

## **LEGISLATIVE COUNCIL BRIEF**

### **Fisheries Protection Ordinance (Chapter 171)**

### **FISHERIES PROTECTION (AMENDMENT) REGULATION 1999**

#### **INTRODUCTION**

At the meeting of the Executive Council on 12 January 1999, the Council ADVISED and the Chief Executive ORDERED that the Fisheries Protection (Amendment) Regulation 1999 (at the Annex) should be made.

#### **BACKGROUND AND ARGUMENT**

2. The Fisheries Protection (Amendment) Regulation was approved in principle by the Executive Council on 30 June 1998, to be referred back to the Executive Council to be made after the Fisheries Protection (Amendment) Bill had been passed into law. The Fisheries Protection (Amendment) Bill was passed by the Legislative Council on 14 October 1998 and received the assent of the Acting Chief Executive on 22 October 1998.

3. The Fisheries Protection (Amendment) Regulation 1999 is scheduled to come into operation on 27 February 1999.

#### **PUBLICITY**

4. A press release will be issued on 22 January 1999.

#### **ENQUIRIES**

5. Any enquiries should be directed to Miss Dora Fu, Principal Assistant Secretary for Economic Services (tel:2810 2507 or fax:2868 4679).

**Economic Services Bureau  
21 January 1999**

**FISHERIES PROTECTION (AMENDMENT) REGULATION 1999**

(Made by the Chief Executive in Council under section  
4 of the Fisheries Protection Ordinance (Cap. 171))

**1. Commencement**

This Regulation shall come into operation on 27 February 1999.

**2. Regulation added**

The Fisheries Protection Regulations (Cap. 171 sub. leg.) are amended by adding -

**“4A. Prohibition of use of apparatus**

(1) No person shall use for the purpose of fishing any apparatus of a class or description specified by the Director under subsection (2).

(2) The Director may specify by notice published in the Gazette the class or description of apparatus for the purposes of subsection (1).”.

**3. Liability of master, etc., of vessel**

Regulation 5 is amended -

- (a) by repealing “or 4” and substituting “, 4 or 4A”;
- (b) by repealing “\$10,000” and substituting “\$200,000”.

#### 4. Penalties

Regulation 7 is amended -

- (a) by repealing “or 4” and substituting “, 4 or 4A”;
- (b) by repealing “\$10,000” and substituting “\$200,000”.

Clerk to the Executive Council

COUNCIL CHAMBER

1999

#### Explanatory Note

This Regulation amends the Fisheries Protection Regulations (Cap. 171 sub. leg.) to provide for -

- (a) the prohibition of the use of the class or description of apparatus specified by the Director of Agriculture and Fisheries by notice in the Gazette for the purpose of fishing; and
- (b) the increase of fines from \$10,000 to \$200,000 for any contravention of regulation 2, 3, 4 or 4A of those Regulations.