

Man driving fishing vessel into Sham Wan Restricted Area using snake cages for fishing sentenced

A local coxswain was convicted today (March 12) for breaching the Wild Animals Protection Ordinance (Cap. 170) and the Fisheries Protection Ordinance (Cap. 171) as he drove a fishing vessel, with individuals on board using snake cages (a type of cage traps that has been banned in Hong Kong waters) for fishing, into the waters of Lamma Island Sham Wan Restricted Area of Hong Kong during the restricted period last year.

A spokesman for the Agriculture, Fisheries and Conservation Department (AFCD) noted that, acting on intelligence, AFCD officers investigated a suspected case of illegal fishing using snake cages in the abovementioned waters at around 2am on August 5, 2023. Charges were then laid against the male coxswain concerned for breaching the Wild Animals Protection Ordinance and the Fisheries Protection Ordinance. He was convicted today at the Eastern Magistrates' Courts and fined \$3,450.

The spokesman said, "The Government is committed to combatting illegal fishing activities in Hong Kong waters and unauthorised entry to the restricted area. The AFCD will continue to step up patrols and take stringent enforcement action."

Only a vessel registered under the Fisheries Protection Ordinance can be used for fishing in Hong Kong waters and only the fishing methods listed on its Certificate of Local Fishing Vessel Registration can be employed for fishing by the vessel. The condition of the Certificate of Registration of Local Fishing Vessel regarding cage traps stipulates that any collapsible cage traps should not be connected in any way to another; or should not exceed five metres in any of its extended dimensions. Hence, fishing using snake cages is in breach of the registration conditions. Offenders are liable to a maximum fine of \$100,000 and six months' imprisonment upon conviction.

In addition, green turtle is an endangered species protected by the Wild Animals Protection Ordinance in Hong Kong. It is also the only sea turtle species that nests in Hong Kong. The sandy beach at Sham Wan on Lamma Island is the only site in Hong Kong and one of the few sites in the South China Sea at which green turtles nest from time to time. Green turtles are known to stay in waters adjacent to their natal beaches before and in between their nesting. During the period, breeding green turtles are particularly sensitive to human disturbance, which may frighten them and cause them to abandon nesting. Hence, the AFCD has stipulated a restricted period between April and October during which vessels are prohibited from entering the area. Unauthorised entry to the restricted area is subject to a maximum fine of \$50,000 upon conviction.