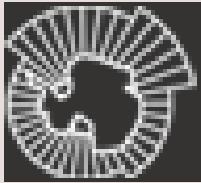


**DRAFT LEGISLATION FOR  
IMPLEMENTATION OF THE  
CONVENTION ON THE CONSERVATION OF  
ANTARCTIC MARINE LIVING RESOURCES  
(CCAMLR) IN HONG KONG**

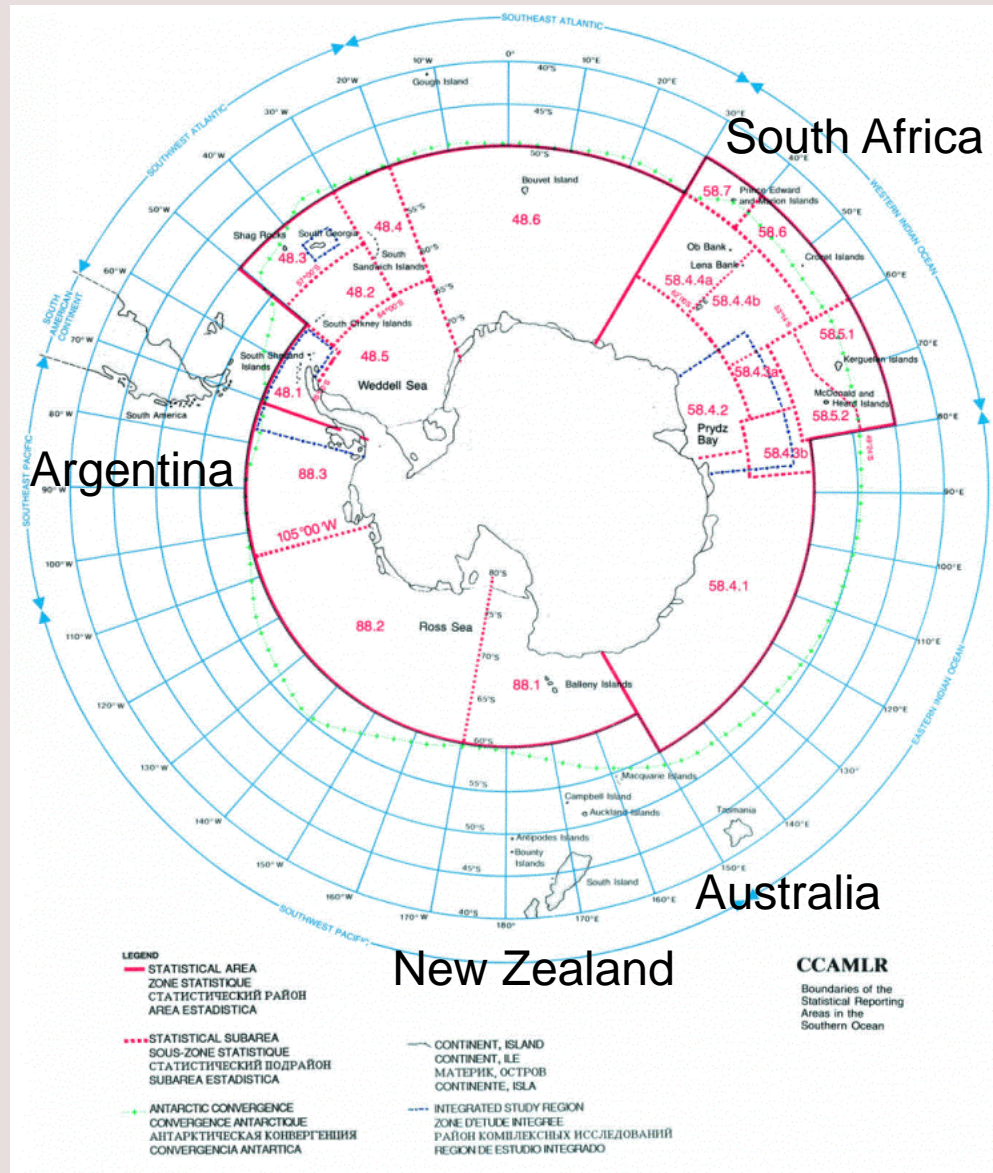


# CONVENTION ON THE CONSERVATION OF ANTARCTIC MARINE LIVING RESOURCES



- To conserve\* Antarctic marine living resources, which cover the populations of fin fish, molluscs, crustaceans and all other species of living organisms, including birds, found south of the Antarctic Convergence
- Including toothfish (*Dissostichus* spp.)
- China acceded to the CCAMLR in 2006, and the Convention has not been extended to the Hong Kong Special Administrative Region yet
- \*the term “conservation” includes rational use

# CONVENTION AREA



# CCAMLR MEMBERSHIP

Members		
Argentina	India	Russia
Australia	Italy	South Africa
Belgium	Japan	Spain
Brazil	South Korea	Sweden
Chile	Namibia	Ukraine
<b>China</b>	New Zealand	United Kingdom
European Union	Norway	United States
France	Poland	Uruguay
Germany		

# ABOUT TOOTHFISH

- Vulnerable to overfishing : longevity, large size, slow growth and late maturation
- Highly sought after in the world fish market
- Experiencing significant levels of exploitation and illegal, unreported and unregulated (IUU) fishing



Source: <http://www.itsnature.org>



Source: [weekendsportfishermen.blogspot.com](http://weekendsportfishermen.blogspot.com)



# TOOTHFISH TRADE IN HONG KONG

- Market names: Patagonian toothfish, Chilean white seabass, Antarctic toothfish, white cod
- Retail price : up to \$120 /100g
- Hong Kong becomes one of the major importing economies of toothfish (about 2 000 tonnes imported into HK in 2016)
- Accounts for less than 1% of the total consumption of fisheries produce



# PURPOSE

- To implement the requirements under CCAMLR including a control scheme for the trading of toothfish and other relevant conservation measures
- In order to better protect the Antarctic marine living resources
- And contribute to the international concerted efforts in the protection and sustainable use of marine resources

# PAST CONSULTATION (2014)

## ■ Feedback from the trade:

### Importers and exporters

- Majority were supportive of the proposal as it would help to protect the marine resources and deter import of toothfish obtained from illegal sources.
- Interested to know more about the operational details of the proposed control scheme.
- Toothfish was only one of the many fisheries products in their business and they were aware of the catch documents and the Catch Documentation Scheme (CDS) for toothfish. Their preliminary view was that the proposed control scheme would not cause too much burden on their operation.



# PAST CONSULTATION

## Seafood traders

- Mainly requested that the application and inspection procedures under the proposed control scheme should be simple and user-friendly

## Retailers

- Concerned about their possible liability under the proposed control scheme, and opined that the scheme should not target the retail level

# PAST CONSULTATION

## Environmental groups

- Support the government to implement CCAMLR
- Mainly requested the government to implement the measures under the Catch Documentation Scheme, and conduct regular and *ad hoc* enforcement actions to combat the illegal trade.

## All stakeholders

- Agreed that the government should maintain a close contact and continue the communication with them regarding the development of the proposal. All considered it necessary for the government to organise education and publicity programme for the trade as well as the public in general.

# Conservation of Antarctic Marine Living Resources Bill (Tentative)

Two subsidiary legislation:

- (A) Toothfish Catch Documentation Scheme Regulation
- (B) Port Inspection Regulation

Empower the enforcement agency to obtain relevant information for validation of export/re-export documents for toothfish, search vessels, inspect, seize or confiscate consignments without valid catch or export/re-export documents, and dispose the confiscated items

# CATCH DOCUMENTATION SCHEME

- The Commission established under the CCAMLR adopted a conservation measure (CM) entitled “Catch Documentation Scheme for *Dissostichus* spp.” (CDS) in 2000 to protect toothfish from IUU fishing within the Convention Area internationally
- Each landing and transshipment of *Dissostichus* spp. shall be accompanied by a completed valid *Dissostichus* catch document
- Each shipment of *Dissostichus* spp. to be imported, exported or re-exported shall be accompanied by valid export/re-export document
- All catch, export and re-export documents will be available to the CCAMLR Secretariat and parties who have a role in the completion of such documents

# PROPOSED REGULATION

- A person must not import, export or re-export toothfish unless accompanied with a licence issued in accordance with the Ordinance
- Produce the relevant licence to an authorized officer
- Anyone who contravene the regulations commits an offence and is liable on conviction to a fine at level 6 and to imprisonment for 12 months.

# APPLICATION OF LICENCE

- To apply for a licence —
  - (a) Fill out the specified form (including providing the name and address of the holder of the licence, quantity and description of the toothfish concerned, etc.) ;
  - (b) Provide the catch/export/re-export document issued in accordance with the Catch Documentation Scheme under the Convention;
  - (c) Other relevant documents (e.g. Waybill/Bill of lading);  
and
  - (d) Pay the prescribed fee.



# APPLICATION METHOD

- In person : 8/F, Cheung Sha Wan Government Offices
- By post : 8/F, Cheung Sha Wan Government Offices
- By fax : 2314 2866
- By e-mail : [ccamlr@afcd.gov.hk](mailto:ccamlr@afcd.gov.hk)

# PORT INSPECTION OF FISHING VESSEL

- To combat illegal, unreported and unregulated fishing activities in the Convention Area
- Hong Kong has no fishing vessels harvesting in the Convention Area
- Inspect fishing vessels carrying Antarctic marine living resources entering the port of Hong Kong to land or tranship
- Require fishing vessels to provide notification and declaration prior to entry
- Deny the entry of illegal, unreported and unregulated fishing vessels and prohibit landing and transshipment from these vessels

**THE END**

