

IMMIGRATION ORDINANCE (Chapter 115)
(Section 37E(4))

NOTICE OF SEIZURE OF A SHIP

Notice is hereby given under section 37E(4) of the Immigration Ordinance (Chapter 115) that the following ships were seized by me on 19 November 2015 pursuant to an approval in writing of the Secretary for Justice dated 16 September 2015 and 2 October 2015 under section 37E(2) of the Immigration Ordinance:—

- an unnumbered GRP sampan, about 4.86 metres in length, 1.70 metres in breadth, fitted with one outboard engine, with 4 unauthorized entrants on board, intercepted by the police on 20 April 2014 at sea 1 nautical mile north shore of Tai O, Hong Kong Waters;
- a GRP sampan, ‘粵龍崗漁運88379’, about 5.85 metres in length, 1.81 metres in breadth, fitted with one outboard engine, with 7 unauthorized entrants on board, intercepted by the police on 15 July 2014 at sea about 2 nautical miles off southeast of Shek Ngau Chau, Hong Kong Waters;
- an unnumbered GRP sampan, about 7.32 metres in length, 2.10 metres in breadth, fitted with one outboard engine, with 6 unauthorized entrants on board, intercepted by the police on 5 October 2013 at sea about 0.8 nautical miles off northeast shore of Waglan Island, Sai Kung, Hong Kong Waters;
- a GRP sampan, ‘粵龍崗漁養88059’, about 5.99 metres in length, 1.79 metres in breadth, fitted with one outboard engine, with 6 unauthorized entrants on board, intercepted by the police on 30 July 2014 at sea about 2 nautical miles off east shore of Wang Chau, Hong Kong Waters;
- an unnumbered GRP sampan, about 5.50 metres in length, 1.78 metres in breadth, fitted with one outboard engine, with 3 unauthorized entrants on board, intercepted by the police on 22 September 2014 at sea about 0.5 nautical miles off Sham Wat, Lantau Island, Hong Kong Waters;
- an unnumbered GRP sampan, about 6.50 metres in length, 1.93 metres in breadth, fitted with one outboard engine, with 7 unauthorized entrant on board, intercepted by the police on 29 January 2015 at sea about 0.7 nautical miles off west shore of Tai O, Hong Kong Waters.

20 November 2015

K. K. CHAN *Director of Immigration*

Note:—

Under section 37E(5) of the Immigration Ordinance, any person who has a claim to a ship which has been seized (in this section and in section 37F referred to as the claimant) may, within 30 days of the publication in the *Gazette* of notice of the seizure, give notice in writing to the Director that he claims that the ship is not liable to forfeiture.

Under section 37E(6) of the Immigration Ordinance, a notice under section 37E(5) shall state an address within Hong Kong at which the claimant may be served in any proceedings arising out of the claim and in any such proceedings a document addressed to the claimant and sent by post to, or delivered at, that address shall for the purposes of this Part be deemed to be duly served on the claimant.

Under section 37E(8) of the Immigration Ordinance, if, on the expiry of the period of time specified in section 37E(5) for the giving of a notice of a claim, no such notice has been given in writing to the Director, the ship shall thereupon be deemed to be duly forfeited to the Government.

Under section 37E(9) of the Immigration Ordinance, a person has a claim for the purposes of this section and section 37F if:—

- (a) he is the owner of the ship, or of an interest in the ship, or is the agent of the owner; or
- (b) he was in possession of the ship at the time it was seized.