

**立法會**  
**Legislative Council**

LC Paper No. CB(2)192/11-12  
(These minutes have been seen  
by the Administration)

Ref : CB2/PL/FE

**Panel on Food Safety and Environmental Hygiene**

**Minutes of special meeting  
held on Tuesday, 15 March 2011, at 10:00 am  
in the Chamber of the Legislative Council Building**

**Members present** : Hon Tommy CHEUNG Yu-yan, SBS, JP (Chairman)  
Hon WONG Yung-kan, SBS, JP (Deputy Chairman)  
Hon Fred LI Wah-ming, SBS, JP  
Hon Andrew CHENG Kar-foo  
Hon TAM Yiu-chung, GBS, JP  
Hon Vincent FANG Kang, SBS, JP  
Hon WONG Kwok-hing, MH  
Hon KAM Nai-wai, MH  
Hon Alan LEONG Kah-kit, SC  
Hon WONG Yuk-man

**Members attending** : Hon Miriam LAU Kin-ye, GBS, JP  
Hon Mrs Regina IP LAU Suk-ye, GBS, JP

**Members absent** : Dr Hon Joseph LEE Kok-long, SBS, JP  
Dr Hon LEUNG Ka-lau  
Hon WONG Sing-chi

**Public Officers attending** : Item I

Prof Gabriel M LEUNG, JP  
Under Secretary for Food and Health

Miss Diane WONG Shuk-han  
Principal Assistant Secretary for Food and Health (Food) 2

Dr SO Ping-man  
Assistant Director (Fisheries)  
Agriculture, Fisheries and Conservation Department

**Attendance** : Item I  
**by invitation**

BLOOM Association

Mr SHEA Kwok-ho  
Chief Scientific Officer

The Tai Po Fishermen's Credit Co-operative  
Society, Unlimited

Mr LEUNG Kam-fook  
Secretary

Tai Po Trawler Fishermen's Credit Co-operative  
Society, Unlimited

Mr KEUNG Pak-ho  
Chairman

New Territories Fishermen Fraternity Association

Mr LEUNG Kwong-yung  
Chairman

World Wide Fund - Hong Kong

Dr Andy CORNISH  
Director, Conservation

Hong Kong Fishery Alliance

Mr KEUNG Siu-fai  
General Services

Hong Kong and Kowloon Floating Fishermen  
Welfare Promotion Association

Mr KEUNG Yin-man  
Chairman

Hong Kong Fisherman & Aquatic Commerce Association

Mr CHANG Yau-kit  
Chairman

Hong Kong Fishermen Co-operative Society

Mr FUNG Tim-kan  
Vice-Chairman

Lamma Island Fisheries Association

Mr KWOK Tam-fok  
Chairman

Hong Kong Fishermen's Association (Tai O)

Mr CHEUNG Chi-wing  
Voluntary Secretary

Tuen Mun Castle Peak Bay Association of Machinists

Mr CHEUNG Muk-sum  
Chairman

Wing Tak Cube Ice Company Limited

Mr WONG Yiu  
Proprietor

Ocean Park Conservation Foundation, Hong Kong

Ms Suzanne GENDRON  
Foundation Director

Castle Peak Hop Kee Oil Co. Ltd.

Mr CHEUNG Chun-man  
Director

Yuen Lee Ho

Mr NG Hon-sing  
Proprietor

Hong Kong and Kowloon Fishermen Association Ltd.

Mr CHEUNG Chi-chuen  
Chairman

Hong Kong Fishermen's Association

Mr LAM Kun-so  
Chairman

Hong Kong and Kowloon Fishermen Youth Association

Mr Steven HO Chun-yin  
Chairman

Hong Kong Off-shore Fishermen's Association

Mr LAI Tai-hei  
Chairman

Designing Hong Kong Ltd.

Mr Paul ZIMMERMAN  
Chief Executive Officer

Hong Kong Fishermen Consortium

Mr CHEUNG Siu-keung  
Chairman

香港優質水產養殖業發展協會

Mr LEUNG Koon-wah  
Chairman

Hong Kong Fishermen's Youth Association

Ms LAM Yin-san  
Vice-Chairman

Aberdeen Fisher Women Association

Ms WONG For-kam  
Chairman

Living Seas Hong Kong

Mr Jeffrey LEE Wai-sun  
Founding Member

Tai O Fishermen (Coastal Fishery) Association

Mr WONG Yung-kan  
Chairman

香港底拖網漁船協會

Mr LEUNG To-kan  
Chairman

Ichthyological Society of Hong Kong

Mr CHONG Dee-hwa  
President

Hong Kong Fishermen's Association (Cheung Chau Office)

Mr CHAN Shop-ng  
Officer

離島養漁業協進會(長洲)

Mr CHENG Siu-wah  
Chairman

Professor Yvonne SADOVY  
Professor of the School of Biological Science, The  
University of Hong Kong

Hong Kong Dolphin Conservation Society

Mr Samuel HUNG Ka-yiu  
Chairman

Hong Kong Underwater Association

Mr Alex WONG Lap-kei  
Chairman

International Fisheries Alliance

Mr YEUNG Yun-kwong  
Chairman

港九漁民促進會

Mr CHEUNG Kam-chuen  
Chairman

Professor Gerald R PATCHELL

Associate Professor of Social Science, Division of  
Environment, The Hong Kong University of Science  
and Technology

Project Kaisei

Mr Antony W WOOD

**Clerk in attendance** : Miss Betty MA  
Chief Council Secretary (2) 4

**Staff in attendance** : Ms Maisie LAM  
Senior Council Secretary (2) 5

Ms Mina CHAN  
Council Secretary (2) 7

Miss Michelle LEE  
Legislative Assistant (2) 7

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- I. Legislative proposals to take forward the trawl ban**  
(LC Paper Nos. CB(2)1197/10-11(03) and (04), CB(2)1208/10-11(01), CB(2)1224/10-11(01), CB(2)1240/10-11(01), CB(2)1232/10-11(01) to (08), CB(2)1264/10-11(01) to (03) and CB(2)1273(01) to (02))

Views of deputations

*BLOOM Association*  
*[LC Paper No. CB(2)1232/10-11(01)]*

Mr SHEA Kwok-ho presented the views of the BLOOM Association as detailed in its submission.

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*The Tai Po Fishermen's Credit Co-operative Society, Unlimited*

2. Mr LEUNG Kam-fook said that The Tai Po Fishermen's Credit Co-operative Society did not oppose the proposed trawl ban in Hong Kong waters. Expressing concern over the difficulties for the affected trawler fishermen to switch to other fisheries operations and the impact of high diesel cost on those affected fishermen who wished to travel further afield to continue fishing, the Society urged the Administration to provide the details of the proposed ex-gratia allowance ("EGA") to affected trawler fishermen at the earliest possible time.

*Tai Po Trawler Fishermen's Credit Co-operative Society, Unlimited*

3. Whilst expressing Tai Po Trawler Fishermen's Credit Co-operative Society's support for banning trawling in Hong Kong waters, Mr KEUNG Pak-ho called on the Administration to provide greater financial support for the affected trawler fishermen. Mr KEUNG was of the view that an early availability of the details of the proposed EGA would facilitate the dialogue between the Administration and the affected fishermen.

*New Territories Fishermen Fraternity Association*

4. Given the huge investment and lead time required by the affected trawler fishermen to switch to other sustainable operations, Mr LEUNG Kwong-yung said that the New Territories Fishermen Fraternity Association considered that the Administration should offer interest-free loans to these fishermen to assist them to tide over the transition period, and provide the details of the proposed EGA as early as possible.

*World Wide Fund - Hong Kong*

[LC Paper No. CB(2)1208/10-11(01)]

5. Dr Andy CORNISH presented the views of World Wide Fund - Hong Kong as detailed in its submission.

*Hong Kong Fishery Alliance*

[LC Paper No. CB(2)1232/10-11(02)]

6. Mr KEUNG Siu-fai presented the views of Hong Kong Fisheries Alliance as detailed in its joint submission with Hong Kong and Kowloon Floating Fishermen Welfare Promotion Association, Hong Kong Fisherman & Aquatic Commerce Association, Hong Kong Fishermen Co-

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operative Society and Lamma Island Fisheries Association.

*Hong Kong and Kowloon Floating Fishermen Welfare Promotion Association*

*[LC Paper No. CB(2)1232/10-11(02)]*

7. Mr KEUNG Yin-man presented the views of Hong Kong and Kowloon Floating Fishermen Welfare Promotion Association as detailed in its joint submission with Hong Kong Fisheries Alliance, Hong Kong Fisherman & Aquatic Commerce Association, Hong Kong Fishermen Co-operative Society and Lamma Island Fisheries Association.

*Hong Kong Fisherman & Aquatic Commerce Association*

*[LC Paper No. CB(2)1232/10-11(02)]*

8. Mr CHANG Yau-kit presented the views of Hong Kong Fisherman & Aquatic Commerce Association as detailed in its joint submission with Hong Kong Fisheries Alliance, Hong Kong and Kowloon Floating Fishermen Welfare Promotion Association, Hong Kong Fishermen Co-operative Society and Lamma Island Fisheries Association.

*Hong Kong Fishermen Co-operative Society*

*[LC Paper No. CB(2)1232/10-11(02)]*

9. Mr FUNG Tim-kan presented the views of Hong Kong Fishermen Co-operative Society as detailed in its joint submission with Hong Kong Fisheries Alliance, Hong Kong and Kowloon Floating Fishermen Welfare Promotion Association, Hong Kong Fisherman & Aquatic Commerce Association and Lamma Island Fisheries Association.

*Lamma Island Fisheries Association*

*[LC Paper No. CB(2)1232/10-11(02)]*

10. Mr KWOK Tam-fok presented the views of Lamma Island Fisheries Association as detailed in its joint submission with Hong Kong Fisheries Alliance, Hong Kong and Kowloon Floating Fishermen Welfare Promotion Association, Hong Kong Fisherman & Aquatic Commerce Association and Hong Kong Fishermen Co-operative Society.

*Hong Kong Fishermen's Association (Tai O)*

*[LC Paper No. CB(2)1264/10-11(01)]*

11. Mr CHEUNG Chi-wing presented the views of Hong Kong

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Fishermen's Association (Tai O) as detailed in its submission.

*Tuen Mun Castle Peak Bay Association of Machinists*  
*[LC Paper No. CB(2)1232/10-11(04)]*

12. Mr CHEUNG Muk-sum presented the views of Tuen Mun Castle Peak Bay Association of Machinists as detailed in its submission.

*Wing Tak Cube Ice Company Limited*  
*[LC Paper No. CB(2)1232/10-11(05)]*

13. Mr WONG Yiu presented the views of Wing Tak Cube Ice Company Limited as detailed in its submission.

*Ocean Park Conservation Foundation, Hong Kong*  
*[LC Paper No. CB(2)1232/10-11(06)]*

14. Ms Suzanne GENDRON presented the views of Ocean Park Conservation Foundation, Hong Kong as detailed in its submission.

*Castle Peak Hop Kee Oil Co. Ltd.*

15. While not opposing conservation, Mr CHEUNG Chun-man said that some form of compensation should be given to the related trades where inshore trawlers were their major clients (e.g. fuel supply), as they would also be impacted by the trawl ban.

*Yuen Lee Ho*  
*[LC Paper No. CB(2)1232/10-11(07)]*

16. Mr NG Hon-sing presented the views of Yuen Lee Ho as detailed in its submission.

*Hong Kong and Kowloon Fishermen Association Ltd.*

17. Mr CHEUNG Chi-chuen said that Hong Kong and Kowloon Fishermen Association strongly requested that consideration should be given to allowing trawler fishermen to continue to fish in designated Hong Kong waters; allowing trawlers which operated partly in Hong Kong waters to apply for EGA and the vessel buy-out scheme; raising the multiplier of the EGA formula from the current seven years to 15 years' notional fish catch value in calculating EGA for inshore trawler owners affected by the trawl ban; increasing the buy-out price of individual

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vessels to a level higher than the estimated current value of the vessel; raising the one-off grant to local deckhands to about twelve months of the average salary of a worker; liaising with the Mainland authorities to assist the affected trawler fishermen, if they so wished, to fish in the Mainland waters; and offering EGA to the related trades. In addition, no prescribed time limit for receiving applications for EGA and the vessel buy-out scheme should be set. A working group involving the relevant government departments should also be set up to engage the affected trawler fishermen to map out the way forward.

*Hong Kong Fishermen's Association*  
*[LC Paper No. CB(2)1264/10-11(02)]*

18. Mr LAM Kun-so presented the views of Hong Kong Fishermen's Association as detailed in its submission.

*Hong Kong and Kowloon Fishermen Youth Association*

19. Mr Steven HO said that the Hong Kong and Kowloon Fishermen Youth Association was in support of the 27 recommendations put forward by the Hong Kong Fishermen Consortium. Mr HO sought explanation from the Administration for considering it not feasible to implement seasonal fishing moratorium in Hong Kong waters. To better assist the affected trawler fishermen who were at a younger age, the Association called on the Administration to provide them with greater financial and technical support; review the mechanism, terms and eligibility of the Fisheries Development Loan Fund to better meet the requirements of the fisheries sector; and liaise with the relevant Mainland authorities to enable the affected fishermen who wished to venture further afield to Mainland waters after the trawl ban to obtain fishing permits issued by the Mainland authorities for operating in Mainland waters.

*Hong Kong Off-shore Fishermen's Association*

20. Pointing out that the only means that the old-aged trawler fishermen might rely on for making a living was fishing, Mr LAI Tai-hei urged the Administration to provide adequate EGA for these fishermen to sustain their living.

*Hong Kong Fishermen Consortium*  
*[LC Paper No. CB(2)1224/10-11(01)]*

21. Mr CHEUNG Siu-keung presented the views of Hong Kong

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Fishermen Consortium as detailed in its submission.

*香港優質水產養殖業發展協會*

22. Whilst agreeing to the need to ban trawling activities in Hong Kong waters so as to conserve the fisheries resources, Mr LEUNG Koon-wah said that the ban would affect the supply from inshore trawlers of trash fish as feed for mariculture. As such, there was a need for the Administration to ensure the supply of substituted feed. The Administration should also strengthen studies on cultured fish and address the problem of pollution on the marine environment with a view to sustaining the development of aquaculture and recreational fishing in Hong Kong.

*Hong Kong Fishermen's Youth Association*  
[LC Paper No. CB(2)1273/10-11(01)]

23. Ms LAM Yin-san presented the views of Hong Kong Fishermen's Youth Association as detailed in its submission.

*Aberdeen Fisher Women Association*

24. Ms WONG For-kam said that the trawl ban would have a significant impact on the livelihood of inshore trawler fishermen and their families, in particular those bread earners whose children were still young. The Aberdeen Fisher Women Association called on the Administration to offer a more favourable EGA for inshore trawl owners affected by the trawl ban than for fishermen affected by marine works project; increase the buy-out price of individual vessels to a level higher than the estimated current value of the vessel; offer low-interest or interest-free loans as well as provide support to those affected trawler fishermen who wished to switch to other sustainable fishing operations.

*Living Seas Hong Kong*  
[LC Paper No. CB(2)1232/10-11(09)]

25. Mr Jeffrey LEE presented the views of Living Seas Hong Kong as detailed in its submission.

*Tai O Fishermen (Coastal Fishery) Association*  
[LC Paper No. CB(2)1264/10-11(03)]

26. Mr WONG Yung-kan presented the views of Tai O Fishermen (Coastal Fishery) Association as detailed in its submission.

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*香港底拖網漁船協會*

27. Whilst supporting in principle the proposed trawl ban in Hong Kong waters, Mr LEUNG To-kan criticized the Administration for its failure to consider the indirect impact of the ban on trawlers which generally did not operate in Hong Kong waters, who would lose the option to trawl in Hong Kong waters when they got older or their vessels aged to the extent that they were not fit for deep sea fishing further afield.

*Ichthyological Society of Hong Kong*

28. Mr CHONG Dee-hwa pointed out that the non-selective nature of trawling operations capturing fish of all sizes particularly in inshore waters, irrespective of their commercial and ecological value, and its damaging effect to the seabed, were detrimental to the local marine system. A trawl ban in Hong Kong waters would thus enable the marine system to be rehabilitated to an ecologically sustainable level. However, the Administration should at the same time provide support to interested fishermen affected by the trawl ban to switch to recreational fishing.

*Hong Kong Fishermen's Association (Cheung Chau Office)*

29. Mr CHAN Shop-ng requested the Administration to provide details of the EGA package to facilitate the affected trawler fishermen's consideration as to whether they should stay or leave the fisheries industry after the trawl ban. Mr CHAN said that, in his view, the deterioration of the local marine environment was not only caused by trawling activities, but also the marine development projects.

*離島養漁業協進會(長洲)*

30. Mr CHENG Siu-wah considered that it would be difficult to substitute trash fish with other sources as feed for mariculture. He sought information on when the proposed trawl ban in Hong Kong waters would be implemented and urged the Administration to assist mariculturists in sourcing and purchasing feed as early as possible.

*Professor Yvonne SADOVY*

*[LC Paper No. CB(2)1273/10-11(02)]*

31. Professor Yvonne SADOVY presented her views as detailed in her submission.

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*Hong Kong Dolphin Conservation Society*  
[LC Paper No. CB(2)1250/10-11(01)]

32. Mr Samuel HUNG presented the views of Hong Kong Dolphin Conservation Society as detailed in its submission.

*Hong Kong Underwater Association*

33. Mr Alex WONG said that Hong Kong Underwater Association was in support of the Administration's proposal to ban trawling activities in Hong Kong waters. The Association however considered that apart from inshore trawling operations, marine development projects and pollution had also brought negative impacts to the local marine system. Holding the view that inshore trawler fishermen, who had profound expertise in the local marine system and fisheries resources, were best suited to be guides of marine and recreational fishing tours, Mr WONG urged the Administration to assist the interested trawler fishermen to venture into the industry.

*International Fisheries Alliance*

34. Noting that the capture fisheries sector in Hong Kong comprised, among others, about 1 100 trawlers, Mr YEUNG Yun-kwong sought clarification on the criteria to determine whether an owner of a trawler operated partly or wholly in Hong Kong waters and was thus eligible for EGA. Mr YEUNG further requested the Administration to maintain a consistent policy on trawling activities in Hong Kong waters after the implementation of the trawl ban.

*港九漁民促進會*

35. Mr CHEUNG Kam-chuen cast doubt on whether some attending deputations could represent the views of the inshore trawler fishermen.

*Project Kaisei*  
[LC Paper No. CB(2)1264/10-11(04)]

36. Mr Antony WOOD presented the views of Project Kaisei as detailed in its submission.

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*Designing Hong Kong Ltd.*

37. Pointing that Hong Kong had abundant natural resources for the development of its marine industry, Mr Paul ZIMMERMAN called on the Administration to set up an inter-departmental task force comprising the Agriculture, Fisheries and Conservation Department ("AFCD"), the Food and Environmental Hygiene Department, the Lands Department, the Marine Department and the Planning Department to map out the directions for the development of fisheries eco-tourism and marine leisure industry (e.g. geoparks, marine parks, recreational fishing, mariculture, harbour tours, water taxis and seafood dining) in Hong Kong and help the affected trawler fishermen venture into the industry.

*Professor Gerald R PATCHELL*

38. Professor Gerald R PATCHELL said that he supported the implementation of trawl ban in Hong Kong waters as a first step to rejuvenate the local marine ecosystem and fisheries resources. Citing Sai Kung as an example, Professor PATCHELL considered that a healthy marine environment would facilitate the development of eco-tourism, which could in turn boost economic activities in the districts concerned.

Discussion

*Proposed EGA for affected trawler owners*

39. Mr KAM Nai-wai sought clarification on whether, in addition to the 400-odd trawlers which operated partly or wholly in Hong Kong waters, the 700-odd trawlers which operated further afield in the South China Sea were also eligible to apply for EGA.

40. Under Secretary for Food and Health ("USFH") explained that the some 1 100 trawler vessels in Hong Kong were of different types (pair trawlers, stern trawlers, shrimp trawlers and hang trawlers), had different modes of operation and spent different amount of time in Hong Kong waters for production. The impact of the trawl ban on the livelihood of the owners of these trawler vessels would therefore vary. While there was broad support for granting a larger amount of EGA to the inshore trawler owners who would be most affected by the trawl ban, the mainstream view received during consultation was that the Administration should also give due regard to the indirect impact of the ban on those trawlers which generally did not operate in Hong Kong waters. The Administration would strive to reach consensus with the

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fisheries trade on the eligibility criteria for EGA under the principle of being fair and just.

41. Mr KAM Nai-wai urged the Administration to provide the details of EGA as early as possible, as the information could facilitate the affected trawler owners to consider whether they would travel further afield to continue fishing or switch to other sustainable fisheries related operations after the trawl ban.

42. USFH advised that as he had previously explained to the fishermen bodies and fishermen representatives in major homeports, details of EGA for the affected trawler owners would be hammered out in parallel with the legislative proposal on trawl ban. The Administration's plan was to introduce into the Legislative Council ("LegCo") the legislative amendments to give effect to the trawl ban before the end of March 2011 for negative vetting. The Administration would continue to gauge the views of the trade with a view to forging a consensus on the proposed scheme in respect of the granting of EGA to trawler owners and one-off grants to local deckhands affected by the trawl ban, as well as the voluntary buy-out arrangements for trawler vessels ("the Scheme"). Subject to the legislative process, the Administration would seek funding approval for the Scheme from the Finance Committee of LegCo. The Administration's ballpark estimate was that a one-off expenditure of around \$1 billion would be required, out of which about 70% would be used for granting EGA for the affected trawler owners and the remaining 30% or so would be used for providing one-off grants to the affected local deckhands as well as buying out of the affected trawler vessels.

43. Mrs Regina IP sought further details on the calculation of the ballpark estimate. Mrs IP considered that the Administration should adopt a lenient approach in hammering out the eligibility criteria for EGA.

44. USFH advised that the estimation was based on a notional value of seven years' fish catch in Hong Kong waters by all trawlers on the basis of the data from the Port Survey conducted by AFCD and adjusted with fish price movement. USFH further said that the Administration noted the concern raised by the offshore trawler owners that they would lose the option to trawl in Hong Kong waters when they got older or their vessels aged to the extent that they were not fit for open sea fishing afield. The Administration would strike a balance among the interests of different stakeholders when determining the eligibility criteria for EGA based on the principle of fairness.

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45. Mrs Regina IP enquired whether discretion would be given in appropriate cases to increase the amount of EGA to needy fishermen on compassionate grounds.

46. USFH advised that an inter-departmental working group led by the Director of Agriculture, Fisheries and Conservation would be set up to work out the eligibility criteria and apportionment criteria and decide the actual amount of EGA to be granted to individual claimants. Claimants who were not satisfied with the decisions of the inter-departmental working group could lodge appeals to a Fishermen Claims Appeal Board, which was a non-statutory body formed on an ad hoc basis for appeal cases. The Appeal Board would comprise one non-official Chairman and three to five non-official members.

47. Mr Alan LEONG doubted the effectiveness of the Appeal Board, which was formed on an ad hoc basis, in handling appeal cases. He asked whether consideration could be given to appointing mediators/arbitrators to resolve disputes between the claimants and the inter-departmental working group. USFH responded that the established appeal mechanism had been effective in handling appeal cases to ensure that decisions made complied with Government policy.

48. Pointing out that the number of fishermen affected by the trawl ban would be greater than the number of fishermen affected by individual marine works projects, the Chairman suggested that the pool of potential members for the Fishermen Claims Appeal Board should be enlarged. A performance pledge for processing an appeal should also be set.

49. Mr WONG Kwok-hing noted that the existing EGA for fishermen affected by marine works projects resulting in permanent loss of fishing grounds in Hong Kong waters was the notional value of seven years' fish catch in the affected area. He asked whether the Administration would accede to some deputations' request for enhancing the multiplier of the EGA formula from seven years to 15 years' notional fish catch value in calculating EGA for trawler owners affected by the trawl ban.

50. USFH advised that the existing EGA formula for fishermen affected by marine works projects was adopted in 2000. The Administration would explore whether the multiplier of the formula should be adjusted in calculating EGA for trawler owners affected by the trawl ban. It would strive to reach a consensus with the fisheries trade in this regard.

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51. Mr TAM Yiu-chung considered the request from the Hong Kong Fishermen Consortium for enhancing the multiplier of the EGA formula from seven years to 15 years' notional fish catch value in calculating EGA for trawler owners affected by the trawl ban reasonable. Mr TAM remarked that it was an opportune time for a review of the existing EGA formula having regard to circumstantial changes, as the formula was adopted some 10 years ago.

52. The Chairman considered that there was a need to enhance the multiplier of the existing EGA formula in calculating EGA for the fishermen affected by the trawl ban, as, unlike fishermen affected by the marine works projects who could relocate their activities to other inshore fishing grounds, inshore trawler fishermen had no choice but to find an alternative means of livelihood after the trawl ban.

53. The Deputy Chairman called on the Administration to consider granting EGA or some form of assistance to the directly related trades (e.g. fish collectors), as they would also be impacted by the trawl ban. USFH responded that reference would be made to the same key principles of precedents such as the buy-out scheme for the poultry trade in 2008.

54. Ms Miriam LAU did not subscribe to the Administration's view that the same principles should apply. Expressing concern that trawl ban would smother the room for survival of the trawling fisheries industry and the related trades in Hong Kong, Ms LAU requested the Administration to revert to the Panel on whether it would allay the concern of the related trades and relax the eligibility criteria for EGA.

55. While agreeing that public money should be used prudently, the Chairman considered that the Administration should give due regard to the impact of the trawl ban on the related trades (e.g. ice supply).

56. USFH responded that the Administration would revert to the Panel on the details of the Scheme when introducing the legislative amendments to give effect to the trawl ban and submitting the funding proposal to the Finance Committee for consideration.

*Voluntary buying out of trawlers*

57. Mr WONG Kwok-hing asked whether the Administration would accede to the following requests of some deputations -

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- (a) the buy-out price of individual vessels surrendered by the affected trawler owners should be higher than their estimated current value; and
- (b) the one-off grant to each local deckhand employed by the trawler owners who took part in the buy-out scheme should be raised from the proposed three months to twelve months of the average salary of a worker.

58. USFH advised that the Administration was still working on the details of the buy-out scheme. The buy-out price of individual vessels to be offered would be the estimated current value to be determined by reference to the valuation provided by an independent marine surveyor and would vary according to type, length, age and depreciation of the trawler vessel. USFH said that reference would be made to precedents such as the buy-out scheme for the poultry trade in 2008 when determining the amount of the one-off grants to local deckhands.

59. Mr TAM Yiu-chung urged the Administration to give regard to other factors in determining the buy-out price of individual vessels and the amount of the one-off grants to local deckhands. Mr TAM expressed concern that the introduction of the buy-out scheme would inevitably increase the supply of trawler vessels in the market and in turn lower the market and buy-out prices of these vessels. Given that it would be difficult for local deckhands, in particular those at older age, to secure alternative employment, Mr TAM considered it reasonable to raise the one-off grant to each local deckhand from the proposed three months to twelve months of the average salary of a worker.

60. USFH reiterated that the Administration would endeavour to forge a consensus with the fisheries trade on the details of the Scheme package.

*Other assistance to the affected trawler fishermen*

61. Pointing out that lead time was required by the interested trawler fishermen to switch to other operation mode, Mr WONG Kwok-hing asked whether consideration could be given to providing low-interest or interest-free loans to the affected fishermen to assist them to tide over the transition period.

62. USFH advised that fishermen who wished to switch to sustainable fisheries or related operations were no longer required to use their self-

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occupied residential properties as collateral for loans granted under the Fisheries Development Loan Fund. Fishing vessels could be accepted as collateral against the loan, which would be provided to fishermen at an interest rate of 2.5% per annum. Active consideration was being given to adjusting the interest rate of the Fund.

63. Expressing concern that the trawl ban in Hong Kong waters would affect the supply of trash fish as feed for local mariculture, the Deputy Chairman urged the Administration to conduct more research studies to develop alternative fish feeds.

64. USFH advised that trawlers which did not operate in Hong Kong waters would continue to supply trash fish as feed for local mariculture. In addition, there had been an increase in the number of fish farmers using pellet feed as fish feed in recent years.

65. In response to Ms Miriam LAU's enquiry about the sustainable fisheries operations available for the affected fishermen to switch to after the implementation of the trawl ban, USFH advised that apart from mariculture and recreational fishing, fishermen could consider venturing into the eco-tourism sector to become eco-tour guides.

66. The Deputy Chairman noted that the Administration was liaising with the relevant Mainland authorities with a view to facilitating the development of new operations or new fishing grounds in which fisheries resources were still being developed in Mainland waters so that interested trawler fishermen could venture further afield to Mainland waters after the trawl ban. The Deputy Chairman asked whether representatives of the fisheries trade could be involved in the Administration's liaison with the relevant Mainland authorities.

67. USFH advised that the Administration would relay the views of the fisheries trade to the relevant Mainland authorities. However, it might not be appropriate to involve the trade in the liaison process.

*Consultation with the fisheries trade*

68. Mr KAM Nai-wai enquired whether the Administration had widely consulted the fisheries trade on the proposed trawl ban and the Scheme.

69. USFH responded that since the announcement of the trawl ban initiative by the Chief Executive in his 2010-2011 Policy Address, AFCD

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had been engaging the trade and outreaching to the umbrella fishermen bodies and fishermen at major homeports to understand their concerns over the trawl ban initiative and had relayed the views collected to the Food and Health Bureau. USFH further said that he had also met with most of the attending deputations to listen to their views on the trawl ban.

*Effect of trawl ban on consumer choices*

70. Ms Miriam LAU enquired about the impact to be brought about by the trawl ban on local consumer choices of fresh marine fish.

71. USFH advised that at present, fish catch of inshore trawlers accounted for about 10% of the supply of fresh marine fish in Hong Kong. The assessment of the Administration was that the supply could be substituted by fresh marine fish imported or captured by local trawlers operating outside Hong Kong waters.

*Enforcement against illegal fishing*

72. The Deputy Chairman called on the Administration to step up its enforcement efforts to combat cross-border illegal fishing activities and practices, so as to safeguard the interests of local fishermen and conserve the marine ecology of Hong Kong waters.

73. USFH assured members that the Administration had spare no effort in combating illegal fishing activities in Hong Kong waters. More resources would be deployed to further strengthen the enforcement actions in this regard after the coming into effect of the trawl ban.

*Other complementary measures*

74. Citing the reclamation works for the development of the West Kowloon Cultural District and the Hong Kong-Zhuhai-Macao Bridge as examples, the Deputy Chairman considered that the deterioration of marine ecosystems and the decline in fisheries resources were closely associated with the marine works projects carried out in Hong Kong waters. He held the view that the Administration should invite experts to study whether there would be a replenishment of fisheries resources in Hong Kong waters after the ban on trawling.

75. Mr KAM Nai-wai expressed similar concern. He invited the views of the environmental concern groups on the respective impact of trawling

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activities and marine works projects in inshore waters on the local marine ecosystems.

76. Dr Andy CORNISH of World Wide Fund - Hong Kong said that marine works had played a part in the decline in fisheries resources in Hong Kong waters, in particular the loss of some fish nursery grounds. The Administration should not ban the trawling activities in Hong Kong waters on the one hand, but on the other hand allow further reclamation to deteriorate the local marine ecosystems.

77. Mr Samuel HUNG of Hong Kong Dolphin Conservation Society considered that the Administration should collect data to scientifically measure whether a ban on trawling activities in Hong Kong waters had resulted in an increase in local fisheries resources.

78. USFH agreed that trawler fishermen should not shoulder the sole responsibility of the deterioration of local marine ecosystems. That said, it was generally agreed that the cessation of trawling activities in Hong Kong waters could help restore the seabed and the depleted fisheries resources. The Administration would endeavour to assist the fishermen affected by the trawl ban through the introduction of the Scheme.

*Conclusion*

79. Mr WONG Kwok-hing remarked that LegCo Members could hardly give their support to the subsidiary legislation to give effect to the trawl ban if the Administration did not allay the deputations' concerns about the Scheme.

80. The Chairman said that Members belonging to the Liberal Party would not accept that the details of the Scheme package would not be made available for consideration together with the subsidiary legislation to give effect to the trawl ban. The Administration should not seek funding approval from the Finance Committee for the Scheme unless it had reached a consensus with the fisheries trade on issues relating to the EGA.

81. Mrs Regina IP agreed with the view of the Chairman, adding that she would not give her support to the subsidiary legislation to effect the trawl ban in the absence of the details of the Scheme package.

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82. USFH assured members that the Administration would provide details of the Scheme package before the expiry of the scrutiny period of the subsidiary legislation.

**II. Any other business**

83. There being no other business, the meeting ended at 12:47 pm.

Council Business Division 2  
Legislative Council Secretariat  
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