDURES FOR PROVISION OF LAND

- (b) Para. 3.5 **Add the following paragraphs after the heading:**

Land required for a “public purpose” may be resumed by the Lands Resumption Ordinance (Cap. 124). With effect from 1 September 2023, a Notice of Proposed Resumption is required to be gazetted according to section 2A of Cap. 124 for objections to be lodged and handled prior to the submission of the land resumption proposal to the Chief Executive-in-Council for authorisation. In particular, as stated in section 2A(4) of Cap. 124, where the “public purpose” is a land use pending approval under the Town Planning Ordinance (Cap. 131), the Notice of Proposed Resumption may be gazetted on or after the date on which the relevant draft plan/amendment under Cap. 131 is exhibited or made available for public inspection, so that objections towards land resumption can be handled in parallel with the statutory planning procedures.

Project offices and client departments should plan their projects holistically to ensure good coordination and interface between the gazettal procedures for the land resumption proposal and the proposals under other regimes. In general, the Notice of Proposed Resumption should be gazetted at a similar time as, or shortly after, the gazettal of the relevant draft plan/amendment under Cap. 131, if applicable. Where a project involves gazettal of plan and scheme for roads, sewerage or railway works under Cap. 370, Cap. 370 as applied by Cap. 358AL or Cap. 519, the Notice of Proposed Resumption should also be gazetted at the same time

as the gazettal of the proposed plan and scheme under those other ordinances. Project offices and client departments may take these requirements into account when they plan their projects, for instance, they may consider requesting preparation of land requirement plan and suitably engaging land surveying professionals for this task in the relevant feasibility/consultancy studies.

Moreover, as stated in section 19A of Cap. 124, the fact that funding approval for works for delivering the relevant public purpose has not been obtained does not prevent the commencement of land resumption and provision of compensation and rehousing (C&R) to affected persons. To respond to the aspirations of affected persons to receive C&R early, LandsD will proceed to resume land and provide C&R to eligible affected persons after the land resumption is authorised. Project Offices and client departments should make sure that they are ready to take possession of the vacated/cleared land soon after the estimated date of authorization of land resumption.

For further details, please refer to the “Inter-departmental Guidelines for Land Resumption under the Lands Resumption Ordinance (Cap. 124)” given by DEVB.

(c) Para. 3.5.2

Add “When formulating the project boundary, the general principle is to have regard to the requirements of the project and not to resume and clear more land than required. This notwithstanding, it is also important that the project boundary is sensibly drawn (e.g. to avoid cutting across a structure or an occupation or leaving behind a portion of a land lot which cannot be put to beneficial use by the landowner). Where there is any reasonable suggestion on incorporating more land into the project boundary to reduce hardship of affected persons and such land can be reasonably used on the project, project offices and client departments should consider favourably in the interest of smoothening resumption and clearance for timely implementation of the project.” **after the fifth paragraph of item (a).**

Add the following paragraph after the sixth paragraph of item (a):

Having said that, if the PCS is conducted at the same time as the gazettal of the Notice of Proposed Resumption under section 2A of Cap. 124, the usual CAF should be submitted

according to the timeframe under the section “CAF” in (b) below. The Advance CAF would be inapplicable in this case.

Replace “18 months” with “9 months” and add “before gazettal of the Notice of Proposed Resumption under section 2A of Cap. 124” before “(for projects where clearance is to be done under” in item (b).

Replace “the Lands Resumption Ordinance” with “Cap.124” in item (b).

PARAGRAPH 4 SUBSIDIARY PROCEDURES FOR PROVISION OF LAND

- (d) Para. 4.1 **Add “(“the Ordinance”) after “CHAPTER 370” in the heading**

Replace the paragraph with the following :

The Development (Town Planning, Lands and Works) (Miscellaneous Amendments) Ordinance 2023 amends various development-related statutory procedures including Cap. 370, in order to compress development timetables and speed up the production of land and housing. Relevant prevailing circulars, including Transport and Logistic Bureau Technical Circular (TLB TC) Nos. 1/94, 2/96, 1/98 and 1/2022, which will be superseded and replaced by TLB TC No. 1/2023. The following provides Works Departments with guidelines in relation to procedures under the Ordinance.

- (e) Para. 4.1.1 **Replace “The Ordinance requires all roadworks, except those of a minor nature, to be gazetted so as to give the public the opportunity to object to such proposals.” with “Under the Ordinance, road works, except those minor works executed and authorized under Section 4, shall be gazetted so as to give the public a chance to object to such proposals.” in the first paragraph.**

Add the following paragraph after the first paragraph:

If the proposed roads and proposed sewers of a project are required to be gazetted, separate gazettal for the proposed roads under the Ordinance and for the proposed sewers under the Ordinance as applied by Section 26 of the Water Pollution

Control (Sewerage) Regulation (Chapter 358 AL) shall be gazetted on the same day. For details, please refer to paragraph 4.16.

Replace “Street” with “street” in the second paragraph.

Replace “Any” with “any” in item (a) of the second paragraph.

Replace item (b) of the second paragraph with the following:

(b) any open place, whether or not situate on land the subject of a Government lease, used or frequented by the public or to which the public have or are permitted to have access.

(f) Para. 4.1.2

Replace “HAB” with “CSTB” in the first paragraph.

Replace “TB TC No. 1/2018” with “TLB TC No. 1/2022, which would be superseded and replaced by Annex A of TLB TC No. 1/2023” in the second paragraph.

(g) Para. 4.1.3

Replace the first paragraph with the following:

With the expansion of the scope of the minor works mechanism, under Section 4 of the Ordinance, STL may execute any works -

(a) that, in his opinion –

(i) Only involve minor physical or structural operations; or

(ii) Only create minimal adverse effect on the road users and other people in the neighbourhood; and

(b) in respect of which the only powers required by him are any one or more of the following:

(i) to close a road which in his opinion does not serve any useful or lawful purpose;

(ii) to close a road to use for a period not exceeding 14 days in any period of 3 months; and

to close part of the width of a road to use, but not to such an extent which will interfere unreasonably with the normal flow of traffic on that road and for no longer than is reasonably necessary to execute the works.

Add the following paragraph after the first paragraph:

Examples of minor works include installation of utility services, traffic aids and street furniture, street lighting, hard landscaping and planting, etc.

Replace “no resumption of land is involved” with “no resumption of land, creation of easements or other rights are involved” in the second paragraph.

Replace “TB TC No. 1/2018” with “TLB TC No. 1/2022, which will be superseded and replaced by Annex A of TLB TC No. 1/2023” in the third paragraph..

Add the following paragraphs before the last paragraph:

Under the expanded minor works mechanism, STL and delegated officers may take forward a works without going through the statutory gazettal process if the works would create only minimal adverse effect on road users and other people in the neighbourhood, subject to the condition that the only power to be exercised for the execution of works does not extend beyond section (4)(1)(b).

In assessing whether the proposed works would create adverse effect on road users and other people in the neighbourhood, the initiating office may take into account the following factors –

- (i) the nature and the scope of the works;
- (ii) whether road users’ travel pattern would be unreasonably affected, such as causing long detours
- (iii) whether it would bring about negative visual impacts; and
- (iv) other relevant factors.

Initiating office or department is encouraged to consider informing the affected local community of the concerned district in advance before carrying out the minor works.

Delete “, however,” in the last paragraph.

- (h) Para. 4.1.4 **Replace “project” with “initiating” and “perusal” with “inspection” in the first paragraph.**

Add “Government display” before “offices for public inspection.” in the first paragraph.

- (i) Para. 4.1.5 **Delete “concerned” after “District Council(s)” and replace “project” with “initiating” in the first paragraph.**

Replace “District Council” with “District Council(s)” and add “Appendix 3.2 will be updated upon the launching of TLB TC No. 1/2023.” after “scheme submitted for the signature of PSTL.” in the last paragraph.

- (j) Para. 4.1.6 **Add “for the Scheme” after “Preparation of the Plan” in the heading.**

Replace the second paragraph of item (a) with the following:

The Works Area shown on the plan must encompass all the land that may be resumed, easements or other rights in, under or over land may be created or rights affected for the purposes of or incidental to the works or the use and the limit of works area must be sensibly drawn. Where, for example, when limit of works area would cut through an existing building, the line should normally be diverted around the building so as to exclude it completely or so as to include it completely, since it is obviously often impracticable to resume land on which part of a building stands. Investigation on site as to what the effect of the limit of works area would be will often be essential.

Replace item (b) of the paragraph with the following

- (b) Liaison with LandsD

Close liaison with District Lands Officers (“DLO”) or Chief Estate Surveyor/ Special Sections (“CES/SS”) or

Chief Estate Surveyor/ Acquisition (“CES/A”) (for urban area) is necessary in order that all the lands that require resumption or creation of easement or other permanent or temporary rights are correctly described in the scheme and delineated on the plan. Particular care should be taken when boundaries of the Works Area are very close to existing lot boundaries, because any minor modification of the boundary limits of the Works Area, at a later stage, may result in encroachment into a lot which has not been gazetted for resumption or creation of easement or other permanent or temporary rights. In order to avoid such a situation, the following arrangements have been agreed with LandsD:

- (i) The preliminary layout should be circulated to both DLO, CES/SS or CES/A (for urban area) and DSO. DSO will identify any problematic leased lot boundaries on the layout plan and advise the initiating office or department.
- (ii) When such plans showing the problematic leased lot boundaries are prepared for gazetting, the initiating office or department will send an advance copy of the plan to DLO, CES/SS or CES/A (for urban area) and District Survey Offices (“DSO”) at least one week before it is submitted to STL.
- (iii) The initiating office or department must ensure that the land use identified at detailed design stage is not in conflict with that delineated in the gazetted plans. The final layout plans should be sent to DLO and DSO for checking as soon as they are available.

Add “an officer of at least D1 level of” after “approved by” in item (c).

(k) Para. 4.1.7

Replace “The” with “the” and “.” with “;” in items (a)(i) and (a)(ii).

Replace “The” with “the” and “,” with “;” in item (a)(iii).

Replace item (a)(iv) to (a)(vii) with the following paragraphs:

- (iv) any road, Government foreshore or sea-bed in respect of which may be affected under Section 17 of the

- Ordinance and the manner in which the road, foreshore or sea-bed will be affected (for example, closure of roads or reclamation of Government foreshore or sea-bed or the extinguishment, modification or restriction of any public or private right);
- (v) any land or building in respect of which operations may be carried out under Section 19 of the Ordinance and the general nature of that operations (which may cover inspection, valuation, site investigation, surveying and setting out in connection with the works, and the carrying out of preventive or remedial works) ;
 - (vi) the nature of any apparatus in respect of which the course or position may be altered or repositioned under Section 20 of the Ordinance (for example, any gas, electricity, water or telecommunications service apparatus in respect of which it is intended that STL shall exercise his powers under Section 20 of the Ordinance requiring the owner, at his own expense, to alter the course or position of such apparatus);
 - (vii) any land or building in respect of which the removal of obstructions may be required under Section 21 of the Ordinance (i.e. it is intended that STL shall exercise his powers under Section 21 of the Ordinance requiring the removal of obstructions where such removal is necessary for the purposes of or incidental to the works or the use); and
 - (viii) any land or building in respect of which it is proposed that the Building Authority may exercise its powers under Section 22 of the Ordinance (which permits the Building Authority to refuse to give his approval to plans, or to refuse consent to the commencement of building works, to require the amendment of plans, to impose conditions on the giving of approval of plans or on the consent to commence works, or, where no consent to commence works has been given, to withdraw approval, if he is of the opinion that the building works would be incompatible with the roadworks or use).

Replace “case involving roadworks” with “road works and use” in the last paragraph of item (a).

Replace item (b) of the paragraph with the following paragraphs:

- (b) Resuming land for the works under Lands Resumption Ordinance, Chapter 124

“Resumption for a public purpose” under section 2(2) of Cap. 124 and “acquisition for a public purpose” under section 2(2) of the Land Acquisition (Possessory Title) Ordinance (Cap. 130) has been expanded to include resumption/acquisition of land required for the purposes of, or incidental to, any works, or any use, proposed or to be proposed under the Ordinance.

In the past, a “public purpose” project requiring resumption of land for the main development (e.g. an New Development Area (“NDA”) project or a public housing project) using Cap. 124 or Cap. 130 and resumption of land for the associated road works using Cap. 370 will be required to delineate and apportion the areas required to be resumed under the respective ordinances. To streamline and to make the preparation work more efficient, the arrangement under section 2(2) of Cap. 124 and Cap. 130 now allows using Cap. 124 or Cap. 130 to resume the land required for the main development as well as the land required for the proposed road works.

Given the above intent, the pre-requisite for adopting the aforementioned approach, if requested by the Initiating Office include –

- (i) the land required to be resumed for the road works must be associated with a main development requiring resumption of land under Cap. 124 or Cap. 130 (e.g. an NDA project or a public housing project), meaning that a project which is purely a roads work project is not entitled to use section 2(2) of Cap.124 or Cap.130 for resumption of land;
- (ii) the land to be resumed for the proposed road works must fall within the main development boundary and the land therein would be required either for the development works of the main development or the proposed road works, meaning that land required for a road (or a section

of it) which is external to the main development (hence cannot be used for the main development) should not be entitled to use section 2(2) or Cap.124 or Cap.130 for resumption of land; and

- (iii) the land to be resumed for the proposed road works does not involve creation of easements or other permanent rights (Easements) and rights of temporary occupation of land (TOA), because the creation of Easements and TOA should be made under the relevant ordinance such as Cap. 370.

For the avoidance of doubt, the Initiating Office is still required to gazette the proposed scheme of the road works under Cap. 370 notwithstanding the land required being resumed under to Cap. 124 or Cap. 130. As and when the plan and scheme for works have been drawn up (both within the main development boundary which has been authorized for resumption and the works lying outside such boundary yet to be resumed), gazettal and objection-handling for the plan, together with resumption of land outside the main development boundary for the purpose of the proposed works, will be taken forward and ordered (if approved) under s.13 of the Ordinance.

For details on resuming land for the road works under the Ordinance, please refer to the “Inter-departmental Guidelines for Land Resumption under the Statutory Gazettal and Objection-handling Mechanism Introduced under the Lands Resumption Ordinance (Cap. 124)” separately promulgated.

Except for the above and as provided in the Ordinance, Cap.124 shall not apply to the resumption of any land to be resumed for the purposes of or incidental to the works or the use ordered under s.13 of the Ordinance. Any claim or determination, award of payment of compensation for the resumption of land shall follow the ordinances under which the resumption is being ordered. District Lands Officers will nevertheless need to liaise with the Initiating Office in compiling a schedule of land to be resumed. LandsD will carry out all its resumption functions other than preparing the ExCo Memorandum, which would have been required under the Cap. 124.

Replace “STH” with “STL” in item (c).

(l) Para. 4.1.8

Replace item (a) of the paragraph with the following paragraph:

(a) Submission to STL

The plan and the scheme are to be prepared by the office or department which initiates the proposal for the roadworks. Close liaison with DLO, CES/SS and CES/A (for urban area) is necessary to ensure that all the land required to be resumed or easement is correctly described in the scheme and delineated in the plan. After preparing the plan and scheme, the initiating office or department should forward them to STL under cover of the standard memorandum at Appendix 3.2 for comments. Appendix 3.2 will be updated upon the launching of TLB TC No. 1/2023.

Replace “The DO(s) for the district(s) in which it is proposed to carry out the works.” with “the Home Affair Enquiry Centre(s)/ DO(s) concerned for the district(s) in which it is proposed to carry out the works.” in item (b)(iii).

Replace “STL” with “drop-in box, fax number and email address of TLB” in the second last paragraph of item (b).

Replace “whom” with “which” in the second last paragraph of item (b).

Add “Appendix 3.3 will be updated upon the launching of TLB TC No. 1/2023.” after the second last paragraph of item (b).

Replace the last paragraph of item (b) with the following paragraph:

After signature by PSTL, the appropriate number of copies of the plan and the scheme will be returned to the initiating office or department for distribution to the display offices at which the plans are to be available for public inspection.

Replace the first paragraph of item (c) with the following paragraph:

After incorporating comments received, the initiating office or department is to forward the finalized plan and the scheme, resumption plan, plan for creation of easement or other permanent rights and plan for creation of temporary

occupation of land (in cases where resumption and creation of easement or other permanent or temporary rights are required), draft press release and notice to STL requesting publication in the Gazette.

Replace “Printer” with “Logistics Department” in the second paragraph of item (c).

Replace “in” with “on TLB’s website, as well as” in the third paragraph of item (c).

Delete “ In addition, to facilitate the public in accessing information, the electronic version of the plan and scheme will be made available to the TLB’s website.” of the third paragraph of item (c).

Replace “project” with “initiating” in the third paragraph of item (c).

Replace “sections” with “Sections” in the third paragraph of item (c).

Replace “project” with “initiating” in the last paragraph of item (c).

(m) Para. 4.1.9

Replace the first paragraph of item (a) with the following paragraph:

If it is necessary to amend a plan and scheme already deposited in the Land Registry, a new notice calling attention to the amendment must be published and all copies of the plan and scheme already issued or displayed must be amended or replaced by the initiating office or department. Initiating office or department should consider consulting the relevant District Council(s) which was previously consulted as described in paragraph 4.1.5. The whole procedure described in paragraph 4.1.8 must be repeated.

Replace the heading of item (b) with “Decision not to execute works”

Replace “project” with “initiating” in item (b).

Replace “District Council” with “District Council(s)” in item (b).

Replace “project” with “initiating” in the first paragraph of item (c).

Replace “expected” with “not uncommon” in the first paragraph of item (c).

Replace “project” with “initiating” in the second paragraph of item (c).

Add “Confirmation as regards whether objection has been received should be obtained from the display offices.” after the second paragraph of item (c).

Add the following paragraphs at the end of item (c):

When an objection with no or invalid or unclear correspondence address/email address is received, the initiating office or department should contact the objector via the phone number provided in the objection letter with a view to obtaining his/her correspondence address or email address for the purpose of serving written reply. It may happen that the same objector issues two or more identical objection letters, or the same objector issues more than one objection letters with different content. In the former case, duplicated objection(s) should be consolidated; whereas in the latter case, any subsequent objection letter may be treated as supplement to the first objection letter issued by the same objector. In either case, it should only be counted as one objection made by the same objector.

An objection lodged after the statutory deadline for lodging objections (i.e. 60 days after the first publication of the gazette notice) should not be regarded as valid.

(n) Para. 4.1.10

Replace item (a) with the following paragraph:

If there have been no objections, the Initiating Office or department shall report to TLB and seek STL’s approval to execute the works and in anticipation of such approval shall attach a draft notice in English and Chinese for the purpose of publishing STL’s intention. A sample notice under Section 11(9)(a) of the Ordinance are attached at Appendix 3.4. Appendix 3.4 will be updated upon the launching of TLB TC No. 1/2023.

Add the following paragraphs after the first paragraph of item (b):

Where an objector is unwilling to withdraw his objection, or is only willing to withdraw it on condition(s), then the objection will be treated as unwithdrawn and must be submitted to the Chief Executive in Council (“CE in C”) for consideration and decision. In such circumstances, it is important that the Administration presents the objector’s case fairly to ExCo. For this reason, the following points to note should be observed in handling unwithdrawn objections –

- (i) the initiating office or department should ensure that each objector is fully informed in writing of the way it intends to submit his objection to ExCo. Specifically, the objector should be advised that all correspondence relating to his objection, including correspondence between the objector and the Government, together with the records of any related objection resolution meeting(s) will be submitted to ExCo for Members’ consideration;
- (ii) the objector should have available to him any relevant information that was taken account of by the initiating office or department in the formulation of its proposals. To enable the objector to formulate his objection, the initiating office or department should, as far as possible, meet any reasonable request for such information;
- (iii) if an objector submits any revised proposal, even if it is only minor variation to the original proposal, it must be annexed to the ExCo Memorandum so that the ExCo Members have a complete dossier of all objections and the initiating office or department’s comments thereon. The objector should be given the opportunity to have the last word;
- (iv) where it appears that an objector is attempting to delay the matter by producing further alternatives, or is attempting to enter into protracted negotiations on a particular issue, the initiating office or department should, by allowing a reasonable time frame, advise the objector of a cut-off date for him to finalize his submission. The submission will then be presented to the ExCo in order that account may be taken of it in the final decision process;

- (v) a summary listing out the final stance of objectors after receiving the initiating office or department's written replies would be annexed to the ExCo Memorandum. If no/invalid/unclear correspondence address/email address is provided in the objection letter, the initiating office or department should contact the objector via the phone number provided in the objection letter (if any) with a view to obtaining his/her correspondence address or email address for the purpose of serving written reply. If the objector refuses to provide correspondence address or email address or provides invalid correspondence address or email address, no written reply will be served and the respective objection will be regarded as unwithdrawn case and categorized under "no response". If the objector cannot be reached via the phone, no written reply will be served and the respective objection will be treated as unresolved case/categorized as "unable to contact";

(Points (vi) to (x) below are solely applicable to handling of objections in respect of road works where a copy of the relevant plan and scheme has been deposited in the Land Registry under Section 8(1) of the Ordinance on or after 1 September 2023)

- (vi) when an objection is lodged on a ground relating to any compensation (whether monetary or non-monetary) or any financial or other assistance (compensation or assistance) in connection with the works or the use, the objection is, to the extent that it is lodged on that ground, invalid and treated as not having been lodged for the purposes of Section 11 of the Ordinance. The reference to a ground relating to any compensation or assistance includes –
- a ground relating to whether any compensation or assistance is to be provided, whether or not under an enactment; and
 - a ground relating to the amount, extent or form of the compensation or assistance, or the time for its provision.

The purpose of the objection-handling process is to consider whether to proceed with the works and the

established practice is to handle compensation or assistance matters under separate mechanisms after a decision on the works proposal is made. The initiating office or department should, upon receipt of objection on such ground, inform the objector accordingly;

- (vii) under Section 10(5) of the Ordinance, if the initiating office or department gives a written reply to an objection, the objector may give a response to the reply (including any comment on, or any request in connection with, the reply) within the period of 14 days after the day on which the reply is given. According to Section 10(7) of the Ordinance, a response that is given after the 14-day period is treated as not having been given. In such case, or in case the objector does not provide response at all, the original objection may be deemed to be maintained and unwithdrawn. The submission will then be presented to Members in order that account may be taken of it in the final decision process;
- (viii) in case the objector gives a response to the initiating office or department's reply within 14 days (including any comment on, or any request in connection with the initiating office or department's reply), the initiating office or department should provide further written reply as appropriate together with the supplementary information requested to the objector. In case the objector attempts to repeat his objection to which the initiating office or department had already replied, or enter into protracted negotiations on a particular issue to which the project office or department considers no further reply is required, the initiating office or department should notify the objector that the his objection had already been sufficiently addressed in previous replies, the objection is treated as unwithdrawn and will be submitted to the CE in C for consideration. The submission will then be presented to Members in order that account may be taken of it in the final decision process;
- (ix) under Section 10(6) of the Ordinance, the mere notification by the initiating office or department to the objector that the objection is treated as unwithdrawn and will be submitted to the CE in C does not constitute a reply; and

- (x) an objector, under section 10(8) of the Ordinance, may by writing to STL-
 - (a) amend an objection lodged by the objector within the 60 days period for lodging objections; or
 - (b) withdraw the objection in whole or in part before the plan and scheme are submitted under Section 11(1A) of the Ordinance.

Add the following paragraphs before item (c):

- (c) Statutory Time Limit of Submission of ExCo Memorandum

Under normal circumstances, all unwithdrawn objections, notes of any related objection resolution meeting(s) and correspondence between the Government and the objector(s) together with the relevant road scheme and plan(s), should be submitted to the CE in C for consideration –

- (i) subject to any amendment to the plan and scheme (paragraph (c)(iii) below) and extension of time (see paragraph (d)(i) under Extension of Time), within nine months counting from the expiration of the period for lodging objections for road works of which a copy of the plan and scheme has been deposited in the Land Registry under Section 8(1) of the Ordinance before 1 September 2023;

or

- (i) subject to any amendment to the plan and scheme (paragraph (c)(iii) below) and extension of time (see paragraph (d)(ii) under Extension of Time), within five months counting from the expiration of the period for lodging objections for road works of which a copy of the plan and scheme has been deposited in the Land Registry under Section 8(1) of the Ordinance on or after 1 September 2023;

or

- (ii) subject to extension of time (see paragraphs (d)(i) and (d)(ii) under Extension of Time), where there is any amendment to the plan and scheme, within

three months after the expiration of the period for lodging objections in respect of any such amendment or where there is more than one amendment, the last of any such amendments if the said 3-month period ends later than the period mentioned in paragraphs 4.1.10 (c)(i) and (c)(ii) above.

(d) Extension of Time

Having regard to the circumstances of the case, the initiating office or department may seek extension of the time period(s) mentioned above as necessary. The initiating office or department should explain the reason why more time is required for handling objections in the case concerned to STL for the Secretary to apply for the time extension to the Chief Executive (for road works of which a copy of the plan and scheme has been deposited in the Land Registry under Section 8(1) of the Ordinance before 1 September 2023) or to the Financial Secretary (for road works of which a copy of the plan and scheme has been deposited in the Land Registry under Section 8(1) of the Ordinance on or after 1 September 2023). Upon application by STL –

- (i) the Chief Executive may allow a further period of not more than six months after the expiration of the period referred in paragraphs (c)(i) or (c)(iii) under Statutory Time Limit of Submission of ExCo Memorandum (as the case may be) for road works of which a copy of the plan and scheme has been deposited in the Land Registry under Section 8(1) of the Ordinance before 1 September 2023;

or

- (ii) the Financial Secretary may extend the period mentioned in paragraphs (c)(ii) or (c)(iii) under Statutory Time Limit of Submission of ExCo Memorandum (as the case may be) for two months for road works of which a copy of the plan and scheme has been deposited in the Land Registry under Section 8(1) of the Ordinance on or after 1 September 2023 if he considers it appropriate to do so; and further extend the period on not more than two occasions and for two months for each extension if he is satisfied that exceptional circumstances exist

in that particular case. As to what constitutes “exceptional circumstances”, it will be considered case by case. Extension may be granted if -

- (a) The case involves enormous objections;
- (b) The case is considered complex;
- (c) Special work arrangements due unforeseen reasons; and
- (d) Any other reasons as raised by the initiating office that STL considers appropriate.

(e) Mechanism for Objection Resolution

- (i) The initiating office or department should provide a written reply (“the Reply”) to each of the objectors to respond to the objector; provide information as requested; and ask the objector to indicate his final stance – “last word” by completing/returning the reply slip and give all his further comments/requests in connection with Government’s reply, if any, within 14 days.
- (ii) If the objector does not respond or responds after the 14 days expired, the original objection will be deemed to be maintained and be treated as unwithdrawn, and the objections will then be presented to Members in order that account may be taken of it in the final decision process. The objector’s response after the 14-day period is treated as not having been given. A sample of written reply with the reply slip for the objector to fill in his/her final stance is at **Annex 1**.
- (iii) If the objector provides response to the Reply within 14 days, giving any comment on, or any request in connection with, the Reply, the initiating office or department should provide further written response to the objector as appropriate together with the information requested.

The initiating office or department should observe the computation of time under Sections 8 and 71(1) of the Interpretation and General Clauses Ordinance (Cap. 1) as appropriate.

(f) ExCo Memorandum

The initiating office or department should exercise their judgment on whether the appropriate District Council(s) should be consulted again before preparing the draft ExCo Memorandum in cases in which public reaction to the scheme is strong or if the proposed modification to the scheme is significant. It is the responsibility of the initiating office or department to prepare a draft ExCo Memorandum and to submit it to TLB. TLB will circulate the draft ExCo Memorandum to all offices concerned for comments and will submit the final draft to the Clerk to the Executive Councils for consideration by CE in C. The initiating office or department shall be responsible for preparing all copies of Annexes (normally 50 copies of Chinese and 50 copies of English version) properly bound and for forwarding them to the Clerk to the Executive Councils along with TLB's submission of ExCo Memorandum. A sample ExCo Memorandum is at Appendix 3.5. TLB TC No. 1/2023 to be in place describes the level of clearance of the ExCo submission.

To meet the requirement on making the ExCo submission within 5 months counting from the expiry date of the statutory objection period (in case of no gazettal of amendment scheme required), initiating office or department should target to complete the handling of objections and preparation of the ExCo Memorandum in the first 3 months upon expiry of the statutory objection lodging period, allowing the remaining 2 months for subsequent vetting/circulation/clearance of the ExCo Memorandum by TLB.

TLB will arrange the gazettal of the decision of CE in C and inform the decision to the objector(s). In case where there are modifications, the initiating office or department is responsible for supplying copies of any modification plan on which should be marked 'Authorised by Chief Executive in Council 經行政長官會同行政會議授權進行' and any other information required to the TLB for arranging gazettal. The initiating office or department shall also display copies of the gazette notice under s.11 in prominent positions within the works area, and distribute the modified plan, if any,

to the display offices for public inspection when notified by the TLB.

A LegCo brief will also be prepared, if necessary, by TLB after CE in C has rendered his decision. The initiating office or department is required to supply 85 copies in English and 75 copies in Chinese of Annexes to TLB for inclusion in the LegCo Brief.

Replace item (c) with the following paragraph:

(g) Exercise of powers

When STL gives approval to proceed with the works as described in paragraph (a) above, or CE in C authorizes the works under Section 11 of the Ordinance, the powers referred to in paragraph 4.1.7(a)(ii) to (viii) may be exercised, together with STL's power of entry under Section 11(7) of the Ordinance, having regard to any ameliorating conditions which may have been imposed by CE in C. At this stage, the necessary orders regarding resumption, the creation of easements, closure of roads, reclamation and the like will be sought (unless delegated authority has already been obtained), in order to permit the works to proceed. Attention is drawn to Section 2(2) of the Ordinance, which prescribes the manner in which notice is to be served on any named person when exercising the above powers.

(o) Para. 4.1.11

Add “or Other Rights” at the end of heading.

Replace the first paragraph of item (a) with the following paragraph:

Where the roadworks necessitate the resumption of land, or the creation of an easement or other permanent or temporary right of occupation in, under or over land, it will be necessary for staff of DLO, CES/SS or CES/A (for urban area) to liaise closely with the initiating office or department in order that the land concerned may be correctly described in the scheme prepared under Section 5 of the Ordinance. In the majority of such cases, it will be necessary for DLO, CES/SS or CES/A (for urban area) to prepare plans and schedules of lots to be resumed in the same way as for resumption under the Lands Resumption Ordinance and/or preparation of plan for creation of easement and other permanent rights or plan for creation of temporary occupation of land and schedule of lots to be created of such easement or other permanent or temporary rights.

Replace “Under” with “under” in item (a)(i) to (a)(v).

Replace the last paragraph of item (a) with the following paragraph:

The Chief Executive has delegated his power under Section 13 and Section 15 to, inter alia, the Director of Lands (D of L), Principle Government Land Agents (PGLA, and equivalent to Deputy Directors (DD) of Lands), Government Land Agents (GLA, and equivalent to Assistant Directors (AD) of Lands), DLOs and CESs.

Replace “project” with “initiating” in the item (b).

Replace “3” with “three” in the second paragraph of item (b).

Add “The Appendix 3.6 will be updated upon the launching of TLB TC No. 1/2023.” after “A specimen form of the order is at Appendix 3.6.” in the second paragraph of item (b).

Replace “DD of LPGLA” with “PGLA” in the second paragraph of item (b).

Replace “Describe” with “describe” in item (c)(i).

Replace “State” with “state” in item (c)(ii) to (c)(v).

Add “The Appendix 3.7 will be updated upon the launching of TLB TC No. 1/2023.” at the last paragraph of item (c).

Replace “Describe” with “describe” in item (c)(i).

Replace “shall” with “must” in item (d).

Replace “Arrange” with “serve the notice on every person known to have any estate, right, share or interest in the land mentioned in the order, arrange ” in item (d)(i).

Replace “Provide” with “provide” in item (d)(ii).

Replace “Describe” with “describe” in item (d)(iii).

Replace “Affix” with “affix” in item (d)(iv).

Replace “As soon as practicable following the expiry of the period of notice specified in the order, LandsD is to cause the vesting or reversion of the land to be noted in the register of the land kept in the Land Registry.” **with** “arrange delivery of the published notice and resumption plan to the Land Registry for registration.” **in item (d)(v).**

Add “The Appendices will be updated upon the launching of TLB TC No. 1/2023.” **at the end of second paragraph of item (e).**

Replace “project” **with** “initiating” **in the first paragraph of item (g).**

Add “, CES/SS or CES/A (for urban area)” **after** “DLO” **in the first and second paragraph of item (g).**

Add “(Headquarters Section (“HQ”))” **after** “LandsD” **in the second paragraph of item (g).**

(p) Para. 4.1.12

Replace “To” **with** “to” **at the beginning of items (a)(i), a(ii) and (a)(iii).**

Add “Appendix 3.10 will be updated upon the launching of TLB TC No. 1/2023.” **at the end of item (a).**

Replace item (b) with the following paragraphs:

(a) Publicity

The order signed under Section 17 is publicized by means of a notice under Section 18. The standard form of notice is at Appendix 3.11. The Appendix 3.11 will be updated upon the launching of TLB TC No. 1/2023. The notice must be:

(i) Published

- in one issue of the Gazette in both English and Chinese;
- in one issue of an English language newspaper;
- in one issue of a Chinese language newspaper;
- on TLB’s website for road closure, foreshore or sea-bed reclamation works, restriction of public/private rights;
- by affixing a copy in both English and Chinese in prominent positions on or near the land

mentioned in the order; and

- (ii) made available for inspection by the public free of charge at such offices of the Government of the HKSAR as PSTL may direct.

Replace item (c) with the following paragraphs:

(b) Procedure

It is the responsibility of the project office or department to prepare the draft order under Section 17 and draft notice under Section 18. The draft notice and order are to be submitted to PSTL at least one month before the order is effective. The respective responsibilities are:

By Transport and Logistics Bureau

- (i) process the draft order and have it signed by the PSTL;
- (ii) process the draft notice and have it signed by the PSTL;
- (iii) arrange for the publishing of the notice in one issue of the Gazette and in one issue of an English language newspaper and one issue of a Chinese newspaper; and on TLB's website; and
- (iv) send the initiating office or department copies of the order and notice for affixing in prominent locations on or near the affected areas; and.
- (v) send the display offices copies of the order and notice for deposit in their offices for public inspection.

By Initiating Office or Department

- (i) send copies of the order to offices at which the plan and scheme prepared under Section 5 were originally made available for inspection by the public (see also paragraph 4.1.8); and
- (ii) affix copies of the notice in both English and Chinese on or near the land mentioned in the order.

(Note: The date on which the notice was so affixed is required to be stated in the notice. It should normally be the gazettal day before that on which the notice is published in the Gazette and the initiating office or department is to ensure that it is so affixed on that date.)

Where the plan of the affected roads, foreshore or seabed has been altered from that originally made available for inspection by the public, it will be necessary for the initiating office or department to provide revised plans to offices at which the public may inspect them. In all other cases, it will be sufficient merely to remind those offices that the plans are already in their possession.

(q) Para. 4.2 **Delete “WBTC Nos. 13/97, 13/97A, 9/2001 and 9/2001A,” in the heading.**

(r) Para. 4.2.1 **Replace “Ordinance” with “FS(R)O” in the second paragraph.**

Add “, technical advice from Development Bureau (Works Branch) (DEVB(WB)) [Attention to Chief Assistant Secretary (Works) 3] and” after “In case of doubt as to whether a particular kind of works falls within the ambit of the FS(R)O” in the second paragraph.

Add “(DoJ)” after “Department of Justice” in the second paragraph.

Replace the third paragraph with the following paragraph:

Before reclamation is started, gazetting under section 5 or authorization as minor works under section 16A of the FS(R)O must be taken by the Director of Lands (D of L). In the event of queries, the contact officer in the LandsD is the Executive Officer/Lands Administration Office (2)/(EO/LAO(2)).

Replace the fourth and fifth paragraph with the following paragraphs:

With a view to expediting land production to meet society’s needs for housing and other development, section 16C of FS(R)O explicitly provides that the preparation and publication of a plan for proposed reclamation, the receipt and handling of objection as well as the authorization of the

reclamation over and upon the foreshore and sea-bed under FS(R)O do not require any statutory plan (commonly known as outline zoning plan (OZP)) prepared under the Town Planning Ordinance (TPO) to be in place.

Allowing the gazettal of reclamation proposal under FS(R)O and relevant procedures to run without having to wait for the completion of statutory town planning process would accelerate the commencement of reclamation projects thus land production. The rationale is that for any reclamation project to proceed, it has always been the Government's practice to establish the need for reclamation first, and to confirm the technical feasibility and environmental acceptability of the location and extent of reclamation, through detailed planning and engineering (P&E) studies and public engagement. Draft land use proposals showing residential, commercial and other zonings for the reclaimed land will also be formulated under relevant P&E studies. These land use proposals then form the basis for preparing the OZP under TPO. As the P&E studies and the draft land use proposals formulated thereunder are already detailed enough to help justify the need for as well as extent of reclamation, the statutory processes of reclamation should commence while the statutory OZP process under TPO runs in parallel.

(s) Para. 4.2.1

Add the following paragraph 4.2.2 after paragraph 4.2.1:

4.2.2 Minor Works

- (a) A minor works mechanism is introduced under FS(R)O so that works of a minor nature may be carried out in an expeditious way for early enjoyment of the public.
- (b) Section 16A of FS(R)O empowers D of L (or his delegated officers as referred to in paragraph 4.2.2 (d)) to authorize any works as specified in the Schedule to FS(R)O with total area of foreshore and seabed affected by which is not more than 0.5 hectare over and upon any foreshore and sea-bed. Currently the Schedule contains 11 types of works –
 - (i) pier;
 - (ii) landing steps;
 - (iii) harbour steps;
 - (iv) slipway;
 - (v) mooring dolphin;
 - (vi) beacon;

- (vii) floating pontoon;
- (viii) submarine pipeline or outfall;
- (ix) diffuser for open sea discharge;
- (x) seawater intake; or
- (xi) peripheral structure or feature associated with a marine structure

The authority to amend the Schedule rests with the Secretary for Development¹. To ensure transparency and allow public scrutiny, Government will consult the Legislative Council Panel on Development before publishing notice in the Gazette for any amendments to the Schedule.

We have provided in Appendix 3.11A examples of the specified works for departments' reference. If a delegated officer is uncertain whether the proposed works fall within the definition of minor works under section 16A, he may consult DEVB(WB) and DoJ.

- (c) Sections 3 to 16 of FS(R)O do not apply in relation to any works authorized as minor works under section 16A. In other words, requirements and procedures concerning statutory gazettal, objection-handling and statutory compensation do not apply to minor works. This notwithstanding, the Lands Department will continue to consider offering ex-gratia allowances to eligible fishermen and mariculturists affected.
- (d) Under powers granted to D of L under section 2A of FS(R)O, D of L has delegated his powers under section 16A to some senior officers of ArchSD, CEDD, DSD, EMSD, EPD, HyD, HD, LCSO, MD and WSD. A detailed schedule of persons to whom D of L has delegated powers under section 16A of FS(R)O is given at Appendix 3.11C, which is under review by LandsD. As "minor works" authorized under FS(R)O are not subject to statutory compensation, delegated officers should ensure that the proposed works will not unreasonably affect private rights prior to authorizing or executing the relevant minor works.
- (e) For minor works authorized under Section 16A, the delegated officer should notify LandsD (for the attention of EO/LAO (2) as referred to in paragraph 4.2.2(c) of this handbook and Chief Land Executive/ Fishermen

Claims Assessment Unit)) for record purpose under the logsheet in excel format as attached at Appendix 3.11D.

- (f) While the undertaking of minor works under section 16A does not require gazettal and objection handling processes, departments are encouraged to maintain liaisons with the local community as appropriate before the commencement of works. In particular, people who will be affected by the works such as the nearby mariculturists and the concerned fishermen associations for the areas should be given early notification, unless in emergency circumstances.

(t) Para. 4.2.2 **Renumber “4.2.2” as “4.2.3” and add “Major Works - ” at the beginning of heading.**

(u) Para. 4.2.3 **Renumber “4.2.3” as “4.2.4” and add “Major Works - ” at the beginning of heading.**

Delete items (b) and (f).

Renumber “(c)”, “(d)” and “(g)” as “(b)”, “(c)” and “(f)” respectively.

Add the following item before item (e):

- (d) Unless otherwise agreed by the Secretary for Environment and Ecology, the approval of the EIA report or the permission to apply directly for environmental permit has been obtained from the Director of Environmental Protection under the Environmental Impact Assessment Ordinance (Chapter 499) if the proposed reclamation is a designated project under FS(R)O.

Replace “Agriculture, Fisheries and Conservation Department” with “AFCD”, “Civil Engineering and Development Department” with “CEDD”, “Drainage Services Department” with “DSD”, “District Lands Office” with “DLO”, “District Office” with “DO”, “Planning Department” with “Plan D”, “Environmental Protection Department” with “EPD”, “Marine Department” with “MD” and “Water Supplies Department” with “WSD” in item (g)(i).

Replace “Civil Engineering and Development Department” with “CEDD” and “Highways Department” with “HyD” in item (g)(ii).

Add the following paragraph before the second last paragraph:

Section 16B of the updated FS(R)O provides that the fact that the expenditure for any works to be executed for a reclamation has not been approved or authorised under the Public Finance Ordinance (Cap. 2) or any other enactment does not prevent the authorization of the reclamation or the provision of any compensation (whether monetary or non-monetary) or any financial or other assistance in connection with the reclamation or the works. The project department may consider the appropriate timing for initiating the Notice, taking into account the readiness of a scheme, the progress of earmarking funds for its implementation, and the overall project timetable.

Add “or minor works to be authorized.” after “affected by gazettal under the FS(R)O” in the second last paragraph.

Delete “(MFC)” after “Marine Fill Committee” and replace “paragraph 4.2.3” with “paragraph 4.2.4” in the last paragraph.

(v) Para. 4.2.4

Re-number “4.2.4” as “4.2.5” and add “Major Works - ” at the beginning of heading.

Replace “4.2.3” with “4.2.4” in the first paragraph.

Replace “EO/LAO” with “EO/LAO(2)” in the first and second paragraph.

Replace “of” with “that” in item (e) of the second paragraph.

Add “and” at the end of item (f) of the second paragraph.

Replace “;” with “.” in item (g) of the second paragraph.

Add “is” after “no objection” in item (e) of the second paragraph.

Delete items (h) and (i) of the second paragraph.

Replace the second last paragraph with the following paragraph:

Upon receipt of the documents mentioned above, D of L will arrange for their clearance with the Department of Justice. If everything is in order, the initiating department should request the DLO for the area to submit to D of L 35 copies of the finalized gazette plan and 4 copies of the finalised location plan. D of L will then arrange publication and display of the Notice and plan, and publication of the press release in accordance with FS(R)O.

(w) Para. 4.2.5

Renumber “4.2.5” as “4.2.6” and add “Major Works - ” at the beginning of heading.

Replace the paragraph with the following paragraphs:

Section 8(1A) of FS(R)O stipulates a statutory time limit of 5 months for dealing with objections lodged, unless an extension is granted. In this connection, the initiating department should make their best endeavours to complete the objection handling process as soon as practicable without deviating from the objective of allowing a reasonable period of time for both the Government and objectors to resolve objections.

(a) Scheme without objection(s) received

If no objection is received during the Objection Period, D of L will consult the interested parties on the timing for gazetting the Notice of Authorization under Section 9 of the FS(R)O. Unless advised otherwise, D of L will arrange gazetting of the Notice of Authorization in about four weeks.

(b) Scheme with objection(s) received

If objections are received during the Objection Period, D of L will refer the objections to the initiating. The latter should consider the following –

- (i) whether the objection is made on a ground relating to compensation (whether monetary or non-monetary) or any financial or other assistance (compensation or assistance) in connection with the proposed reclamation. If affirmative, the objection, to the extent that it is made on that ground, will be considered invalid and be treated as not having been made. The purpose of the objection-handling process is to consider whether to proceed with the

works and the established practice is to handle compensation or assistance matters under separate mechanisms after a decision on the works proposal is made. The initiating office should, upon receipt of objection on such ground, inform the objector accordingly.

- (ii) if the objection is considered valid, the initiating office should consult the government departments concerned including the DoJ where necessary, and formulate means of overcoming the objections, which may include modification of the scheme.
 - (iii) if the modification of scheme is considered not necessary, the initiating office, depending on the content of the objection, may contact the objector as appropriate in order to clarify any misunderstandings that may exist over the proposed scheme.
- (a) The initiating office, after giving due consideration of the above, should offer an official written reply (“the Reply”) as soon as possible to each objector. The Reply should provide –
- (i) a substantive reply against the argument points raised by the objector;
 - (ii) any relevant information (in the formulation of the works proposal) as requested by the objector;
 - (iii) a reply slip that asking the objector to indicate his stance amongst four options -
 - Option (a): withdraw objection to the proposal unconditionally;
 - Option (b): withdraw objection to the proposal with conditions;
 - Option (c): maintain objection; and
 - Option (d): provide supplementary comments; and
 - (iv) a reminder that –
 - a. the reply slip (with all comments) should be returned within 14 calendar days (with date specified) or otherwise the objection would be deemed as unwithdrawn;
 - b. if the objector (1) does not withdraw his objection, or (2) withdraws with conditions; or

(3) provides supplementary comment, all the correspondence relating to his objection, together with the records of any related meetings, will be submitted to Chief Executive in Council (CE in C) for consideration.

A sample of the Reply and reply slip is attached at Appendix 3.13A.

- (b) The initiating office should check as to whether the reply slip is received on or before the 14-calendar day deadline. The initiating office should also observe the service by post and computation of time under Sections 8 and 71(1) of the Interpretation and General Clauses Ordinance (Cap. 1), as appropriate.
- (c) If an objection is withdrawn unconditionally, it shall be treated as not having been made for the purpose of proceeding with the authorization procedure under FS(R)O.
- (d) Where an objector (i) does not withdraw his objection, or (ii) withdraws it with conditions, or (iii) provides supplementary comments, then the objection remains unresolved and must be submitted to CE in C for consideration and decision. Under such circumstances, it is important that the Administration presents fairly the objector's case to CE in C. For this reason, the following procedures should be followed in handling unresolved objections to ensure:
 - (i) that each objector is fully informed in writing that it intends to make a submission to CE in C for consideration of the proposed reclamation and the objection. Specifically, the objector should be advised that correspondence relating to his objection, together with the records of any related meetings, will be submitted to CE in C for consideration as mentioned in paragraph 4.2.6(c)(iv) above;
 - (ii) that any relevant information available to the Administration in the formulation of its own proposals are made available to the objector to assist him to formulate his objection as far as possible as mentioned in paragraph 4.2.6(c)(ii) above;

- (iii) any revised proposal submitted by an objector, even if it is only a minor variation to the original proposal, it must be annexed to the ExCo Memorandum so that CE in C could have a complete dossier of all objections and the Administration's comments thereon and
- (e) the objector must always be given the opportunity to have the last word within the allowed timeframe in accordance with the requirements in the reply slip and the Reply as stated in paragraph 4.2.6(c)(iii) and (iv) above.
- (f) It is the responsibility of the initiating department to prepare a draft ExCo Memorandum with a full set of the Annexes and pass it to D of L when objections remain unresolved. D of L will circulate the draft Memorandum to all government departments/parties concerned and coordinate the preparation of the finalized Memorandum. D of L will submit the Memorandum to CE in C for consideration within a period of 5 months after the expiry of the Objection Period. The Secretary for Development (SDEV) may extend the 5-month time limit for not more than 3 occasions and for 2 months each upon application of D of L, as SDEV considers it appropriate for the first 2-month extension or under exceptional circumstances for the remaining two 2-month extensions. As to appropriateness of the extension, for those projects handled by the delegated officers, the application of D of L to SDEV will be based on the recommendation of the delegated officers. As to what constitutes "exceptional circumstances", it will be considered case by case. Extension may be granted if –
 - (i) the case involves enormous objections;
 - (ii) the case is considered complex;
 - (iii) special work arrangements due unforeseen reasons; and
 - (iv) any other reasons as raised by the initiating office that D of L considers appropriate.
- (g) It is reminded that, under the updated procedures in 2023 as set out in paragraph 4.2.6(c) above, statutory procedures on publication of a reclamation plan under FS(R)O may commence without having to wait for completion of relevant process under the TPO. In order to work out the timing for the parallel processing

procedures, there should be close liaison and consultation between PlanD, LandsD and the relevant works department. A flowchart showing the procedures for gazetting under FS(R)O is given at the Appendix 3.14.

- (h) Appropriate administrative steps should be taken to resolve objections as soon as practicable after the statutory objection period (with a possible extension as mentioned in paragraph 4.2.6(h) above). Also, in order to speed up the resumption and clearance of land, the streamline procedures as stipulated in ETWB TCW No. 13/2003 should be followed.
- (i) If the proposed reclamation is a marine borrow area or a marine disposal area, MFC should request the Authority under the Dumping at Sea Ordinance, when the Objection Period lapses, to make all necessary statutory arrangements to enable the Authority to issue permits and exercise regulatory controls on marine dumping activities within the affected foreshore and seabed.

(x) Para. 4.2.6

Renumber “4.2.6” as “4.2.7” and add “Major Works - ” at the beginning of heading.

Delete “, and reply to objectors should there be any” in the first paragraph.

Replace the second paragraph with the following paragraph:

If the initiating office considers it necessary, the initiating office shall prepare a draft press release and submit to D of L for consideration to arrange a press release of the authorized reclamation.

(y) Para. 4.2.7

Renumber “4.2.7” as “4.2.8” and add “Other Works - ” at the beginning of heading.

Replace the second paragraph with the following paragraph:

Prior to the gazetting of relevant works, it is necessary to sign and submit an undertaking to the Government in order to ensure that the private party (e.g. developer) can be reimbursed the relevant compensation for private projects in accordance with section 2A(2) of FS(R)O.

- (z) Para. 4.16 **Add “Subsidiary Legislation AL” after “CHAPTER 358” at the heading.**

Replace the paragraph with the following paragraph:

EPD procedural guidelines No. 01/16 (which will be superseded and replaced by 01/23) gives the guidance to the application of the Roads (Works, Use and Compensation) Ordinance (“the Roads Ordinance”) as applied by Section 26 of the Water Pollution Control (Sewerage) Regulation (“Cap. 358AL” or “the Sewerage Regulation”). The Development (Town Planning, Lands and Works)(Miscellaneous Amendments) Ordinance 2023 amends various development-related statutory procedures including Cap. 370, in order to compress development timetables and speed up the production of land and housing. The following provides Works Departments with guidelines in relation to procedures under the Sewerage Regulation.

- (aa) Para. 4.16.1 **Replace “The Roads (Works, Use and Compensation) Ordinance” with “The Roads Ordinance” in the first paragraph.**

Replace “section” with “Section” in the first and second paragraph.

Delete “(the Ordinance)” after “the Water Pollution Control (Sewerage) Regulation” in the first paragraph.

- (ab) Para. 4.16.2 **Replace “the Ordinance” with “the Roads Ordinance” in the paragraph.**

Add “or 01/23” after “EPD procedural guidelines No. 01/16” in the first paragraph.

- (ac) Para. 4.16.3 **Replace “the Ordinance” with “the Roads Ordinance” in the first paragraph.**

Replace “To” with “to” in items (i), (ii) and (iii) of the first paragraph.

Add “or 01/23” after “EPD procedural guidelines No. 01/16” in the second paragraph.

- (ad) Para. 4.16.5 **Replace the heading “Consultation with District Councils” with “Public Consultation”.**

- (ae) Para. 4.16.5 **Replace the heading “Consultation with District Councils” with “Public Consultation”.**
- (af) Para. 4.16.6 **Add “for the Scheme” after the heading.**
- (ag) Para. 4.16.7 **Replace “Non-application of” with “Resuming of Lands under” in item (b).**
- (ah) Para. 4.16.8 **Add “, which is under review by EPD. Please check with EPD for latest version” at the end of item (a).**
- Replace “project” with “initiating” in item (c).**
- Replace “office” with “department” in item (c).**
- Add “Both appendices are under review by EPD. Please check with EPD for latest version.” at the end of item (c).**
- (ai) Para. 4.16.9 **Add “, which is under review by EPD. Please check with EPD for latest version.” at the end of item (a) and (b).**
- (aj) Para. 4.16.10 **Add “, which is under review by EPD. Please check with EPD for latest version.” at the end of item (a).**
- Delete “A sample ExCo Memorandum is at Appendix 3.21.” in item (b).**
- Replace item (c) with the following items:**
- (c) Statutory Time Limit of Submission of ExCo Memorandum
- Similar to paragraph 4.1.10(c).
- (d) Extension of Time
- Similar to paragraph 4.1.10(d) except that the exercise of power is with SEE.
- (e) Mechanism for Objection Resolution
- Similar to paragraph 4.1.10(e).
- (f) ExCo Memorandum

Similar to paragraph 4.1.10(f); .A sample ExCo Memorandum is at Appendix 3.21.

(g) Exercise of powers

Similar to paragraph 4.1.10(g) except that the exercise of power is with DEP.

(ak) Para. 4.16.11

Add “or Other Rights” at the end of the heading.

Replace items (a) to (c) with the following items:

(a) Authority and delegation

Similar to paragraph 4.1.11 (a) except that DEP instead of STL is the authority to give approval to proceed the works.

(b) Order for resumption

Similar to paragraph 4.1.11 (b) except that DEP instead of STL is the authority to give approval to proceed the works. A specimen form of the order is at Appendix 3.22, which is under review by EPD. Please check with EPD for latest version.

(c) Notice of resumption

Similar to paragraph 4.1.11 (c) except any persons entitled to compensation may serve a written claim upon SEE. A specimen notice is at Appendix 3.23, which is under review by EPD. Please check with EPD for latest version.

Add “, which is under review by EPD. Please check with EPD for latest version.” at the end of item (e).

(al) Para. 4.16.12

Add “, which is under review by EPD. Please check with EPD for latest version.” at the end of items (a), (b) and (c).

(am) Para. 4.17

Replace “the Water Pollution Control (Sewerage) Regulation, Cap. 358 Subsidiary Legislation” with “Cap. 358AL” and “Project offices” with “Initiating offices and departments” in the first paragraph.

Add the following paragraphs after the first paragraph:

“Resumption for a public purpose” under section 2(2) of Land Resumption Ordinance (Cap. 124) and “acquisition for a public purpose” under section 2(2) of the Land

Acquisition (Possessory Title) Ordinance (Cap. 130) has been expanded to include resumption/acquisition of land required for the purposes of, or incidental to, any works, or any use, proposed or to be proposed under the Road Ordinance as applied by Cap. 358AL.

In the past, a “public purpose” project requiring resumption of land for the main development (e.g. an New Development Area (“NDA”) project or a public housing project) using Cap. 124 or Cap. 130 and resumption of land for the associated sewerage works using Cap. 370 as applied by Cap. 358AL will be required to delineate and apportion the areas required to be resumed under the respective ordinances. To streamline and to make the preparation work more efficient, the arrangement under section 2(2) of Cap. 124 and Cap. 130 now allows using Cap. 124 or Cap. 130 to resume the land required for the main development as well as the land required for the proposed sewerage works.

Given the above intent, the pre-requisite for adopting the aforementioned approach, if requested by the initiating offices and departments include –

- (i) the land required to be resumed for the sewerage works must be associated with a main development requiring resumption of land under Cap. 124 or Cap. 130 (e.g. an NDA project or a public housing project), meaning that a project which is purely a sewerage work project is not entitled to use section 2(2) of Cap.124 or Cap.130 for resumption of land;
- (ii) the land to be resumed for the proposed sewerage works must fall within the main development boundary and the land therein would be required either for the development works of the main development or the proposed sewerage works, meaning that land required for the works (or a section of it) which is external to the main development (hence cannot be used for the main development) should not be entitled to use section 2(2) or Cap.124 or Cap.130 for resumption of land; and
- (iii) the land to be resumed for the proposed sewerage works does not involve creation of easements or other permanent rights

(Easements) and rights of temporary occupation of land (TOA), because the creation of Easements and TOA should be made under the relevant ordinance such as Cap. 370 as applied by Cap. 358AL.

For the avoidance of doubt, the initiating office or department is still required to gazette the proposed scheme of the works under Cap. 370 as applied by Cap. 358AL notwithstanding the land required being resumed under to Cap. 124 or Cap. 130. As and when the plan and scheme for works have been drawn up (both within the main development boundary which has been authorized for resumption and the works lying outside such boundary yet to be resumed), gazettal and objection-handling for the plan, together with resumption of land outside the main development boundary for the purpose of the proposed works, will be taken forward and ordered (if approved) under s.13 of the Road Ordinance.

For details on resuming land for the sewerage works under Cap. 358AL, please refer to the “Inter-departmental Guidelines for Land Resumption under the Statutory Gazettal and Objection-handling Mechanism Introduced under the Lands Resumption Ordinance (Cap. 124)” separately promulgated.

Except for the above and as provided in the Ordinance, Cap. 124 shall not apply to the resumption of any land to be resumed for the purposes of or incidental to the works or the use ordered under s.13 of the Road Ordinance. Any claim or determination, award of payment of compensation for the resumption of land shall follow the ordinances under which the resumption is being ordered. District Lands Officers will nevertheless need to liaise with the initiating office or department in compiling a schedule of land to be resumed. LandsD will carry out all its resumption functions other than preparing the ExCo Memorandum, which would have been required under the Cap. 124.

Delete “In any case, it is desirable to carry out this work as soon as the project is in Category B.” **in the last paragraph.**

PARAGRAPH 7 REFERENCES

Add the following reference:

SDEV's memo dated 1.9.2023 Inter-departmental Guidelines for Land Resumption under the Lands Resumption Ordinance (Cap. 124)

APPENDICES

- (an) Appendix 3.11A **Add the new appendix given in Annex A to this Amendment.**
- (ao) Appendix 3.11B **Add the new appendix given in Annex B to this Amendment.**
- (ap) Appendix 3.11D **Add the new appendix given in Annex C to this Amendment.**
- (aq) Appendix 3.13A **Add the new appendix given in Annex D to this Amendment.**

**Tech-innovation and Standards Unit
Civil Engineering and Development Department
31 August 2023**

**APPENDIX 3.11A SAMPLE REPLY AND REPLY SLIP FOR OBJECTION
HANDLING UNDER SECTION 10 OF ROADS (WORKS, USE
AND COMPENSATION) ORDINANCE**

SAMPLE REPLY TO OBJECTION (WITH OBJECTOR’S REPLY SLIP)

**ROADS (WORKS, USE AND COMPENSATION) ORDINANCE
(CHAPTER 370)**

[insert the gazette number]
[insert the title of the works] (“the Project”)
[insert the reference number of the objection 1]

Your objection dated *[state the date of the objection received]* to the Project has been forwarded by the Transport and Logistics Bureau to this office for follow up.

2. A case number (Objection Case Number: ¹) is assigned to your objection to the Project. Please quote this case number in future correspondence for identification.
3. Regarding your objection, please find our reply as follows

[state the substantive reply and provide the relevant information required by the objector, if appropriate, the reply can be provided in an Annex to this covering letter.]

4. We hope our reply can address your concerns. According to subsection (5) of Section 10 of the Roads (Works, Use and Compensation) Ordinance (Chapter 370) (“the Ordinance”), you may give a response to this reply on or before *[14-day period to be specified²]* by filling in the attached reply slip (including any comment on, or any request in connection with, this reply); and returning the reply slip to this office vide facsimile, post or electronic mail.

5. Please be reminded that according to subsection (7) of Section 10 of the Ordinance, any response given after the date specified in paragraph 4 above will be treated as not having been given. Your previous stance *[state the date of the objection]* will be deemed as your position on the works and your objection will be deemed as unwithdrawn.

6. If your objection has not been withdrawn unconditionally, your objection and all related correspondence, including correspondence between you and the Government, will be submitted to the Chief Executive in Council for consideration under the Ordinance.

7. Thank you for your comments on the Project. Should you have any enquiries, please contact *[state the undersigned or other relevant officer(s)]* at *[state the telephone number/email of the relevant officer(s)]*.

REPLY SLIP

¹ [Drafting Note: For administrative convenience, the initiating department/ office should assign a serial number for the objection]

² [Drafting Note: You may refer to DEVB’s email dated 28 August 2023 for how 14 days should be counted]

To: *[State the department]*
[State the address]

Fax. No. *[State the number]*
 Email: *[State the email]*

**ROADS (WORKS, USE AND COMPENSATION) ORDINANCE
 (CHAPTER 370)**

[insert the gazette number]
[insert the title of the works] (“the Project”)
[insert the reference number of the objection]

I acknowledge receipt of the letter ref. *[reference number]* from *[the department]* dated *[reply date]* in accordance with subsection (5) of Section 10 of the Roads (Works, Use and Compensation) Ordinance (Chapter 370) (“the Ordinance”). I hereby, provide my response below and acknowledge that this response, if given on or before *[14-day period to be specified³]*, and my past comment will be submitted to the Chief Executive in Council for consideration under the Ordinance if I do not withdraw my objection unconditionally.

Having considered the reply from the Government, my current stance towards the works is:

- * I withdraw objection to the proposal unconditionally
 I withdraw objection to the proposal with conditions:

 (you may attach extra pages when necessary)
 I maintain objection
 I provide supplementary comments:

 (you may attach extra pages when necessary)

* Please insert “√” in the as appropriate.

Name: _____ Signature: _____

Date: _____ Telephone Number: _____

Correspondence address/ email address: _____

Remarks⁴:

³ [Drafting Note: You may refer to DEVB’s email dated 28 August 2023 for how 14 days should be counted]

⁴ [Drafting Note: Please insert any remarks, including clause related to confidentiality and personal data.]

[中文譯本]

道路(工程、使用及補償)條例

(第 370 章)

[相關公告號]

[相關工程名稱] (“本工程”)

[反對書號碼¹]

就閣下於[反對書日期]的反對書，運輸及物流局已轉交本署跟進。

2. 你的來信現登記為第[反對書號碼]號反對書，日後來信請引用此編號。

3. 有關閣下就本工程項目提出的反對書，本署現謹提供書面答覆如下：

[提供詳細答覆或提供反對者需要的資訊。如覺得合適，可以以附件答覆]

4. 希望我們的答覆能釋除閣下的疑慮。根據道路(工程、使用及補償)條例 (“條例”) 第 10(5)條，閣下可在[14 日限期²]之前填妥隨函附上的回條(包括對本答覆的評論或相關要求)並以傳真、郵遞或電郵方式送交本署。

5. 請閣下留意，根據條例的第 10(7)條，如閣下未能在上述第 4 段所指的限期內給予回覆，有關回覆會被視為不曾給予。本署會視閣下未有撤回對本工程的意見及維持於[反對書日期]所述的反對立場。

¹ [草擬提示:為行政需要，請標明獨立反對書編號。]

² [草擬提示:就14日限期的計算方法，可參照發展局於2023年8月28日的電郵。]

6. 如閣下未有無條件撤回反對，我們將會把你的反對書及所有相關信件/電郵(包括與本署的往來信件/電郵)連同回條呈交行政長官會同行政會議以供考慮。

7. 本署謹此多謝閣下就本工程項目提出的意見。若有任何查詢，歡迎致電[電話號碼]或電郵至[電郵地址]與[有關官員名字]聯絡。

回條

提交: [部門名稱]
[地址]

傳真號碼: [傳真號碼]
電郵: [電郵地址]

道路(工程、使用及補償)條例

(第 370 章)

[相關公告號]

[相關工程名稱] (“本工程”)

[反對書號碼]

根據道路(工程、使用及補償)條例(第 370 章)(“條例”)第 10(5)條,本人確認已收到由[部門]於[答覆日期]發出的信件(信件參考編號為:[檔號])。本人在此回條提供答覆,並得悉如本人不選擇無條件撤回反對,本人的反對書及其後的意見,包括此答覆(如在[14日限期³]之前提交),將會呈交行政長官會同行政會議以供考慮。

2. 經考慮政府的答覆,本人現在對本工程的立場為:

- * 本人無條件撤回反對
- 本人有條件撤回反對

(如有需要,可以附加額外頁面)

- 本人維持反對
- 本人提交補充意見/ 要求補充新資料

(如有需要,可以附加額外頁面)

* 請在 方格內填上“√”

姓名: _____ 簽名: _____

日期: _____ 電話號碼: _____

通信地址: _____

³ [草擬提示:就14日限期的計算方法,可參照發展局於2023年8月28日的電郵。]

備註⁴:

⁴ [草擬提示:請按實際需要填上備註，包括收集個人資料聲明]

APPENDIX 3.11B EXAMPLES OF THE SPECIFIED MINOR WORKS UNDER SECTION 16A OF FORESHORE AND SEA-BED (RECLAMATIONS) ORDINANCE

Descriptions of proposed types of works under minor works mechanism in Cap. 127

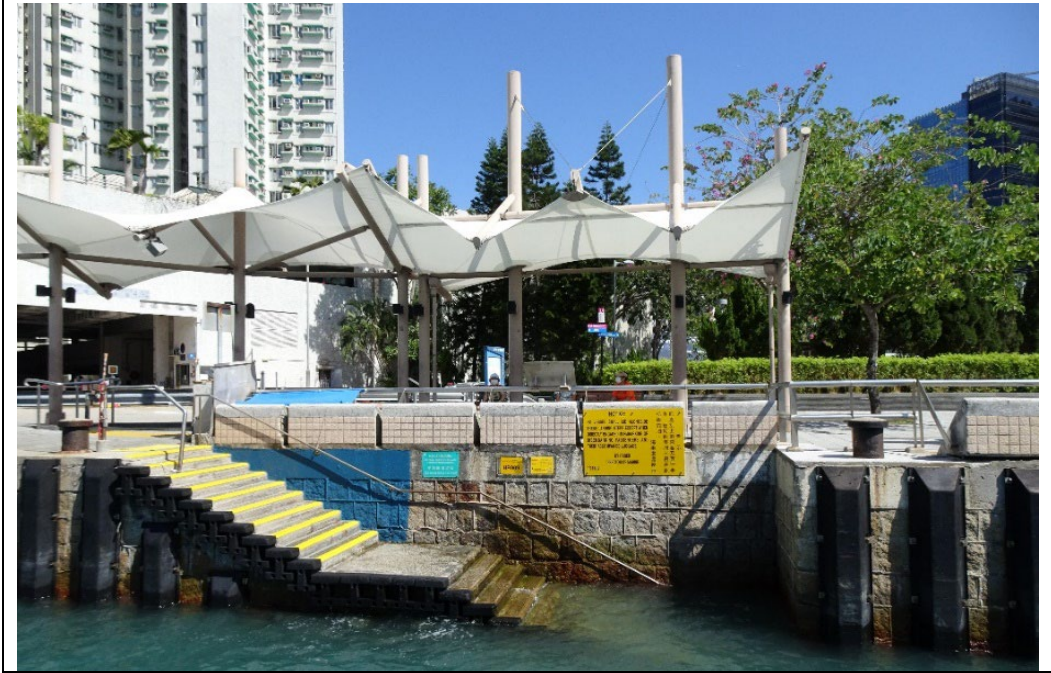
- (a) “**Pier**” includes every quay, wharf or jetty of whatever description connected to and having direct access to the shore and used or intended to be used for the purposes of a pier, quay, wharf or jetty

Example: Suk Kwu Wan Pier No. 2



- (b) “**landing steps**” is a landing place with steps for embarkation or disembarkation of passengers and their accompanied luggage on or from a vessel.

Example: Aberdeen Praya Road Landing No. 6



- (c) “**harbour steps**” is a fence-free stepped down water edge designed at the seawall to bring people closer to the water and facilitate public enjoyment of the waterfront.

Example: Harbour Step at Wan Chai



- (d) “**slipway**” is a sloping structure at the seawall used for the movement of vessels to and from the sea.

Example: Wong Shek Slipway



- (e) “**mooring dolphin**” is an isolated structure used as a mooring.

Example: Mooring Dolphin in Hei Ling Chau Typhoon Shelter



- (f) “**beacon**” means any light, mark or sign established as an aid to navigation.

Example: Beacon at Aberdeen



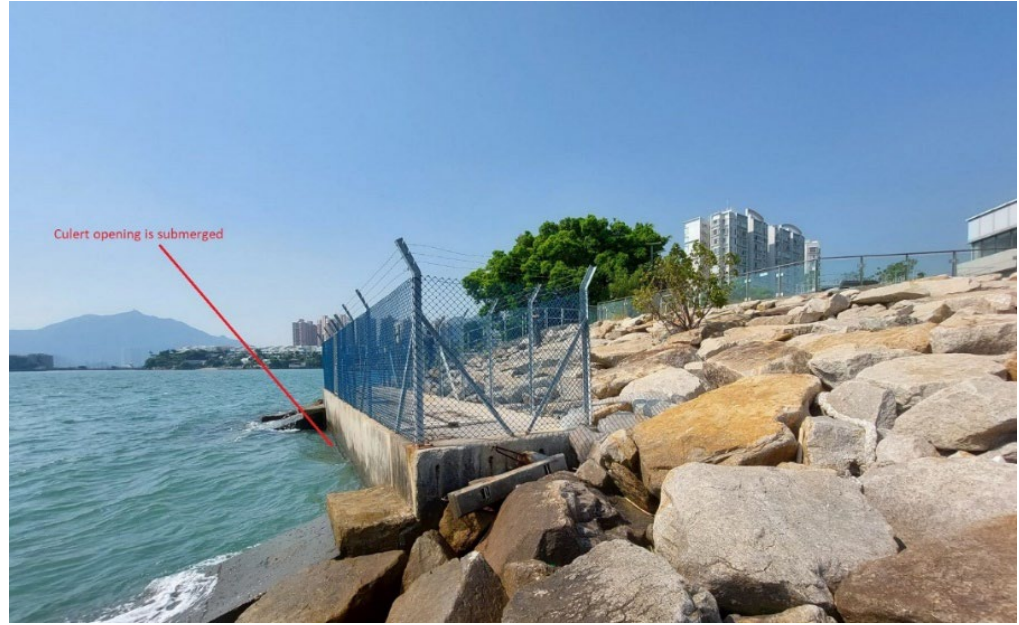
- (g) “**floating pontoon**” is a floating pier usually consisting of a pontoon, an anchorage system and an access bridge connected to a seawall or an abutment at the shore.

Example: Floating pontoon at Tuen Mun Area 27



- (h) “**submarine pipeline/outfall**” is a pipe laid from the shore to sea for discharging treated effluent to open sea or supplying water from one place to another or a structure at the shore, seawall or seabed from which stormwater or treated effluent is discharged. "Optical fibre or cable" is not regarded as a submarine pipeline/outfall
- (i) “**diffuser for open sea discharge**” are water pipe(s) connected to the end of submarine outfall and laid under the seabed. It consists of a number of upstand pipes extended to above seabed with nozzles installed to enhance the dispersal of effluent to sea. Marine dredging works is normally required to install the diffuser pipes.
- (j) “**seawater intake**” is a structure that draws seawater into pumping station. It is usually in box culvert form.

Example: Seawater intake



- (k) “**peripheral structure or feature associated with a marine structure**” include eco-shoreline, fenders, ladders, water gauge, minor wave defense structures, precast wave breaking units, and any other features of similar nature. “Marine structure” means a platform or other man-made structure over and upon foreshore other than a pipeline, while “peripheral structure or feature” should be items that are affixed to the marine structure.

Example: Eco-shoreline at Tung Chung (bio-blocks)



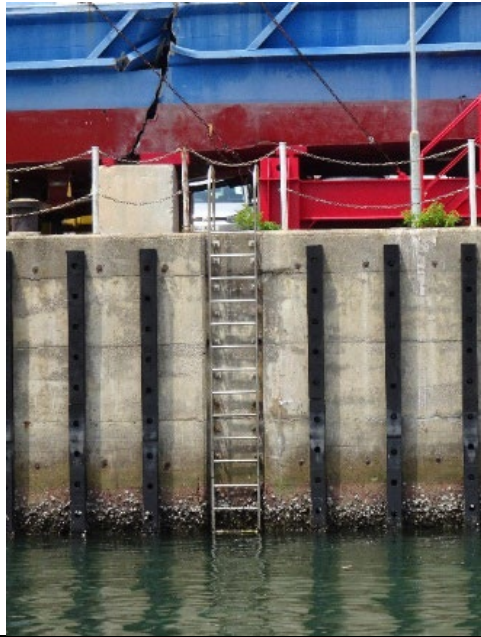
Example: Vertical Eco-shoreline at Tung Chung (eco-tiles)



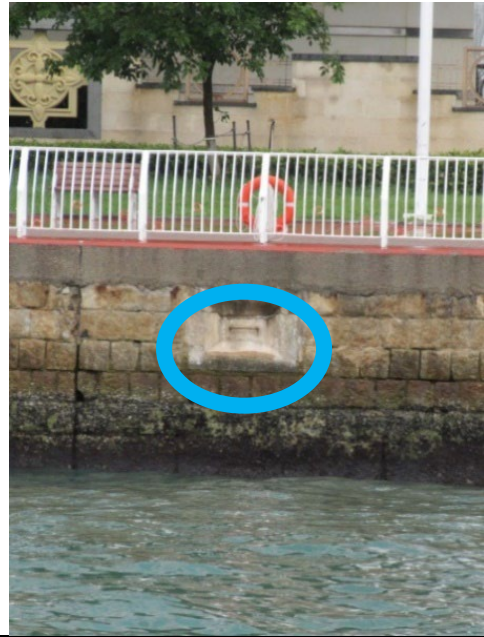
Example: Fender



Example: Ladder



Example: Mooring facility



Example: Minor wave defense structure



Example: Precast wave breaking units



APPENDIX 3.11D LOGSHEET FOR MINOR WORKS UNDER SECTION 16A OF FORESHORE AND SEA-BED (RECLAMATIONS) ORDINANCE

Minor Works projects (section 16A) under the Foreshore and Sea-bed (Reclamations) Ordinance (Cap. 127)

Year	Project Title	Areas affected (m ²)	Description of works	Minor Works [Y/N]	Types of Minor Works (a) pier (b) landing steps; (c) harbour steps; (d) slipway; (e) mooring dolphin; (f) beacon; (g) floating pontoon; (h) submarine pipeline or outfall; (i) diffuser for open sea discharge; (j) seawater intake; or (k) peripheral features associated with a marine structure (such as eco-shoreline, fenders, ladders, water gauge and minor wave defence structures)	Approving authority Please record post title, rank and department	Date of approval
2015	Public Works Programme Item No. 7754CL (Part) Infrastructure works for West Kowloon Cultural District, Phase 1 (Part) Reconstruction of existing seawall in West Kowloon	1,450	<p>(i) The undertaking mainly involves reconstruction of three sections of the existing seawall in West Kowloon for the purposes of upgrading an existing drainage outfall and constructing two drainage outfalls.</p> <p>(ii) Reconstruction of the section of existing seawall of about 30 metres in length at Location 'A' is for the purpose of upgrading an existing drainage outfall to internal diameter of about 2.4 metres at an invert level of about 0.3 metre below Principal Datum.</p> <p>(iii) Reconstruction of the section of existing seawall of about 30 metres in length at Location 'B' is for the purpose of constructing a drainage outfall with internal size of about 2.5 metres wide by 2.5 metres high at an invert level of about 0.3 metre below Principal Datum.</p> <p>(iv) Reconstruction of the section of existing seawall of about 25 metres in length at Location 'C' is for the purpose of constructing a drainage outfall with internal size of about 2.5 metres wide by 2.5 metres high at an invert level of about 1.1 metres below Principal Datum.</p>	Y	(h)	xxx AD(xxx) D2 xxx Department	30.4.2015

**APPENDIX 3.13A FLOWCHART SHOWING THE PROCEDURES FOR
GAZETTING UNDER THE FS(R)O****SAMPLE REPLY TO OBJECTION (WITH OBJECTOR'S REPLY SLIP)****FORESHORE AND SEA-BED (RECLAMATIONS) ORDINANCE
(CHAPTER 127)**

[insert the gazette number]
[insert the title of the works] ("the Project")
[insert the reference number of the objection¹]

Your objection dated *[state the date of the objection received]* to the Project has been forwarded by Lands Department to this office for follow up.

2. A case number (Objection Case Number: ¹) is assigned to your objection to the Project. Please quote this case number in future correspondence for identification.
3. Regarding your objection, please find our reply as follows

[state the substantive reply and provide the relevant information required by the objector, if appropriate, the reply can be provided in an Annex to this covering letter.]

4. We hope our reply can address your concerns. According to subsection (5) of Section 6 of the Foreshore and Sea-bed (Reclamations) Ordinance (Chapter 127) ("the Ordinance"), you may give a response to this reply on or before *[14-day period to be specified²]* by filling in the attached reply slip (including any comment on, or any request in connection with, this reply); and returning the reply slip to this office vide facsimile, post or electronic mail.
5. Please be reminded that according to subsection (7) of Section 6 of the Ordinance, any response given after the date specified in paragraph 4 above will be treated as not having been given. Your previous stance *[state the date of the objection]* will be deemed as your position on the works and your objection will be deemed as unwithdrawn.
6. If your objection has not been withdrawn unconditionally, your objection and all related correspondence, including correspondence between you and the Government, will be submitted to the Chief Executive in Council for consideration under the Ordinance.
7. Thank you for your comments on the Project. Should you have any enquiries, please contact *[state the undersigned or other relevant officer(s)]* at *[state the telephone number of the relevant officer(s)]*.

¹ [Drafting Note: For administrative convenience, the initiating department/ office should assign a serial number for the objection]

² [Drafting Note: You may refer to DEVB's email dated 28 August 2023 for how 14 days should be counted]

REPLY SLIP

To: *[State the department]*
[State the address]

Fax. No. *[State the number]*
 Email: *[State the email]*

**FORESHORE AND SEA-BED (RECLAMATIONS) ORDINANCE
 (CHAPTER 127)**

[insert the gazette number]
[insert the title of the works] (“the Project”)
[insert the reference number of the objection]

I acknowledge receipt of the letter ref. *[reference number]* from *[the department]* dated *[reply date]* in accordance with subsection (5) of Section 6 of the Foreshore and Sea-bed (Reclamations) Ordinance (Chapter 127) (“the Ordinance”). I hereby, provide my response below and acknowledge that this response, if given on or before *[14-day period to be specified³]*, and my past comment will be submitted to the Chief Executive in Council for consideration under the Ordinance if I do not withdraw my objection unconditionally.

2. Having considered the reply from the Government, my current stance towards the works is:

- * I withdraw objection to the proposal unconditionally
 I withdraw objection to the proposal with conditions:

 (you may attach extra pages when necessary)
 I maintain objection
 I provide supplementary comments:

 (you may attach extra pages when necessary)

* Please insert “✓” in the as appropriate.

Name: _____ Signature: _____
 Date: _____ Telephone Number: _____
 Correspondence address/ email address: _____

Remarks⁴:

³ [Drafting Note: You may refer to DEVB’s email dated 28 August 2023 for how 14 days should be counted]

⁴ [Drafting Note: Please insert any remarks, including clause related to confidentiality and personal data.]

[中文譯本]

前濱及海床(填海工程)條例

(第 127 章)

[相關公告號]

[相關工程名稱] (“本工程”)

[反對書號碼¹]

就閣下於[反對書日期]的反對書，地政總署已轉交本署跟進。

2. 你的來信現登記為第[反對書號碼]號反對書，日後來信請引用此編號。

3. 有關閣下就本工程項目提出的反對書，本署現謹提供書面答覆如下：

[提供詳細答覆或提供反對者需要的資訊。如覺得合適，可以以附件答覆]

4. 希望我們的答覆能釋除閣下的疑慮。根據前濱及海床(填海工程)條例 (“條例”) 第 6(5)條，閣下可在[14 日限期²]之前填妥隨函附上的回條(包括對本答覆的評論或相關要求)並以傳真、郵遞或電郵方式送交本署。

5. 請閣下留意，根據條例的第 6(7)條，如閣下未能在上述第 4 段所指的限期內給予回覆，有關回覆會被視為不曾給予。本署會視閣下未有撤回對本工程的意見及維持於[反對書日期]所述的反對立場。

¹ [草擬提示:為行政需要，請標明獨立反對書編號。]

² [草擬提示:就14日限期的計算方法，可參照發展局於2023年8月28日的電郵。]

6. 如閣下未有無條件撤回反對，我們將會把你的反對書及所有相關信件/電郵(包括與本署的往來信件/電郵)連同回條呈交行政長官會同行政會議以供考慮。

7. 本署謹此多謝閣下就本工程項目提出的意見。若有任何查詢，歡迎致電[電話號碼]或電郵至[電郵地址]與[有關官員名字]聯絡。

回條

提交： [部門名稱]
[地址]

傳真號碼： [傳真號碼]
電郵： [電郵地址]

前濱及海床(填海工程)條例

(第 127 章)

[相關公告號]

[相關工程名稱] (“本工程”)

[反對書號碼]

根據前濱及海床(填海工程)條例(第 127 章)(“條例”)第 6(5)條，本人確認已收到由[部門]於[答覆日期]發出的信件(信件參考編號為:[檔號])。本人在此回條提供回覆，並得悉如本人不選擇無條件撤回反對，本人的反對書及其後的意見，包括此回覆(如在[14 日限期³]之前提交)，將會呈交行政長官會同行政會議以供考慮。

2. 經考慮政府的答覆，本人現在對本工程的立場為：

- * 本人無條件撤回反對
- 本人有條件撤回反對

(如有需要，可以附加額外頁面)

- 本人維持反對
- 本人提交補充意見

(如有需要，可以附加額外頁面)

* 請在 方格內填上“√”

姓名： _____ 簽名： _____

日期： _____ 電話號碼： _____

通信地址： _____

³ [草擬提示:就14日限期的計算方法，可參照發展局於2023年8月28日的電郵。]

備註⁴:

⁴ [草擬提示:請按實際需要填上備註，包括收集個人資料聲明]