

Regulatory Framework for Opening, Operating and Closing a Business

Disclaimer: Any information rendered in this document is for general references only and should not be considered as legal advice. Users are strongly advised to seek independent legal advice if they are in doubt of their legal position.

Business Location - Environmental Permits

No.	Regulatory Framework	Link
<i>Environmental Permit Requirements in Construction</i>		
1.	Legal framework clearly define environmental risks in new building construction projects	<ul style="list-style-type: none"> ➤ Cap. 499 Environmental Impact Assessment Ordinance ➤ Environmental Impact Assessment Ordinance website
2.	Criteria triggering an Environmental Impact Assessment for a housing development project as described below: <ul style="list-style-type: none"> • Size of project • Geographical location 	<ul style="list-style-type: none"> ➤ Cap. 499 Environmental Impact Assessment Ordinance

No.	Regulatory Framework	Link
3.	<p>Mandatory requirements for environmental impact assessment process:</p> <ul style="list-style-type: none"> • Scoping (Identification of the scope of the assessment, including the issues to be addressed and the potential environmental impacts of the proposed project) • Impact assessment (Identification and evaluation of the potential positive and negative environmental impacts of the proposed project, including direct and indirect impacts, short-term and long-term impacts, and cumulative impacts) • Mitigation measures (Development of measures to avoid, minimize, or compensate for the negative environmental impacts of the proposed project, and enhancement of positive impacts) • Public participation (Consultation with the public and other stakeholders to obtain their views on the proposed project and the potential environmental impacts, and consideration of their concerns and suggestions in the decision-making process) • Monitoring and follow-up (Implementation of a monitoring program to verify the accuracy of the impact predictions, and to ensure that the mitigation measures are effective in reducing the negative environmental impacts) 	<ul style="list-style-type: none"> ➤ Cap. 499 Environmental Impact Assessment Ordinance ➤ Environmental Impact Assessment Ordinance website ➤ Technical Memorandum on Environmental Impact Assessment Process

No.	Regulatory Framework	Link
4.	<p>Type of review that the Environmental Impact Assessment is subject to:</p> <ul style="list-style-type: none"> • Internal review (undertaken by the responsible authority or other government agency, with or without formal guidelines and procedure) • External review (undertaken by an independent body, separate from and/or outside government agencies, with an open and transparent procedure for public comment) 	<ul style="list-style-type: none"> ➤ Cap. 499 Environmental Impact Assessment Ordinance ➤ Environmental Impact Assessment Ordinance website
5.	<p>Public participation with concerned stakeholders mandatory for Environmental Impact Assessments</p>	<ul style="list-style-type: none"> ➤ Cap. 499 Environmental Impact Assessment Ordinance ➤ Environmental Impact Assessment Ordinance website
6.	<p>Including the following activities and approaches that enable stakeholders to contribute to the decision-making in Environmental Impact Assessments:</p> <ul style="list-style-type: none"> • Information in a form and language understandable to project-affected parties and other interested parties • Clear and accessible information (in an accessible place, online, in gazettes, media etc.) • Capacity buildings (training, resources, and technical assistance to stakeholders, as needed) 	<ul style="list-style-type: none"> ➤ Cap. 499 Environmental Impact Assessment Ordinance

No.	Regulatory Framework	Link
7.	Regulations or standards related to pollution and waste management in construction activities	<ul style="list-style-type: none"> ➤ Cap. 358 Water Pollution Control Ordinance ➤ Cap. 311 Air Pollution Control Ordinance ➤ Cap. 400 Noise Control Ordinance ➤ Cap. 354 Waste Disposal Ordinance
8.	Established penalties or fines to enforce compliance with regulations or standards regarding pollution and waste management	<ul style="list-style-type: none"> ➤ Cap. 358 Water Pollution Control Ordinance ➤ Cap. 311 Air Pollution Control Ordinance ➤ Cap. 400 Noise Control Ordinance ➤ Cap. 354 Waste Disposal Ordinance
<i>Environmental Permit Requirements in Construction</i>		
9.	Environmental permits can be disputed by any party	➤ Cap. 499 Environmental Impact Assessment Ordinance

Public Services that Facilitate Trade

[Including services provided by government bureaux and departments, and other public organisations]

Disclaimer: There are other digital public services that aim to facilitate business and compliance in Hong Kong. Please refer to the webpages of individual bureaux / departments / public organisations for details.

Business Location - Environmental Permits

No.	Public Services	Link
<i>Availability of Online Services for Environmental Permitting</i>		
1.	Existence of an electronic system that facilitates the processing of environmental permits for each of the following: <ul style="list-style-type: none">• Online payment• Online communication• Online notification• Online submission	➤ Environmental Protection Interactive Centre
2.	Requirements for submitting an application to obtain an environmental permit for constructing a building with moderate environmental risk available online	➤ Legislative Framework
3.	Applicable fee schedule for obtaining any type of environmental permits available online and regularly updated	➤ Fees

No.	Public Services	Link
4.	5 or more years of official, updated and publicly available online statistics that track the number of Environmental Impact Assessments	➤ The application statistics of the number of Environmental Impact Assessments are updated on a monthly basis and uploaded
5.	Final decisions on environmental permits can be disputed online	➤ Applications for Environmental Permits