

# 保 護 海 港 協 會 Society for Protection of the Harbour

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## Statement by Christine Loh

### Press Release

#### “Proportionality Principle for Harbour Reclamation”

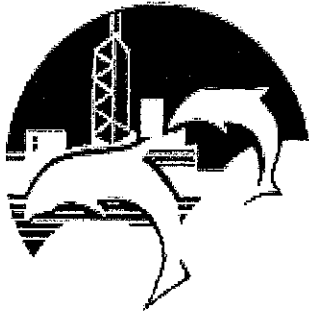
Our Society refer to the article published in a leading Chinese newspaper yesterday concerning the above Paper written by our Adviser Mr. Winston K.S. Chu.

We wish to put the following facts on record:-

1. The Paper was written by Mr. Chu at the request of the Harbourfront Commission at its meeting on 9<sup>th</sup> February 2011 as the representative of our Society which is a member of the Harbourfront Commission.
2. Our Society has been and remain the leading thinker on visions, concepts and principles behind harbour reclamation in Hong Kong. Therefore having been invited by the Commission to consider this very important issue, we felt obliged to lend our assistance.
3. The Paper was written after four months' legal and factual research and drafts were placed before all the Councillors of our Society. The final version was unanimously approved by all the Councillors of the Society including myself as Chairperson.
4. Mr. Chu had obtained legal advice from a number of leading lawyers in Hong Kong including Mr. Anthony Neoh, S.C. and Professor Johannes Chan, S.C. Dean of the Faculty of Law, The University of Hong Kong who had presented the case before the Court of Final Appeal on behalf of our Society resulting in the well-known CFA Judgment.

**Harbour Manifesto:** *To protect and preserve the harbour and enhance the harbour-front to provide a healthy environment and a good quality of life for the people of Hong Kong*

**維港宣言:** 保護及保存維港, 並優化海濱, 為香港市民, 提供一個健康及優質的生活環境



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5. The purpose of the Paper was to identify relevant factors for consideration with regard to the word “overriding” used in the CFA Judgment. This word “overriding” has been presenting a problem to the Government and to the community and because of which the Government has stopped all new reclamations in the harbour even if they might be meritorious.
6. Our Society never intended to sterilize the harbour. Mr. Chu and our Society had always objected to excessive and unnecessary reclamation but not reclamation altogether; hence the Protection of the Harbour Bill which I had presented to Legco in 1996 while I was a legislative councillor provided only for “a legal presumption against reclamation” and not an absolutely prohibition.

Our Society hopes that Mr. Chu’s Paper will be helpful to the public, to the Hong Kong Government as well as to any proponent of reclamation to ensure that only reclamation which is in accordance with the Ordinance and the CFA Judgment will be permitted.

If there are any questions as to whether I personally stand behind the Paper, let there be no misunderstanding that I do stand behind it and that there is no disagreement between myself, the Councillors and Mr. Winston Chu over this matter.

Yours faithfully,

Christine K.W. Loh  
Chairperson

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