

A BILL

To

Amend the Import and Export Ordinance to enable the Chief Executive in Council to make regulations that provide for a system for the lodgement, by electronic means, with the Commissioner of Customs and Excise of certain information relating to cargo to be imported into or exported from Hong Kong and to provide for incidental and connected matters.

Enacted by the Legislative Council.

1. Short title

This Ordinance may be cited as the Import and Export (Amendment) Ordinance 2007.

2. Commencement

This Ordinance shall come into operation on a day to be appointed by the Secretary for Commerce, Industry and Technology by notice published in the Gazette.

3. Power to make regulations

Section 31 of the Import and Export Ordinance (Cap. 60) is amended—

(a) in subsection (1), by adding—

“(ha) requiring any person in charge of a vehicle entering or leaving Hong Kong to give such information in respect of the vehicle as may be necessary for giving effect to this Ordinance;”;

(b) in subsection (1)(i), by adding “or any person involved in the importing or exporting of any article” after “any article”;

- (c) in subsection (1)(*ia*), by repealing “respectively in respect of any imported or exported article” and substituting “under this Ordinance”;
- (d) in subsection (1), by adding—
 - “(wa) empowering the Commissioner to grant exemptions from any requirements of the regulations respecting the furnishing of information to the Commissioner;”.

Explanatory Memorandum

The main object of this Bill is to extend the regulation making power under section 31 of the Import and Export Ordinance (Cap. 60) (“the Ordinance”) so that a system for the lodgement with the Commissioner of Customs and Excise (“the Commissioner”), by electronic means, of information relating to any cargo to be imported or exported can be provided for under regulations made under that section.

2. Clause 3(*a*) adds new provisions to enable the enactment of regulations requiring a person in charge of a vehicle entering or leaving Hong Kong to give certain information in respect of the vehicle.

3. Clause 3(*b*) amends section 31(1)(*i*) of the Ordinance to enable the enactment of regulations requiring an importer or exporter of any cargo or a person involved in importing or exporting the cargo to give certain information relating to the cargo.

4. Clause 3(*c*) amends section 31(1)(*ia*) of the Ordinance to enable the enactment of regulations empowering the Commissioner and the Director-General of Trade and Industry to specify any form or requirement for giving information to them under the Ordinance.

5. Clause 3(*d*) adds new provisions to enable the enactment of regulations empowering the Commissioner to grant exemptions from any requirements of the regulations respecting the furnishing of information to the Commissioner.