

For Information

Legislative Council
Panel on Food Safety and Environmental Hygiene

Ex-gratia Allowance for Trawler Owners Affected by the Trawl Ban

Supplementary Information

At the meeting on 5 February 2013 when LC Paper No. CB(2)572/12-13(05) was discussed, a Member asked for a copy of the document that trawler owners were requested to sign upon receipt of the ex-gratia allowance for trawl ban (EGA). The acknowledgement of receipt is now appended at **Annex A**.

2. By way of background, we briefed Members on the progress made in disbursing EGAs to trawler owners and addressed certain matters of concern to EGA applicants. At the meeting on 5 February 2013, the Government confirmed that the receipt of the EGAs by the applicants would not prejudice their rights in an appeal and / or judicial review made in respect of the decision of the inter-departmental working group. As regards the form of acknowledgment receipt signed by the applicants when they received the EGAs, the purpose of having the last paragraph in the document is to preserve the Government's right to recover the EGAs if needed, for example in cases where it is subsequently found out that the applicant was overpaid or the application was a fraudulent one (e.g. based on false information provided by the applicant). It is never the intention of the Government that the applicants' right to appeal or legal action would be restricted by their receiving the EGAs or signing the acknowledgement of receipt.

3. Separately, we would like to take this opportunity to update Members on developments related to the handling of appeals.

4. Given the number of appeal applications received, it has become necessary to expand the Fishermen Claims Appeal Board for trawl ban (FCAB) to a pool of six Chairmen and 20 Members. Having a larger pool allows us to increase the number and frequency of hearings, so that the processing of appeal cases could be completed within a reasonable timeframe.

5. For the purpose of hearing and determining an appeal, the relevant hearing session(s) will continue to be presided by one Chairman and comprise four Members. With the use of a roster mechanism to share the caseload, the Chairmen and Members will be assigned to take charge of the relevant hearing sessions. The composition of the FCAB is set out in the press release at **Annex B**.

Food and Health Bureau
June 2013

檔號：() in AF GR FIS 04/15/12

「因禁止拖網捕魚而向受影響拖網漁船船東發放特惠津貼」的申請

船隻編號：

個案編號：

茲證明本人已收取港幣 \$ _____ 的特惠津貼
〔支票號碼： _____ 〕。此筆款項乃根據跨部門工作小組 * 於二零
一二年 __月 __日來函所載，對上述船隻船東所發出的一次性特惠津貼。

本人願意十足彌償政府因我收受該筆特惠津貼所引起的所有損失及申索、法律程序、費用、支出及索償等。

收款人簽署 : _____
收款人姓名 : _____
收款人身份證號碼 : _____
日期 : _____

*為「因禁止拖網捕魚而向受影響拖網漁船船東及其僱用的本地漁工提供的一次過援助」而成立的跨部門工作小組

**Composition of the
Fishermen Claims Appeal Board (Trawl Ban)**

Membership

- Non-official Chairmen:
- Mrs. CHEUNG Po-yee, Peggy
(呂張寶兒女士)
- Mr. FEE Chung-ming, Johnny
(費中明先生)
- Ms. HUI Mei Sheung, Tennessy
(許美嫦女士)
- Mr. MA Ching-nam
(馬清楠先生)
- Mr. MAK Yip-shing, Andrew
(麥業成先生)
- Mr. TO Wai-keung, Vincent
(杜偉強先生)
- Non-official Members:
- Ms. AU Sin-lun, Catherine
(區倩嫻女士)
- Miss CHAN Nancy
(陳曼詩女士)
- Mr. CHAN Wai-chung
(陳偉仲先生)
- Mr. CHAN Weng-Yew, Andrew
(陳榮堯先生)

Mr. CHAU How-chen

(周厚澄先生)

Professor CHU Ka-hou

(朱嘉濠教授)

Ms. HUI Ming Ming, Cindi

(許明明女士)

Mr. KONG Tze-wing, James

(江子榮先生)

Miss KUNG Ching-yee, Athena

(龔靜儀女士)

Professor LAI Ki-leuk, Joseph

(賴奇略教授)

Mr. LEE Ka Chung, William

(李家松先生)

Miss LEUNG Wun-man, Emba

(梁媛雯女士)

Mr. LO Wai-kei, Wilkie

(盧暉基先生)

Mr. NGAI Ming-tak, Michael

(魏明德先生)

Dr. SHIN Kam Shing, Paul

(單錦城博士)

Miss TO Kar-wing, Alice

(陶嘉穎女士)

Dr. TYEN Kan-hee, Anthony

(田耕熹博士)

Miss WONG Barbara

(黃詩詠女士)

Miss WONG Shuk-wan, Wendy

(黃淑芸女士)

Miss YUNG Hoi Yan

(容海恩女士)

Secretary

A representative of the Food and Health Bureau is to act as Secretary.

Legal Adviser

Legal advisers are to be appointed by the relevant authority to provide legal support to the Board.