

FORM LDO 1

**LAND DRAINAGE ORDINANCE
(CHAPTER 446)**

NOTICE OF APPEAL UNDER SECTION 28(1)

Before completing this form read the note below

To : The Drainage Appeal Board

1. Full name of Appellant:

2. Address of Appellant:

..... Telephone Number:

3. Full name of Appellant's authorised representative:

4. Address of Appellant's authorised representative:

..... Telephone Number:

5. Address of Appellant or his authorised representative for the service of documents, if different from that in paragraph 2 or 4:
.....

6. List the decision, requirement or determination appealed against:
(Attach copy of notice or notification of the Drainage Authority and indicate the particular aspect being the subject of the appeal)
.....
.....
.....
.....
.....
.....

7. Indicate by ticking in the appropriate box the grounds of appeal:

 The extent of land to be affected by the drainage works notified under section 18(6) is excessive.

 The drainage works or part thereof notified under section 18(6) are unnecessary.

- [] The period of time specified for the completion of the drainage works notified under section 18(6) is excessive.
- [] The requirements of removal of the * obstruction/structure prescribed in the notice under section * 20(1)/21(1) are unreasonable or unnecessary.
- [] The period of time specified for the completion of the removal works in the notice under section * 20(1)/21(1) is too short.
- [] The determination not to give * consent to the application for proposed works under section 26 / consent to the application for proposed works under section 27 / consent and approval to the application for proposed works under section 27, is unreasonable.
- [] The conditions specified in the notice of consent to the application for proposed works under section * 26/27 are unreasonable.
- [] Other grounds of appeal:
(Please specify full details of the grounds of appeal in the space below and attach additional sheets if necessary)

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

8. Full names, addresses and telephone numbers of any proposed witnesses:
(Attach additional sheets if space is not sufficient)

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

* Delete as necessary

9. Details of the evidence to be provided by any proposed witnesses:
(Attach additional sheets if space is not sufficient)

.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

10. Particulars of any documents and other things intended to be produced at the hearing of the appeal:
(Attach additional sheets if space is not sufficient)

.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

Dated this _____ day of _____ 20 _____

.....

Appellant

Notes for Completion

Please note the following points before lodging this notice of appeal:

1. A person who is aggrieved by a decision, requirement or determination of the Drainage Authority under section 18, 20 (1), 21 (1), 26 or 27 of the Ordinance may submit a notice of appeal to the Drainage Appeal Board in Form LDO 1 within 21 days after notification of such decision, requirement or determination.
2. This form shall be completed in accordance with the directions specified in the form.
3. The grounds of appeal shall be set out clearly in this form.
4. A copy of the notice or the notification appealed against shall be attached to this form.
5. The details and particulars, if any, specified in paragraphs 9 and 10 shall be sufficient to ensure that the Drainage Appeal Board and the Drainage Authority are fully informed of the grounds of appeal.
6. The completed notice of appeal shall be sent to the Secretary, Drainage Appeal Board Panel at 17/F, East Wing, Central Government Offices, 2 Tim Mei Avenue, Tamar, Hong Kong (or the latest address shown in its website: <http://www.info.gov.hk/cml/eng/abc/a88.htm>).
7. At the same time, the appellant shall also serve a copy of this notice of appeal and copies of all accompanying documents on the Drainage Authority, personally, or by registered post addressed to the last known address of the Drainage Authority.
8. You are advised to read the Land Drainage Ordinance (Cap 446) and the Land Drainage (Appeal) Regulation (Cap. 446 sub. leg.) before lodging this notice of appeal.
9. The information provided by the appellant will be used solely for purposes relating to the above appeal. It may be disclosed to other government departments or agencies' designated officer(s) for the above purposes.
10. The appellant has the right to request access to or correction of personal data provided on this form in accordance with the provisions of the Personal Data (privacy) Ordinance. Such requests may be made in writing to the officer designated for handling data access/correction requests. For detailed information, please contact the officer at telephone number 2877 0600.