

# LEGISLATIVE COUNCIL BRIEF

## Country Parks Ordinance (Cap. 208)

### MA SHI CHAU (SPECIAL AREA) ORDER 1999

#### INTRODUCTION

At the meeting of the Executive Council on 23 March 1999, the Council advised and the Chief Executive ORDERED that the Ma Shi Chau (Special Area) Order 1999, at **Annex A**, should be made under section 24(1) of the Country Parks Ordinance (the Ordinance) to designate the Ma Shi Chau area as a Special Area.

#### BACKGROUND AND ARGUMENT

2. The Ma Shi Chau area (the Area) comprises four islands in Tolo Harbour, namely Ma Shi Chau, Centre Island, Yeung Chau and an unnamed island near Sam Mun Tsai New Village totalling about 61 hectares. (Location of the Area is shown at **Annex B**). The Area is well known for its rich geological features, fossils and nesting site for egrets. It is a favoured site for field studies by schools and universities, for it is one of the rare locations in Hong Kong where outcrops of sedimentary rocks are well displayed. The rocks in the Area are believed to be among the oldest of their kind in Hong Kong, dating from the Permian and Jurassic ages. Discoveries of rich contents of marine fossils embedded in the rocks contribute significantly to the understanding of the geological history of Hong Kong. The Area was identified as one of the potential special areas in the Territorial Development Strategy Review prepared by the Planning Department in 1993.

3. Of the four islands, Ma Shi Chau and Centre Island have been registered as Sites of Special Scientific Interest (SSSI) since 1982. Such listing serves as an administrative guideline to alert government departments of the scientific importance of the sites and to avoid incompatible developments in or near these sites.

4. The designation of a Special Area means that:

- a. the Area will be under the control and management of the

Country and Marine Parks Authority (the Authority), who is the Director of Agriculture and Fisheries, and regulated by the Country Parks and Special Areas Regulations.

- b. the Country and Marine Parks Board shall consider and advise the Authority on the policy and programmes in respect of the Area.

### **BASIC LAW IMPLICATIONS**

5. The Department of Justice advises that the proposal is consistent with the Basic Law.

### **HUMAN RIGHTS IMPLICATIONS**

6. The Department of Justice advises that the proposal has no human rights implications.

### **FINANCIAL AND STAFFING IMPLICATIONS**

7. There are no financial and staffing implications.

### **ECONOMIC IMPLICATIONS**

8. The designation of the Ma Shi Chau Special Area will have no economic implications.

### **ENVIRONMENTAL IMPLICATIONS**

9. The designation of the Ma Shi Chau Special Area will enable the Authority to conserve and protect the geological and ecological features of the Area for purposes of nature conservation and outdoor education.

### **PUBLIC CONSULTATION**

10. The proposal was endorsed by the Country and Marine Parks Board on 12 May 1997. We have also consulted the Tai Po Rural Committee on 8 April 1997 and the Tai Po District Board on 29 April 1997. No objection to the proposed designation had been raised.

## **PUBLICITY**

11. A press release will be issued and the Order designating the Special Area will be published in the Gazette on 9 April 1999.

## **ENQUIRIES**

12. Enquiries and comments can be made to :

Mr C H Leung  
Agriculture and Fisheries Department  
Canton Road Government Offices  
12/F., 393 Canton Road  
Kowloon, HK

Tel : 2733 2131

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## **ANNEXES**

Annex A The Ma Shi Chau (Special Area) Order 1999

Annex B Location plan of Ma Shi Chau Special Area

Planning, Environment and Lands Bureau  
April 1999

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**LIST OF ANNEXES**

- Annex A The Ma Shi Chau (Special Area) Order 1999
- Annex B Location plan of Ma Shi Chau Special Area

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#### **LIST OF ANNEXES**

Annex A      The Ma Shi Chau (Special Area) Order 1999

Annex B      Location plan of Ma Shi Chau Special Area

**MA SHI CHAU (SPECIAL AREA) ORDER 1999**

(Made under section 24(1) of the Country Parks Ordinance  
(Cap. 208) after consultation with the Executive  
Council)

**1. Designation of a special area**

Those areas of Government land in Tolo Harbour on -

- (a) Ma Shi Chau;
- (b) Yeung Chau;
- (c) Centre Island; and
- (d) the unnamed island about 100 m northeast of the shore of Yim Tin Tsai near Sam Mun Tsai New Village,

all delineated in black and coloured pink, except those portions within such areas marked with black hatching, on Plan No. SA/MSC<sup>B</sup> dated 12 November 1998 and deposited in the office of the Country and Marine Parks Authority, are designated as a special area for the purposes of the Country Parks Ordinance (Cap. 208).

**2. Schedule amended**

The Schedule to the Special Areas (Designation) (Consolidation) Order (Cap. 208 sub. leg.) is amended by adding -

“4. Those areas of Government land in Tolo Harbour on -

- (a) Ma Shi Chau;
- (b) Yeung Chau;
- (c) Centre Island; and

(d) the unnamed island about 100 m northeast of the shore of Yim Tin Tsai near Sam Mun Tsai New Village,  
all delineated in black and coloured pink, except those portions within such areas marked with black hatching, on Plan No. SA/MSCB dated 12 November 1998 and deposited in the office of the Country and Marine Parks Authority.”

Chief Executive

29 March 1999

#### Explanatory Note

This Order designates 4 areas of Government land in Tolo Harbour on Ma Shi Chau, Yeung Chau, Centre Island and the unnamed island about 100 metres northeast of the shore of Yim Tin Tsai near Sam Mun Tsai New Village as a special area for the purposes of the Country Parks Ordinance (Cap. 208).