

Fisheries Enhancement Fund
Inaugural Meeting of the Management Committee
held on 21 November 2016 at 10:30 am

Notes of the Meeting

The inaugural meeting of the Management Committee (MC) of the Fisheries Enhancement Fund (FEF) was held on 21 November 2016. The membership of the FEF MC and the Terms of Reference, as well as details of the FEF and Marine Ecology Enhancement Fund (MEEF) were introduced. The Fund operating documentations, the funding theme for the First Project Year, meeting arrangements, lines of communication, publicity arrangements and details of the upcoming fishermen briefing sessions were discussed. The meeting commenced at 10:30 am and ended at 01:05 pm.

Present:

Prof Kenneth LEUNG	(FEF MC Chairman)
Mr Siu Keung CHEUNG	(FEF MC member)
Mr Ka Fai FOK	(FEF MC member)
Hon Steven HO Chun-yin	(FEF MC member)
Mr Yu Sun HO	(FEF MC member)
Mr Siu Fai KEUNG	(FEF MC member)
Ms Ka Ling PO	(FEF MC member)
Mr Sheung Chun YEUNG	(FEF MC member)
Dr Patsy WONG	(FEF MC member)
Ms Samantha LEE	(FEF MC member)
Prof Jonathan WONG	(FEF MC member)
Mr Lawrence TSUI	(FEF MC member)
Mr Peter LEE	(Secretary-General [Airport Authority Hong Kong])
Dr Jasmine NG	(Secretariat [ERM])
Mr Raymond TSUI	(Secretariat [Airport Authority Hong Kong])

Absent with Apologies:

Not applicable

In Attendance:

Ms Maggie WONG	(Secretariat [Airport Authority Hong Kong])
Ms Winnie CHAN	(Secretariat [Airport Authority Hong Kong])
Mr Nill NG	(Secretariat [ERM])
Mr Raymond CHOW	(Secretariat [ERM])

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Agenda Item 1 - Welcome Remarks by the Chairman

1. The Chairman welcomed all Members to the inaugural meeting of the FEF MC. The Airport Authority Hong Kong (AAHK) had committed to formulate and implement a Marine Ecology and Fisheries Enhancement Strategy (MEFES). The MEFES for the Project had been set up for the purpose of enhancing the marine environment for the benefit of fisheries resources and marine ecology (including Chinese White Dolphins) in Hong Kong waters and further afield into the Pearl River Estuary. In accordance with the recommendations of the environmental impact assessment (EIA) study and relevant conditions of the Environmental Permit (EP), AAHK was establishing the independent MEEF, FEF and Top-Up Fund, respectively.
2. The Chairman introduced the membership of the FEF MC and the Terms of Reference. The membership is voluntary for a 3-year term. The draft Terms of Reference had been circulated to Members before the meeting, with no comment received.
3. A member asked whether Figure 1 of the Terms of Reference implied a hierarchical relationship between the Steering Committee (SC) and the FEF MC. The Secretariat explained there was no hierarchical relationship and the FEF MC would operate independently. The Chairman concluded that all members approved the Terms of Reference (**Appendix A**). *[Post-meeting note: Figure 1 of the Terms of Reference was extracted from the approved Fisheries Management Plan (FMP). To ensure consistency, it is not recommended to amend that figure. Also, other Fund documentations detail the structure of the FEF and show that there is no hierarchical relationship between the SC and the MC.]*

Agenda Item 2 - Introduction of the Marine Ecology Enhancement Fund (MEEF) and the Fisheries Enhancement Fund (FEF)

4. Dr Jasmine NG of the Secretariat briefed Members on the Fund Objectives, Fund Arrangement, Fund Management Structures and Roles and Responsibilities of the SC, the MC and the Secretariat.
5. Mr Peter LEE, the Secretary-General for the FEF, explained that the inaugural meeting for the SC was held on 8 November 2016. The First Financial Year

was approved and will cover the period ending 30 June 2018 in order to align with the end of the First Project Year. The FEF Initial Funding Budget and Jump Start Amount for the First Financial Year were also approved. *[Post-meeting note: The FEF was officially established on 1 December 2016. The First Financial Year was therefore commenced on 1 December 2016.]*

6. A member queried whether the FEF MC would be allowed to approve application funding amount exceeding HK\$4M. Mr Peter LEE explained that the FEF MC would make decision to support applications that are within the FEF Initial Funding Budget. For applications that are beyond the FEF Initial Funding Budget, Members could decide to recommend to the SC for additional funding allocation.
7. A member asked whether there is a ceiling on the funding amount for individual application. The Chairman explained while there is an Initial Funding Budget capping the overall amount, there is no ceiling on the funding amount for individual application. Also, the FEF MC might seek advice from independent (non-MC) external assessor(s) in related field (if necessary). The FEF MC would be responsible for the approval of an application after considering the advice from the external assessor(s).
8. A member queried the current arrangement for promoting the FEF to the public. Mr Peter LEE explained that the relevant information of FEF would be uploaded on the dedicated website. Furthermore, two fishermen briefing sessions would be conducted in late November 2016 and early December 2016 by AAHK, which would also provide information on the background and application procedures of the FEF. *[Post-meeting note: The FEF application documents were uploaded on the dedicated website on 1 December 2016. The Secretariat also issued invitation letters and copies of FEF application documents to 27 fishermen associations on 30 November 2016.]*
9. A member asked whether the FEF could support policy studies of the fishing industry. The Chairman suggested that policy studies of the fishing industry would fulfill the funding theme of “Support the promotion and enhancement of fisheries-related business opportunities” of the approved FMP. The Chairman highlighted that the FEF would support all four funding themes specified in the FMP.
10. A member asked whether researches on fisheries resources would be appropriate for FEF application. The Chairman indicated that the FEF

targeted to support the fishing industry of Hong Kong. Academic research studies are recommended to apply for MEEF.

Agenda Item 3 – Fund Documentations

11. All Fund documentations, including the Operation Guidelines for FEF MC, Code of Conduct, Form of Declaration of Interest, Assessment Guidelines, Assessment Form, Application Form and Guidance Note, had been circulated to Members before the inaugural meeting, with no comment received. Dr Jasmine NG briefed Members on the FEF documentations and the highlights were summarized below:

- a. Two to three assessors will be assigned to assess each application. The FEF MC may seek advice from independent (non-MC) external assessor(s) to assess application(s) if necessary.
- b. The application for funding for the procurement of equipment and tools should be based on sustainable development of fisheries industry, compliance with relevant legislation(s) and safety consideration(s). If the unit price of procurement exceeds HK\$5,000, the FEF MC may allow funding at no more than 50% of the unit price. If the unit price is at or below HK\$5,000, the FEF MC may consider full funding of the procurement based on justifications provided by the applicant. A member suggested the FEF MC might consider full funding of the procurement for applicant organizations that are non-profit making.
- c. For applications with overseas training or packaged tour, participants should pay at least 40% of the cost. The FEF MC may review the funding ratio and adjust as necessary.
- d. Normally, the initial payment to the applicant should not exceed 30% of the total funding amount. Adjustment is allowed on a case-by-case basis. A member proposed to increase the maximum initial allocation of the Fund to the successful applicant up to 50% of the total funding amount based on sound justifications. Members agreed with the proposal, allowing more flexibility. The Secretariat will amend the corresponding section(s) of the FEF documentations.
- e. The applicants should keep good record of all the receipts of expense to allow checking and audit. Financial audit should be conducted for all projects, and the cost associated should be included in the proposed budget in the application.
- f. The FEF MC will be informed about the topics of discussion of the upcoming MEEF MC meetings. If Members intend to observe the

MEEF MC meetings, they should inform the Secretariat in advance.

- g. For all meeting minutes of the FEF MC which are made available online, the statements made by individual members will be anonymous.

12. Members agreed with the above items unanimously and agreed to further revise the FEF documentations if needed during fund operation.

13. A number of recommendations were raised by Members, including an extension of application period, no application deadline, multiple application periods each year, and allowing application for multiple-year projects. Mr Peter LEE explained that, based on the funding arrangement of FEF, the approved Initial Funding Budget might potentially be fully distributed to various applications in the first round of application in one Financial Year. In this case, there would not be any budget to allow additional round(s) of application in the same Financial Year. Furthermore, the Trust Deed and Funding Policy limit the FEF MC to approve applications within one Financial Year only. Any applications approved in the second round of application would need to be completed by the end of the same Financial Year, meaning that there would be less than a year's time available for the applicants to complete the projects. Regarding the proposal for extending the application deadline, Mr Peter LEE stated that the Secretariat would review the possibility of extending the application deadline to the end of February 2017 for the first year. Any application received afterward would be considered in the application period next year. *[Post-meeting note: Applications received between 1 December 2016 and 28 February 2017 will be considered in application assessment for Year 2017.]*

14. A member suggested that the Jump Start amount may allow multiple application periods for the early years of FEF operation. Members understood the Trust Deed and Funding Policy limit the possibility of FEF MC approving funding beyond the same Financial Year. Members agreed to allow applications of multiple-year project executing in phases. This will be specified in the Assessment Form and whether FEF would continue to fund such multiple-year projects would be reviewed annually during the regular FEF MC meetings based on its work progress. Dr Jasmine NG recommended and Members agreed that deciding the need for a second round of application based on the applications received in the first round in the same Financial Year. The Secretariat would provide information regarding the funding allocated to existing projects to FEF MC Members in the regular meetings so MC would not (unintentionally) approve projects with the requested funding amount

exceeding the approved Initial Funding Budget.

15. A member suggested simplifying the application procedures for multiple-year project. Mr Peter LEE explained that the Secretariat would prepare simplified application form for multiple-year projects. Application for continuation of multiple-year projects would only require the submission of completed simplified application form as well as progress reports of the previous year. The Chairman asked if Members found it necessary to set limits on the maximum duration for multiple-year projects. The Chairman recommended normally a maximum funding period of 3 years should be allowed; for special case, which would be discussed and agreed among Members, funding period could be up to 5 years. A member agreed with the proposal, and stated that FEF MC should not approve funding to projects with too long duration. A member requested the Secretariat to record funding requirements for multiple-year projects to facilitate Members in discussing and deciding the approval of applications. The Secretariat agreed with the provision of data on funding requirements for multiple-year projects.
16. Members asked if the Secretariat would help fill the application form or provide sample application form for reference. Dr Jasmine NG clarified that the Secretariat would not fill in application form for applicants. Instead, the Secretariat could provide general assistance on the application. Mr Peter LEE suggested that the Secretariat could provide sample application form to fishermen associations for reference if needed.
17. A member queried whether application by group / association was mandatory. The member worried that most of the fishermen might not be able to apply for FEF because of such requirement. Dr Jasmine NG clarified that the current arrangement was based on other relevant / similar funds, thus the FEF is only available for fishermen's' groups / associations and non-profit making organizations to apply at this moment which is considered to benefit most of the fishermen. A member asked whether commercial projects would be allowed to apply for FEF. Dr Jasmine NG suggested commercial projects would be allowed, but the maximum funding would be no more than 50% of the total requested funding amount.
18. A member suggested and Members agreed that it is not necessary to screen out projects which scored zero point under individual assessment questions. Instead, a list of all applications arranged according to the assessment score should be provided to FEF MC for consideration.

19. A member queried whether applications would be limited to projects in the western waters. Dr Jasmine NG clarified that there was no such limitation, but applications for projects in western waters would have advantage in assessment scoring. A member suggested that project which could be beneficial to the Hong Kong fishing industry might not necessarily occur in Hong Kong waters and thus all applications which could be beneficial to Hong Kong fishermen should be considered. Mr Peter LEE indicated that the Secretariat would amend the Assessment Guideline and Assessment Form according to Members' comments.
20. The Chairman suggested the Assessment Guideline and Assessment Form should allow assessors to give an overall comment on the project's benefits on Hong Kong fisheries as a whole or fisheries resources. Dr Jasmine NG advised that the Secretariat would consider and make appropriate amendments accordingly.
21. The Secretariat will amend the FEF documentations based on the above and provide the revised pages to Members of the FEF MC for confirmation.
22. A member highlighted further review on FEF documentations would be necessary and suggested that further comments and suggestions might be expected. Another member suggested that FEF documentations could be further adjusted and fine-tuned if needed after the first round of application. Other members agreed and approved the FEF documentations unanimously. Members also agreed to allow further revision to the FEF documentations afterwards if needed.

[Post-meeting Note: Revised pages of the FEF Application Form, Guidance Note, Operation Guidelines, Assessment Guidelines and Assessment Form (based on comments and recommendations received in the inaugural meeting) were circulated to the FEF MC Members on 25 November 2016 for review and further comments. Four additional recommendations were subsequently received. The Secretariat circulated the latest version of the FEF documentations to the FEF MC Members for record on 29 November 2016 and no further comment was received.]

Agenda Item 4 - Funding Theme for the First Project Year

23. The Chairman briefed the funding themes of the first year (four funding themes

specified in the FMP), including:

- a. Support measures that help to achieve sustainable management and enhancement of fisheries resources;
- b. Support and enhance on-going fisheries operations in a sustainable manner;
- c. Support measures that assist in shifting fisheries operations; and
- d. Support the promotion and enhancement of fisheries-related business opportunities.

24. The Chairman proposed and Members agreed that “Optimizing and Enhancing the Efficiency as well as Safety of Fisheries Operations” as the annual funding theme of the first project year. A member suggested the funding themes should act as guidance but not limitation to the application.

Agenda Item 5 - Meeting Arrangements and Line of Communication

25. Dr Jasmine NG highlighted that two regular meetings would be held for FEF MC annually. One would be held in April or May while the other would be held in November. The meeting venue is expected to be the Downtown Office of AAHK in Central or other location to be confirmed. Documents to members of FEF MC will be delivered via email or by post according to the preference of individual member. The Secretariat will prepare bilingual anonymous meeting minutes.

26. Dr Jasmine NG suggested that members of SC or MEEF MC might observe the meeting of FEF MC, but would not be allowed to join the discussion, give advice or vote on FEF MC matters. If members of FEF MC intended to observe meeting of MEEF MC, they should inform the Secretariat in advance. The Secretariat would inform members of both MEEF MC and FEF MC on the major topics to be discussed in the meetings of the other MC, allowing the MC members to decide whether they want to observe the meeting of the other MC.

27. Dr Jasmine NG briefed the publicity arrangement of the FEF, which included the dedicated website of the Fund as well as the content to be released on the website. Dr Jasmine NG reminded Members to refer all media enquiries to the Chairman of FEF MC and the Secretariat. The Chairman and the Secretary-General would be the official spokesperson of the FEF MC. The Chairman agreed with the publicity arrangement to ensure transparency of fund operation and Members approved.

Agenda Item 6 – Fishermen Briefing on FEF

28. Dr Jasmine NG briefed FEF MC Members on details of the upcoming fishermen briefing sessions. The two fishermen briefing sessions would be held on 29 November 2016 at Gold Coast of Tuen Mun and 6 December 2016 in Central, respectively. Dr Jasmine NG also presented the topics to be presented in the fishermen briefing sessions.

Agenda Item 7 - Any Other Business

29. The Chairman informed Members about the legal view of the Secretariat on incorporating further declaration on dealing with country, organization or activity that may potentially be relevant to any sanctions law applicable and the use of money from FEF in any unlawful manner, into the Application Form and Guidance Note, and the declaration was tabled to Members. Members agreed to incorporate the declaration into the Application Form and Guidance Note, and the Secretariat will amend the fund documentations accordingly. *[Post-meeting note: the declaration was incorporated into the FEF Application Form and Guidance Note and circulated to Members on 25 and 29 November 2016. No further comment was received from Members.]*

The meeting adjourned at 01:05 pm.



(Chairman's Signature)

APPENDIX A

TERMS OF REFERENCE
(AVAILABLE IN CHINESE ONLY)





**根據環境許可証（環境許可証編號EP-489/2014）
漁業提升基金管理委員會《職權範圍》**

前言

1. 這委員會的名稱為「漁業提升基金管理委員會」（下簡稱「管理委員會」）。
2. 這管理委員會乃按照環境保護署（下簡稱「環保署」）於2014年11月7日向香港機場管理局（下簡稱「機管局」）發出的環境許可証（環境許可証編號EP-489/2014）第2.13項及組成《改善海洋生態基金》、《漁業提升基金》及《增補基金》的信託契約而成立。
3. 項目的已批核環境影響評估報告（下簡稱「環評報告」）為：擴建香港國際機場成為三跑道系統（登記冊編號AEIAR-185/2014）。

管理委員會的職權範圍如下：

《漁業提升基金》的目的

《漁業提升基金》成立的目的是提升(香港西面水域特別是大嶼山水域的) 漁業資源及支援香港漁業，以惠及香港市民大眾。

管理委員會的使命

管理委員會的使命是在擴建香港國際機場成為三跑道系統（下簡稱「三跑」或「本項目」）的建造及營辦期內管理《漁業提升基金》以確保《漁業管理計劃》能夠成功執行，以長遠及可持續地支援漁業。

管理委員會的目的

- 根據《漁業管理計劃》及本項目環評報告建議的提升措施提出意見並監測其成效；及
- 就符合《漁業提升基金》目的的項目資助申請作出建議，並批核在年度預算分配額內的項目資助申請。

管理委員會的組織架構

管理委員會須監督《漁業管理計劃》及其部分的實行，包括：

- 支持能達致可持續管理及漁業資源提升的措施；
- 改善現有漁業以可持續方式作業；
- 支持協助漁業作業轉型的措施；及

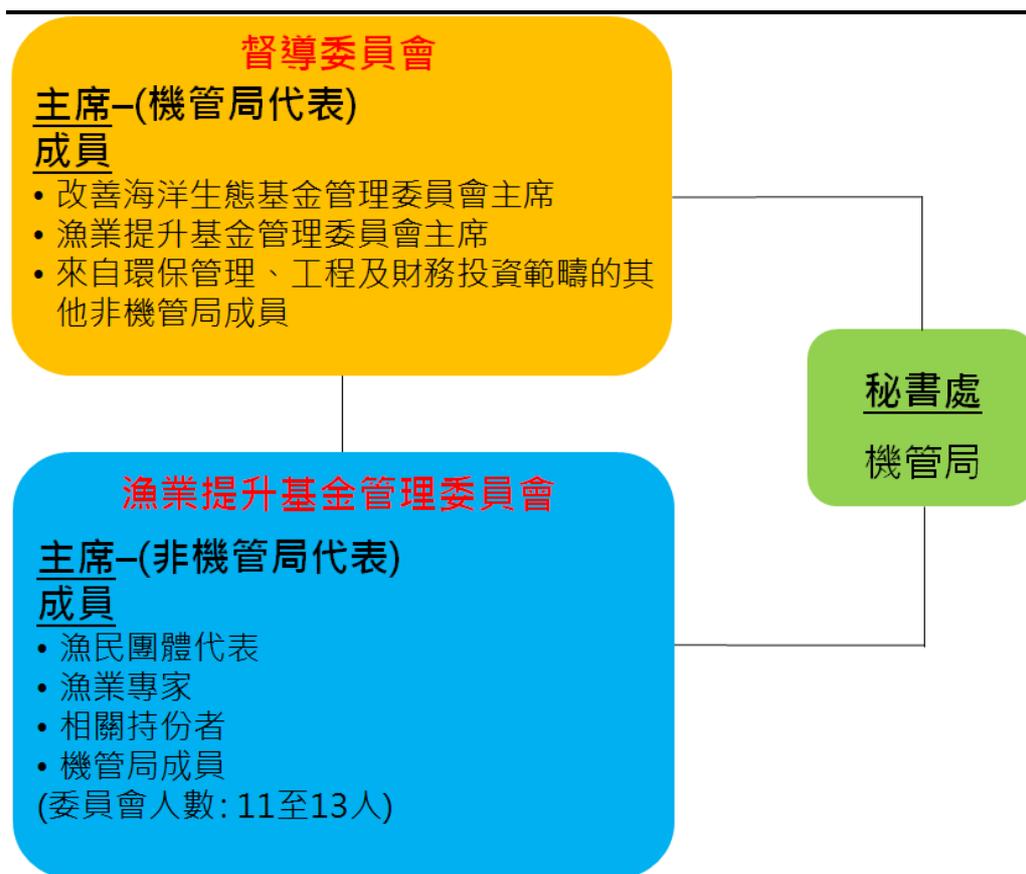


- 支持促進漁業相關行業的機遇。

建議的組織架構如圖表 1 所示。

值得注意的是督導委員會將就基金營運提供整體方向性的指引或政策以確保基金有足夠資源並可長遠及可持續地達致其目標。督導委員會將不會駕馭或推翻管理委員會的決定，亦不會削弱管理委員會的角色。

圖表 1 漁業提升基金管理委員會架構



基金管理委員會成員

管理委員會成員的組成將反映《漁業管理計劃》內的四大主題。管理委員會需要對現行的漁業作業、可持續管理及漁業資源提升提供平衡各方意見的觀點。管理委員會將由11至13名成員組成，包括主席、漁民團體代表、漁業專家、相關持份者（包括但不限於社區領袖、有相關基金管理經驗的人士、相關學者及環保團體代表等）及最多兩名機管局推薦的代表。

委任程序

管理委員會的秘書處將編彙管理委員會成員的潛在候選人，當中可能從（包括但不限於）漁農自然護理署任何相關諮詢委員會中物色符合上述管理委員會組成要求的成員作為管理委員會的主席及成員。





秘書處將邀請潛在候選人擔任管理委員會的主席或成員。在潛在候選人接納邀請後，秘書處將委任其為管理委員會主席或成員；如潛在候選人拒絕邀請，秘書處將提議其他人選，以確保管理委員會能符合上述的成員組成要求。

除非與該成員有特別協議，否則每位管理委員會成員任期為三年。

機管局的角色

機管局將為管理委員會提供會籍，但並不會擔任管理委員會的主席。由於管理委員會的核心領域為提倡可持續漁業及社區福利，機管局將最多推薦兩名代表參與管理委員會，當中可以包括相關專家或環境顧問。

管理委員會的營運任務

為確保管理委員會能有效運作，其營運程序包括：

檢閱交付文件及會議的次數

管理委員會將檢閱並就與《漁業管理計劃》相關的交付文件提出意見。雖然預期《漁業管理計劃》將按照一個廣泛的計劃展開，唯實際上《漁業管理計劃》將由一系列符合四個主題的交付文件組成。

管理委員會的會議次數應按照與《漁業管理計劃》相關的交付文件提交時間表決定。初步建議每半年舉行一次會議。

秘書處架構、角色及責任

機管局將向《漁業提升基金》提供秘書服務（或在外搜羅第三方秘書服務），以協助督導委員會及管理委員會的運作。

秘書處將：

- 負責準備會議通知、會議議程、會議翻譯及會議記錄；
- 整合受資助項目的進度報告及完成報告，以及該年度所有項目申請、成功申請項目、進行中的項目及已完成的項目的總覽供督導委員會及管理委員會檢閱及參考；及
- 與機管局及管理委員會主席合作，確保相關專業的人士出席相關的會議。

管理委員會的交付文件

視乎管理委員會的工作量，秘書處（機管局或由機管局委任的第三方顧問）將負責為管理委員會準備相關文件。其相關文件暫列如下：

- 項目資助申請的簡介報告；





- 會議議程；
- 項目資助申請的簡報；
- 會議記錄 – 行動列表、審視成果；
- 對項目資助申請的意見；
- 向督導委員會提交的《漁業提升基金管理委員會建議撥款申請書》；
- 予申請成功項目的資助合約；及
- 如有需要，上載至指定網站的相關資料。

按照管理委員會會議的安排，秘書處將準備每半年的進度報告以供管理委員會考慮。該報告將包括《漁業管理計劃》在執行及管理上的總覽與更新、《漁業管理計劃》的監察和審核，以及《漁業管理計劃》轄下任何項目的成果。

管理委員會的執行／營運指引

為確保管理委員會能有效營運，秘書處將準備相關指引供管理委員會參考（**附錄1**）。





附錄 1 漁業提升基金管理委員會營運指引

管理委員會程序

為使管理委員會就《漁業管理計劃》及本項目環評報告建議的提升措施的成效提出意見，秘書處將提供環評報告及相關文件使管理委員會可以充分理解本項目建議的提升措施。在加入管理委員會後，每位成員將會收到以下文件的電子版本：

- 本項目已批核的環評報告（只提供英文版本）；
- 本項目已批核的環境監察及審核手冊（只提供英文版本）；
- 《漁業管理計劃》（只提供英文版本）；
- 根據《環境影響評估條例》第8(1)章提交回應環境影響評估小組成員提問的額外資料、回應環境影響評估小組在2014年8月11日會議的補充資料、回應環境影響評估小組在2014年8月13日會議的補充資料、回應環境影響評估小組在2014年8月18日會議的補充資料、環境諮詢委員會在2014年9月15日會議前提交的補充資料及環境諮詢委員會在2014年9月15日會議的簡報資料（只提供英文版本）；
- 2014年11月7日環保署致函予機管局關於批准本項目環評報告的信件（參考編號：(1) in EP2/G/B/162 Pt 15）（連附件）（只提供英文版本）；
- 環保署為本項目在2014年11月7日發出的環境許可証（環境許可証編號EP-489/2014）。

管理委員會成員《守則指引》及《營運指引》

管理委員會將準備並同意採納《守則指引》及《營運指引》，當中涵蓋：

- 成員資格的性質 – 自願出任；
- 角色及功能 – 審視及提出意見的義務；
- 成員任期；
- 內部及外部的義務，如保密要求、媒體關係等；
- 聯絡途徑；及
- 成員的請辭程序（通知等）。

