Confirmed Minutes
40th Nature Conservation Subcommittee Meeting
held on Tuesday, 30 June 2026 at 2:30 p.m.

Present:
Dr Theresa KWONG (Chairman)
Ms Ada FUNG, BBS
Ms Grace KWOK
Prof Kenneth LEUNG, BBS, JP
Mr Simon NG
Prof QIU Jian-wen
Ms Karen CHEK (Secretary)

Absent with Apologies:
Mr CHEUNG Chi-wah
Dr William YU

In Attendance:
Environment and Ecology Bureau (EEB)

Ms Cynthia LAU	Executive Officer (CBD) 1
Miss Glory CHONG	Executive Officer (CBD) 2
Miss Michelle WONG	Executive Officer (CBD) 2 (Designate)

In Attendance for Item 2:
EEB

Ms Eugenia CHUNG	Principal Assistant Secretary for Environment and Ecology (Nature Conservation)
Mr Sean LEE	Assistant Secretary for Environment and Ecology (Nature Conservation) 1

Agriculture, Fisheries and Conservation Department (AFCD)

Dr Jim CHU	Assistant Director (Fisheries & Marine Conservation)
Ms Louise LI	Senior Marine Conservation Officer (West)
Dr Ivan CHAN	Marine Conservation Officer / (Management)West 1

Action

The Chairman welcomed all to the meeting and informed Members that apologies of absence had been received from Mr Cheung Chi-wah and Dr William Yu.

Item 1 : Matters arising

2. The Chairman advised Members that the minutes of the last meeting held on 29 January 2026 were confirmed by circulation on 3 April 2026.

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3. There was no matter arising from the minutes of the last meeting.

Item 2 : Proposed Amendments to the Wild Animals Protection Ordinance *(ACE-NC Paper 2/2026)*

4. The Chairman indicated that the paper provided an overview of the key components of the proposed amendments to the Wild Animals Protection Ordinance (WAPO) (Cap. 170), to enhance the protection of cetaceans by granting new statutory powers to AFCD to better handle incidents in Hong Kong involving live cetaceans in need, and to confer legal status on the existing Code of Conduct for Dolphin Watching (the Code).

5. There was no declaration of interest by Members.

(The presentation team joined the meeting at this juncture.)

6. Dr Jim Chu gave an opening remark on the background of the matter and Dr Ivan Chan briefed Members, by way of a PowerPoint presentation, on the proposed amendments to the WAPO.

Public Education and Consultation

7. Members supported the proposed legislative amendments granting new statutory powers to AFCD and conferring legal status on the Code for enhancing the protection of cetaceans which was in line with the direction of the updated Biodiversity Strategy and Action Plan (BSAP). A Member considered that the opportunity should be taken to reinforce public education through relating the amendments to the conservation strategies, targets and actions in the updated BSAP.

8. As the Code would become legally binding, a Member asked if the Government had consulted relevant stakeholders. For capacity building, she said that the new measures should be clearly conveyed to the public, in particular the stakeholders such as the maritime sector, fishermen, dolphin-watching operators etc. to ensure compliance. The Chairman sought to know which parties were consulted on the proposed legislative amendments.

9. Dr Jim Chu remarked that after the 2023 incident, four major measures had been introduced for marine mammal conservation, namely a three-tier response plan to cater for different scenarios, the current proposal to amend WAPO, capacity-building through exchanges with other places such as Guangxi and Queensland, and ongoing public education through various activities such as marine wildlife carnivals and briefings for stakeholders. He explained that AFCD had been maintaining regular communication with dolphin-watching operators, and the outreaching efforts would be stepped up before and throughout the peak seasons. He opined that the operators were cooperative in general as their businesses hinged on the presence and well-being of dolphins. Dr Chu added that formal consultations with stakeholders

including the shipping industry represented in advisory committees of Marine Department (MD), fishermen, recreational boat and yacht clubs etc. would be arranged prior to the submission of the amendment bill.

10. A Member supplemented that after the 2023 whale incident, AFCD had set up an Expert Group on Conservation of Marine Mammals (the Expert Group) of which he was the Chairman. He shared that the Expert Group had done a lot of work including developing risk assessment protocols for non-resident whales and dolphins, contributing to the current legislative amendment proposal etc. He explained that for healthy individuals, a non-intervention approach would be adopted to minimise disturbance to them hoping that they would return to the open water by themselves. However, most cetaceans lingering in the Hong Kong waters were not in good shape due to illness, undernourishment or disorientation. In such cases, interventions would be required. He said that the proposed legislative amendments could provide AFCD with the statutory powers for the establishment of temporary marine restricted areas (TMRAs) to impose prohibition or restriction on vessels and persons to enhance the protection of those live cetaceans in need with a view to improving their chance of recovery.

11. The Chairman was glad to note that the Expert Group had been consulted on the proposed amendments. She suggested that information on stakeholder consultation should be included in the subsequent submissions to show that the proposal had been carefully deliberated and supported by stakeholders.

12. A Member suggested improving the presentation of the Code by starting the list with positive guidance messages instead of prohibitive rules as the key practices could reinforce the importance of the conservation message. The Chairman concurred that framing the guidelines with affirmative messages would resonate better with modern audiences as compared with the traditional approach with focus on prohibitions. Dr Jim Chu welcomed the suggestion and said that AFCD would consider how to better present the Code with positive behavioural guidance for public education.

13. A Member proposed and the Chairman concurred that AFCD could improve the PowerPoint presentation by reducing the amount of text and adding more visuals to catch the attention of the audiences.

TMRAs

14. With reference to a Member's questions on the execution of the TMRAs, Dr Jim Chu responded that the three types of control would operate in tandem, but were to be activated according to risk levels. He explained that general restrictions would be imposed in specific areas with frequent whale sightings to set a broader regulated zone with speed and activity limits while ad hoc instructions or directions would be given on-site by enforcement officers to control boat navigation within the TMRAs to avoid immediate hazards to cetaceans in need. Under special

circumstances where immediate rescue operation was required, AFCD could designate a "prohibited area" to forbit entry during the operations.

15. Two Members further enquired about the notification arrangements, publication channels and enforcement staff involved in the three types of control. A Member above opined that the general public which included yacht owners should be clearly informed of the arrangements within TMRAs.

16. Dr Jim Chu replied that in addition to publishing official notices on its website about the designation of TMRAs, AFCD would also issue press releases, make announcement via social media platforms and collaborate with non-governmental organisations (NGOs), green groups etc. on the dissemination of the messages to the general public through different channels. For the marine sectors or maritime users, AFCD would coordinate with MD on issuing marine notices and broadcasting alerts to vessels.

17. As a member of the Expert Group, a Member said that he had assisted AFCD with cetacean species identification work on various occasions. He agreed that official intervention would be required to handle those large cetaceans found in Hong Kong waters since they were usually in poor health condition, but the boundary of the TMRAs would need to be carefully considered given that the cetaceans were large in size and their movement could cover a large sea area. He noted that the current proposal could allow flexibility for enforcement and adjustment of the boundary of the TMRAs.

18. A Member added that for the control measures to be effective, adjustments to the implementation details and active coordination among government departments such as AFCD, MD, Police as well as other stakeholders including marine experts, NGOs such as Ocean Park, the academic sector etc. would be required. He said that it would be desirable to line up direct communication channels with the Mainland parties to further enhance the collaboration and notification arrangements.

19. In response to a Member's suggestion on cordoning off a larger restricted area for conducting veterinary care to the sick cetaceans, Dr Jim Chu said that the suggested approach could be adopted on a case-by-case basis. He cited that the authorities had erected a temporary floating frame for providing on-site treatment to a whale in 2024. With the proposed legislative amendments, the third type of control in TMRAs could facilitate on-site veterinary intervention.

20. Noting that there was a water recreation and yacht bay development project at the airport close to the dolphin habitat and marine reserve, the Chairman asked if the new statutory powers would be applicable to those existing or approved projects. Dr Jim Chu replied that any vessels including those from the previously approved development projects passing through the existing marine parks as well as the TMRAs for enhanced protection of cetacean in need would be subject to relevant

restrictions such as the 10-knot speed limit which was an internationally acceptable level for cetacean protection. He supplemented that once the amendment bill came into force, all vessels except those exempted would need to comply with the rules governing the newly designated TMRAs.

Cross-boundary Collaboration

21. Noting that interventions were generally required for non-resident cetaceans, a Member questioned the need and the way to differentiate the non-resident cetaceans from the resident ones. She also sought details on cross-border collaboration mechanisms for non-resident cetaceans.

22. Dr Jim Chu clarified that cetaceans especially whales found lingering in Hong Kong waters were usually sick or disoriented non-resident species. He confirmed that the new statutory powers would be applicable to resident species including Chinese White Dolphins (CWD) and Finless Porpoises if emergency support was required. For cross-border coordination, Dr Chu shared that there was ongoing partnership with the Mainland in aligning the emergency protocols across jurisdictions, which included clear notification channels, action parties, contact points, etc. to enable effective communication during marine incidents involving live cetaceans. As part of the conservation actions stated in the updated BSAP, he shared that a Memorandum of Understanding (MOU) on the Joint Rescue Mechanism for Large Aquatic Wild Animals was signed between AFCD and the Ocean Development Bureau of Shenzhen Municipality to strengthen co-operation between the two places in the rescue of large aquatic wild animals. To strengthen the protection of CWD, AFCD had signed another MOU on the CWD Conservation Co-operation Platform with the Guangdong Pearl River Estuary CWD National Nature Reserve Management Bureau.

23. Members were pleased to note that there were ongoing partnerships with the Mainland in aligning the emergency protocols across jurisdictions and in protecting shared marine species as such efforts were essential for successful cetaceans protection.

(The presentation team left the meeting at this juncture.)

Item 3 : Any Other Business

24. There was no other business for discussion at the meeting.

Date of next meeting

25. Members would be advised on the agenda for the next meeting in due course.

Action

26. There being no other business, the meeting ended at 3:25 p.m.

Nature Conservation Subcommittee Secretariat
October 2026