CHAPTER 531

PROTECTION OF THE HARBOUR

An Ordinance to protect and preserve the harbour by establishing a presumption against reclamation in the harbour.

(Replaced 9 of 1998 s. 2.   Amended 75 of 1999 s. 2)

[30 June 1997]

1. Short title

This Ordinance may be cited as the Protection of the Harbour Ordinance.

2. Interpretation

In this Ordinance, unless the context otherwise requires—

"reclamation" (填海) means any works carried out or intended to be carried out for the purpose of forming land from the sea-bed or foreshore; *(Added 9 of 1998 s. 3)*

"relevant Ordinance" (有關條例) means—

    (a) the Foreshore and Sea-bed (Reclamations) Ordinance (Cap. 127);

    (b) the Cross-Harbour Tunnel Ordinance (Cap. 203)*;

    (c) the Eastern Harbour Crossing Ordinance (Cap. 215);

    (d) the Mass Transit Railway (Land Resumption and Related Provisions) Ordinance (Cap. 276);

    (e) the Roads (Works, Use and Compensation) Ordinance (Cap. 370);

    (f) the Western Harbour Crossing Ordinance (Cap. 436); or

    (g) any other Ordinance under which reclamation is authorized or which otherwise provides for reclamation.

(Amended 9 of 1998 s. 3; 75 of 1999 s. 3)

3. Presumption against reclamation in the harbour

(Amended 9 of 1998 s. 4)

(1) The harbour is to be protected and preserved as a special public asset and a natural heritage of Hong Kong people, and for that purpose there shall be a presumption against reclamation in the harbour. *(Amended 75 of 1999 s. 4)*

(2) All public officers and public bodies shall have regard to the principle stated in subsection (1) for guidance in the exercise of any powers vested in them.

4. Transitional

(1) This Ordinance does not apply to any reclamation authorized under a relevant Ordinance before the commencement of this Ordinance. *(Amended 75 of 1999 s. 5)*

(2) The Protection of the Harbour (Amendment) Ordinance 1999 (75 of 1999) ("the Amendment Ordinance") does not apply to any reclamation authorized under a relevant Ordinance before the commencement of the Amendment Ordinance. *(Added 75 of 1999 s. 5)*

SCHEDULE 1

(Repealed 75 of 1999 s. 6)