

**立法會**  
**Legislative Council**

LC Paper No. CB(4)1307/14-15

(These minutes have been  
seen by the Administration)

Ref : CB4/SS/11/14

**Subcommittee on Merchant Shipping (Prevention of Pollution by  
Garbage) Regulation and Merchant Shipping (Prevention of Pollution  
by Garbage) Regulation (Repeal) Regulation**

**Minutes of the third meeting held on  
Tuesday, 26 May 2015, at 5:00 pm  
in Conference Room 2B of the Legislative Council Complex**

**Members present** : Hon Cyd HO Sau-lan, JP (Chairman)  
Hon Albert CHAN Wai-yip  
Hon Steven HO Chun-yin  
Hon Frankie YICK Chi-ming  
Hon TANG Ka-piu, JP

**Member attending** : Dr Hon Helena WONG Pik-wan

**Members absent** : Hon WU Chi-wai, MH  
Dr Hon Kenneth CHAN Ka-lok  
Hon SIN Chung-kai, SBS, JP

**Public Officers attending** : Agenda item I  
  
Ms Jenny CHAN  
Principal Assistant Secretary for Transport and  
Housing (Transport)10  
  
Miss Joyce CHAN  
Assistant Secretary for Transport and Housing  
(Transport)10C

Mr LAI Ying-keung  
Chief, Maritime Policy  
Marine Department

Mr CHENG Lung-tak  
General Manager/Services (Ag.)  
Marine Department

Mr FONG Chung-yee  
Senior Surveyor of Ships/Maritime Policy  
Marine Department

Mr Patrick LEI  
Principal Environmental Protection Officer  
(Water Policy and Science)  
Environmental Protection Department

**Attendance** : Living Islands Movement  
**by invitation**

Ms Louise Preston  
Vice Chairman

Living Lamma

Mrs Jo Wilson  
Secretary

WWF – Hong Kong

Mr Patrick YEUNG  
Project Manager, Coastal Watch Project

**Clerk in** : Ms Debbie YAU  
**attendance** Chief Council Secretary (4)5

**Staff in attendance** : Miss Evelyn LEE  
Assistant Legal Adviser 10

Ms Shirley TAM  
Senior Council Secretary (4)5

Ms Zoe TONG  
Legislative Assistant (4)5

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Action

**I. Meeting with deputations and the Administration**

(LC Paper No. CB(4)1043/14-15(01) -- Administration's response to issues raised at the meeting on 12 May 2015)

*Submissions from deputations/individuals attending the meeting*

(LC Paper No. CB(4)1043/14-15(02) -- Submission from Living Lamma (English version only)

LC Paper No. CB(4)1067/14-15(02) -- Submission from WWF – Hong Kong

LC Paper No. CB(4)1067/14-15(03) -- Submission from Living Islands Movement (English version only))

*Submissions from deputations/individuals not attending the meeting*

(LC Paper No. CB(4)1067/14-15(01) -- Submission from Eco Marine (English version only))

The Subcommittee deliberated (index of proceedings attached at the **Annex**).

2. Members noted that the 28-day scrutiny period for the two Regulations expired at the Council meeting of 13 May 2015 and the two Regulations will come into operation on 1 July 2015. The Subcommittee would report its deliberation to the House Committee in due course.

*(Post-meeting note: The Subcommittee's report to the House Committee was issued vide LC Paper No. CB(4)1256/14-15 on 2 July 2015.)*

**II. Any other business**

3. There being no other business, the meeting ended at 6:15 pm.

**Proceedings of the third meeting of the Subcommittee on  
Merchant Shipping (Prevention of Pollution by Garbage) Regulation and  
Merchant Shipping (Prevention of Pollution by Garbage) Regulation (Repeal) Regulation  
on Tuesday, 26 May 2015, at 5:00 pm  
in Conference Room 2B of the Legislative Council Complex**

Time marker	Speaker	Subject(s)	Action required
<b>Agenda item I – Meeting with deputations and the Administration</b>			
000405 – 000729	Chairman	Welcome remarks	
000730 – 001615	WWF – Hong Kong ("WWF")	Presentation of views (LC Paper No. CB(4)1067/14-15(02))	
001616 – 002249	Living Lamma	Presentation of views (LC Paper No. CB(4)1043/14-15(02)) (English version only)	
002250 – 002554	Living Islands Movement	Presentation of views (LC Paper No. CB(4)1067/14-15(03)) (English version only)	
002555 – 004737	Chairman Mr Albert CHAN Living Lamma WWF Living Islands Movement Administration	<p>Discussion on the sources of refuse at beaches in Hong Kong and ways for the Administration to improve management of marine refuse.</p> <p>Living Lamma expressed that –</p> <p>(a) refuse found at beaches came from the sea, with some of them such as the yellow plastic bags of Marine Department ("MD") for collection of refuse being left by government contractors; and</p> <p>(b) the Administration should step up education and publicity to encourage the public producing less refuse and forming good habits in disposing refuse instead of just leaving them behind.</p> <p>Living Islands Movement echoed that a majority of marine waste originated from ships. It requested the Administration to adopt a holistic approach to tackle the matter instead of allocating responsibility for handling marine refuse at different parts of the shoreline to different departments.</p> <p>WWF expressed that –</p> <p>(a) the Administration should explore and explain why the number of prosecutions on marine littering offences dropped in recent years along with the increase of the amount of marine refuse, and step up its enforcement actions against marine</p>	

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		<p>littering, e.g. in Aberdeen Typhoon Shelter;</p> <p>(b) the Administration should step up publicity and education in order to induce positive change of people's attitude towards keeping the sea clean, and work with community groups to enhance the effectiveness of publicity;</p> <p>(c) MD (assisted by the Marine Police and the Agriculture, Fisheries and Conservation Department) should inspect marine littering black spots, in particular after adverse weather to clean up marine refuse piled up there instead of just acting on complaints; and</p> <p>(d) the Administration should review and address the matter of seabed refuse.</p> <p>MD responded that –</p> <p>(a) it acknowledged the recent discovery of three MD's plastics bags among the marine refuse. Having checked the waste in the bags, it suspected that they might come from shipyards. It would launch more publicity among shipyards against marine littering;</p> <p>(b) it was increasingly difficult to take prosecutions against marine dumping/littering as the complainants sometimes did not provide the licence number and/or the name of the ship concerned. It would disseminate information to educate the public on ways to identify the ships concerned;</p> <p>(c) the drop in the number of prosecutions against marine littering was probably due to the decrease of marine littering of cigarette butts after the implementation of smoking ban in Hong Kong;</p> <p>(d) it would carry out continuous publicity and education activities and law enforcement operations to raise public's awareness of keeping the sea clean, particularly at the black spots such as Aberdeen Typhoon Shelter in relation to which MD had taken a number of summon actions in 2014; and</p> <p>(e) it would step up patrolling by road or sea transport and cleaning up the marine refuse (i) at sea shores immediately following a typhoon/adverse bad</p>	

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		weather, subject to permissible weather and/or sea conditions; and (ii) at some identified beaches during the peak season of yacht activities.	
004738 – 005351	Chairman Dr Helena WONG Administration Mr Frankie YICK Mr Albert CHAN	Briefing by the Administration on the application of section 4D of the Summary Offences Ordinance (Cap. 228) ("SOO").  Members considered that there might be a loophole and urged the Administration to review the legislation to plug the loophole. The Transport and Housing Bureau undertook to refer the matter for relevant bureau's follow-up.	
005352 – 005931	Chairman Mr Albert CHAN	Mr CHAN suggested MD to make use of advanced surveillance cameras at black spots of marine dumping/littering to collect evidences of marine littering to deter such illegal activities. He also urged MD to modernize and improve its management on the marine affairs of Hong Kong (which included the management of the officers who were responsible to keep the Hong Kong waters clean) with a view to improving the overall marine services provided by MD.	
005932 – 010641	Chairman Administration	The Administration informed members that collection of marine refuse was undertaken by four government departments: gazetted beaches by Leisure and Cultural Services Department, marine parks and marine reserve by Agriculture, Fisheries and Conservation Department, unallocated coastal area by Food and Environmental Hygiene Department, and coastal waters/open waters/typhoon shelters by MD. It also briefly introduced the report of the study on the sources and fates of marine refuse ("the Study Report") issued by Inter-departmental Working Group on Clean Shorelines. The Chairman invited members to refer to the Study Report (LC Paper No. CB(4)1043/14-15(01)) which would be discussed at the meeting of the Panel on Environmental Affairs ("EA Panel") to be held on 22 June 2015. She hoped that the relevant government departments would work closely with the green and community groups in respect of collection of marine refuse.	
010642 – 010834	Chairman Mr Frankie YICK	Mr YICK urged the Environmental Protection Department to collaborate with the departments concerned and provide concrete solutions to tackle the problems identified in the Study Report at the said EA Panel meeting.	

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010835 – 011533	Chairman Mr Albert CHAN Administration	Mr CHAN expressed grave concern that refuse accumulation was repeatedly found at beaches which were usually cleaned up by volunteers. He strongly requested the departments concerned to step up their refuse cleaning services effectively and efficiently.	
011534 – 011411	Chairman Administration	The Chairman hoped that the Administration could devise a better complaint mechanism or communication channel to enhance law enforcement. MD advised that communication channels had been established with some green/community groups. In fact, MD had highly relied on the complaints/reports made by the public in dealing with cases of refuse accumulation which could be resolved in about two hours. On the other hand, the reports from green groups provided important information which helped the authority to formulate strategies in tackling the matter.	
<b>Agenda item II – Any other business</b>			
011412 – 011539	Chairman Mr Albert CHAN	Closing remarks	