

*Draft Terms of Reference*  
*Marine Ecology Enhancement Fund Management Committee*  
*Pursuant to Condition 2.8 in EIAO Permit Number EP (EP-489/2014)*  
21 March 2016

**Preamble**

1. The Committee shall be known as the Marine Ecology Enhancement Fund Management Committee (MEEF-MC).
2. The MEEF-MC is established by the Airport Authority Hong Kong (AAHK) in accordance with Condition 2.8 of Environmental Permit No. EP-489/2014 issued to AAHK on 7<sup>th</sup> November 2014.
3. The approved EIA for the Project is Register Number AEIAR-185/2014 entitled: Expansion of Hong Kong International Airport into a Three-Runway System.

The outline for the Terms of Reference of the MEEF-MC is as follows:

**MEEF-MC Mission**

The mission clarifies the overarching MEEF-MC long term goal(s) and duration/life span and is as follows:

*The mission of the MEEF-MC is to provide administer the Marine Ecology Enhancement Fund during the Construction and Operation Phases of the 3RS for the successful implementation of the Marine Ecology Conservation Plan (MECP) to promote conservation objectives in a long-term and sustainable manner.*

**MEEF-MC Objectives**

- To advise on and monitor the effectiveness of the proposed enhancement measures of the Project according to the approved Marine Ecology Conservation Plan (MECP) and EIA report; and
- To make recommendations on funding applications that meet the fund objectives and approve the applications that are within the budgeted Annual Allocation.

**MEEF-MC Organizational Structure**

The MEEF-MC is required to provide oversight of the implementation of MECP and its components, namely:

- Enhancement of habitats for marine ecology and fishery resources (Marine Habitat & Resource Conservation & Enhancement Theme);

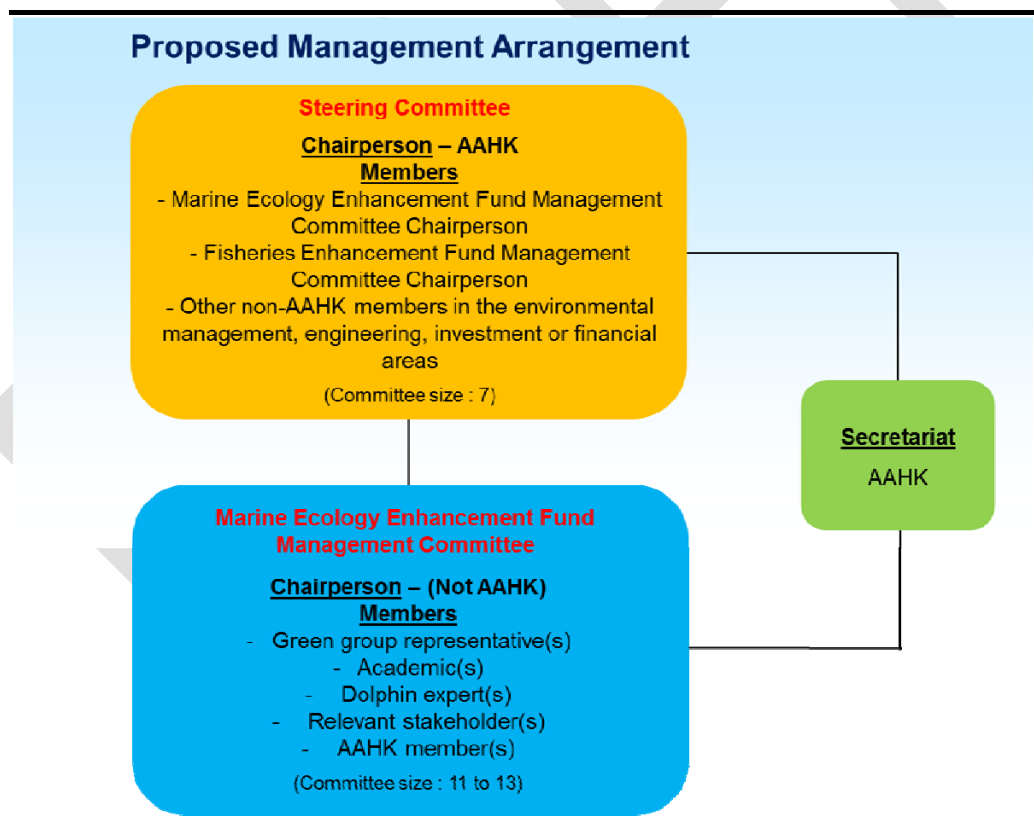


- Encouragement of scientific research and studies (Scientific Research & Studies Theme); and
- Promotion of environmental education and eco-tourism (Environmental Education & Eco-tourism Theme).

The suggested organization is presented in *Figure C1*.

It is important to note that the Steering Committee will provide overall directional guidance / policies for the fund operation to enable sufficient resources will remain available for the fund to meet its objectives in a long-term and sustainable manner covering the MEEF-MC, as well as that of the Fisheries Enhancement Fund Management Committee (FEF-MC) (discussed in a separate submission). The Steering Committee will not override a decision of the MEEF-MC and will not undermine the role of the MEEF-MC.


**Figure C1** *Proposed Structure of the MEEF-MC*



### MEEF-MC Membership

It is suggested that the membership reflects the three broad themes that will comprise the MECP. The committee will comprise of 11 to 13 members (including the Chairperson), including Green Group representative(s), Academic(s), Dolphin Expert(s), up to 2 representatives nominated by AAHK





and other Relevant Stakeholder(s) including community leader(s) as well as people having expertise / experience in managing similar funds.

#### *Appointment Procedure*

The Secretariat of the MEEF-MC will compile a list of potential candidates including, but not limited to, any member of any consultative and advisory committee of the AFCD to be the Chairperson and members of the MEEF-MC that satisfy the composition stated above.

The Secretariat will invite the potential candidate(s) to be Chairperson or member(s) of the MEEF-MC.

The Secretariat will appoint the candidate(s) to be Chairperson or member(s) of the MEEF-MC upon their acceptance. If potential candidate(s) declined the invitation, the Secretariat will propose alternative candidate(s) to ensure that the MEEF-MC would meet the composition requirements stated above.

Each member of the MEEF-MC will be appointed for a fixed term of 3 years, unless otherwise agreed with that member.

#### *The AAHK Role*

Whilst it is envisaged that AAHK will not Chair the MEEF-MC, it will provide membership. As the core focus areas of the MEEF-MC are environmental enhancement and community benefit, it is suggested that there will be up to 2 representatives nominated by AAHK on the Committee, which may include the associated specialist / environmental consultant(s).

#### **MEEF-MC Operating Mandate**

The operational procedures for the effective functioning of the MEEF-MC include confirming the following:


##### *Frequency of review submissions and meetings*

The MEEF-MC will review and advise on submissions related specifically to the MECP. Although there is expected to be one broad plan to kick-off the MECP implementation it is expected that the MECP will in reality consist of a series of submissions under each of the three themes.

The appropriate frequency of meetings will be based on projected submissions that relate to the MECP. The initial suggestion is for half-yearly meetings.

#### *Secretariat Structure, Role & Responsibilities*





AAHK will provide secretarial services (or will procure the provision of secretarial services by an external third party) to the MEEF to facilitate the functions of the Steering Committee and the MEEF-MC.

The Secretariat will:

- be responsible for the preparation of meeting notices, agendas, meeting translation and minute taking;
- collate progress reports / final reports submitted by funded projects, as well as the summary of total applications received, successful applications, ongoing projects and completed projects in a year for review and reference by the Steering Committee and the MEEF-MC; and
- work with the AAHK and the Chairperson of the MEEF-MC to ensure proper expertise is present at relevant meetings.

#### *Deliverables of the MEEF-MC*

The Secretariat (AAHK or third party consultant appointed by AAHK) will be responsible for the outputs of the committee which will be scheduled on an 'as needed basis' depending on the workload of the committee and these are provisionally identified as follows:

- Briefing papers
- Agendas
- Presentations
- Meeting minutes – list of actions, review outputs
- Comments on submissions
- Materials for upload to dedicated website, if any

Initial half-yearly progress reports matching with the schedule of the MEEF-MC meetings will be prepared by the Secretariat for consideration of the committee. The reports will include updates of implementation and management of the MECP, monitoring and audit of the MECP and findings of any studies carried out under the MECP.

#### *MEEF-MC Implementation / Operation guidelines*

To maintain the effective functioning of the committee, guidance notes will be produced for the committee's reference (*Annex 1*).





*Annex 1*  
*Guidance Notes for the Functioning of the Marine Ecology Enhancement Fund*  
*Management Committee*

*Introduction*

- Mission
- Objectives
- Membership

Make reference to the Terms of Reference for the committee.

*Committee Procedure*

In order to advise on the effectiveness of enhancement measures contained in the EIA and the MECP, the MEEF-MC will need to be fully informed of what measures are contained within the EIA and related documentation. Upon joining the MEEF-MC each member shall receive soft copies of the following documentation:

- The approved EIA Report for the Project;
- The approved EM&A Manual for the Project;
- The Marine Ecology Conservation Plan;
- Further information submitted under section 8(1) of the EIA Ordinance consisting of Responses to EIASC Members Questions, Supplementary Information in response to 11<sup>th</sup> August 2014 EIASC Meeting, Supplementary Information in response to 13<sup>th</sup> August 2014 EIASC Meeting, Supplementary Information in response to 18<sup>th</sup> August 2014 EIASC Meeting, Supplementary Information submitted before 15<sup>th</sup> September 2014 ACE Meeting and Presentation material presented at the 15<sup>th</sup> September 2014 ACE Meeting;
- The 7<sup>th</sup> November 2014 letter (with attachments) to AAHK from the EPD (Ref No: (1) in EP2/G/B/162 Pt 15) known as “the Director’s Letter” approving the project EIA; and
- The 7<sup>th</sup> November 2014 Environmental Permit No. EP-489/2014 for the Project.

*Committee Members Code of Conduct*





A code of conduct guideline will be prepared and agreed on by the MEEF-MC covering:

- Status of membership – voluntary with reimbursement of incidental costs;
- Role and function – review and comment obligations;
- Duration of membership;
- Obligations - internal and external, e.g., confidentiality, media relations etc.;
- Lines of communication; and
- Resignation procedure (notice etc.).

*Inaugural meeting to establish the MEEF-MC*

The MEEF-MC will be established by holding an inaugural meeting with the following carried out:

- The Terms of Reference will be reviewed and agreed;
- Frequency of Committee meetings and dates discussed;
- The Guidance Notes for the functioning of the committee will be reviewed and agreed and include:
  - Procedures for providing comment on submissions will be discussed; and
  - The overall project scope and programme will be reviewed and Project knowledge and expectations leveled through the Secretariat.

