



Chairperson of Bill committee on
Protection of endangered species of animals and plants bill
Legislative Council
Hong Kong
(Fax: 2869 6794)

21 September 2005

By fax only

Dear Hon Choy-So yuk,

Re: Kadoorie Farm and Botanic Garden's comments on
the Protection of Endangered Species of Animals and Plants Bill

Regarding the captioned bill (File Ref: EP 55/25/01 Pt.14), we would like to express the following comments:

1. One of the major failings of our existing Cap 187 is that there is no mechanism to update HK legislation to include new instructions or listings of species implemented by the CITES head office with immediate effect.

2. The current proposal appears to begin to address the above drawback. Point 7 (g) on Page 4 indicates there is a full current listing in Schedule 1 and that revisions will be made to this based on the publication by SETW of the change in the "gazette". However, the bill does not specify the conditions, which trigger the review by SETW, or the time for implementation. We recommend that there should be either a legislative or administrative mechanism to update the legislation, in particular the Appendices.

3. Regarding the amendment about enforcement, it allows for the strengthening of enforcement (the power of arrest). This is encouraging but will extra enforcing officers be taken on to fulfill the actions.

4. Regarding Pt 43 of "Disposal of forfeited things, etc" on Page 30, the "IUCN Guidelines for the Placement of Confiscated Animals" could be referred and it may assist the Director to make the decision of disposal.

Thank you for your attention

Yours faithfully,

L C Wong (Mr)
Conservation Officer
Ecological Advisory Program