

L.N. 113 of 2010

Trade Descriptions (Place of Manufacture) (Piece-Knitted Garments) (Amendment) Order 2010

(Made by the Commissioner of Customs and Excise under section 2(2)(b)(ii) of the Trade Descriptions Ordinance (Cap. 362))

1. Commencement

This Order comes into operation on 1 January 2011.

2. Trade Descriptions (Place of Manufacture) (Piece-Knitted Garments) Order amended

The Trade Descriptions (Place of Manufacture) (Piece-Knitted Garments) Order (Cap. 362 sub. leg. H) is amended as set out in sections 3 to 5.

3. Section 2 amended (Place of manufacture)

Section 2—

Repeal

“The”

Substitute

“Subject to sections 4 and 5, the”.

4. Section 3 repealed (Non-application of Order)

Section 3—

Repeal the section.

5. Sections 4 and 5 added

At the end of the Order—

Add

“4. Exception to section 2 in case of piece-knitted garment exported under Mainland and Hong Kong Closer Economic Partnership Arrangement

- (1) This section applies to any piece-knitted garment—
 - (a) that has been exported, or is intended to be exported, from Hong Kong to the Mainland under the Mainland and Hong Kong Closer Economic Partnership Arrangement; and
 - (b) that is qualified for a zero tariff under the Arrangement.
- (2) For the purposes of the Ordinance, if a piece-knitted garment was made from knit-to-shape panels knitted in Hong Kong, but the panels were assembled into the garment outside Hong Kong, the garment is to be regarded as having been manufactured or produced in Hong Kong.
- (3) For the purposes of the Ordinance, if a piece-knitted garment was made from knit-to-shape panels knitted outside Hong Kong, but the panels were assembled into the garment in Hong Kong, the garment is to be regarded as having been manufactured or produced in Hong Kong.

- (4) In this section—

the Mainland (內地) means any part of China other than Hong Kong, Macau and Taiwan;

Mainland and Hong Kong Closer Economic Partnership Arrangement (《內地與香港關於建立更緊密經貿關係的安排》) means the Mainland and Hong Kong Closer Economic Partnership Arrangement entered into between the Central People’s Government and the Government of the Hong Kong Special Administrative

Region and signed on 29 June 2003 (including the annexes signed on 29 September 2003), as amended from time to time.

5. Exception to section 2 in case of piece-knitted garment exported under Hong Kong, China—New Zealand Closer Economic Partnership Agreement

- (1) This section applies to any piece-knitted garment—
 - (a) that has been exported, or is intended to be exported, from Hong Kong to New Zealand under the Hong Kong, China—New Zealand Closer Economic Partnership Agreement; and
 - (b) that is qualified for preferential tariff treatment under the Agreement.
- (2) For the purposes of the Ordinance, if a piece-knitted garment was made from knit-to-shape panels knitted in Hong Kong, but the panels were assembled into the garment in the Mainland, the garment is to be regarded as having been manufactured or produced in Hong Kong.

- (3) In this section—

Hong Kong, China—New Zealand Closer Economic Partnership Agreement (《中國香港與新西蘭緊密經貿合作協定》) means the Hong Kong, China—New Zealand Closer Economic Partnership Agreement entered into between the Government of the Hong Kong Special Administrative Region and the Government of New Zealand and signed on 29 March 2010, as amended from time to time;

the Mainland (內地) means any part of China other than Hong Kong, Macau and Taiwan.”

Trade Descriptions (Place of Manufacture) (Piece-Knitted Garments)
(Amendment) Order 2010

B1227

L.N. 113 of 2010

Richard M. F. YUEN
Commissioner of Customs and
Excise

30 September 2010

Explanatory Note

This Order amends the Trade Descriptions (Place of Manufacture) (Piece-Knitted Garments) Order (Cap. 362 sub. leg. H) (*the Order*) to allow certain piece-knitted garments of the following descriptions to be excepted from the general application of section 2 of the Order in deciding the place of manufacture in relation to these garments, so that they would be regarded as having been manufactured in Hong Kong—

- (a) the piece-knitted garments that have been exported, or are intended to be exported, from Hong Kong to the Mainland under the Mainland and Hong Kong Closer Economic Partnership Arrangement and that are qualified for a zero tariff under the Arrangement; or
- (b) the piece-knitted garments that have been exported, or are intended to be exported, from Hong Kong to New Zealand under the Hong Kong, China—New Zealand Closer Economic Partnership Agreement and that are qualified for preferential tariff treatment under the Agreement.