

**Bills Committee on Ocean Park Corporation (Amendment) Bill 2021**  
**List of follow-up actions arising from the discussion**  
**at the meeting on 12 July 2021**

**Government's Response**

**Purpose**

This paper responds to the requests raised by Members at the meeting of the Bills Committee on Ocean Park Corporation (Amendment) Bill 2021 (“the Bill”) held on 12 July 2021. The requested information is provided as follows -

**Carrying out functions and activities outside Ocean Park or Hong Kong**

2. Under the future strategy for Ocean Park (“OP”), the Ocean Park Corporation (“OPC”) will promote conservation and education to the wider community and provide holistic leisure experiences within or beyond OP’s physical boundary, whether in or outside Hong Kong. For instance, it may host educational programmes at schools in Hong Kong, develop marine tourism, collaborate with other conservational institutions in Hong Kong to hold conservation-themed public activities, as well as organise conservation-themed study tours to the Guangdong-Hong Kong-Macao Greater Bay Area and other parts of the world, such as tours to Sichuan for participants to observe on-site giant panda-related conservational efforts. In addition, the OPC may provide advisory services in or outside Hong Kong by harnessing its expertise and experience in the relevant areas, such as animal care, STEAM (i.e. Science, Technology, Engineering, Arts, and Mathematics) education, operation of attractions, etc. On the one hand, this will help the OPC accumulate experience for further improvement in the relevant areas and bring experience back to Hong Kong. On the other hand, this will provide an additional income source for the OPC to strengthen its financial position.

3. The current top priority of the OPC is to change the positioning and mode of operation of OP so as to achieve financial sustainability. The OPC will therefore focus its work on OP itself at this stage, including tasks relating to the outsourcing of the lower park and certain facilities in the upper park. At present, it has no concrete plan or timetable for carrying out its functions outside Hong Kong. The proposal in the Bill to empower

the OPC to carry out functions outside OP and even outside Hong Kong aims to provide flexibility, thereby enabling the OPC to seize opportunities at appropriate juncture in the long run.

### **Defining the meaning of “conservation”**

4. On whether the meaning of “conservation” should be defined in the Bill, we have made reference to stipulations in other legislation and considered the circumstances of the Ocean Park Corporation Ordinance (“OPC Ordinance”). Other relevant legislation mentioning the term “保育” or “conservation” set out in the Annex also does not define the meaning of the term alone. In respect of the OPC Ordinance, we hold the view that the term “conservation” should be interpreted based on its ordinary and natural meaning and such meaning should be applied in the context of the OPC Ordinance. This will give the OPC more flexibility in undertaking its conservation work according to the prevailing circumstances. Furthermore, as the OPC at present has already been undertaking various conservation work, the public has considerable understanding of OPC’s work and function relating to conservation, and there is a general consensus on specifying “conservation” as a function of OPC. Therefore, we do not consider it necessary to define the meaning of the term “conservation” in the OPC Ordinance. In parallel, the OPC Ordinance currently also does not define the meaning of the two functions of the OPC, i.e. “recreation” and “education”. Under such circumstances, it would not be appropriate to define the meaning of “conservation” alone, and doing so may also raise queries on the definition of “recreation” and “education”.

**Tourism Commission**  
**Commerce and Economic Development Bureau**  
**July 2021**

## Other relevant legislation mentioning the term “保育” or “conservation”

#	Legislation	Section	Meaning of “保育” or “conservation” defined?
1.	Specification of Arrangements (Government of the Federal Republic of Germany) (Avoidance of Double Taxation on Shipping Income) Order (Cap. 112AM)	Schedule	No
2.	Buildings Ordinance (Cap. 123)	s.38(1)(ib)	No
3.	Town Planning Ordinance (Cap. 131)	s.4(1)(g)	No
4.	Wild Animals Protection Ordinance (Cap. 170)	Long title, s.15A(1)(c) & s.17C(1)	No
5.	Prohibition of Feeding of Wild Animals Notice 1999 (Cap. 170B)	s.1	No
6.	Fisheries Protection Ordinance (Cap. 171)	Long title, s.4(1)(e) & s.4A(a)	No
7.	Oil (Conservation and Control) Ordinance (Cap. 264)	Long title	No
8.	Air Pollution Control Ordinance (Cap. 311)	s.7A(2)(a) & s.30B(4)(b)	No
9.	Water Pollution Control Ordinance (Cap. 358)	s.5(2)	No
10.	Technical Memorandum Standards for Effluents Discharged into Drainage and Sewerage Systems, Inland and Coastal Waters (Cap. 358AK)	s.4.1	No
11.	Lord Wilson Heritage Trust Ordinance (Cap. 425)	s.3(3)	No
12.	Environment and Conservation Fund Ordinance (Cap. 450)	s.4	No
13.	Merchant Shipping (Seafarers) (Crew Accommodation) Regulation (Cap. 478I)	Schedule 6	No

#	Legislation	Section	Meaning of “保育” or “conservation” defined?
14.	Whaling Industry (Regulation) Ordinance (Cap. 496)	Long title	No
15.	Environmental Impact Assessment Ordinance (Cap. 499)	Schedule 4	No
16.	Copyright Ordinance (Cap. 528)	s.118(2E)	No
17.	Protection of Endangered Species of Animals and Plants Ordinance (Cap. 586)	Schedule 1 & Schedule 3	No
18.	Protection of Endangered Species of Animals and Plants (Exemption for Appendix I Species) Order (Cap. 586A)	s.2(2)	No
19.	Protection of Endangered Species of Animals and Plants (Exemption for Appendices II and III Species) Order (Cap. 586B)	s.2(2)	No
20.	Genetically Modified Organisms (Control of Release) Ordinance (Cap. 607)	s.2(1)	No
21.	Buildings Energy Efficiency Ordinance (Cap. 610)	s.15(3), s.20(4) & s.25(3)	No
22.	Conservation of Antarctic Marine Living Resources Ordinance (Cap. 635)	Long title & s.2	No
23.	Kadoorie Farm and Botanic Garden Corporation Ordinance (Cap. 1156)	Long title & s.4(a)	No

**Note:** If in a piece of legislation the term “保育” in Chinese or “conservation” in English is mentioned as part of a proper noun or a defined term (e.g. “環境及自然保育基金”, “Agriculture, Fisheries and Conservation Department”, “capital conservation buffer ratio”, etc.), the relevant provision is not included in the table above.