

Date : 13th September, 2005.

To Hon. Choy So-yuk, JP,
Chairperson, Committee on Protection of Endangered Species of Animals and Plants
Bill
Fax 2869 6794

From Chan Kay Yip, President

RE: Comments on the Proposed Bill on the Protection of Endangered Species of
Animals and Plants

Total Pages : 2

Dear Madam,

Reference is made to your kind invitation to comment on the proposed bill on the protection of endangered species of animals and plants on July 27, 2005. Our association has conducted a study of the proposed bill and its affect on the members of our association. Our consensus opinion is to support the rapid passage of this bill to provide the benefits to both the public and our members. The significant benefits of this bill are as follows.

Discontinuation of the Requirement of Import Permits for CITES Appendix II Fauna and Flora

The current requirement of applying for an import licence for the importation of Appendix II goods is a waste of resources for both the Government and our members. The goods have already obtained the necessary export permits from the exporting countries and the imposition of the import permit provides no recognizable benefit to the protection of the endangered species. We are in total agreement with the removal of the import permits requirement for scheduled Appendix II items.

The import permit, however, provides protection for our members in the rare case of a fake CITES permit offered by an exporter. Resulting from the discussion of our Association with Agriculture, Fisheries & Conservation Department (AFCD), the Department has agreed to establish a procedure to assist our members to ascertain the validity of the CITES permits prior to the importation of the Appendix II items. This procedural arrangement is a key concern of our members.

Power to require production of things for Inspection (Section 30-31 of the proposed bill)

In cases where an authorized officer reasonably suspects that a specimen of a scheduled species is being kept for any commercial purposes, our Association has not objection to the power of the authorized officer power to enter the commercial premises for inspection. We are deeply concern in general with the privacy issue. The power of the authorized officer to conduct search for specimen of a scheduled species for commercial purpose is only permissible under the scenario stipulated in Section 32 of the proposed bill.

Consolidation of Scheduled Items for the Licence of Possess, Import and export

The ability of consolidation various products requiring CITES permits into one is a plus for our members and general public. This relieves the tedium of applying individual licences for each scheduled items.

Relaxation of the Requirement for Travelers of Licence to Import/Export/Possess for CITES Appendix II Fauna and Flora

The current requirement for CITES import/export permits or the Licence to Possess, especially for travelers possessing scheduled Appendix II items souvenirs for personal use is unreasonable and unfair. This restriction limits trade and the further development of the Hong Kong tourist industry. With the passage of this proposed bill, the requirement of obtaining the appropriate CITES permit is waived and it is strongly supported by our Association.

In summary, our Association thanks you sincerely for your interest in the Protection of the Endangered Species of Animals and Plants bill. Your assistance to provide a quick passage of this bill through Legislative Council to the benefits of the public and our Association is requested and very much appreciated.

Yours truly,

Chan Kay Yip
President

Cc : Mr. Cheung Chi-sun, Senior Endangered Species Protection Office, AFCD