

L.N. 185 of 2019

**Marine Parks and Marine Reserves (Amendment)
Regulation 2019**

(Made by the Secretary for the Environment under section 20 of the
Marine Parks Ordinance (Cap. 476))

1. Commencement

This Regulation comes into operation on 1 April 2020.

2. Marine Parks and Marine Reserves Regulation amended

The Marine Parks and Marine Reserves Regulation (Cap. 476
sub. leg. A) is amended as set out in sections 3 and 4.

3. Section 2 amended (interpretation)

Section 2, definition of *permit*—

Repeal

“22 of the Ordinance”

Substitute

“17”.

4. Section 17 amended (permit)

(1) Section 17—

Repeal subsection (3)

Substitute

“(3) The Authority may, at his or her discretion, grant—

- (a) a permit to a bona fide fisherman for fishing in or from a marine park (except a specified marine park); or
- (b) a permit to a person who ordinarily resides near a marine park to which the permit relates for fishing in or from the marine park.”.

(2) After section 17(6)—

Add

“(6A) Despite subsections (4) and (6), the Authority may renew under subsection (4) a permit granted to a bona fide fisherman for fishing in or from a specified marine park provided that the validity period of the renewed permit expires before 1 April 2022.”.

(3) After section 17(7)—

Add

“(8) In subsections (3)(a) and (6A)—

specified marine park (指明海岸公園) means the area specified in any of the following items in the Schedule to the Marine Parks (Designation) Order (Cap. 476 sub. leg. B)—

- (a) item 1 (Hoi Ha Wan Marine Park);
- (b) item 2 (Yan Chau Tong Marine Park);
- (c) item 3 (Sha Chau and Lung Kwu Chau Marine Park);
- (d) item 4 (Tung Ping Chau Marine Park).”.

WONG Kam-sing
Secretary for the Environment

11 December 2019

Explanatory Note

The Marine Parks and Marine Reserves Regulation (Cap. 476 sub. leg. A) (*principal Regulation*) empowers the Country and Marine Parks Authority to grant a permit for fishing to a bona fide fisherman or to a person who ordinarily resides near a marine park designated under the Marine Parks Ordinance (Cap. 476).

2. This Regulation amends the principal Regulation to provide that—
 - (a) with effect from 1 April 2020, no permit for fishing in or from the Hoi Ha Wan Marine Park, the Yan Chau Tong Marine Park, the Sha Chau and Lung Kwu Chau Marine Park and the Tung Ping Chau Marine Park will be granted to bona fide fishermen; and
 - (b) the validity period of permits for fishing in or from those 4 marine parks already granted to bona fide fishermen will not be extended beyond 31 March 2022.

3. The amendments are to come into effect on 1 April 2020. Subject to the restrictions described in paragraph 2(b), permits for fishing in or from those 4 marine parks that are valid immediately before that date will not be affected by the amendments.