

**CONTROL MECHANISMS OF SLOPE, HIGHLAND & HILLY AREA
IN MANAGING LANDSLIDES OCCURRENCE: A COMPARATIVE
LEGAL STUDY BETWEEN HONG KONG AND MALAYSIA**

By

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ABSTRACT

Modernization has caused rapid development in our country. This can be seen where nowadays thousands of buildings are built almost everywhere. Buildings are built on earth surface that covers slope, highland and hilly area. This is where environmental law comes into picture to restrain or stop any development that brings danger to the society and nature. Therefore, it is a reminder that to be a modern country it is not necessary we violate nature.

The purpose of this study is to propose comprehensive and efficient laws on enforcement and implementation for managing landslides occurrences' in Malaysia. Apart from that, a comparison has been made between laws in our country with Hong Kong on matter regarding the enforcement and implementation in managing landslides. In conclusion, this research also will examine the existing laws and guidelines (if any) in Malaysia as well as in Hong Kong.

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CHAPTER ONE

INTRODUCTION

1.0 Introduction

Landslide is a standard geographical term for the natural disaster occurrences regarding the Earth's particles and movement.¹ For the past 20 years and also recently, Malaysia itself had been experiencing landslides and a controversial issue had risen on who are the responsible parties for the landslide occurrence. Between natural and human factors, it can be said that the most influential factor that can cause landslide in Malaysia is human factors such as modification of slopes by construction of roads, railways, buildings, deforestation and others.

The authorities should be blamed for the landslides occurrence as the enforcement and implementation are all under the jurisdiction of the authorities. It is undeniable that Malaysia has sufficient and good laws. However, the government and responsible authorities are not enforcing and implementing these laws. The authorities should be stricter and on law itself, a comprehensive law will be good enough to cope this problem since the application of Environmental law in Malaysia is very poor, unlike Hong Kong. Thus, this research is to analyse and critically compare Malaysia with Hong Kong on how Environmental Law in Malaysia must be an efficient mechanism and should be must compliance in ways of controlling slope, highland and hilly area to manage landslide.

1.1 Legal Background

Lots of incident occurred in Malaysia regarding landslides and it still happened recently. It causes fear among the citizen who is the potential victims from landslides as they may suffer a huge amount of loss since their house insurance

¹ <http://www.geology.wisc.edu/courses/g115/projects03/emgoltz/definition.htm>, accessed on April 1, 2013 from The Department of Geoscience Web Site