

For discussion  
On 2 January 2001

**Legislative Council**  
**Panel on Environmental Affairs**

**Proposed Remuneration for the Chairman of the Environmental  
Impact Assessment Appeal Board on the Appeal Case on the  
Sheung Shui to Lok Ma Chau Spur Line Project**

**Purpose**

This paper seeks Members' views on the Administration's proposal to seek the Finance Committee's approval on 5 January 2001 for the proposed remuneration package for the Chairman of the Environmental Impact Assessment (EIA) Appeal Board, appointed by the Chief Executive, to hear the appeal case on the Sheung Shui to Lok Ma Chau Spur Line Project by Kowloon-Canton Railway Corporation (KCRC).

**Proposal for Remunerating the Chairman of the EIA Appeal Board**

2. A copy of the Finance Committee paper setting out the background and the proposed remuneration package is attached. The following highlights the key points in the Finance Committee paper :

- (a) The Chairman and Deputy Chairman of the EIA Appeal Board panel have withdrawn themselves from hearing the Spur Line case. The Chief Executive, therefore, has had to appoint a new Chairman for the EIA Appeal Board specifically to hear the Spur Line appeal case.

- (b) Having regard to the advice of the Judiciary and the weight of the case, the Chief Executive has appointed a non-permanent Hong Kong Judge of the Court of Final Appeal (CFA) as the Chairman of the EIA Appeal Board to hear the Spur Line appeal case.
- (c) The proposed remuneration package for the Chairman of the EIA Appeal Board is as follows :
  - (i) an honorarium for the time spent on the case at a daily rate of HK\$7,025 (over a month this would be comparable to the salary of HK\$210,750 for a CFA judge);
  - (ii) a fee of \$8,870 for writing the decision of the EIA Appeal Board (in line with the general practice for appeal boards established under environment related ordinances); and
  - (iii) returned airfares UK-HK-UK (estimated at \$48,000) and a daily hotel allowance (estimated at \$1,600) in Hong Kong as the person appointed as Chairman is currently not a local resident here.
- (d) It is difficult to give a firm estimate as to the time that the appeal hearing may take. On the working assumption that the case may take up to two months, we assess the financial implication would be \$580,000.
- (e) The Chairman would have to decide on matters relating to the appeal (e.g. date of the hearing) by early January 2001 to enable the appeal

proceedings for the Spur Line appeal case to continue. We therefore need to agree on the remuneration package for the Chairman of the EIA Appeal Board in early January 2001.

**Advice Sought**

3. Members' views are sought on the proposed remuneration package which the Administration plans to seek approval from the Finance Committee on 5 January 2001.

Environment and Food Bureau  
December 2000