

**Information Note for the Legislative Council
Panel on Commerce and Industry**

**Import and Export Ordinance
(Amendment of Schedules 2 and 3) Notice 2003
Dutiable Commodities Ordinance
(Amendment of Schedules 1A and 1B) Notice 2003**

Purpose

This paper informs Members of the making of the two captioned Notices by the Secretary for Commerce, Industry and Technology under the Import and Export Ordinance (Cap.60) and the Dutiable Commodities Ordinance (Cap. 109) to add Global e-Trading Services Limited to the list of specified electronic service providers.

Background

2. To promote electronic commerce, the Government has introduced electronic services for the submission of a number of official trade-related documents¹ by the trading community since 1997. At present, the trading community is required to submit these documents through a franchised electronic service provider, the Tradelink Electronic Commerce Limited (“Tradelink”).

3. In anticipation of the expiry of Tradelink’s exclusive franchise to provide the concerned electronic services by end 2003, and with the support of the Legislative Council Panel on Commerce and Industry, the Administration launched an open tender exercise in 2002 with a view to appointing additional providers of the electronic services. As reported in the Administration’s briefing to the Panel on 14 April 2003, we signed an agreement with Global e-Trading Services Limited appointing the latter as an additional electronic service provider

¹ The documents include restrained textiles export licence, import and export declaration, production notification, certificate of origin, dutiable commodities permit, cargo manifest (excluding road mode of transport) and textiles notification under the Textiles Trader Registration Scheme.

(including the provision of Electronic Trading Access Service (“ETAS”)²) for import and export declarations and dutiable commodities permits. The appointment is valid for five years with effect from 1 January 2004 and is extendable for two years at the Administration’s discretion.

4. The relevant legislation which governs the administration of import and export declarations and dutiable commodities permits provides for the listing of the electronic service providers in Schedules (see Annex 1). This is to ensure a sound legal basis for the status of the service providers, and to govern that an ETAS provider should not send information on behalf of any person unless it has obtained from the person concerned an authorization in writing to do so. These Schedules may be amended by the Secretary for Commerce, Industry and Technology by notice published in the Gazette.

Amendment Notices

5. To tie in with the launching of services by Global e-Trading Services Limited starting from January 2004, we need to add the company to the relevant Schedules. The Secretary for Commerce, Industry and Technology has therefore made :

- (a) the Import and Export Ordinance (Amendment of Schedules 2 and 3) Notice 2003 under the Import and Export Ordinance (Cap. 60) to add Global e-Trading Services Limited to the lists of specified bodies and specified agents (copy at Annex 2); and
- (b) the Dutiable Commodities Ordinance (Amendment of Schedules 1A and 1B) Notice 2003 under the Dutiable Commodities Ordinance (Cap. 109) to add Global e-Trading Services Limited to the lists of specified electronic service providers and specified eligible agents (copy at Annex 3).

² ETAS is the service of acting as agent for traders in accepting submissions from traders in paper form, converting the data in the submissions into electronic messages, and forwarding them to the Government electronically.

These two Notices will take effect from 1 January 2004. They will be published in the Gazette on 17 October 2003 and tabled at the Legislative Council meeting on 22 October 2003 for the negative vetting procedures.

Conclusion

6. Members are invited to note the amendments to the relevant schedules to the Import and Export Ordinance (Cap. 60) and the Dutiable Commodities Ordinance (Cap. 109) and the legislative timetable detailed in paragraph 5.

Commerce and Industry Branch
Commerce, Industry and Technology Bureau
October 2003

Schedules in which the electronic service providers are listed

Chapter:	60	Title:	IMPORT AND EXPORT ORDINANCE	Gazette Number:	L.N. 586 of 1997
Schedule:	2	Heading:	SPECIFIED BODIES	Version Date:	01/01/1998

[sections 2 & 39]

1. Tradelink Electronic Commerce Limited

(Added 30 of 1995 s. 17. Amended L.N. 586 of 1997)

Chapter:	60	Title:	IMPORT AND EXPORT ORDINANCE	Gazette Number:	L.N. 71 of 2000
Schedule:	3	Heading:	SPECIFIED AGENTS	Version Date:	01/04/2000

[sections 2 & 39]

1. Tradelink Electronic Commerce Limited

2. Federation of Hong Kong Industries (Added L.N. 380 of 1998)

3. The Chinese General Chamber of Commerce (Added L.N. 380 of 1998)

4. The Chinese Manufacturers' Association of Hong Kong (Added L.N. 380 of 1998)

5. The Hong Kong General Chamber of Commerce (Added L.N. 380 of 1998)

6. The Indian Chamber of Commerce Hong Kong (Added L.N. 380 of 1998)

7. Dah Sing Bank, Limited (Added L.N. 71 of 2000)

8. International Chamber of Commerce-Hong Kong, China Business Council (Added L.N. 71 of 2000)

(Added 30 of 1995 s. 17. Amended L.N. 587 of 1997)

Chapter:	109	Title:	DUTIABLE COMMODITIES ORDINANCE	Gazette Number:	L. N. 255 of 2001
Schedule:	1A	Heading:	SPECIFIED ELECTRONIC SERVICE PROVIDERS	Version Date:	10/01/2002

[section 2]

1. Tradelink Electronic Commerce Limited

(Schedule 1A added 19 of 2001 s. 13)

Chapter:	109	Title:	DUTIABLE COMMODITIES ORDINANCE	Gazette Number:	L. N. 38 of 2003
Schedule:	1B	Heading:	SPECIFIED ELIGIBLE AGENTS	Version Date:	11/04/2003

[section 2]

1. Tradelink Electronic Commerce Limited

2. International Chamber of Commerce-Hong Kong, China Business Council. (Added L.N. 38 of 2003)

(Schedule 1B added 19 of 2001 s. 13)

**IMPORT AND EXPORT ORDINANCE (AMENDMENT OF
SCHEDULES 2 AND 3) NOTICE 2003**

(Made under section 39(2) of the Import and Export
Ordinance (Cap. 60))

1. Commencement

This Notice shall come into operation on 1 January 2004.

2. Specified bodies

Schedule 2 to the Import and Export Ordinance (Cap. 60) is amended by adding -

"2. Global e-Trading Services Limited".

3. Specified agents

Schedule 3 is amended by adding -

"9. Global e-Trading Services Limited".

John TSANG
Secretary for Commerce, Industry
and Technology

9 October 2003

Explanatory Note

This Notice amends Schedules 2 and 3 to the Import and Export Ordinance (Cap. 60) by adding "Global e-Trading Services Limited" to the respective lists of specified bodies and specified agents.

**DUTIABLE COMMODITIES ORDINANCE (AMENDMENT OF SCHEDULES 1A
AND 1B) NOTICE 2003**

(Made under section 2(5) of the Dutiable Commodities
Ordinance (Cap. 109))

1. Commencement

This Notice shall come into operation on 1 January 2004.

2. Specified electronic service providers

Schedule 1A to the Dutiable Commodities Ordinance (Cap. 109)
is amended by adding -

"2. Global e-Trading Services Limited".

3. Specified eligible agents

Schedule 1B is amended by adding -

"3. Global e-Trading Services Limited".

John TSANG
Secretary for Commerce, Industry
and Technology

9 October 2003

Explanatory Note

This Notice amends Schedules 1A and 1B to the Dutiable
Commodities Ordinance (Cap. 109) by adding "Global e-Trading Services
Limited" to the respective lists of specified electronic service
providers and specified eligible agents.