

## **LEGISLATIVE COUNCIL BRIEF**

Animals and Plants (Protection of Endangered Species) Ordinance  
(Chapter 187)

### **ANIMALS AND PLANTS (PROTECTION OF ENDANGERED SPECIES) (EXEMPTION) (AMENDMENT) ORDER 2001**

### **ANIMALS AND PLANTS (PROTECTION OF ENDANGERED SPECIES) ORDINANCE (AMENDMENT OF SCHEDULES) NOTICE 2001**

#### **INTRODUCTION**

At the meeting of the Executive Council on 30 October 2001, the Council ADVISED and the Chief Executive ORDERED that the Animals and Plants (Protection of Endangered Species) (Exemption) (Amendment) Order 2001 (the Amendment Order), at Annex A, should be made under section 18 of the Animals and Plants (Protection of Endangered Species) Ordinance (the Ordinance) to exempt the import, export, possession or control of certain species of animals and plants from the licensing requirements in the Ordinance.

2. At the same time, the Secretary for the Environment and Food has made the Animals and Plants (Protection of Endangered Species) Ordinance (Amendment of Schedules) Notice 2001 (the Notice), at Annex B, under section 19(1A) of the Ordinance to amend Schedules 1 and 3 and the Sixth Schedule to the Ordinance.

#### **BACKGROUND AND ARGUMENT**

##### **General Background**

3. The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), which applies to Hong Kong, requires that the

import and export of the following species listed in its Appendices and their readily recognizable parts and derivatives be subject to licensing requirements—

(a) **Appendix I**

Species that are highly endangered and threatened with extinction.

(b) **Appendix II**

Species that could be threatened with extinction unless their trading is controlled.

(c) **Appendix III**

Species identified by any party to CITES as requiring protection from over-exploitation caused by international trade.

4. International trade in Appendix I species requires an export (or re-export) licence and an import licence, and is allowed only in certain specified circumstances; while trade in Appendix II and III species requires an export (or re-export) licence. The parties to CITES meet every two to three years to review and amend, if necessary, the species listed in the Appendices.

5. The Ordinance gives effect to CITES in Hong Kong. Although CITES regulates mainly the export of endangered species, the Ordinance goes further and, for the purpose of combating smuggling, provides that a licence is also required for the import, possession or control of certain endangered species listed in its Schedules.

6. Under section 18 of the Ordinance, the Chief Executive may by order in the Gazette exempt any species in the Schedules to the Ordinance from licensing requirements. The Animals and Plants (Protection of Endangered Species) (Exemption) Order (Cap. 187 sub. leg.) (the Order) has been made for this purpose to take account of local trading needs, without compromising our obligations under CITES. Currently, the Order exempts the following activities from the licensing requirements in the Ordinance-

- (a) the import of Appendix III species and products (such as garments, handbags, jewellery, furnishings and ornamentals) manufactured from Appendix II and Appendix III species,

subject to production of documents showing that the species or manufactured products concerned originate from CITES-approved sources;

- (b) the possession or control of certain Appendix II species, (species that are regarded as less endangered in nature and commonly traded in Hong Kong, e.g. certain cage-birds, snakes and plants) and Appendix III species; and
- (c) the import, export, possession or control of personal effects (i.e. personal property acquired in the owner's country/place of ordinary residence).

7. In April 2000, the parties to CITES reviewed and amended the species listed in the Appendices to the Convention. The amendments included the addition of four Appendix III species, one of which is Basking Shark. They also updated the nomenclature of some species and revised some annotations in the Appendices.

### **The proposal**

8. To implement these changes, we **propose** to revise the Schedules to the Ordinance through the Notice made by the Secretary for the Environment and Food under section 19(1A) of the Ordinance.

9. We **propose** to amend the Order concurrently to exempt the possession or control of the following newly added Appendix II species from the licensing requirements in the Ordinance -

- (a) *Garrulax canorus* (Hwamei or Melodious Laughing Thrush);
- (b) *Cuora* species (Asian Box Turtles) (excluding *Cuora trifasciata* (Three-lined Box Turtle));
- (c) The root of *Panax ginseng* (Asian Ginseng);
- (d) The root of *Cistanche deserticola* (Desert-living Cistanche); and
- (e) *Adonis vernalis* (Spring Adonis).

These species are less endangered and are commonly traded in Hong Kong. The proposed exemptions will minimize inconvenience to the local trade

without compromising our obligations under CITES.

10. As a result of the changes made in the Appendices to CITES, some species are no longer controlled under the Convention. We **propose** to make corresponding amendments to the Order and specifically to exempt the import, export, possession or control of artificially propagated specimens of three cultivars and five hybrids of the family Cactaceae, cultivars of *Euphorbia trigona* and *Cyclamen persicum*; and fruits, parts and derivatives thereof of artificially propagated or naturalized plants of the family Cactaceae and the genus *Vanilla* from the licensing requirements in the Ordinance.

## **THE NOTICE**

11. The Notice revises Schedules 1 and 3 and the Sixth Schedule to the Ordinance to reflect the amendments made to the Appendices to CITES by the Parties to CITES.

## **THE AMENDMENT ORDER**

12. The principal provisions of the Amendment Order are as follows -

- (a) **Section 2** extends the list of species the possession or control of which is exempted from the licensing requirements in the Ordinance (to include the species set out in paragraph 9 above); and
- (b) **Section 3** exempts the import, export, possession or control of the species set out in paragraph 10 above.

## **PUBLIC CONSULTATION**

13. We have consulted the Endangered Species Advisory Committee, comprising representatives from the scientific community and the trades, and the Endangered Species Protection Liaison Group, comprising representatives of law enforcement departments, with green groups in attendance, on the proposed amendments to the Schedules to the Ordinance and the proposals in the Amendment Order. They supported the proposals. We have also consulted other representatives of the trades concerned, namely, traditional

Chinese medicine traders and practitioners, bird traders, turtle traders and shark fin traders. Except for shark fin traders, most of them indicated no objection to the new controls, as trade in the species concerned would still be allowed under licences. They supported the proposed exemptions in the Amendment Order. Representatives of the shark fin trade opposed the new controls on Basking Shark, even though the species could continue to be traded under export or re-export licences that could be obtained from the Agriculture, Fisheries and Conservation Department without difficulties provided that the traders could present proofs that the commodities are legally acquired, such as in the case of skin of crocodiles and manufactured products made from it at present. Their objection mainly arose from the concern that more stringent controls would be imposed on their trade in future.

### **BASIC LAW IMPLICATIONS**

14. The Department of Justice advises that the Notice and the Amendment Order do not conflict with those provisions of the Basic Law carrying no human rights implications.

### **HUMAN RIGHTS IMPLICATIONS**

15. The Department of Justice advises that the Notice and the Amendment Order are consistent with the human rights provisions of the Basic Law.

### **BINDING EFFECT**

16. The Notice and the Amendment Order do not affect the current binding effect of the Ordinance and its subsidiary legislation.

### **FINANCIAL AND STAFFING IMPLICATIONS**

17. There are no financial and staffing implications.

### **ECONOMIC IMPLICATIONS**

18. The Notice would implement the changes made by the Parties to CITES and the proposal has no significant economic implications. The exemptions that the Amendment Order seeks to provide will tender greater

convenience to traders of the species concerned, though, in aggregate, the volume of Hong Kong's external trade in such species is not large.

### **LEGISLATIVE TIMETABLE**

19. The legislative timetable is as follows –

Publication in the Gazette	9 November 2001
Tabling at the Legislative Council	14 November 2001

### **PUBLICITY**

20. The Notice and the Amendment Order will be published in the Gazette on 9 November 2001. A press release will be issued on 7 November 2001 and a spokesman will be available to handle enquiries.

### **ENQUIRY**

21. Any enquiry of this brief should be directed to Ms. Jessie Wong, Principal Assistant Secretary (Environment and Food) on telephone 2136 3288 or fax 2136 3281.

Environment and Food Bureau  
7 November 2001

**ANIMALS AND PLANTS (PROTECTION OF ENDANGERED SPECIES)(EXEMPTION)(AMENDMENT) ORDER 2001**

(Made under section 18 of the Animals and Plants (Protection of Endangered Species) Ordinance (Cap. 187) after consultation with the Executive Council)

**1. Commencement**

This Order shall come into operation on the day appointed for the commencement of the Animals and Plants (Protection of Endangered Species) Ordinance (Amendment of Schedules) Notice 2001 (L.N. of 2001).

**2. Exemption in respect of possession or control of skin, corals, etc.**

Paragraph 9 of the Animals and Plants (Protection of Endangered Species)(Exemption) Order (Cap. 187 sub. leg.) is amended –

- (a) in subparagraph (zl) by repealing "or";
- (b) in subparagraph (zm) by repealing the full stop and substituting a semicolon;
- (c) by adding –
  - "(zn) Garrulax canorus (Hwamei or Melodious Laughing Thrush);
  - (zo) Cuora species (Asian Box Turtles)(excluding Cuora trifasciata (Three-lined Box Turtle));
  - (zp) the root of Panax ginseng (Asian Ginseng);
  - (zq) the root of Cistanche deserticola (Desert-living Cistanche); or
  - (zr) Adonis vernalis (Spring Adonis)."

**3. Paragraph added**

The following is added –

**"11. Exemption in respect of import, export, possession or control of certain scheduled plants**

Sections 4, 5 and 6 of the Ordinance shall not apply to the import, export, possession or control of the following plants species –

- (a) artificially propagated plants of the following hybrids of the family CACTACEAE –
  - (i) *Hatiora x graeseri* (Easter Cactus);
  - (ii) *Schlumbergera x buckleyi* (Christmas Cactus);
  - (iii) *Schlumbergera russelliana* (Holiday Cactus) x *Schlumbergera truncata* (Crab Claw Cactus, Thanksgiving Cactus);
  - (iv) *Schlumbergera orssichiana* (Queen Cactus) x *Schlumbergera truncata* (Crab Claw Cactus, Thanksgiving Cactus);
  - (v) *Schlumbergera opuntioides* (掌狀仙人掌) x *Schlumbergera truncata* (Crab Claw Cactus, Thanksgiving Cactus);
- (b) artificially propagated plants of the following cultivars of the family CACTACEAE –
  - (i) *Schlumbergera truncata* (Crab Claw Cactus, Thanksgiving Cactus);
  - (ii) *Opuntia microdasys* (Bunny Ears, Polka Dot Cactus);
  - (iii) *Gymnocalycium mihanovichii* (Michanovich Chin Cactus) forms lacking chlorophyll, grafted on the following grafting stocks: *Harrisia 'Jusbertii'* (Green Siren), *Hylocereus trigonus* (Night



Blooming Cactus) or *Hylocereus undatus*  
(Night Blooming Cereus);

- (c) separate stem joints (pads) and parts and derivatives thereof of naturalized or artificially propagated plants of the genus *Opuntia* subgenus *Opuntia* of the family CACTACEAE;
- (d) fruits and parts and derivatives thereof of naturalized or artificially propagated plants of the family CACTACEAE;
- (e) artificially propagated plants of cultivars of *Euphorbia trigona* (African Milk Tree) of the family EUPHORBIACEAE;
- (f) fruits and parts and derivatives thereof of artificially propagated plants of the genus *Vanilla*;
- (g) artificially propagated plants of cultivars of *Cyclamen persicum* (Florist's Cyclamen) other than its dormant tubers."

Chief Executive

2001

### **Explanatory Note**

This Order amends the Animals and Plants (Protection of Endangered Species)(Exemption) Order (Cap. 187 sub. leg.) to exempt certain species from the restriction imposed by the Animals and Plants (Protection of Endangered Species) Ordinance (Cap. 187) on the import, export, possession or control of scheduled species.

**ANIMALS AND PLANTS (PROTECTION OF ENDANGERED SPECIES)  
ORDINANCE (AMENDMENT OF SCHEDULES) NOTICE 2001**

(Made under section 19(1A) of the Animals and Plants (Protection of  
Endangered Species) Ordinance (Cap. 187))

**1. Commencement**

This Notice shall come into operation on a day to be appointed by the Secretary for the Environment and Food by notice published in the Gazette.

**2. Schedules amended**

(1) Schedule 1 to the Animals and Plants (Protection of Endangered Species) Ordinance (Cap. 187) is amended –

(a) in Part 1, under the subheading "CHORDATA", in the category  
"Mammalia (Mammals)" –

(i) in the order "CARNIVORA" –

(A) by repealing –

"Mustelidae	Conepatus humboldtii	Patagonian Skunk
	Lutrinae species	Otters
	Mustela nigripes	Black-footed Ferret"

and substituting –

"Mustelidae			
	Lutrinae	Lutrinae species	Otters
	Mephitinae	Conepatus humboldtii	Patagonian Skunk
	Mustelinae	Mustela nigripes	Black-footed Ferret";

(B) by repealing –

"Hyaenidae	Parahyaena (=Hyaena) brunnea	Brown Hyena";
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(ii) in the order "ARTIODACTYLA" –

(A) in the family "Cervidae", by repealing –

"Axis (=Cervus) porcinus calamianensis	Calamian Hog Deer or Philippine Deer
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Axis (=Cervus) porcinus kuhli	Kuhl's (Hog) Deer"
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and substituting –

"Axis calamianensis (=Cervus porcinus calamianensis)	Calamian Hog Deer or Philippine Deer
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Axis kuhlii (=Cervus porcinus kuhlii)	Kuhl's (Hog) Deer";
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(B) in the family "Bovidae", in column 2, by repealing –

"Damaliscus pygargus  
dorcas (=Damaliscus  
dorcas dorcas)"

and substituting –

"Damaliscus pygargus pygargus  
(=Damaliscus dorcas dorcas)";

(b) in Part 1, under the subheading "CHORDATA", in the category "**Aves  
(Birds)**" –

(i) in the order "GALLIFORMES", in the family "Cracidae" –

(A) by repealing –

"Mitu (=Crax) mitu mitu	Great Razor-billed Curassow"
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and substituting –

- |      |  |                                      |
|------|--|--------------------------------------|
|      | "Mitu mitu (=Crax mitu mitu)   | Great Razor-billed Curassow";        |
| (B)  | by repealing –   |                                      |
|      | "Pipile (=Aburria) jacutinga   | Black-fronted Piping Guan"           |
|      | and substituting –   |                                      |
|      | "Pipile jacutinga  | Black-fronted Piping Guan";          |
| (C)  | by repealing –   |                                      |
|      | "Pipile (=Aburria) pipile pipile   | Trinidad White-headed Curassow"      |
|      | and substituting –   |                                      |
|      | "Pipile pipile (=Pipile pipile pipile)   | Trinidad White-headed Curassow";     |
| (ii) | in the order "PASSERIFORMES", in the family "Muscicapidae", by adding –                      |                                      |
|      | "Garrulax canorus  | Hwamei or Melodious Laughing Thrush" |
|      | after –  |                                      |
|      | "Dasyornis longirostris (=Dasyornis brachypterus longirostris)                               | Bristle-Bird";                       |
| (c)  | in Part 1, under the subheading "CHORDATA", in the category " <b>Reptilia (Reptiles)</b> " – |                                      |
| (i)  | in the order "TESTUDINATA" –   |                                      |
| (A)  | in the family "Emydidae", by adding –  |                                      |
|      | "Cuora species   | Asian Box Turtles"                   |

after –

"*Clemmys muhlenbergi* Bog Turtle";

(B) in the family "Trionychidae", by repealing –

"*Lissemys punctata* India Flapshell Turtle

*Trionyx* (=Aspideretes)  
*ater* Mexico Soft-shelled  
Turtle

*Trionyx* (=Aspideretes)  
*gangeticus* Ganges Soft-shelled  
Turtle

*Trionyx* (=Aspideretes)  
*hurum* Lower Ganges Soft-  
shelled Turtle

*Trionyx* (=Aspideretes)  
*nigricans* Eastern Soft-shelled  
Turtle"

and substituting –

"*Apalone ater* Mexico Soft-shelled  
Turtle

*Asperidetes gangeticus* Ganges Soft-shelled  
Turtle

*Asperidetes hurum* Lower Ganges Soft-  
shelled Turtle

*Asperidetes nigricans* Eastern Soft-shelled  
Turtle

*Lissemys punctata* India Flapshell  
Turtle";

(ii) in the order "SAURIA", in the family "Chamaeleonidae" –

(A) by adding –

"*Calumma* species Chameleons"

after –

"*Bradypodion* species Chameleons";

(B) by adding –

"*Furcifer* species Chameleons"



Spinophrynooides species"

after –

"Nectophrynooides species      Live-bearer Toads";

(ii) in the family "Dendrobatidae" –

(A) in column 2, by adding –

"Allobates species"

before –

"Dendrobates species      Poison Dart Frogs,  
Poison-arrow  
Frogs";

(B) in column 2, by adding –

"Epipedobates species

Minyobates species

Phobobates species"

before –

"Phyllobates species      Poison-arrow Frogs";

(iii) in the family "Ranidae", by repealing –

"Mantella aurantiaca      Golden Mantella, Malagasy  
Golden Frog

Rana hexadactyla      Bullfrog

Rana tigerina      Indian Bullfrog"

and substituting –

"Euphlyctis (=Rana)  
hexadactylus      Bullfrog

Hoplobatrachus (=Rana)  
tigerinus      Indian Bullfrog

Mantella species      Mantella Frogs";

(e) in Part 1, under the subheading "CHORDATA", in the category "**Pisces (Fish)**", in the order "COELACANTHIFORMES", in the family



"Latimeriidae", in column 2, by repealing "Latimeria chalumnae" and substituting "Latimeria species";

- (f) in Part 2, by adding before the category "**Mammalia (Mammals)**" –  
"CHORDATA";
- (g) in Part 2, under the subheading "CHORDATA", in the category "**Mammalia (Mammals)**", in the order "EDENTATA", by repealing "EDENTATA" and substituting "XENARTHRA";
- (h) in Part 2, under the subheading "CHORDATA", in the category "**Mammalia (Mammals)**", in the order "CARNIVORA", in the family "Mustelidae" –
- (i) in column 2, by repealing –
- "Martes flavigula  
(=gwatkinsii)"
- and substituting –
- "Martes flavigula";
- (ii) in column 2, by adding –
- "Martes gwatkinsii"
- after –
- |                             |                                  |
|-----------------------------|----------------------------------|
| "Martes foina<br>intermedia | "Central Asian Stone<br>Marten"; |
|-----------------------------|----------------------------------|
- (i) in Part 2, under the subheading "CHORDATA", in the category "**Mammalia (Mammals)**", in the order "PINNIPEDIA", by repealing "PINNIPEDIA";
- (j) in Part 2, by adding before the Note –

**"Pisces (Fish)**

LAMNIFORMES

Cetorhinidae	Cetorhinus maximus	Basking Shark
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## ARTHROPODA

**Insecta (Insects)**

## COLEOPTERA

Lucanidae	Colophon species".
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(2) Schedule 3 is amended –

(a) in Part 1, in the order "ARALIACEAE", by adding –

"Panax ginseng (population of Russian Federation)(root or any part thereof)	Asian Ginseng"
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before –

"Panax quinquefolius (root or any part thereof)	American Ginseng";
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(b) in Part 1, by repealing –

"ASCLEPIADACEAE	Ceropegia species	Rosary vines
	Frerea indica	Milkweed";

(c) in Part 1, by repealing –

"BYBLIDACEAE	Byblis species	Byblis";
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(d) in Part 1, by repealing –

"CEPHALOTACEAE	Cephalotus follicularis	Albany Pitcher- plant";
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(e) in Part 1, in the order "CYATHEACEAE", in column 2, by repealing –

"CYATHEACEAE species"

and substituting –

"Cyathea species (including genera  
Alsophila, Nephrolepis, Sphaeropteris  
and Trichopteris)";

- (f) in Part 1, in the order "DICKSONIACEAE", by repealing –  
"DICKSONIACEAE species Dicksonia Tree Ferns"  
and substituting –  
"Cibotium barometz Golden Haired Dog Fern  
Dicksonia species (populations Tree Ferns";  
of the Americas)

- (g) in Part 1, by repealing –  
"ERICACEAE Kalmia cuneata Whitewicky  
Kalmia";

- (h) in Part 1, by adding –  
"OROBANCHACEAE Cistanche Desert-living  
deserticola Cistanche"  
(root or any  
part thereof)

before –

"PALMAE Chrysalidocarpus Butterfly  
(ARECACEAE) decipiens Palm";  
Neodypsis decaryi

- (i) in Part 1, in the order "PORTULACACEAE", in column 2, by  
repealing –

"Lewisia cotyledon"

and substituting –

"Avonia species";

- (j) in Part 1, in the order "RANUNCULACEAE", by adding –  
"Adonis vernalis Spring Adonis"

before –

"Hydrastis canadensis  
(root or any part  
thereof)";

- (k) in Part 1, in the order "SARRACENIACEAE", by repealing –  
     "Darlingtonia californica      California Pitcher-plant";
- (l) in Part 1, in the order "STANGERIACEAE", in column 2, by adding –  
     "Bowenia species"  
 before –  
     "Stangeria eriopus (=paradoxa      Cycad");
- (m) in Part 2, in the order "MAGNOLIACEAE", in column 2, by  
 repealing –  
     "Magnolia hodgsonii"  
 and substituting –  
     "Magnolia liliifera var.  
     obovata (=Magnolia  
     hodgsonii)(=Magnolia  
     candollii var. obovata)";
- (n) in Part 2, in the order "MELIACEAE", in column 2, by adding –  
     "Cedrela odorata  
     (logs, sawn wood  
     and veneer sheets  
     only)"  
 before –  
     "Swietenia macrophylla      Big Leaf Mahogany";  
     (logs, sawn wood  
     and veneer sheets  
     only)
- (o) in Part 2, by adding –  
     "THYMELAEACEAE      Gonystylus species"  
 after –  
     "TETRACENTRACEAE      Tetracentron sinense".
- (3) The Sixth Schedule is amended –

(a) in Part 1, under the heading "FAUNA (ANIMALS)", under the subheading "CHORDATA", in the category "**Mammalia (Mammals)**" –

(i) in the order "CETACEA", in the family "Balaenopteridae", in the second column, by adding –

"Balaenoptera bonaerensis"

before –

"Balaenoptera borealis Sei Whale";

(ii) in the order "CARNIVORA", in the family "Mustelidae", by repealing –

"Mustelidae	Aonyx congicus (=Aonyx microdon =Paraonyx microdon) (populations of Cameroon and Nigeria)	Cameroon Clawless Otter
	Enhydra lutris nereis	Southern Sea Otter
	Lontra (=Lutra) felina	Marine Otter
	Lontra (=Lutra) longicaudis (=Lutra annectens =Lutra enudris =Lutra incarum =Lutra platensis)	South American River Otter
	Lontra (=Lutra) provocax	Southern River Otter
	Lutra lutra	Eurasian Otter
	Mustela nigripes	Black-footed Ferret
	Pteronura brasiliensis	Giant Otter"

and substituting –

"Mustelidae

Lutrinae	Aonyx congicus (=Aonyx microdon =Paraonyx microdon) (populations of Cameroon and Nigeria)	Cameroon Clawless Otter
	Enhydra lutris nereis	Southern Sea Otter
	Lontra (=Lutra) felina	Marine Otter
	Lontra (=Lutra) longicaudis (=Lutra annectens =Lutra enudris =Lutra incarum =Lutra platensis)	South American River Otter
	Lontra (=Lutra) provocax	Southern River Otter
	Lutra lutra	Eurasian Otter
	Pteronura brasiliensis	Giant Otter
Mustelinae	Mustela nigripes	Black-footed Ferret";

(iii) in the order "PROBOSCIDEA", in the family  
"Elephantidae", in the second column, by repealing –

"Loxodonta africana (excluding  
populations of Botswana,  
Namibia and Zimbabwe)"

and substituting –

"Loxodonta africana (excluding  
populations of Botswana,

Namibia, South Africa and  
Zimbabwe);

(iv) in the order "SIRENIA", in the family "Dugongidae", in the second column, by repealing "(excluding population of Australia)";

(v) in the order "ARTIODACTYLA", in the family "Cervidae" –

(A) by repealing –

"Axis (=Cervus) porcinus calamianensis	Calamian Hog Deer or Philippine Deer"
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and substituting –

"Axis calamianensis (=Cervus porcinus calamianensis)	Calamian Hog Deer or Philippine Deer";
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(B) by repealing –

"Axis (=Cervus) porcinus kuhli	Kuhl's (Hog) Deer"
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and substituting –

"Axis kuhlii (=Cervus porcinus kuhlii)	Kuhl's (Hog) Deer";
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(vi) in the order "ARTIODACTYLA", in the family "Bovidae",  
by repealing –

"Ovis vignei	Urial or Shapo"
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and substituting –

"Ovis vignei vignei	Urial or Shapo";
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(b) in Part 1, under the heading "FAUNA (ANIMALS)", under the subheading "CHORDATA", in the category "Aves (Birds)" –

- (i) in the order "RHEIFORMES", in the family "Rheidae", in the second column, by adding "(excluding population of *Rhea pennata pennata* of Argentina)" after "pennata";
- (ii) in the order "GALLIFORMES", in the family "Cracidae" –
- (A) by repealing –
- |                         |                              |
|-------------------------|------------------------------|
| "Mitu (=Crax) mitu mitu | Great Razor-billed Curassow" |
|-------------------------|------------------------------|
- and substituting –
- |                              |                               |
|------------------------------|-------------------------------|
| "Mitu mitu (=Crax mitu mitu) | Great Razor-billed Curassow"; |
|------------------------------|-------------------------------|
- (B) by repealing –
- |                              |                            |
|------------------------------|----------------------------|
| "Pipile (=Aburria) jacutinga | Black-fronted Piping Guan" |
|------------------------------|----------------------------|
- and substituting –
- |                   |                             |
|-------------------|-----------------------------|
| "Pipile jacutinga | Black-fronted Piping Guan"; |
|-------------------|-----------------------------|
- (C) by repealing –
- |                                  |                                 |
|----------------------------------|---------------------------------|
| "Pipile (=Aburria) pipile pipile | Trinidad White-headed Curassow" |
|----------------------------------|---------------------------------|
- and substituting –
- |  |                                  |
|--|----------------------------------|
| "Pipile pipile (=Pipile pipile pipile) | Trinidad White-headed Curassow"; |
|--|----------------------------------|
- (iii) in the order "PSITTACIFORMES", in the family "Psittacidae", by adding –
- |                       |                  |
|-----------------------|------------------|
| "Eunymphicus cornutus | Horned Parakeet" |
|-----------------------|------------------|
- after –
- |              |                     |
|--------------|---------------------|
| "Eos histrio | Red-and-blue Lory"; |
|--------------|---------------------|
- (c) in Part 1, under the heading "FAUNA (ANIMALS)", under the subheading "CHORDATA", in the category "**Reptilia (Reptiles)**" –



(i) in the order "TESTUDINATA", in the family "Trionychidae", by repealing –

"Trionyx (=Aspideretes) ater	Mexico Soft-shelled Turtle
Trionyx (=Aspideretes) gangeticus	Ganges Soft-shelled Turtle
Trionyx (=Aspideretes) hurum	Lower Ganges Soft-shelled Turtle
Trionyx (=Aspideretes) nigricans	Eastern Soft-shelled Turtle"

and substituting –

"Apalone ater	Mexico Soft-shelled Turtle
Asperidetes gangeticus	Ganges Soft-shelled Turtle
Asperidetes hurum	Lower Ganges Soft-shelled Turtle
Asperidetes nigricans	Eastern Soft-shelled Turtle";

(ii) in the order "SERPENTES", in the family "Boidae", by repealing –

"Boidae	Acrantophis species	Madagascar Boas
	Boa (=Constrictor) constrictor occidentalis	Argentina Boa Constrictor
	Bolyeria multocarinata	Round Island Boa
	Casarea dussumieri	Keel-scaled Boa
	Epicrates inornatus	Puerto Rican Boa
	Epicrates monensis	Mona Island Boa
	Epicrates subflavus	Jamaican Boa
	Python molurus molurus (=pimbura)	Indian Rock Python
	Sanzinia madagascariensis	Madagascar Tree Boa"

and substituting –

"Boidae	Acrantophis species	Madagascar Boas
	Boa (=Constrictor) constrictor occidentalis	Argentina Boa Constrictor
	Epicrates inornatus	Puerto Rican Boa
	Epicrates monensis	Mona Island Boa
	Epicrates subflavus	Jamaican Boa
	Sanzinia madagascariensis	Madagascar Tree Boa
Bolyeriidae	Bolyeria multocarinata	Round Island Boa
	Casarea dussumieri	Keel-scaled Boa
Pythonidae	Python molurus molurus (=pimbura)	Indian Rock Python";

(d) in Part 1, under the heading "FAUNA (ANIMALS)", under the subheading "CHORDATA", in the category "**Amphibia (Amphibians)**", in the order "ANURA", in the family "Bufonidae", in the second column –

(i) by adding –

"Altiphrynoidea species"

before –

"Atelopus varius zeteki Tree Frog, Golden Frog";

(ii) by adding –

"Nimbaphrynoidea species"

"Spinophrynoidea species"

after –

"Nectophrynoidea species Live-bearer Toads";

- (e) in Part 1, under the heading "FAUNA (ANIMALS)", under the subheading "CHORDATA", in the category "**Pisces (Fish)**", in the order "COELACANTHIFORMES", in the family "Latimeriidae", in the second column, by repealing "Latimeria chalumnae" and substituting "Latimeria species";
- (f) in Part 2, under the heading "FLORA (PLANTS)" –
- (i) in the order "ARAUCARIACEAE", in the second column, by repealing "(population of Chile)" and substituting "(populations of Argentina and Chile)";
- (ii) in the order "CACTACEAE" –
- (A) by repealing –
- |   |                       |
|---|-----------------------|
| "Disocactus (=Lobeira=<br>Nopalxochia<br>macdougallii | Mac Dongal's Cactus"; |
|---|-----------------------|
- (B) by repealing –
- |   |                   |
|---|-------------------|
| "Echinocereus ferreirianus<br>var. lindsayi<br>(=Echinocereus lindsayi) | Lindsay's Cactus" |
|---|-------------------|
- and substituting –
- |   |                    |
|---|--------------------|
| "Echinocereus ferreirianus<br>ssp. lindsayi<br>(=Echinocereus lindsayi) | Lindsay's Cactus"; |
|---|--------------------|
- (C) by repealing –
- |                                   |                              |
|-----------------------------------|------------------------------|
| "Pediocactus (=Toumeya)<br>bradyi | Bradys Pincushion<br>Cactus" |
|-----------------------------------|------------------------------|
- and substituting –
- |   |                               |
|---|-------------------------------|
| "Pediocactus (=Toumeya)<br>bradyi (=Pediocactus<br>despainii=Pediocactus<br>simpsonii ssp.<br>bradyi=Pediocactus<br>winkleri) | Bradys Pincushion<br>Cactus"; |
|---|-------------------------------|

(D) by repealing –

"Pediocactus despainii            Despain's Cactus";

(E) by repealing –

"Pediocactus winkleri            Winkler's Cactus";

(F) by repealing –

"Sclerocactus brevihamatus    Tobusch's Fishhook  
     (=Ancistrocactus            Cactus"  
     tobuschii)

and substituting –

"Sclerocactus                    Tobusch's Fishhook  
     (=Pediocactus)                Cactus";  
     brevihamatus ssp.  
     tobuschii  
     (=Ancistrocactus  
     tobuschii=Ferocactus  
     tobuschii)

(G) in the second column, by repealing –

"Strombocactus disciformis"

and substituting –

"Strombocactus species";

(iii) in the order "CRASSULACEAE", in the second column, by  
 repealing "Dudleya stolonifera";

(iv) in the order "EUPHORBIACEAE", in the second column,  
 by adding –

"Euphorbia capsaintemariensis  
     (=decaryi var.  
     capsaintemariensis)"

after –

"Euphorbia ambovombensis      Euphorbia";

(v) in the order "LILIACEAE", in the second column, by  
 repealing –

"Aloe compressa (including  
var. rugosquamosa and  
schistophila)"

and substituting –

"Aloe compressa (including  
var. rugosquamosa,  
schistophila and  
paucituberculata)".

Secretary for the Environment and Food

2001

### **Explanatory Note**

This Notice amends the Schedules to the Animals and Plants (Protection of Endangered Species) Ordinance (Cap. 187) to give effect to the changes made in April 2000 to the listings of endangered species in the Appendices to the Convention on International Trade in Endangered Species of Wild Fauna and Flora.