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LEGISLATIVE COUNCIL BRIEF

**Import and Export Ordinance
(Chapter 60)**

**IMPORT AND EXPORT (GENERAL)
(AMENDMENT) REGULATION 2002**

**IMPORT AND EXPORT (FEES)
(AMENDMENT) REGULATION 2002**

INTRODUCTION

At the meeting of the Executive Council on 26 November 2002, the Council ADVISED and the Chief Executive ORDERED that -

- (a) the Import and Export (General) (Amendment) Regulation 2002, at Annex A; and
- (b) the Import and Export (Fees) (Amendment) Regulation 2002, at Annex B

should be made under section 31 of the Import and Export Ordinance, to provide the legal backing to the implementation of an international certification scheme for rough diamonds (“the Certification Scheme”) in Hong Kong.

JUSTIFICATIONS

The Kimberley Process and the Certification Scheme

2. The Certification Scheme has been developed by the Kimberley Process (KP), an international negotiating forum that seeks to stop trade in

“conflict diamonds¹” from fuelling armed conflicts, activities of rebel movements and illicit proliferation of armament. Some 40 economies, including all of Hong Kong’s major trading partners in rough diamonds such as Belgium, Mainland China, India, Israel, South Africa, the United Arab Emirates, the United Kingdom and the United States, have been participating in the KP and planning to implement the Certification Scheme.

3. The main implementation features of the Certification Scheme were finalized by the KP at its recent meeting held in Switzerland on 5 November 2002. According to material published by the KP, each Participant of the Certification Scheme should, among other things:

- (a) ensure that no shipment of rough diamonds is imported from, or exported to, a non-Participant;
- (b) require that each shipment of rough diamonds exported to, and imported from, a Participant is accompanied by a duly validated KP Certificate;
- (c) establish a system of internal controls designed to eliminate the presence of “conflict diamonds” from shipments of rough diamonds imported into, and exported from, its territory;
- (d) ensure that its process for issuing KP Certificates and the Certificates meet the specified minimum standards and requirements;
- (e) ensure that rough diamonds in transit or transhipped through its territory leaves its territory in an identical state as they entered its territory (i.e. unopened and not tampered with);
- (f) amend or enact, as required, legislation to implement and enforce the Certification Scheme and to maintain dissuasive and proportional penalties for transgressions; and
- (g) collect and maintain relevant official production, import and export

¹ “Conflict diamonds” is defined under the Certification Scheme to mean rough diamonds used by rebel movements or their allies to finance conflicts aimed at undermining legitimate governments, as described in relevant United Nations Security Council (UNSC) resolutions insofar as they remain in effect, or in other similar UNSC resolutions which may be adopted in the future, and as understood and recognised in United Nations General Assembly (UNGA) Resolution 55/56, or in other similar UNGA resolutions which may be adopted in future.

data, and collate and exchange such data.

4. In addition, Participants are recommended to put in place a number of other measures, including registering all diamond buyers, sellers, exporters, agents and courier companies involved in carrying rough diamonds, and requiring them by law to keep, for a period of five years, daily buying, selling or exporting records.

5. At the conclusion of its meeting held on 5 November, the KP reaffirmed its commitment to the simultaneous launch of the Certification Scheme beginning on 1 January 2003, while noting the intention of some countries² to become Participants by the end of 2003. The KP has indicated that it will allow exports of rough diamonds that have been brought into a Participant's territory before 1 January 2003, provided that the exporters can prove that the rough diamonds concerned have indeed been brought into the territory before that date from a legitimate source.

Implications for Hong Kong

6. Hong Kong's trade in rough diamonds amounted to \$9 billion in 2001. Imports from 14 prospective Participants of the Certification Scheme amounted to \$4.78 billion (or 100% of the total imports); while exports to 15 prospective Participants reached \$4.18 billion (or 99.98% of the total exports). If Hong Kong did not implement the Certification Scheme, it would no longer be able to import rough diamonds from, or export them to, Participants of the Certification Scheme. Also, Hong Kong has been a supplier of rough diamonds to polishing factories in the Mainland; the polished diamonds are subsequently imported into Hong Kong and re-exported to third markets. Such flows of polished diamonds would also be affected if Hong Kong did not implement the Certification Scheme. Indeed, the local diamond industry, mainly represented by the Diamond Federation of Hong Kong (DFHK), has made a clear demand that the Government should seek to implement the Certification Scheme in Hong Kong in order to safeguard the interest of its

² These included Cyprus, the Czech Republic, Japan, Malta, Thailand and Ukraine. Reportedly, the government of Thailand has subsequently announced that Thailand will implement the Certification Scheme starting from January 2003.

members and avoid disruption to their operations.

7. Hong Kong cannot join the Certification Scheme on its own, having regard to the current definition of “Participant” of the Certification Scheme, which is confined to a state or a regional economic integration organisation comprising sovereign states. The relevant departments of the SARG, i.e. the Trade and Industry Department (TID) and Customs and Excise Department (C&ED), will be designated as importing and exporting authorities of the People’s Republic of China for the purposes of implementing the Certification Scheme in Hong Kong. The control regimes of the Mainland and Hong Kong, however, will be completely separate, reflecting the fact that the two are separate customs territories.

8. We understand that most of Hong Kong’s trading partners in rough diamonds, including Mainland China, will or plan to start implementing the Certification Scheme from 1 January 2003. To safeguard Hong Kong’s interest as a trading hub of diamonds in this region, and to minimise disruption to the local diamond industry, we should seek to implement the Certification Scheme in Hong Kong from 1 January 2003, or as soon as possible thereafter, subject to the process for clearing the necessary legislative amendments.

Implementation Arrangement

9. Having regard to the specific requirements of the Certification Scheme and recommendations of the KP, and in consultation with the diamond industry, we have devised the implementation arrangement at Annex C. In gist, we will:

- (a) require all parties that carry on a business in importing, exporting, carrying, buying and selling of rough diamonds to be registered with TID and to comply with certain requirements. This would enable the Government to better monitor activities involving rough diamonds;
- (b) prohibit import or export of rough diamonds except from or to a Participant or prospective Participant; and
- (c) require traders to apply to TID for a KP Certificate for every shipment of rough diamonds to be imported from, or to be exported to, a Participant, as well as to comply with certain conditions,

including presenting the rough diamonds for inspection by C&ED where applicable. No KP certificate will be issued for imports of rough diamonds from, or exports of rough diamonds to, a non-Participant.

10. To our knowledge, so far only a few economies, including the European Union (EU) and Canada, have made known the details of their control regimes on rough diamonds. The implementation arrangement as outlined in Annex C is broadly in line with that to be put in place by the EU.

Fees

11. We will charge full cost recovery fees for registration and licences issued for import and export of rough diamonds. For new registration and renewal which are valid for two years, the fees are set at \$840 and \$595 respectively. For import licence and export licence, the fees are set at \$175 and \$200 respectively. They are set to recover the full costs incurred by TID and C&ED.

THE AMENDMENT REGULATIONS

Import and Export (General) (Amendment) Regulation 2002

12. Section 6 of the Amendment Regulation adds a new Part VI which comprises nine new regulations. New regulation 6DB requires all parties that carry on a business of importing, exporting, buying, selling or carrying rough diamonds to be registered. New regulation 6DG requires a registrant to keep records and to submit returns or notifications to the Director-General of Trade and Industry (DGTI). It also prohibits disclosure of information except in certain specified circumstances. Contravention of any of these requirements or prohibition will be an offence.

13. New regulation 6DE prohibits the import of rough diamonds from, or export of rough diamonds to, a country or place other than one listed in a newly added Seventh Schedule. Section 9 empowers DGTI to amend the Seventh Schedule by notice published in the Gazette. The proposed Seventh

Schedule will set out the countries or places which operate the Certification Scheme, and other countries or places with which the above-mentioned countries or places are permitted by the KP to trade rough diamonds (some KP Participants will implement the Certification Scheme from a date later than 1 January 2003). Import from or export to a country or place specified in the Seventh Schedule will be subject to the requirement for an import or export licence (i.e. the KP Certificate for the purpose of implementing the Certification Scheme in Hong Kong). The new schedule is left blank for the time being as the KP has not yet confirmed such a list of countries or places³. DGTI will make amendments to the Seventh Schedule to reflect the list confirmed by the KP in due course, and we will bring the amended Seventh Schedule and the Amendment Regulation into operation on the same date.

14. By virtue of the existing regulations 6(1)(a), 6AA(1) and (3) of the Import and Export (General) Regulations, the import and export licensing requirements pursuant to the existing sections 6C(1) and 6D(1) of the Import and Export Ordinance do not apply to an article in transit or air transshipment cargo. New regulation 6DF makes it clear that notwithstanding regulations 6(1)(a), 6AA(1) and (3), the licensing requirements shall apply in respect of rough diamonds that are in transit or are air transshipment cargo, unless the rough diamonds concerned are sealed in a container and the container has not been tampered with and the seals on the container remain intact (see para. 3(e) above).

15. New regulation 6DH empowers the Commissioner of Customs and Excise to appoint a person to assist any authorised officer in the examination of rough diamonds.

16. New regulation 6DI makes it clear that the new provisions are in addition to, and do not derogate from, existing prohibitions and restrictions on import and export of rough diamonds⁴.

³ In the event that the KP does not confirm the list of countries or places before the intended commencement date of the amendment regulations, we will fall back on the list of KP Participants in the interim.

⁴ Under regulations made under the UN Sanctions Ordinance, currently there are restrictions on import and/or export of rough diamonds involving Iraq, Sierra Leone, Angola and Liberia.

17. Section 8 amends regulation 6F(1) to make it an offence to provide false or misleading information pursuant to an application made under regulation 6DD or records kept under regulation 6DG.

18. Sections 10 and 11 of the Amendment Regulation amend the First and Second Schedules to the Import and Export (General) Regulations, so that import and export of rough diamonds to and from specified countries and places shall be subject to licensing requirements pursuant to sections 6C(1) and 6D(1) of the Import and Export Ordinance. Importing or exporting rough diamonds without a licence will be an offence under sections 6C(2) and 6D(3) of the Ordinance.

19. A copy of the provisions in the Import and Export (General) Regulations being amended is at Annex D.

Import and Export (Fees) (Amendment) Regulation 2002

20. This Amendment Regulation amends the Schedule to the Import and Export (Fees) Regulations by prescribing fees payable for registration and for issue of licences for the import and export of rough diamonds.

21. A copy of the provisions in the Import and Export (Fees) Regulations being amended is at Annex E.

LEGISLATIVE TIMETABLE

22. The Amendment Regulations, at Annexes A and B, will be tabled at the Legislative Council on 4 December 2002.

IMPLICATIONS OF THE AMENDMENT REGULATIONS

23. The amendments have financial and civil service, as well as economic, implications as set out below –

(a) Financial and Civil Service Implications

C&ED and TID will re-deploy internally three staff with an annual average staff cost of \$1.4 million to implement the Certification Scheme. TID will also set up a computer system for maintaining the registration database and processing of certificates. The system, which costs about \$500,000 and require recurrent consequences of \$80,000, will be funded by the global allocation of the Commerce, Industry and Technology Bureau.

The fee scheme will generate an estimated revenue of about \$1.36 million in the first year of implementation.

(b) Economic Implication

The implementation of the Certification Scheme in Hong Kong will benefit the local diamond industry. In the past three years, Hong Kong's trade in rough diamonds registered considerable growth, and its total value increased from \$6.4 billion in 1999 to \$9 billion in 2001. As most of Hong Kong's trading partners in rough diamonds will implement the Certification Scheme, Hong Kong's diamond industry would continue its business and reap the benefits of the growing diamond trade. The new control regime will impose compliance and financial burden on the industry, especially importers and exporters of rough diamonds. We will seek to minimise such burden by ensuring the procedures are as trade facilitating as possible.

24. The amendments are in conformity with the Basic Law, including the provisions concerning human rights. They will not affect the binding effect of the Import and Export Ordinance. They have no productivity, environmental and sustainability implications.

PUBLIC CONSULTATION

25. The DFHK has been in contact with the Government since December 2001, urging us to seek to implement the Certification Scheme in

Hong Kong in order to safeguard the interest of the diamond industry. The DFHK and a few other industry associations have indicated general support for the implementation arrangement. We consulted the Legislative Council Panel on Commerce and Industry on the proposed implementation arrangement on 11 November 2002. Members generally supported our proposal, and urged the Government to finalise the arrangement in close consultation with the local diamond industry.

PUBLICITY

26. The Amendment Regulations will be published in the Gazette on 29 November 2002. TID will inform the diamond industry of the details of the implementation arrangement through its trade circulars and website.

ENQUIRIES

27. For enquiries on this brief, please contact Ms Ellen Choy, Principal Assistant Secretary for Commerce, Industry and Technology (Commerce and Industry) at 2918 7450, or Ms Carol Yuen, Assistant Director-General of Trade and Industry at 2398 5308.

Commerce and Industry Branch
Commerce, Industry and Technology Bureau
27 November 2002

IMPORT AND EXPORT (GENERAL) (AMENDMENT) REGULATION 2002

(Made by the Chief Executive in Council under section 31
of the Import and Export Ordinance (Cap. 60))

1. Commencement

This Regulation shall come into operation on a day to be appointed by the Director-General of Trade and Industry by notice published in the Gazette.

2. Part heading substituted

The Import and Export (General) Regulations (Cap. 60 sub. leg.) is amended by repealing the heading to Part IV and substituting -

"PART IV

TEXTILES TRADER REGISTRATION".

3. Part heading added

The following is added before regulation 6 -

"PART V

APPLICATION OF, AND EXEMPTION FROM, LICENSING
REQUIREMENTS".

4. Application and exemption

Regulation 6(1)(a) is amended by adding ", unless otherwise provided in regulation 6DF" after "transit".

5. Application to air transshipment cargo

Regulation 6AA(1) and (3) is amended by repealing "Section" and substituting "Unless otherwise provided in regulation 6DF, section".

6. Part added

The following is added after regulation 6D -

"PART VI

CONTROL ON IMPORT, EXPORT, ETC. OF ROUGH DIAMONDS

6DA. Interpretation of Part VI

In this Part, unless the context otherwise requires -
"diamond" (鑽石) means a natural mineral consisting essentially of pure crystallized carbon in the isometric system, with a hardness on the Mohs (scratch) scale of 10, a specific gravity of approximately 3.52 and a refractive index of 2.42;

"Kimberley Process" (金伯利進程) means the international forum in which the participants have developed an international certification scheme for rough diamonds;

"registered rough diamond trader" (登記未經加工鑽石商) means a person registered under regulation 6DD;

"rough diamonds" (未經加工鑽石) means diamonds that are unworked or simply sawn, cleaved or bruted and fall under the Hong Kong Harmonisation System Codes 7102 1000,

7102 2100 and 7102 3100 under the heading 7102 in the Hong Kong Imports and Exports Classification List (Harmonised System) issued by the Commissioner (as amended from time to time);

"Scheme" (計劃) means the international certification scheme for rough diamonds presented in the form of a document entitled the "Kimberley Process Certification Scheme" and adopted at a meeting of the Kimberley Process on 5 November 2002 in Interlaken, Switzerland;

"specified country or place" (指明國家或地方) means a country or place for the time being specified in the Seventh Schedule as being -

- (a) a country or place for which the Scheme is effective; or
- (b) any other country or place from which the import of rough diamonds into, and to which the export of rough diamonds from, a country or place for which the Scheme is effective is permitted by the Kimberley Process.

6DB. Traders in rough diamonds to be registered

(1) No person shall carry on a business of importing, exporting, buying, selling or carrying rough diamonds, unless he is a registered rough diamond trader.

(2) A person who contravenes paragraph (1) commits an offence and is liable on conviction to a fine at level 6 and to imprisonment for 1 year.

6DC. Register of registered rough diamond traders

(1) The Director shall maintain a register of rough diamond traders.

(2) The register maintained under this regulation shall be in such form, and shall contain the names and such other particulars of persons who are registered under regulation 6DD, as the Director may consider appropriate.

6DD. Registration

(1) The Director shall, on an application to him in accordance with paragraph (2) by any person and upon payment of the prescribed fee, register the person as a registered rough diamond trader by entering the name of the person in the register maintained under regulation 6DC.

(2) An application to the Director shall be made in such manner and in such form, and be accompanied by such information, as the Director may determine.

(3) The Director is to assign a registration number to each person registered under paragraph (1) and is to inform the person of the registration number.

(4) Registration under paragraph (1) shall be valid for a period of 2 years.

6DE. Rough diamonds to be traded with specified country or place only

(1) No person shall, whether as agent or otherwise, import rough diamonds from, or export rough diamonds to, a country or place other than a specified country or place.

(2) A person who contravenes paragraph (1) commits an offence and is liable on conviction to a fine of \$500,000 and to imprisonment for 2 years.

6DF. Rough diamonds in transit or as air transshipment cargo not to be tampered with

(1) Notwithstanding regulation 6(1)(a), the licensing requirements under sections 6C(1) and 6D(1) of the Ordinance shall apply to rough diamonds that are in transit, unless the requirements specified in paragraph (3) are complied with in respect of the rough diamonds.

(2) Notwithstanding regulation 6AA(1) and (3), the licensing requirements under sections 6C(1) and 6D(1) of the Ordinance shall apply in relation to rough diamonds that are air transshipment cargo, unless the requirements specified in

paragraph (3) are complied with in respect of the rough diamonds.

(3) The requirements specified for the purposes of paragraphs (1) and (2) are -

- (a) that the rough diamonds are sealed in a container; and
- (b) that the container has not been tampered with and the seals on the container remain intact.

6DG. Registered rough diamond trader to keep daily trade record, etc.

(1) A registered rough diamond trader who carries on a business of importing, exporting, buying or selling rough diamonds shall, in such manner and in such form as the Director may require, keep an accurate and up-to-date record of his daily import, export, purchase and sale of rough diamonds.

The record must contain -

- (a) the name of each person from or to whom the trader buys or sells the rough diamonds and (if that person is also a registered rough diamond trader) that person's registration number;
- (b) the amount and value of rough diamonds imported, exported, bought or sold; and
- (c) such other particulars as the Director may require.

(2) A registered rough diamond trader referred to in paragraph (1) shall retain each record kept under paragraph (1) -

- (a) for 5 years from the day on which it is made;
or
- (b) for such shorter period as the Director may, bearing in mind requirements of the Scheme, specify.

(3) A registered rough diamond trader shall submit such returns or notifications relating to the import, export, purchase and sale of rough diamonds as the Director may require at such intervals as the Director may require.

(4) Neither the Director nor any other person who has access to any record kept, or information obtained, under this regulation in the course of exercising or performing any powers or duties shall disclose such record or information except for the purposes of or in connection with -

- (a) the exercise or performance of any of the powers or duties conferred or imposed by the Ordinance, or of any regulation made under it, applicable to rough diamonds;
- (b) the Scheme or its implementation; or
- (c) the institution of any proceedings for an offence under the Ordinance or any regulation made under it.

(5) A person who contravenes paragraph (1), (2) or (3) commits an offence and is liable on conviction to a fine of \$200,000 and to imprisonment for 1 year.

(6) A person who contravenes paragraph (4) commits an offence and is liable on conviction to a fine of \$200,000 and to imprisonment for 1 year.

6DH. Appointment of persons to assist in examination of rough diamonds

(1) Without prejudice to sections 4 and 4A of the Ordinance and any other law that enable a person to exercise or perform any of the powers or duties conferred or imposed by the Ordinance, the Commissioner may appoint in writing any person to assist any authorized officer or any member of the Customs and Excise Service in the examination of rough diamonds.

(2) For the purpose of assisting in the examination of rough diamonds, a person appointed under paragraph (1) may accompany an authorized officer or a member of the Customs and Excise Service in entering any place or premises which the officer or member is empowered by the Ordinance to enter.

6DI. Non-derogation from other laws

The provisions of these regulations relating to rough diamonds are in addition to, and do not derogate from, any

other law prohibiting or restricting the import into, or export from, Hong Kong of rough diamonds."

7. Part heading added

The following is added before regulation 6E -

"PART VII
MISCELLANEOUS".

8. Offences

Regulation 6F(1) is amended -

- (a) in paragraph (d), by repealing "or";
- (b) in paragraph (e), by repealing the comma and substituting a semicolon;
- (c) by adding -
 - "(f) gives or causes to be given any information, which he knows or has reason to believe to be false or misleading in a material particular, in support of an application for registration under regulation 6DD; or
 - (g) makes in any record kept, or any return or notification submitted, under regulation 6DG any statement that he knows or has reason to believe to be false or misleading in a material particular,".

9. Amendment of Schedules

Regulation 7 is amended -

(a) by renumbering it as regulation 7(1);

(b) by adding -

"(2) The Director-General of Trade and Industry may, by notice published in the Gazette -

(a) add to the Seventh Schedule the name of -

(i) a country or place for which the Scheme is effective; or

(ii) any other country or place from which the import of rough diamonds into, and to which the export of rough diamonds from, a country or place for which the Scheme is effective is permitted by the Kimberley Process; and

(b) delete from the Seventh Schedule the name of a country or place that is not a country or place referred to in subparagraph (a) (i) or (ii).".

10. First Schedule amended

The First Schedule is amended, in Part I, by adding -
"5A. Rough diamonds within the meaning of regulation 6DA."

11. Second Schedule amended

The Second Schedule is amended, in Part I, by adding -
"6. Rough diamonds within the meaning of regulation 6DA. Without prejudice to regulation 6DE, any country or place."

12. Seventh Schedule added

The following is added -

"SEVENTH SCHEDULE [regs. 6DA & 7]
SPECIFIED COUNTRIES OR PLACES".

Clerk to the Executive Council

COUNCIL CHAMBER

2002

Explanatory Note

This Regulation amends the Import and Export (General) Regulations (Cap. 60 sub. leg.) ("the principal Regulations") for the purpose of implementing in Hong Kong the Kimberley Process Certification Scheme ("KPCS"). (KPCS is an international certification scheme for rough diamonds that seeks to stop trade in rough diamonds from fuelling armed conflicts, activities of rebel movements and the illicit proliferation of armament.) This Regulation introduces -

- (a) a registration scheme for any person who carries on a business of importing, exporting, buying, selling or carrying of rough diamonds; and
- (b) control on the import and export of rough diamonds.

For these purposes, sections 4, 5, 8, 9, 10 and 11 amend respectively regulations 6, 6AA, 6F and 7 of, and the First and Second Schedules to, the principal Regulations. Further, section 6 adds a new Part VI (comprising 9 new regulations from regulations 6DA to 6DI) and section 12 adds a new Seventh Schedule. Sections 2, 3 and 7 are

technical amendments. The effects of the provisions are explained in the following paragraphs.

2. New definitions are added for the purposes of the control concerning rough diamonds in new regulation 6DA added by section 6.

3. Any person who carries on a business in the import, export, purchase, sale and carriage of rough diamonds is required to be registered and contravention of the requirement is an offence (new regulation 6DB, added by section 6). The keeping of a register and registration are provided for (new regulations 6DC and 6DD, added by section 6).

4. It is an offence to import rough diamonds from, or export rough diamonds to, a country or place other than a specified country or place (new regulation 6DE, added by section 6). The new Seventh Schedule added to the principal Regulations will set out the specified countries or places, being -

(a) countries or places for which the KPCS is effective;
or

(b) any other country or place from which the import of rough diamonds into, and to which the export of rough diamonds from, a country or place for which the Scheme is effective is permitted by the Kimberley Process.

5. Rough diamonds are added to the First and Second Schedules to the principal Regulations so that import and export of rough diamonds becomes subject to the licensing requirements under

sections 6C(1) and 6D(1) of the Import and Export Ordinance (Cap. 60) ("the licensing requirements") (sections 10 and 11).

Contravention of any of those requirements is an offence under the Ordinance.

6. For rough diamonds that are in transit or are air transshipment cargo, the licensing requirements apply. However, the licensing requirements do not apply if such rough diamonds are not tampered with (new regulation 6DF, added by section 6).

7. New regulation 6DG (added by section 6) requires a record to be kept, and returns and notification to be submitted, respecting rough diamonds. It further prohibits the disclosure of any record accessed or information obtained other than for specified purposes. Penalties for contravention of these requirements or prohibition are provided for.

8. New regulation 6DH (added by section 6) empowers the Commissioner of Customs and Excise to appoint a person to assist in examining rough diamonds.

9. New regulation 6DI (added by section 6) makes it clear that the new provisions are in addition to, and do not derogate from, existing prohibitions and restrictions on the import and export of rough diamonds.

10. Section 8 amends regulation 6F of the principal Regulations so that it is an offence if any information given, or record kept, or return or notification submitted by a registered rough diamond trader is false or misleading.

11. Section 9 amends regulation 7 of the principal Regulations to empower the Director-General of Trade and Industry to amend the new Seventh Schedule.

IMPORT AND EXPORT (GENERAL) (AMENDMENT) REGULATION 2002

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IMPORT AND EXPORT (FEES) (AMENDMENT) REGULATION 2002

(Made by the Chief Executive in Council under section 31
of the Import and Export Ordinance (Cap. 60))

1. Commencement

This Regulation shall come into operation on a day to be appointed by the Director-General of Trade and Industry by notice published in the Gazette.

2. Scale of fees

The Schedule to the Import and Export (Fees) Regulations (Cap. 60 sub. leg.) is amended -

- (a) in item 2, by repealing "articles" and substituting "articles, other than rough diamonds";
- (b) by adding -

"15. In respect of rough diamonds -

- (a) fee for registration as a registered rough diamond trader under Part VI of the Import and Export (General) Regulations (Cap. 60 sub. leg.) for a period of 2 years -

- (i) in the case of an initial registration

(ii) in the case of a registered rough diamond trader renewing his registration	595
(b) issue of import licence	175
(c) issue of export licence	200."

Clerk to the Executive Council

COUNCIL CHAMBER

2002

Explanatory Note

This Regulation amends the Import and Export (Fees) Regulations (Cap. 60 sub. leg.) to prescribe fees payable for registration as registered rough diamond traders and for issue of a licence for import or export of rough diamonds.

Control on Trading, Buying, Selling and Carrying of Rough Diamonds

1. Registration

- Persons or companies (hereinafter referred to as “persons”) carrying on a business in importing, exporting, buying, selling or carrying rough diamonds (including carrying rough diamonds in transit and transshipment) must be registered with the Trade and Industry Department (TID).
- Registered importers, exporters, buyers and sellers of rough diamonds are required to keep for five years, or for a shorter period as specified by the Director-General of Trade and Industry (DGTI), records of daily import, export, sales and purchase of rough diamonds; and to lodge returns / notifications on such transactions as DGTI may require.
- Any person who contravenes any of the above requirements or prohibition will be liable to a fine and imprisonment.
- Registration is subject to biennial renewal and payment of a registration fee (\$840 for first-time registration and \$595 for renewal).

2. Control on import and export of rough diamonds

- No person should import rough diamonds from, or export rough diamonds to a country or place other than a specified country or place (in essence, a Participant or prospective Participant in the Certification Scheme).
- A “specified country or place” is defined as:
 - a country or place for which the Kimberley Process Certification Scheme is effective; or

- any other country or place from which the import of rough diamonds into, and to which the export of rough diamonds from, a country or place for which the Scheme is effective is permitted by the Kimberley Process.¹

Import

- A person shall obtain a “*Kimberly Process (KP) Certificate (Import)*” from TID before importing any consignment of rough diamonds. The application must be supported by a copy of the KP Certificate issued by the Exporting Authority of the last country of provenance². A *KP Certificate (Import)* issued by TID will be valid for 28 days.
- Prior to issuing a *KP Certificate (Import)*, TID would verify whether the importer has registered with TID; whether the rough diamonds are imported from a specified country or place; and whether the information on the consignment listed in the application tallies with the relevant information obtained by TID from the Exporting Authority of the last country of provenance.
- TID will attach the following conditions when issuing a *KP Certificate (Import)* and will indicate in writing whether inspection of the consignment by the Customs and Excise Department (C&ED) is required :
 - The importer shall make arrangement with C&ED for inspection of the consignment at the premises specified by him, within 7 working days after importation.
 - The importer shall ensure that the rough diamonds are imported in a tamper-resistant container, and take reasonable measures to ensure

¹ This is to enable Hong Kong to trade with countries or places which will implement the Certification Scheme from a date later than 1 January 2003, during the interim period before these countries and places implement the Certification Scheme.

² During the interim period mentioned in footnote 1, in respect of import of rough diamonds from countries and places plan to but not yet implement the Certification Scheme, TID will waive the requirement that an application for the *KP Certificate (Import)* has to be supported by a KP Certificate issued by the Exporting Authority of the last country of provenance.

that the container remains sealed and the rough diamonds will not be tampered with before inspection by C&ED.

- The importer shall not sell, export or process the rough diamonds before inspection by C&ED.
- The importer shall return to TID by hand or by mail, within 10 working days after importation, the original KP Certificate issued by the Exporting Authority of the last country of provenance, or a copy of the *KP Certificate (Import)* issued by TID (if the rough diamonds are imported from a country or place not implementing the Certification Scheme, but with which a country or place implementing the Scheme may trade rough diamonds as permitted by the KP).
- Tirets 1 and 3 above do not apply to importers to whom TID has indicated in writing that inspection of their import consignments by C&ED is not necessary.
- In respect of inspection of import consignments of rough diamonds :
 - C&ED will, based on risk assessment, inspect some import consignments.
 - C&ED will conduct the inspections at premises specified by the importers.
 - If necessary, C&ED may arrange for experts to help verify the quality and origin of the rough diamonds.
 - After inspection, C&ED will endorse and validate the *KP Certificate (Import)*.
 - Notwithstanding TID's written indication that inspection of an import consignment is not required, the consignment might, at an import control point, still be selected by C&ED for inspection.
 - If C&ED suspects that an importer has breached the requirements for the import of rough diamonds, the department may seize or detain the goods for further investigation.
- Upon receipt of the original KP Certificate issued by the Exporting Authority of the last country of provenance or a copy of the *KP Certificate (Import)* issued by TID (if the rough diamonds are imported

from a country or place not implementing the Certification Scheme, but with which a country or place implementing the Certification Scheme may trade rough diamonds as permitted by the KP), TID will notify the Exporting Authority of the last country of provenance via electronic means.

- Any person who imports rough diamonds without a valid *KP Certificate (Import)* or not in accordance with any of the conditions imposed by the DGTI for the issue of the certificate will be liable to a fine and imprisonment.

Local Sales

- The importer should supply a copy of the *KP Certificate (Import)* to its local buyer so that the latter can pass the copy to the ultimate exporter for supporting the application for an *KP Certificate (Export)*.

Export

- A person shall obtain a *KP Certificate (Export)* from TID before exporting rough diamonds. The application must be supported by a copy of the relevant *KP Certificate (Import)* issued by TID³. A *KP Certificate (Export)* issued by TID will be valid for 28 days.
- Prior to issuing a *KP Certificate (Export)*, TID would verify whether the exporter has registered with TID; whether the rough diamonds are to be exported to a specified country or place; and whether the information on the consignment listed in the application tallies with that in the *KP Certificate (Import)*.
- TID will attach the following conditions when issuing a *KP Certificate (Export)* :
 - The exporter shall not effect the shipment of an export consignment in the absence of TID's written indication that inspection is not required or before C&ED's inspection.

³ Except in respect of rough diamonds brought into Hong Kong before 1 January 2003.

- If inspection is required, the exporter shall make arrangement with C&ED, at least 3 working days before exportation, for inspection of the consignment at the premises specified by him.
- The exporter shall ensure that the rough diamonds to be exported are sealed in a tamper-resistant container and that the shipment of rough diamonds is accompanied by the original of *the KP Certificate (Export)* issued by TID.
- In respect of inspection of rough diamonds intended for export :
 - C&ED will, based on risk assessment, inspect some consignments of rough diamonds intended for export.
 - C&ED will conduct inspections at the premises specified by the exporters.
 - If necessary, C&ED may arrange for experts to verify the quality and origin of the rough diamonds.
 - After inspection, C&ED will endorse and validate the *KP Certificate (Export)*. The exporter shall seal the container in the presence of C&ED officers.
 - Notwithstanding TID's written indication that inspection of an consignment is not required, the consignment might, at an export control point still be selected by C&ED for inspection.
 - If C&ED suspects that an exporter has breached the requirements for the export of rough diamonds, the department may seize or detain the goods for further investigation.
- Any person who exports rough diamonds without a valid *KP Certificate (Export)* or not in accordance with any of the conditions imposed by DGTI for the issue of the certificate will be liable to a fine and imprisonment.

Rough diamonds in transit or transshipment

- A registered carrier, courier or freight forwarder will not need to obtain a *KP Certificate* in respect of a consignment of rough diamonds in

transit⁴ or as air transshipment cargo⁵, provided that the rough diamonds are sealed in a container, the container has not been tampered with, and the seals on the container remain intact.

- Regarding other modes of transshipment of rough diamonds, TID will, under normal circumstances, also exempt the relevant parties from the KP Certificate requirement, provided that the rough diamonds are sealed in a container, the container has not been tampered with, and the seals on the container remain intact. The relevant parties, however, will have to file with TID monthly notifications on consignments transhipped.
- C&ED will select consignments of rough diamonds in transit or transshipment for inspection on a random basis.

3. Rough diamonds brought into Hong Kong before 1 January 2003

- An exporter will be allowed to export a consignment of rough diamonds that have been brought into Hong Kong before 1 January 2003, if the exporter can prove that the rough diamonds have indeed been brought into Hong Kong before that date from a legitimate source. The exporter however will still need to obtain a *KP Certificate (Export)* from TID.

⁴ According to the relevant Laws of Hong Kong, an article in transit means an article which is brought into Hong Kong solely for the purpose of taking it out of Hong Kong and remains at all times in or on the vessel or aircraft in or on which it is brought into Hong Kong.

⁵ This means that the transshipment cargo that is both imported and consigned for export in an aircraft and which, during the period between its import and export, remains within the cargo transshipment area of the Hong Kong International Airport.

Chapter:	60A	Title:	IMPORT AND EXPORT (GENERAL) REGULATIONS	Gazette Number:	L.N. 142 of 2000; L.N. 188 of 2000
Regulation:	6	Heading:	Application and exemption	Version Date:	01/08/2000

- (1) Sections 6C(1) and 6D(1) of the Ordinance shall not apply to- (L.N. 136 of 1994)
- (a) any article in transit; (L.N. 440 of 1990)
 - (b) transshipment cargo imported or exported by a person to whom an exemption relating to that transshipment cargo has been granted under paragraph (2); (L.N. 440 of 1990)
 - (c) any article specified in-
 - (i) item 1 of the Third Schedule, imported or exported in the accompanied personal baggage of a person entering or leaving Hong Kong and which is for his personal use;
 - (ii) item 2 of the Third Schedule-
 - (A) imported by any person and which is for his personal use or is a gift; or
 - (B) exported in the accompanied personal baggage of a person leaving Hong Kong and which is for his personal use;
 - (iii) the Third Schedule, imported or exported as part of the provisions required for consumption or use by the crew or passengers of the vessel, aircraft or vehicle on which the article is carried, and is in each case in a quantity which is reasonable having regard to the purpose for which it is imported or exported as the case may be;
 - (ca) any article specified in the Sixth Schedule which is-
 - (i) imported in the accompanied personal baggage of a person entering Hong Kong;
 - (ii) for the personal use of that person or is a gift;
 - (iii) in an amount not exceeding 15 kg; and
 - (iv) accompanied by an official certificate as defined in the Imported Game, Meat and Poultry Regulations (Cap 132 sub. leg.); (L.N. 142 of 2000)
 - (d) any article in respect of the import or export of which a person has been granted an exemption under paragraph (5). (L.N. 440 of 1990)
- (2) If the Director is satisfied that a person is engaged in the business of dealing in transshipment cargo he may exempt in writing, with respect to the transshipment of any of the items set out in the First and Second Schedules and specified in the exemption, that person from the licensing requirements under sections 6C(1) and 6D(1) of the Ordinance. (L.N. 136 of 1994)
- (3) The Director may impose such conditions as he thinks fit upon any exemption made under paragraph (2) and any person exempted under paragraph (2) shall comply with any condition imposed under this paragraph.
- (3A) If a person is a registered textiles trader, the Director may exempt, in writing, the registered textiles trader from the licensing requirements under sections 6C(1) and 6D(1) of the Ordinance for the import or export of textiles in accordance with the Fourth Schedule by the registered textiles trader. (L.N. 111 of 1993; L.N. 136 of 1994)

(3B) The Director may impose such conditions as he thinks fit upon any exemption made under paragraph (3A) and any person who relies on an exemption issued under paragraph (3A) shall comply with any condition imposed under this paragraph. (L.N. 111 of 1993)

(3C) The Director may vary the conditions as he thinks fit upon any exemption made under paragraph (3A) and any person who relies on an exemption issued under paragraph (3A) shall comply with any condition varied under this paragraph. (L.N. 111 of 1993)

(3D) The Director may approve the form of an export, import or transshipment notification that a registered textiles trader is required to submit under these regulations. (L.N. 111 of 1993)

(4) If a person contravenes or fails to comply with any condition imposed under paragraph (3), (3B) or (3C)- (L.N. 111 of 1993)

(a) he shall be guilty of an offence and shall be liable on conviction to a fine of \$500000 and to imprisonment for 2 years; and

(b) the Director may by notice in writing revoke or suspend any exemption granted to that person or may amend any condition. (L.N. 255 of 1984)

(5) Without prejudice to paragraphs (2), (3), (3A), (3B), (3C) and (4), the Director may, on application and in respect of any article specified in the First or Second Schedule, exempt in writing any person from any requirement to obtain a licence under sections 6C(1) and 6D(1) of the Ordinance. (L.N. 440 of 1990; L.N. 111 of 1993; L.N. 136 of 1994)

(L.N. 255 of 1984)

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Chapter:	60A	Title:	IMPORT AND EXPORT (GENERAL) REGULATIONS	Gazette Number:	29 of 2000
Regulation:	6AA	Heading:	Application to air transshipment cargo	Version Date:	26/05/2000

(1) Section 6C(1) of the Ordinance does not apply in relation to an article specified in paragraph (2) that is air transshipment cargo; but if at any time between its being brought into and taken out of Hong Kong such article is removed from the cargo transshipment area of Hong Kong International Airport then, for the purposes of section 6C(1) of the Ordinance-

(a) the article is deemed to be imported at the time of such removal; and

(b) the person who brought the article, or caused it to be brought, into Hong Kong as air transshipment cargo is deemed to be the person who imports the article at the time of its removal,

and, except to that extent, that section has effect as if this paragraph had not been enacted.

(2) The articles specified for the purposes of paragraph (1) are-

(a) the articles set out in Part I of the First Schedule, other than textiles;

(b) the articles set out in Part II of that Schedule.

(3) Section 6D(1) of the Ordinance does not apply in relation to an article specified in paragraph (4) that is air transshipment cargo; but if at any time between its being brought into and taken out of Hong Kong such article is removed from the cargo transshipment area of Hong Kong International Airport, section 6D(1) of the Ordinance has effect as if this paragraph had not been enacted.

(4) The articles specified for the purposes of paragraph (3) are-

(a) the articles set out in Part I of the Second Schedule, other than textiles;

(b) the articles set out in Part II of that Schedule.

- (5) (a) For the purpose of the issue of a licence under section 3 of the Ordinance for the import of an article specified in paragraph (2), the import of such an article that is air transshipment cargo does not take place unless and until the article is removed from the cargo transshipment area of Hong Kong International Airport other than for the purpose of its being taken out of Hong Kong by air.
- (b) Nothing in this regulation precludes the issue of a licence under section 3 of the Ordinance for the export of an article specified in paragraph (4) that is air transshipment cargo only because the article has been removed from the cargo transshipment area of Hong Kong International Airport.
- (6) In proceedings against a person for an offence under section 6C or 6D of the Ordinance, being proceedings-
- (a) in relation to the import or export of an article specified in paragraph (2) or (4) that is air transshipment cargo; and
- (b) in which it is necessary for the prosecution to prove that, at any time between its being brought into and taken out of Hong Kong, the article was removed from the cargo transshipment area of Hong Kong International Airport,
- it is a defence for the person to show that he took all reasonable steps and exercised reasonable diligence to avoid such removal occurring or that he reasonably believed that such removal had not occurred, as the case may be.
- (7) Where in any proceedings the defence provided by paragraph (6) involves an allegation that the commission of the offence was due to-
- (a) the act or default of another person; or
- (b) reliance on information given by another person,
- the defendant is not, without the leave of the court, entitled to rely on the defence unless, not less than 10 days before the hearing of the proceedings, he has served a notice in writing on the prosecutor giving all particulars of-
- (i) the person who committed the act or default or gave the information; and
- (ii) the act, default or information,
- of which he is aware at the time he serves the notice.
- (8) A person is not entitled to rely on the defence provided by paragraph (6) by reason of his reliance on information supplied by another person, unless he shows that it was reasonable in all the circumstances for him to have relied on the information, having regard in particular to-
- (a) the steps which he took, and those which might reasonably have been taken, for the purpose of verifying the information; and
- (b) whether he had any reason to disbelieve the information.

(29 of 2000 s. 2)

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Chapter:	60A	Title:	IMPORT AND EXPORT (GENERAL) REGULATIONS	Gazette Number:	L.N. 193 of 1999; L.N. 196 of 1999
Regulation:	6F	Heading:	Offences	Version Date:	23/07/1999

- (1) Any person who-
- (a) makes or gives or causes to be made or given any statement, which he knows or has

reason to believe to be false or misleading in a material particular, in any declaration or any information whether verbal or in writing or otherwise required by the Director or an appointed officer under these regulations;

- (b) makes or gives or causes to be made or given any statement or information, which he knows or has reason to believe to be false or misleading in a material particular, in respect of any document-
 - (i) that is required to be maintained or furnished under regulation 5AC; or
 - (ii) that he knows or has reason to believe may be used in support of an application for registration under regulation 5AC;
- (c) is in breach of an undertaking or part of an undertaking given under regulation 5AC;
- (d) contravenes any requirement under regulation 5AE; or
- (e) makes in any record kept under regulation 5AE(1) any statement that he knows or has reason to believe to be false or misleading in a material particular,

commits an offence and is liable on conviction to a fine of \$500000 and to imprisonment for 2 years.

(2) Where a person convicted of an offence under these regulations is a company, every director and every officer concerned in the management of the company shall be guilty of the like offence unless he proves that the act constituting the offence took place without his knowledge or consent.

(3) Where an offence under these regulations committed by a partner in a partnership is proved to have been committed with the consent or connivance of, or to be attributable to any act on the part of, any other partner of the partnership or any person concerned in the management of the partnership, that other partner or the person concerned in the management of the partnership commits the like offence.

(L.N. 193 of 1999)

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Chapter:	60A	Title:	IMPORT AND EXPORT (GENERAL) REGULATIONS	Gazette Number:	L.N. 142 of 2000; L.N. 188 of 2000
Regulation:	7	Heading:	Amendment of Schedules	Version Date:	01/08/2000

The Director-General of Trade and Industry may, by order published in the Gazette, amend Part I of the First or Second Schedule, the Third Schedule, the Fourth Schedule, the Fifth Schedule, or the Sixth Schedule.

(L.N. 206 of 1977; L.N. 294 of 1982; L.N. 440 of 1990; L.N. 297 of 1991; L.N. 111 of 1993; L.N. 136 of 1994; L.N. 193 of 1999; L.N. 142 of 2000; L.N. 173 of 2000)

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Chapter:	60A	Title:	IMPORT AND EXPORT (GENERAL) REGULATIONS	Gazette Number:	L.N. 142 of 2000; L.N. 188 of 2000
Schedule:	1	Heading:		Version Date:	01/08/2000

[regulations 3, 6, 6AA & 7]
(29 of 2000 s. 2)

PART I

1. Pesticides.
2. Pharmaceutical products and medicines as defined by section 2 of the Pharmacy and Poisons Ordinance (Cap 138).
3. Textiles, other than woven or knitted fabric swatches and sample yarn imported by air and not exceeding 0.8 m² in size in the case of fabric swatches and 1.2 kg in weight in respect of each type of yarn.
- 4-5. (Repealed L.N. 246 of 1997)
6. Frozen or chilled beef, mutton, pork, veal or lamb, and the frozen or chilled offal of any animal from which such meat is derived. (L.N. 142 of 2000)
7. The frozen or chilled carcass of a domestic fowl, duck, goose or turkey or any part of such a carcass. (L.N. 142 of 2000)
8. Any frozen or chilled part of a bird mentioned in item 7 which is edible or used in the preparation of food, other than the carcass or a part of the carcass of such a bird. (L.N. 142 of 2000)

PART II

1. Left hand drive vehicles.
2. Outboard engines exceeding 111.9 kilowatts (150 horsepower).
3. Optical disc mastering and replication equipment. (L.N. 529 of 1997)

(L.N. 136 of 1994)

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Chapter:	60A	Title:	IMPORT AND EXPORT (GENERAL) REGULATIONS	Gazette Number:	29 of 2000
Schedule:	2	Heading:		Version Date:	26/05/2000

[regulations 4, 5, 6, 6AA & 7]
(29 of 2000 s. 2)

PART I

Item	Article	Country or place
1.	Textiles.	All countries.
2.	Pesticides.	All countries.
3.	Pharmaceutical products and medicines as defined by section 2 of the Pharmacy and Poisons Ordinance (Cap 138).	All countries.
4-5.	(Repealed L.N. 246 of 1997)	

PART II

Item	Article	Country or place
1.	Left hand drive vehicles.	All countries.
2.	Outboard engines exceeding 111.9 kilowatts (150 horsepower).	All countries.
3.	Optical disc mastering and replication equipment.	All places outside Hong Kong. (L.N. 529 of 1997)

(L.N. 136 of 1994)

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Chapter:	60B	Title:	IMPORT AND EXPORT (FEES) REGULATIONS	Gazette Number:	L.N. 170 of 2001
Schedule:		Heading:	SCHEDULE	Version Date:	13/07/2001

[regulation 2]

SCALE OF FEES

Item	\$
1.	
(a) Application for issue of import licence otherwise than in respect of textiles (L.N. 160 of 1992)	No fee
(b) Application for issue of export licence otherwise than in respect of textiles	No fee
(c) In respect of textiles-	
(i) application for issue of export licence (Form 4 TIC 353) (L.N. 315 of 1984; L.N. 129 of 1989; L.N. 160 of 1992)	56
(ii) application for issue of export licence-	
(A) where the application is made on paper (Form 5 TIC 353A)	216
(B) where the application is made using services provided by a specified body (L.N. 484 of 1996)	141
(iii) application for swing of quotas (Form TIC 395) (L.N. 126 of 1984; L.N. 315 of 1984; L.N. 160 of 1992)	251
(iv) application for free quota export authorizations (Form TIC 355 (FQ)) (L.N. 315 of 1984; L.N. 160 of 1992)	508
(v) application for transfer of quotas (Forms TIC 396, TIC 397, TIC 398) (L.N. 126 of 1984; L.N. 160 of 1992)	280
(vi) (Repealed L.N. 484 of 1996)	
(vii) application for issue of import licence (Form 7 TRA 23) (L.N. 315 of 1984; L.N. 129 of 1989)	40
(viii) (Repealed L.N. 189 of 1993)	
(ix) application for issue of special export licence (Forms 8a TRA 534A and 8d TRA 534D) (L.N. 160 of 1992)	58
(x) application for issue of special import licence (Forms 8b TRA 534B, 8c TRA 534C and 8e TRA 534E) (L.N. 160 of 1992)	43
(xi) application for issue of export licence-	
(A) where the application is made on paper (Form 8 TRA 534)	216
(B) where the application is made using services provided by a specified body (L.N. 484 of 1996)	141
2.	
Issue of import or export licence in respect of prohibited, restricted or controlled articles	No fee
3.	
Annual fee for registration of a person for textile controls purposes (L.N. 315 of 1984; L.N. 160 of 1992; L.N. 128 of 2001)	1712
4.	
(a) Application for the issue of a certificate of Hong Kong origin, certificate of processing or of any other certificate mentioned in item 5 other than a generalized preference certificate-	
(i) where the application is made on paper (Form	

	TIC 185)	110
	(ii) where the application is made using services provided by a specified body (L.N. 195 of 1999)	95
	(b) Application for the issue of a generalized preference certificate (Form TIC 185B) (L.N. 390 of 1989; L.N. 237 of 1992; L.N. 245 of 1997)	324
5.	Issue of certificate of Hong Kong origin (Form TIC 16), certificate of processing (Form TIC 288), generalized preference certificate (Form A), any other form of certificate of origin or any certificate relating to the origin of goods (L.N. 120 of 1990)	No fee
6.	Issue of a landing certificate (Form TIC 42) (L.N. 106 of 1990; L.N. 160 of 1992)	385
7.	(Repealed L.N. 484 of 1996)	
8.	Issue of a certificate of accuracy of any copy of, or extract from, official records, except where an appropriate fee is prescribed in any other enactment (L.N. 160 of 1992)	300
9.	Issue of any copy of official records of statistical data derived or extracted from import and export declarations, such fee being calculated at per sheet or part thereof (L.N. 160 of 1992)	15
10.	Issue of any statistical data, other than copies of official records, derived from import and export declarations, such fee being calculated according to the actual work done including all overheads charges	Fee as calculated
10A.	Issue of a delivery verification certificate for the certification of delivery of strategic commodities into Hong Kong (L.N. 259 of 1985; L.N. 160 of 1992)	203
10B.	Issue of a certified copy of import declaration or export declaration or manifest (L.N. 106 of 1990; L.N. 160 of 1992)	245
10C.	Issue of an international import certificate (L.N. 160 of 1992)	65
11.	(Repealed L.N. 484 of 1996)	
12.	Annual fee for registration of a person under Part IIIA of the Import and Export (General) Regulations (Cap 60 sub. leg.) or regulation 7 of the Export (Certificates of Origin) Regulations (Cap 60 sub. leg.) (L.N. 248 of 1990; L.N. 237 of 1992; L.N. 245 of 1997; L.N. 195 of 1999; L.N. 128 of 2001)	3003
13.	Annual fee for any period beginning on or after 1 July 1993 for person registered as textiles trader under the Import and Export (General) Regulations (Cap 60 sub. leg.) (L.N. 112 of 1993)	2825
14.	Fee payable when a production notification is lodged-	
	(a) where the production notification is lodged on paper (Form TRA 579)	49
	(b) where the production notification is lodged using services provided by a specified body (L.N. 195 of	

1999)	34
(L.N. 258 of 1982; L.N. 189 of 1993; L.N. 259 of 1994; L.N. 203 of 1995; L.N. 202 of 1996; L.N. 245 of 1997)	