

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 29 December 2022 pursuant to an approval in writing of the Secretary for Justice dated 21 November 2022 and 22 November 2022 under section 37E(2) of the Immigration Ordinance:—

- an unnumbered GRP speed boat, about 13.00 metres in length, 2.87 metres in breadth, fitted with three outboard engines, with 2 unauthorized entrants on board, intercepted by the police on 1 September 2020 at sea off the west of Hong Kong International Airport, Hong Kong Waters;
- an unnumbered GRP speed boat, about 13.70 metres in length, 3.10 metres in breadth, fitted with four outboard engines, with 1 unauthorized entrant on board, intercepted by the police on 1 March 2021 at sea off the southwest of Pak Chau, Tuen Mun, Hong Kong Waters;
- an unnumbered GRP speed boat, about 5.78 metres in length, 1.90 metres in breadth, fitted with one outboard engine, with 3 unauthorized entrants on board, intercepted by the police on 12 March 2021 at sea off the west of Lung Kwu Tan, Tuen Mun, Hong Kong Waters;
- a GRP speed boat, ‘粵珠海4345’, about 6.55 metres in length, 2.05 metres in breadth, fitted with one outboard engine, with 5 unauthorized entrants on board, intercepted by the police on 17 April 2021 on the breakwater outside West Sea Rescue Berth, Airport Fire Contingent, Hong Kong International Airport, Hong Kong Waters.

30 December 2022
ID163C

K. W. AU *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.