

LCQ2: Ecological environment of Mai Po and adjacent marshes

Following is a question by the Hon Hui Chi-fung and a reply by the Secretary for the Environment, Mr Wong Kam-sing, in the Legislative Council today (July 4):

Question:

Under the Wild Animals Protection Ordinance, Mai Po and the adjacent marshes (the Mai Po Marshes) are designated as a restricted area. It has been reported that as mudskippers have become a gourmet dish on the Mainland in recent years, and the Mai Po Marshes are close to the Mainland, quite a number of people (mainly Mainland fishermen) trespass on the mudflats in the Mai Po Marshes to catch mudskippers illegally, thus scaring away migratory birds and depriving them of staple food. Furthermore, quite a number of migratory birds have been injured by the hunting appliance deployed in the area. Such activities have had a severe impact on the ecological environment there. In this connection, will the Government inform this Council:

(1) of the number of reports received, and the number of law enforcement operations conducted, by the authorities in each of the past three years on illegal fishing or hunting activities in the Mai Po Marshes; the respective numbers of offenders arrested, prosecuted and convicted (with a breakdown by whether they were Hong Kong residents) as well as the maximum and minimum penalties imposed on the convicted persons;

(2) of the details of the law enforcement work carried out by law enforcement departments at the Mai Po Marshes, including the training received by the law enforcement officers, frequency of and manpower for patrol, as well as the expenditure and strategies of law enforcement work; and

(3) whether, in order to conserve the ecological environment of the Mai Po Marshes more effectively, the authorities will raise the relevant penalties, increase law enforcement resources, step up efforts in public education, strengthen the co-operation with the Mainland authorities in combating illegal fishing, and review the relevant policies and legislation?

Reply:

President,

Mai Po Marshes and Inner Deep Bay Restricted Area (Restricted Area), comprising a total area of about 800 hectares, includes all the mangrove swamps adjoining the marshes, and the intertidal mudflats and shallow waters of Inner Deep Bay. Mudskippers are common fish species in Hong Kong and can usually be found in the mudflat and shallow water habitats in places such as Inner Deep Bay, Sai Kung, Sha Tau Kok, Tolo Harbour and Lantau Island. Mudskippers are not only found in the Restricted Area. They are not protected

species and are occasionally sold in small amount in the local food market. However, conducting illegal activities (including catching mudskippers) in the Restricted Area might affect to different extent the resting of protected wild animals, especially water birds, and the ecology of the area.

The Wild Animals Protection Ordinance (Cap 170) stipulates that any person who enters into or be within the Restricted Area without a permit issued by the Director of Agriculture and Fisheries and Conservation is liable to a maximum fine of \$50,000 on conviction. The Ordinance also bans the possession of hunting appliance, or hunting any local wild animals by means of hunting appliance except in accordance with a special permit. Upon conviction, the maximum penalty is a fine of \$100,000 and an imprisonment of one year. Regarding the law enforcement, the Agriculture, Fisheries and Conservation Department (AFCD) conducts regular patrol and enforcement operations in the Restricted Area. At the request of the AFCD, the patrolling officers of the Marine Police responsible for Deep Bay and coastal areas would provide support and take joint enforcement actions.

My consolidated reply to the questions raised by Hon Hui Chi-fung, after consulting the Security Bureau, is as follows:

(1) In the past 3 years (i.e. 2015-2017), the AFCD received two to four reports of illegal hunting in the Restricted Area and conducted around 800 boat or foot patrols and enforcement operations each year. A total of 200 to 970 fishing gears were seized in the operations annually. There was no prosecution case established under the Ordinance in the Restricted Area. The breakdown of figures is tabulated in the Annex.

(2) The AFCD carried out around 800 patrols in the Restricted Area per year to monitor the ecological conditions and conduct enforcement operations. Upon receiving reports about illegal entry to the Restricted Area, the AFCD will arrange staff to conduct inspections and enforcement operations. Joint operations of the AFCD, the Police or other concerned departments will be carried out when necessary.

At present, there are 13 AFCD staff responsible for the management and enforcement operations in the Restricted Area. Regular training related to surveillance, enforcement and prosecution is provided to the relevant staff. As these activities form part of the nature conservation work of the AFCD, there is no separate breakdown for the expenditure involved. The Police will also provide assistance and support upon the AFCD's request while the number of patrols and manpower allocation will be subject to crime situation and the need of police operations.

(3) To effectively conserve the ecological habitats in Mai Po Marshes, the AFCD and the Police have strengthened collaboration and taken targeted surveillance, patrol, enforcement operation, intelligence collection and exchange. In respect of cross-boundary co-operation, the Police has been liaising with relevant mainland authorities to combat criminal activities entering into Hong Kong. The AFCD has also contacted its Mainland counterpart for combating illegal fishing activities in Restricted Areas through education and publicity efforts for fishermen in both Hong Kong and the

Mainland of China. In addition, the AFCD reviews the provisions of the Ordinance and relevant policies from time to time with a view to better conserving the wild animals and their important habitats.

Thank you, President.