

IMPORT AND EXPORT ORDINANCE

RESOLUTION

(Under section 31(4) of the Import and Export Ordinance (Cap. 60))

RESOLVED that the Import and Export (Registration)(Amendment) Regulation 2008, made by the Chief Executive in Council on 15 January 2008, be approved.

IMPORT AND EXPORT (REGISTRATION) (AMENDMENT) REGULATION 2008

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

1. Charges payable on lodgement of declarations

(1) Regulation 8(3) of the Import and Export (Registration) Regulations (Cap. 60 sub. leg. E) is repealed and the following substituted –

“(3) No charge shall be payable under paragraph (1)(b), (c) or (d) by an air transport undertaking operating air services on international or regional routes in respect of a declaration lodged by it relating solely to aircraft parts or accessories which are imported or exported for the purpose of being –

- (a) used in the repair or maintenance of aircraft owned or chartered by such undertaking and operated by it on any international or regional air route; or
- (b) given in non-profitable exchange for any other aircraft part or accessory to any other similar air transport undertaking for a similar use,

and which are used for such purpose or so given and used.”.

(2) Regulation 8 is amended by adding –

“(3A) No charge shall be payable under paragraph (1)(b) by a transport undertaking operating sea or air freight transport services on international or regional routes in respect of a declaration lodged by it relating solely to articles which are –

- (a) imported for the purpose of being used in the repair and maintenance of freight containers operated by that undertaking in the transport of goods by sea or air on its international or regional routes; and
- (b) so used.”.

Clerk to the Executive Council

COUNCIL CHAMBER

15 January 2008

Explanatory Note

This Regulation amends the Import and Export (Registration) Regulations (Cap. 60 sub. leg. E) (the “principal Regulations”).

2. Under regulations 4 and 5 of the principal Regulations, every person who imports, exports or re-exports any article other than an exempted article as set out in regulation 3 of the principal Regulations is required to lodge with the Commissioner of Customs and Excise an accurate and complete import or export declaration relating to such article within 14 days after the importation or exportation of the article.

3. Under regulation 8 of the principal Regulations, every person who lodges an import or export declaration shall pay certain prescribed charges.

4. The Regulation clarifies the following exemptions under regulation 8 of the principal Regulations –

- (a) no charge shall be payable under regulation 8(1)(b), (c) or (d) of the principal Regulations by certain air transport undertakings operating air services in respect of declarations relating to certain articles imported or exported for the purpose of being –
 - (i) used in the repair or maintenance of aircraft; or
 - (ii) given in non-profitable exchange to any other similar air transport undertaking for a similar use;and
- (b) no charge shall be payable under regulation 8(1)(b) of the principal Regulations by certain transport undertakings operating sea or air freight transport services in respect of declarations relating to certain articles imported for the purpose of being used in the repair and maintenance of freight containers.