

# Setting up of Fishermen Claims Appeal Board

The Government today (August 25) announced the establishment of the Fishermen Claims Appeal Board (FCAB) to process ex-gratia allowance (EGA) appeal cases by owners of fishing vessels (exceeding 15 metres in length) who are affected by marine works projects in Hong Kong waters.

The FCAB is a non-statutory body set up on an ad hoc basis and comprising one non-official Chairman and four non-official members. Mr Yeung Ming-tai has been appointed as the Chairman of the FCAB and the members are Mr Au Pak-ching, Dr Chung Shan-shan, Mr James Kong and Mr Tam Kin-lok. These appointments take immediate effect. Their term will last until the completion of work on all appeals.

The Government has put in place a mechanism to grant EGA to owners of fishing vessels affected by marine works projects, subject to the fulfilment of certain eligibility criteria. An interdepartmental working group (IWG) within the Government has been set up to handle EGA applications from owners of fishing vessels arising from a total of 119 marine works projects in Hong Kong waters, and received a total of 148 applications during the registration period. EGA applicants feeling aggrieved at the decisions made by the IWG concerning the EGA amount offered to them or about their eligibility may lodge appeals to the FCAB. Three EGA applicants filed appeals against the IWG's decision (on their eligibility). These appeals will be heard by the FCAB.

The terms of reference of the FCAB are:

- to hear and consider the appeals against the decisions of the IWG relating to the appellants' eligibility for EGA and/or the amount of EGA granted under the Government policy on granting EGA to owners of fishing vessels affected by marine works projects; and
- having examined any new or additional information/evidence provided by the appellants (or their representatives) or the relevant departments, the relevance of and the weight to be given to such information/evidence, to consider whether to uphold the IWG's decisions on the appellants' cases or to revise the decisions, and to determine the amount of EGA payable to the appellants, as appropriate.

The secretariat of the FCAB will be housed in the Lands Department.