

LEGISLATIVE COUNCIL BRIEF

Plant (Importation and Pest Control) Ordinance (Cap. 207) Declaration of Quarantine Area

INTRODUCTION

The Plant (Importation and Pest Control) Ordinance (Cap. 207) (the Ordinance) was enacted in 1976, to give effect to the United Nation's Plant Protection Agreement for the Asia and Pacific Region. The Ordinance provides for the control of the importation of plants, plant pests and soil, and for the prevention of the spread of plant pests.

2. By virtue of section 14 of the Ordinance, the Director of Agriculture, Fisheries and Conservation (the Director) may, by order published in the Gazette, declare any area to be a quarantine area. The Ordinance confers on the Director various statutory powers over such an area, for example, the Director may declare that certain plants shall be grown or propagated in the quarantine area after importation until such time as the Director is satisfied that they are free from plant pests.

JUSTIFICATIONS

3. The existing Sha Tin Plant Quarantine Station (STPQS) is situated at Government Land DD 187, Keng Hau, Sha Tin, New Territories, which is a declared quarantine area under Cap. 207.

4. To facilitate the construction work associated with the Shatin to Central Link, the site where the existing quarantine area is located has to be vacated. We aim to relocate STPQS to 9 To Shek Path, Sha Tin, New Territories. The declaration of the new quarantine area under Cap. 207 enables the Director to exercise his powers in relation to the area under the Ordinance.

THE PROPOSAL

5. We propose to make (i) an order under section 14 of the Ordinance to declare the replacement site at “Sha Tin Plant Quarantine Station at 9 To Shek Path, Sha Tin, New Territories” as a quarantine area under Cap. 207; and (ii) an order to cancel the declaration of the existing quarantine area at “Government Land DD 187, Keng Hau, Sha Tin, New Territories”. The relevant orders are at **Annex A** and **Annex B** respectively.

A & B

LEGISLATIVE TIMETABLE

6. The legislative timetable is as follows –

Publication in the Gazette	13 December 2013
Tabling at the Legislative Council for negative vetting	18 December 2013
Commencement of the orders	14 February 2014

PUBLIC CONSULTATION

7. The proposal to re-provision STPQS was raised in Sha Tin District Council (STDC) on 20 January 2011. Members of the STDC did not object to the proposal. Representatives of the nearby Ronald McDonald House and the Village Representatives of To Shek Village were consulted on the re-provisioning exercise in mid-2012. They did not raise objection.

PUBLICITY

8. The orders mentioned in paragraph 5 above will be published in the Gazette.

ENQUIRIES

9. Any enquiries on this brief may be addressed to Mr Jeff LEUNG, Principal Assistant Secretary for Food and Health (Food)1 at 3509 8925.

**Food and Health Bureau
Agriculture, Fisheries and Conservation Department
11 December 2013**

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ANNEXES

Annex A Plant (Importation and Pest Control) (Quarantine Area) Order

Annex B Declaration of Quarantine Area (Repeal) Order

Plant (Importation and Pest Control) (Quarantine Area) Order

Section 1

1

Plant (Importation and Pest Control) (Quarantine Area) Order

(Made by the Director of Agriculture, Fisheries and Conservation under section 14 of the Plant (Importation and Pest Control) Ordinance (Cap. 207))

1. Commencement

This Order comes into operation on 14 February 2014.

2. Declaration of quarantine area

An area specified in the Schedule is declared to be a quarantine area.

Plant (Importation and Pest Control) (Quarantine Area) Order

Schedule

2

Schedule

[s. 2]

Quarantine Area

1. Sha Tin Plant Quarantine Station at 9 To Shek Path, Sha Tin, New Territories.



Director of Agriculture, Fisheries and Conservation

9 December 2013

Explanatory Note

This Order declares Sha Tin Plant Quarantine Station at 9 To Shek Path, Sha Tin, New Territories to be a quarantine area. The area is to be managed by the Director of Agriculture, Fisheries and Conservation according to the Plant (Importation and Pest Control) Ordinance (Cap. 207) for controlling the importation of plants, plant pests and soil, and for preventing the spread of plant pests.

Declaration of Quarantine Area (Repeal) Order

Section 1

1

Declaration of Quarantine Area (Repeal) Order

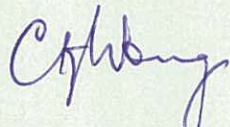
(Made by the Director of Agriculture, Fisheries and Conservation under section 14 of the Plant (Importation and Pest Control) Ordinance (Cap. 207))

1. Commencement

This Order comes into operation on 14 February 2014.

2. Repeal

The Declaration of Quarantine Area (Cap. 207 sub. leg. B) is repealed.



Director of Agriculture, Fisheries and
Conservation

9 December 2013

Declaration of Quarantine Area (Repeal) Order

Explanatory Note
Paragraph 1

2

Explanatory Note

This Order cancels the declaration of Government Land DD 187, Keng Hau, Sha Tin, New Territories as a quarantine area.