

## **LEGISLATIVE COUNCIL BRIEF**

### **Fisheries Protection (Amendment) Bill 2019**

#### **INTRODUCTION**

At the meeting of the Executive Council on 26 November 2019, the Council **ADVISED** and the Chief Executive **ORDERED** that the Fisheries Protection (Amendment) Bill 2019 (“the Amendment Bill”) at **Annex** should be introduced into the Legislative Council.

#### **JUSTIFICATIONS**

##### ***Local Fishing Vessel Registration***

2. In 2012, the Fisheries Protection Ordinance (Cap. 171) (“Ordinance”) was amended to, among others, introduce a new registration scheme, under which local fishing vessels must be registered with the Agriculture, Fisheries and Conservation Department (“AFCD”) for conducting fishing operations in Hong Kong waters. The legislative intent was to control the fishing activities in Hong Kong waters by broadly capping the level of fishing efforts as at a cut-off date and limiting new entrants<sup>1</sup> after that date so that genuine local fishing vessels which had been operating up to immediately before the cut-off date could be registered only within a finite period.

3. The cut-off date was set to be the commencement date of the Fisheries Protection (Amendment) Ordinance 2012 (“Amendment Ordinance 2012”), i.e. 15 June 2012. Under section 14(1)(a) of the Ordinance introduced by the Amendment Ordinance 2012, only local fishing vessels with a valid operating licence issued by the Marine Department (“MD”) under the Merchant Shipping (Local Vessels) Ordinance (Cap. 548) on 15 June 2012 are eligible for registration, and the application for registration has to be made within 12 months thereafter

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<sup>1</sup> While registration for a new vessel will not be accepted under the Amendment Ordinance 2012, having regard to the banning of trawling from end 2012 in Hong Kong waters, trawler owners could register a non-trawler vessel if they return to Hong Kong for fishing.

(“registration period”). It was considered that a valid operating licence of a local fishing vessel could show that the vessel was actually in operation at that time, thereby barring any attempt of registering retired vessels or new entrants.

### ***Appeals to Administrative Appeals Board***

4. During the registration period, 4 474 vessels were registered. A total of 494 applications for registration were rejected, among which 319 were turned down on the grounds that the vessels concerned did not possess a valid operating licence on 15 June 2012. Most of these rejected applications had lodged appeals against DAFC’s refusal with the Administrative Appeals Board (“AAB”). As at 31 October 2019, AAB panels have altogether heard 182 cases, and handed down rulings on 160 of them.

5. AAB so far has dismissed all appeals against DAFC’s refusal of registration that failed to meet the operating licence requirement under section 14(1)(a). In handing down the rulings against the appellants, some AAB panel chairpersons expressed sympathy towards the appellants for their failure to register their fishing vessels, which had all along been used for fishing before 15 June 2012, due to some justifiable reasons rather than any fault or negligence on the part of the appellants. For instance, those fishing vessels which underwent repair and could not be inspected by MD would not possess a valid operating licence on that date. As DAFC does not have any discretionary power under the Ordinance to consider the registration of such vessels, we consider it necessary to amend the law for accommodating the registration of these local fishing vessels which may have justifiable reasons for failure of registration.

### ***Certificate of Eligibility for Registration***

6. In addition to the local fishing vessel registration scheme, a ban on trawling activities in Hong Kong has been imposed since 31 December 2012. To cater for former trawler owners who wish to operate in Hong Kong waters by non-trawling methods after the ban, application for a Certificate of Eligibility for Registration (“CER”) is available to these owners under section 21 of the Ordinance, by giving them a right to register a non-trawler, provided that, among others, there was a valid operating licence for the former trawler on 15 June 2012. Similar to the situation for local fishing vessels under section 14(1)(a), DAFC does not have any discretionary power under the Ordinance to grant a CER in respect of a former trawler without a valid operating licence on that date, albeit with justifiable reasons.

## **THE PROPOSAL**

7. We propose amending the Ordinance to empower DAFC to exercise discretion within a confined scope to allow the consideration of those cases where the vessels concerned did not possess a valid operating licence on 15 June 2012.

8. Upon amendment of the Ordinance, AFCD will only accept applications to register vessels that were used as fishing vessels up to the expiry of 14 June 2012 but did not possess a valid operating licence on 15 June 2012 (covering the 319 cases mentioned in paragraph 4 above, and also those vessel owners who did not submit their applications in the first place during the registration period due to their presumption that their applications would be refused as they did not meet the clear operating licence requirement).

9. Moreover, some vessel owners whose fishing vessels did not possess a valid operating licence on 15 June 2012 might have already sold or disposed of their fishing vessels as they might have been under the impression that their vessels could no longer be registered with AFCD for conducting fishing operations in Hong Kong under the present requirement. Therefore, under our proposal, DAFC will be provided with the discretion to consider these applications by introducing and issuing a Provisional Approval of Registration (“PAR”), which certifies a right to register a fishing vessel within a specified timeframe, to eligible vessel owners.

10. To avoid any floodgate effect, DAFC will consider approving an application only after examining the particular facts and circumstances of each case. Applicants must prove to the satisfaction of DAFC that the concerned vessels had been used for fishing up to the expiry of 14 June 2012 and the applicants will be required to submit their applications within 6 months of the commencement of the amendment.

11. Together with allowing the application for registration of local fishing vessels within the confined scope set out above, those owners whose CER applications were rejected because of failing to possess a valid operating licence on 15 June 2012 could re-apply for a CER if their vessels had been used for fishing up to the expiry of 14 June 2012. Similarly, they will be required to apply within 6 months of the commencement of the amendment.

## **THE AMENDMENT BILL**

12. The key provisions of the Amendment Bill are summarised below –

(a) Part 1 (clauses 1 and 2) contains preliminary provisions including the short title of the Amendment Bill;

(b) Part 2 (clauses 3 to 13) provides that DAFC has the discretionary power to consider registration of fishing vessels and application for CERs within a confined scope, specifically –

➤ Clause 5 adds new sections 14A and 14B to the Ordinance. The new section 14A provides for the registration of the vessels if, among other requirements, DAFC is satisfied that the vessels were used, or were intended to be used, for fishing up to the expiry of 14 June 2012.

➤ The new section 14B provides for the issuance of PAR to owners of the vessels on 15 June 2012 if, among other requirements, DAFC is satisfied that the vessels were used, or were intended to be used, for fishing up to the expiry of 14 June 2012 and the vessels are no longer in the owners' ownership or are not yet ready for registration under section 14 of the Ordinance.

➤ Clause 8 adds a new section 21A to the Ordinance. The new section 21A provides for the issuance of CER to owners of former trawlers if, among other requirements, DAFC is satisfied that the former trawlers were used, or were intended to be used, for fishing up to the expiry of 14 June 2012.

➤ Clause 10 adds new sections 14A(2), 14B(2), 14B(8), 21A(2) and 21A(8) to provide that DAFC's decisions under the said sections are appealable to AAB.

(c) Part 3 (clause 14) amends Item 72 of the Schedule to the AAB Ordinance (Cap. 442). These amendments are consequential to those made by clause 10.

## **LEGISLATIVE TIMETABLE**

13. The legislative timetable is as follows –

Publication in the Gazette	6 December 2019
First Reading and commencement of Second Reading Debate in the Legislative Council (“LegCo”)	11 December 2019
Resumption of Second Reading Debate, Committee Stage and Third Reading in LegCo	To be notified

## **IMPLICATIONS OF THE PROPOSAL**

14. There are no economic, productivity, gender and sustainability implications. Environmental and family implications of the proposal are considered insignificant given the expected small number of fishing vessels to be re-registered. The proposal is in conformity with the Basic Law, including the provisions concerning human rights. The relevant financial and civil service implications, if any, will be absorbed by the relevant bureaux / departments from within their existing resources. The proposal will not affect the current binding effect of the Ordinance.

## **PUBLIC CONSULTATION**

15. We consulted the LegCo Panel on Food Safety and Environmental Hygiene on 12 February 2019 on the above proposal. Members supported our proposal. AFCD has separately informed AAB of our proposal.

16. The umbrella organisation of various associations of the fisheries sector also welcomes our proposal.

## **PUBLICITY**

17. We shall publicise the arrangement of the registration scheme to potential applicants and association of the fisheries sector, with the

emphasis that only those vessels that did not possess a valid operating licence on 15 June 2012 are eligible for registration, after the Amendment Bill is passed.

## **ENQUIRIES**

18. For enquiries about this brief, please contact Mr Amor Wong, Principal Assistant Secretary for Food and Health (Food)3, at 3509 8927.

## **BACKGROUND**

19. Vessels navigating in Hong Kong are required to possess a valid operating licence issued by MD that certifies the vessels' safety and seaworthiness. Vessels engaging in fishing operations in Hong Kong waters are required to further register with AFCD under the Ordinance. As at 31 October 2019, around 4 100 fishing vessels were registered with AFCD. It is estimated that about 10 000 people are engaged in the capture fisheries sector.

**Food and Health Bureau  
Agriculture, Fisheries and Conservation Department  
December 2019**

## Fisheries Protection (Amendment) Bill 2019

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## A BILL

## To

Amend the Fisheries Protection Ordinance to provide for the registration of local fishing vessels in respect of which there was no valid operating licence on 15 June 2012 and the issue of provisional approvals for registration to owners or former owners of fishing vessels in respect of which there was no valid operating licence on 15 June 2012; to provide for the issue of certificate of eligibility for registration in relation to former trawlers in respect of which there was no valid operating licence on 15 June 2012; and to make related amendments to the Ordinance and the Administrative Appeals Board Ordinance.

Enacted by the Legislative Council.

## Part 1

## Preliminary

## 1. Short title

This Ordinance may be cited as the Fisheries Protection (Amendment) Ordinance 2019.

## 2. Enactments amended

- (1) The Fisheries Protection Ordinance (Cap. 171) is amended as set out in Part 2.
- (2) The Administrative Appeals Board Ordinance (Cap. 442) is amended as set out in Part 3.

## Part 2

## Amendments to Fisheries Protection Ordinance

## 3. Section 2 amended (interpretation)

- (1) Section 2, definition of *commencement date*—

**Repeal**

“2012 (13 of 2012)”

**Substitute**

“2019 ( of 2019)”.

- (2) Section 2, before the definition of *ancillary vessel*—

**Add**

“*2012 certificate* (2012 年證明書), in relation to a vessel, means the certificate of ownership of the vessel that was valid on 15 June 2012;

*2012 owner* (2012 年船東), in relation to a vessel, means—

- (a) if the 2012 certificate for the vessel specifies 1 person—the person;
- (b) if the 2012 certificate for the vessel specifies 2 or more persons (*co-owners*), none of whom has died or ceased to exist—the co-owners; or
- (c) if the 2012 certificate for the vessel specifies 2 or more persons, one or more of whom has died or ceased to exist—the remaining co-owner or co-owners;”.

## 4. Section 14 amended (registration of local fishing vessels)

- (1) Section 14(1)(a)—

**Repeal**



“is a valid operating licence on the commencement date”

**Substitute**

“was a valid operating licence on 15 June 2012”.

- (2) Section 14(1)(b)(i)—

**Repeal**

“the commencement date” (wherever appearing)

**Substitute**

“15 June 2012”.

- (3) Section 14(1)(c)—

**Repeal**

“section 19 or 21”

**Substitute**

“section 14A(2), 14B(8), 19(1), 21(1) or 21A(8)”.

- (4) Section 14(2)—

**Repeal**

everything after “or (b)”

**Substitute**

“may only be made within 12 months after 15 June 2012.”.

- (5) Section 14(3)—

**Repeal**

“may be made under subsection (1)(a) or (b)”

**Substitute**

“under subsection (1)(a) or (b) may be made at a later time”.

- (6) Section 14(3)(b)—

**Repeal**

“the commencement date”

**Substitute**

“15 June 2012”.

- (7) Section 14—

**Repeal subsection (5)**

**Substitute**

“(5) If the Director refuses an application under subsection (1) or section 14A(2), 14B(8), 19(1), 21(1) or 21A(8), the Director must send a notice of refusal to the applicant within 14 days after the date of the decision.”.

**5. Sections 14A and 14B added**

After section 14—

**Add**

**“14A. Registration of local fishing vessels with no valid operating licence on 15 June 2012**

- (1) This section applies in relation to a local fishing vessel—
- (a) in respect of which there is a valid operating licence but there was no valid operating licence on 15 June 2012; and
  - (b) that was not affected by the trawl ban introduced by the Fisheries Protection (Specification of Apparatus) (Amendment) Notice 2011 (L.N. 45 of 2011).
- (2) The Director may, on application by the owner of the vessel, register the vessel under section 14 if—
- (a) no provisional approval has been issued under section 14B(2) in respect of the vessel;

- (b) the applicant shows to the satisfaction of the Director that—
  - (i) the applicant was also the 2012 owner of the vessel; or
  - (ii) the application is supported by a waiver given by the 2012 owner of the vessel under section 14B(6), or by proof that the person or persons specified in the 2012 certificate of the vessel has or have all died or ceased to exist; and
- (c) the applicant shows to the satisfaction of the Director that—
  - (i) the vessel was used, or intended to be used, for the purpose of fishing up to the expiry of 14 June 2012;
  - (ii) the engine power of the vessel does not exceed that of the vessel immediately before 15 June 2012; and
  - (iii) the number of ancillary vessels the vessel has does not exceed that which the vessel had immediately before 15 June 2012.
- (3) For subsection (2)(c)(i), the Director must take into account—
  - (a) whether there was a valid operating licence in respect of the vessel before 15 June 2012, and if there was, the validity period of the last valid operating licence in respect of the vessel before 15 June 2012;
  - (b) the reason why there was no valid operating licence in respect of the vessel on 15 June 2012; and
  - (c) any other factor the Director considers appropriate.

- (4) An application under subsection (2) may only be made within 6 months after the commencement date.
  - (5) Despite subsection (4), an application under subsection (2) may be made at a later time if the applicant shows to the satisfaction of the Director that—
    - (a) the failure to make the application within the time specified in subsection (4) was not due to the applicant's default; and
    - (b) the applicant exercised due diligence to ensure that the application would be made as soon as practicable after the commencement date.
- 14B. Registration of fishing vessels with no valid operating licence on 15 June 2012 or their replacements—provisional approval**
- (1) This section applies if—
    - (a) there was, on 15 June 2012, a fishing vessel in respect of which there was no valid operating licence (*original vessel*); and
    - (b) the original vessel was not affected by the trawl ban introduced by the Fisheries Protection (Specification of Apparatus) (Amendment) Notice 2011 (L.N. 45 of 2011).
  - (2) The Director may, on application by the 2012 owner of the original vessel, issue to the owner a provisional approval for the registration of the original vessel or one other local fishing vessel (*PAR*) if—
    - (a) no PAR has been issued under this subsection in respect of the original vessel; and
    - (b) the applicant shows to the satisfaction of the Director that—

- (i) the original vessel was used, or intended to be used, for the purpose of fishing up to the expiry of 14 June 2012;
  - (ii) any one or more of the following applies—
    - (A) the applicant no longer owns the original vessel;
    - (B) the original vessel has been lost or destroyed;
    - (C) the operating licence in respect of the original vessel has been cancelled by the Director of Marine;
    - (D) the original vessel is no longer designed and equipped to be used primarily for fishing; and
  - (iii) the applicant has not waived under subsection (6) the entitlement to apply for a PAR in respect of the original vessel.
- (3) For subsection (2)(b)(i), the Director must take into account—
- (a) whether there was a valid operating licence in respect of the original vessel before 15 June 2012, and if there was, the validity period of the last valid operating licence in respect of the original vessel before 15 June 2012;
  - (b) the reason why there was no valid operating licence in respect of the original vessel on 15 June 2012; and
  - (c) any other factor the Director considers appropriate.
- (4) An application under subsection (2) may only be made within 6 months after the commencement date.

- (5) Despite subsection (4), an application under subsection (2) may be made at a later time if the applicant shows to the satisfaction of the Director that—
- (a) the failure to make the application within the time specified in subsection (4) was not due to the applicant's default; and
  - (b) the applicant exercised due diligence to ensure that the application would be made as soon as practicable after the commencement date.
- (6) The 2012 owner of the original vessel may, in a form specified by the Director, waive the entitlement to apply for a PAR in respect of the original vessel.
- (7) If the Director refuses an application under subsection (2), the Director must send a notice of refusal to the applicant within 14 days after the date of the decision.
- (8) The Director may, on application by the 2012 owner of the original vessel, register the original vessel, or one other local fishing vessel, under section 14 if—
- (a) the application is accompanied by a PAR issued under subsection (2) to the applicant in respect of the original vessel; and
  - (b) the applicant shows to the satisfaction of the Director that—
    - (i) the applicant is the owner of the vessel under application;
    - (ii) there is a valid operating licence in respect of the vessel under application;
    - (iii) the engine power of the vessel under application does not exceed that of the original vessel immediately before 15 June 2012; and

(iv) the number of ancillary vessels the vessel under application has does not exceed that which the original vessel had immediately before 15 June 2012.

- (9) An application under subsection (8) may only be made within 2 years after the date of the issue of the PAR.
- (10) Despite subsection (9), an application under subsection (8) may be made at a later time if the applicant shows to the satisfaction of the Director that—
- (a) the failure to make the application within the time specified in subsection (9) was not due to the applicant's default; and
- (b) the applicant exercised due diligence to ensure that the application would be made as soon as practicable after the date of the issue of the PAR.”.

6. **Section 17 amended (alteration to conditions of registration)**

Section 17—

**Repeal subsection (4)**

**Substitute**

“(4) If the Director refuses an application under subsection (1), the Director must send a notice of refusal to the applicant within 14 days after the date of the decision.”.

7. **Section 21 amended (registration of former trawlers or their replacements)**

(1) Section 21(3)—

**Repeal**

“made under”

**Substitute**

“under”.

(2) Section 21(4), definition of *certificate of eligibility for registration*, paragraph (a)—

**Repeal**

“is a valid operating licence on the commencement date”

**Substitute**

“was a valid operating licence on 15 June 2012”.

8. **Section 21A added**

After section 21—

**Add**

“21A. **Registration of former trawlers with no valid operating licence on 15 June 2012 or their replacements—certificate of eligibility**

- (1) This section applies if there was, on 15 June 2012, a trawler in respect of which there was no valid operating licence (*original vessel*).
- (2) The Director may, on application by a person, issue to the person a certificate of eligibility for the registration of the original vessel or one other local fishing vessel (*CER*) if—
- (a) no CER has been issued under this subsection in respect of the original vessel;
- (b) the applicant shows to the satisfaction of the Director that—
- (i) the applicant was the 2012 owner of the original vessel; or
- (ii) the applicant is the owner of the original vessel, and the application is supported by a

- waiver given by the 2012 owner of the original vessel under subsection (6), or by proof that the person or persons specified in the 2012 certificate of the original vessel has or have all died or ceased to exist; and
- (c) the applicant shows to the satisfaction of the Director that—
- (i) the original vessel was used, or intended to be used, for the purpose of fishing up to the expiry of 14 June 2012; and
  - (ii) the original vessel was affected by the trawl ban introduced by the Fisheries Protection (Specification of Apparatus) (Amendment) Notice 2011 (L.N. 45 of 2011).
- (3) For subsection (2)(c)(i), the Director must take into account—
- (a) whether there was a valid operating licence in respect of the original vessel before 15 June 2012, and if there was, the validity period of the last valid operating licence in respect of the original vessel before 15 June 2012;
  - (b) the reason why there was no valid operating licence in respect of the original vessel on 15 June 2012; and
  - (c) any other factor the Director considers appropriate.
- (4) An application under subsection (2) may only be made within 6 months after the commencement date.
- (5) Despite subsection (4), an application under subsection (2) may be made at a later time if the applicant shows to the satisfaction of the Director that—

- (a) the failure to make the application within the time specified in subsection (4) was not due to the applicant's default; and
  - (b) the applicant exercised due diligence to ensure that the application would be made as soon as practicable after the commencement date.
- (6) The 2012 owner of the original vessel may, in a form specified by the Director, waive the entitlement to apply for a CER in respect of the original vessel.
- (7) If the Director refuses an application under subsection (2), the Director must send a notice of refusal to the applicant within 14 days after the date of the decision.
- (8) The Director may, on application by the holder of a CER, register the original vessel, or one other local fishing vessel, under section 14 if—
- (a) the application—
    - (i) is accompanied by a CER issued under subsection (2) to the applicant in respect of the original vessel; and
    - (ii) is made in accordance with the terms and time limit (if any) specified in the CER; and
  - (b) the applicant shows to the satisfaction of the Director that—
    - (i) the applicant is the owner of the vessel under application;
    - (ii) there is a valid operating licence in respect of the vessel under application;
    - (iii) trawling with the use or aid of the vessel under application is unlikely;

- (iv) the engine power of the vessel under application does not exceed that of the original vessel immediately before 15 June 2012; and
- (v) the number of ancillary vessels the vessel under application has does not exceed that which the original vessel had immediately before 15 June 2012.”.

9. **Section 26 amended (refusal of applications for issue or renewal of research fishing permit)**

(1) Section 26(1)—

**Repeal**

“made under”

**Substitute**

“under”.

(2) Section 26(2) and (3)—

**Repeal**

“made under”

**Substitute**

“under”.

(3) Section 26(4)—

**Repeal**

“from”

**Substitute**

“after”.

10. **Section 33 amended (right of appeal)**

(1) Section 33—

**Repeal paragraph (a)**

**Substitute**

“(a) refusing an application for registration under section 14(1), 14A(2), 14B(8), 19(1), 21(1) or 21A(8) or an application for the issue or renewal of a research fishing permit under section 25;”.

(2) After section 33(a)—

**Add**

“(ab) refusing to issue a provisional approval under section 14B(2);”.

(3) After section 33(c)—

**Add**

“(ca) refusing to issue a certificate of eligibility under section 21A(2);”.

11. **Section 37 amended (Director may require information or document)**

Section 37(2)—

**Repeal**

“made under”

**Substitute**

“under”.

12. **Section 45 amended (transitional)**

(1) Section 45—

**Repeal paragraph (a).**

(2) Section 45(b)—

**Repeal**

“has been made under section 14”

**Substitute**

“under section 14(1) or 14A(2) has been made”.

**13. Schedule 3 amended (fees)**

Schedule 3, item 1, column 2—

**Repeal**

“14, 19 or 21”

**Substitute**

“14(1), 14A(2), 14B(8), 19(1), 21(1) or 21A(8)”.

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**Part 3**

**Consequential Amendments to Administrative Appeals  
Board Ordinance**

**14. Schedule amended**

(1) The Schedule, item 72, column 3, paragraph (a)—

**Repeal**

“14, 19 or 21”

**Substitute**

“14(1), 14A(2), 14B(8), 19(1), 21(1) or 21A(8)”.

(2) The Schedule, item 72, column 3, after paragraph (a)—

**Add**

“(ab) to refuse to issue a provisional approval under section 14B(2);”.

(3) The Schedule, item 72, column 3, after paragraph (c)—

**Add**

“(ca) to refuse to issue a certificate of eligibility under section 21A(2);”.

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**Explanatory Memorandum**

The Fisheries Protection Ordinance (Cap. 171) (*principal Ordinance*) does not allow the registration, under its section 14, of a local fishing vessel or former trawler in respect of which there was no valid operating licence on 15 June 2012 (*original vessel* and *former trawler* respectively). The main object of this Bill is to amend the principal Ordinance to introduce an arrangement for the registration of an original vessel or a former trawler, or its replacement. Among other requirements for registration, the original vessel or former trawler must be one that was used, or intended to be used, for the purpose of fishing up to the expiry of 14 June 2012.

**Part 1—Preliminary**

2. Clause 1 sets out the short title. If the Bill is passed, the Ordinance to be enacted (*Amendment Ordinance*) will come into operation on the day on which it is published in the Gazette.

**Part 2—Amendments to Principal Ordinance**

3. Clauses 5 and 8 add the new sections 14A, 14B and 21A to the principal Ordinance to provide for the arrangement. Clauses 3, 4 and 7 make related amendments.
4. The new section 14A provides for the application for the registration of an original vessel that is still designed and equipped to be used primarily for fishing. An application under that section may only be made within 6 months after the commencement date of the Amendment Ordinance.
5. The new section 14B provides for the issue to a person who was the owner of an original vessel on 15 June 2012 of a provisional approval for the registration of the original vessel or its replacement (*PAR*). Similar to an application under the new section 14A, an

application for a PAR may only be made within 6 months after the commencement date of the Amendment Ordinance. However, an application for the registration of the original vessel or its replacement, pursuant to a PAR, may be made within 2 years after the date of the issue of the PAR.

6. The new section 21A provides for the issue of a certificate of eligibility for the registration of a former trawler that was affected by the trawl ban in December 2012, or its replacement (*CER*). An application for a CER may only be made within 6 months after the commencement date of the Amendment Ordinance, and a CER may provide for the terms and time limit for registration.
7. Clauses 6, 9 and 11 make minor amendments to sections 17, 26 and 37 respectively of the principal Ordinance.
8. Section 33 of the principal Ordinance contains a list of decisions of the Director of Agriculture, Fisheries and Conservation. A person aggrieved by any of the decisions may appeal to the Administrative Appeals Board. Clause 10 amends that section to add the decisions under the new sections 14A(2), 14B(2) and (8) and 21A(2) and (8) to the list.
9. Clause 12 amends section 45 of the principal Ordinance to extend the transitional arrangements under that section to local fishing vessels that are the subjects of pending applications under the new section 14A.
10. Clause 13 amends Schedule 3 to the principal Ordinance to add the new sections 14A(2), 14B(8) and 21A(8) to the list of items for which fees are payable.



**Part 3—Consequential Amendments to Administrative Appeals Board Ordinance (Cap. 442)**

11. Clause 14 amends item 72 of the Schedule to the Administrative Appeals Board Ordinance (Cap. 442), consequential to the amendments made by clause 10.