

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 22 December 2016 pursuant to an approval in writing of the Secretary for Justice dated 18 October 2016 and 17 November 2016 under section 37E(2) of the Immigration Ordinance:—

- a GRP sampan, ‘粵紅漁55151’, about 6.00 metres in length, 1.73 metres in breadth, fitted with one outboard engine, with 7 unauthorized entrants on board, intercepted by the police on 22 January 2015 at sea off the south shore of Wong Mau Chau, Hong Kong Waters.
- an unnumbered GRP sampan, about 6.05 metres in length, 1.94 metres in breadth, fitted with one outboard engine, with 2 unauthorized entrants on board, intercepted by the police on 30 June 2015 at sea about one nautical mile off northeast shore of Conic Island, Hong Kong Waters.
- a GRP sampan ‘粵汕尾41091’, about 6.00 metres in length, 1.80 metres in breadth, fitted with one outboard engine, with 6 unauthorized entrants on board, intercepted by the police on 13 August 2015 at sea about 0.5 nautical mile of west, Ngau Shi Pui, Sai Kung, Hong Kong Waters.
- an unnumbered GRP sampan, about 7.35 metres in length, 1.92 metres in breadth, fitted with one outboard engine, with 6 unauthorized entrants on board, intercepted by the police on 28 November 2012 off sea at 0.2 nautical mile South West of Sham Wat, Hong Kong Waters.
- an unnumbered GRP sampan, about 6.08 metres in length, 1.88 metres in breadth, fitted with one outboard engine, with 5 unauthorized entrants on board, intercepted by the police on 9 November 2015 at sea about 3 nautical mile off Northeast Shore of Tai Long Tsui, Hong Kong Waters.

23 December 2016  
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Erick K. W. TSANG *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.