

**立法會**  
**Legislative Council**

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**Meeting of Panel on Food Safety and Environmental Hygiene  
on 8 March 2005**

**Background Brief prepared by Legislative Council Secretariat**

**Conservation of fisheries resources**

**Purpose**

This paper summaries the discussions by the Panel on Food Safety and Environmental Hygiene on the conservation of local fisheries resources.

**Background**

2. Since the late 1980s, there has been a steady decline in fisheries resources and fish catch within Hong Kong waters. To address the problem, the Administration commissioned a consultancy study on fisheries resources and fishing operations in Hong Kong waters to assess the gravity of the situation and identify ways of remedying it. Completed in 1998, the study confirmed that fisheries resources in Hong Kong waters had been declining, and recommended six priority fisheries management to protect and sustain local fish stocks. Three of these measures had already been implemented in phases. These include –

- (a) habitat enhancement through the deployment of artificial reefs;
- (b) habitat restoration by means of mitigating the impact of marine works projects; and
- (c) fish restocking with a fish fry releasing trial scheme.

3. To further alleviate the pressure of fishing activities on the fisheries resources in Hong Kong waters for the recovery and maintenance of stocks at a sustainable level, the Administration proposed in 2003 to introduce a regulatory framework for fishing activities in Hong Kong waters to provide for the implementation of the remaining measures recommended by the consultancy report.

## **Discussions by the Panel on Food Safety and Environmental Hygiene**

### Regulatory framework for fishing activities

4. At the meeting on 26 February 2001, the Administration informed the Panel that it was working out the details for the implementation of certain fisheries management measures, which included the introduction of a fishing licensing scheme and the designation of fisheries protection areas in waters of Tolo and Port Shelter. According to the Administration, the fisheries industry had been consulted and the industry in general had no strong views on the proposal. However, the implementation timetable would depend on consultation with the fisheries industry.

5. The Administration briefed the Panel on 26 September 2003 the proposed regulatory framework for fishing activities inside Hong Kong waters, in order to promote sustainable development of the fisheries industry and to conserve local fisheries resources. The proposal sought to amend the Fisheries Protection Ordinance (Cap. 171) to provide for the implementation of the following remaining recommendations of the consultancy study completed in 1998 –

- (a) the establishment of a fishing licence programme;
- (b) limiting new entrants to the fisheries; and
- (c) designating fisheries protection areas.

6. Under the proposed regulatory framework, fishing licences would be issued to local fishing vessels for and equipped to be used for fishing in local waters. The proposed licensing system would not only serve to limit the access to local fisheries resources to local fishermen, but would also enable the Government to collect important data vital to the effective management of local fisheries.

7. Apart from the fishing licence programme, it was also proposed that no fishing vessels would be allowed to carry out fishing activities without a permit issued by the Director of Agriculture, Fisheries and Conservation in the designated fisheries protection areas.

8. Under the proposal, the Administration would also implement a territory-wide “closed season” for fishing to step up control of fishing activities and enhance sustainability of our fisheries resources. Non-compliance with the “closed season” requirement would be an offence. The Administration explained that it was a common fisheries management practice among many countries, including the Mainland, to implement a “closed season” for fishing.

9. Six green groups provided a joint submission to the Panel at its meeting on 26 September 2003. They expressed support for the Administration's proposal to introduce the fishing licence programme and establish fisheries protection areas.

10. Panel members generally supported the proposed regulatory framework. A member considered that the Administration should provide more justifications for introducing a "closed season" in the legislative proposal. The Administration advised that it would consult the industry before introducing the proposal. Some members expressed concern about the enforcement of the proposed regulatory framework, particularly on Mainland fishing vessels which entered Hong Kong waters. The Administration explained that there was presently no fisheries-related legislation restricting vessels from fishing in Hong Kong waters. However, Mainland fishing vessels would require permission for entering into Hong Kong waters. The proposed licensing regime would be enforced by the Agriculture, Fisheries and Conservation Department, and the Marine Police would, during their daily patrol, assist in the enforcement that only licensed fishing vessels could operate in Hong Kong waters.

11. The Administration also informed members that the proposed licensing system would be vessel-based, and it would rely on the vessel classification system under the Merchant Shipping (Local Vessels) Ordinance to distinguish local fishing vessels from other kinds of vessels.

#### Recent development

12. The Administration has proposed to introduce the Fisheries Protection (Amendment) Bill into the Legislative Council in the 2004-05 session. The Administration will brief the Panel on the legislative proposals at its meeting on 8 March 2005.

#### **Relevant papers**

13. A list of relevant papers and documents is in the **Appendix** for members' easy reference. The papers and documents are available on the Council's website at <http://www.legco.gov.hk/english/index.htm>.

Council Business Division 2  
Legislative Council Secretariat  
2 March 2005

## Appendix

### Relevant Papers/Documents

<u>Meeting</u>	<u>Meeting Date</u>	<u>Papers/Motion Passed/Council Question</u>
Legislative Council	17 October 2001	Written question on “Proposed ban on fishing activities in Hong Kong waters” raised by Hon Mrs Sophie LEUNG
	31 October 2001	Written question on “Enforcement of fisheries protection regulations” raised by Hon Mrs Sophie LEUNG
	11 December 2002	Oral question on “Implementation of fishing licence programme” raised by Hon WONG Yung-kan
	25 February 2004	Written question on “Livelihood of fishermen” raised by Hon Albert CHAN
	24 November 2004	Oral question on “Impact of red tides on the mariculture and capture fisheries industries” raised by Hon WONG Yung-kan
Panel on Food Safety and Environmental Hygiene	26 February 2001	Administration's paper - Paper No. CB(2) 921/00-01(07)  Minutes of meeting (LC Paper No. CB(2) 1328/00-01)
	26 September 2003	Administration's paper - Paper No. CB(2) 3074/02-03(04)  Minutes of meeting (LC Paper No. CB(2) 242/03-04)