

立法會
Legislative Council

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Tel : 3919 3300

Date : 29 May 2012

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 6 June 2012

**Proposed resolution under
the Import and Export Ordinance and
the Interpretation and General Clauses Ordinance**

I forward for Members' consideration a proposed resolution (**Appendix I**) which the Secretary for Commerce and Economic Development ("SCED") will move at the Council meeting of 6 June 2012 under the Import and Export Ordinance (Cap. 60) and the Interpretation and General Clauses Ordinance (Cap.1).

2. Given the explanation provided by SCED in his letter of 28 May 2012 (**Appendix II**), the President has waived the required notice of the proposed resolution and directed that "it be printed in the terms in which it was handed in" on the Agenda for the Council meeting of 6 June 2012.

3. The speech (**Appendix III**) in both Chinese and English which the Secretary will deliver when moving the proposed resolution is also attached.

(Mrs Justina LAM)
for Clerk to the Legislative Council

Encl.

**Import and Export Ordinance
and
Interpretation and General Clauses Ordinance**

Resolution

(Under section 31(4) of the Import and Export Ordinance (Cap. 60) and section 35 of the Interpretation and General Clauses Ordinance (Cap. 1))

**Import and Export (Registration) (Amendment)
Regulation 2012**

Resolved that the Import and Export (Registration) (Amendment) Regulation 2012, made by the Chief Executive in Council on 17 April 2012, be approved, subject to the amendments as set out in the Schedule.

Schedule

**Amendments to Import and Export (Registration)
(Amendment) Regulation 2012**

1. **Section 1 amended (commencement)**
Section 1—
Delete
“June”
Substitute
“July”.
2. **Section 4 amended (regulation 16 added)**
 - (1) Section 4, new regulation 16(a)—
Delete
“June”
Substitute
“July”.
 - (2) Section 4, new regulation 16(b)—
Delete
“June”
Substitute
“July”.

Import and Export (Registration) (Amendment) Regulation 2012

(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. Commencement**
This Regulation comes into operation on 1 June 2012.
- 2. Import and Export (Registration) Regulations amended**
The Import and Export (Registration) Regulations (Cap. 60 sub. leg. E) are amended as set out in sections 3 and 4.
- 3. Regulation 8 amended (charges payable on lodgement of declarations)**
 - (1) Regulation 8(1)(a)—
Repeal
“50”
Substitute
“20”.
 - (2) Regulation 8(1)(b)(i)—
Repeal
“50”
Substitute
“20”.
 - (3) Regulation 8(1)(b)(ii)—
Repeal
“50”
Substitute

- “20”.
- (4) Regulation 8(1)(b)(ii)—
Repeal
“25”
Substitute
“12.5”.
 - (5) Regulation 8(1)(c)(i)—
Repeal
“50”
Substitute
“20”.
 - (6) Regulation 8(1)(c)(ii)—
Repeal
“50”
Substitute
“20”.
 - (7) Regulation 8(1)(c)(ii)—
Repeal
“25”
Substitute
“12.5”.
 - (8) Regulation 8(1)(d)(i)—
Repeal
“50”
Substitute
“20”.
 - (9) Regulation 8(1)(d)(ii)—
Repeal

“50”

Substitute

“20”.

(10) Regulation 8(1)(d)(ii)—

Repeal

“25”

Substitute

“12.5”.

4. Regulation 16 added

After regulation 15—

Add

“16. Transitional provision (Import and Export (Registration) (Amendment) Regulation 2012)

Regulation 8(1), as amended by the Import and Export (Registration) (Amendment) Regulation 2012, applies in relation to—

- (a) import declarations relating to articles imported on or after 1 June 2012; and
- (b) export declarations relating to articles exported (including re-exported) on or after 1 June 2012.”.



Clerk to the Executive Council

COUNCIL CHAMBER

17 APRIL 2012

Explanatory Note

This Regulation amends regulation 8(1) of the Import and Export (Registration) Regulations (Cap. 60 sub. leg. E) to reduce the charges for import and export declarations.

2. The particulars of the reduction of charges are as follows—
 - (a) in respect of an import declaration relating to an article specified in Appendix I of the Imports and Exports Classification List, a reduction from 50 cents to 20 cents;
 - (b) in respect of any other import declaration or an export declaration—
 - (i) if the relevant value does not exceed \$46,000, a reduction from 50 cents to 20 cents; or
 - (ii) if the relevant value exceeds \$46,000—
 - (A) for the first \$46,000 of the value, a reduction from 50 cents to 20 cents; and
 - (B) for each additional \$1,000 of the value or part of it, a reduction from 25 cents to 12.5 cents.

附錄 II

Appendix II

(只備英文本)

(English version only)

商務及經濟發展局局長

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28 May 2012

The Honourable Jasper Tsang Yok-sing, GBS, JP
The President of the Legislative Council
Legislative Council Complex
1 Legislative Council Road
Central
Hong Kong

Dear President,

**Notice of Motion by the Administration –
Proposed Resolution under Section 31(4) of the
Import and Export Ordinance (Cap. 60)**

I refer to the notice I gave on 17 April 2012 to move a motion at the Legislative Council (LegCo) sitting on 9 May 2012 for the passage of a LegCo resolution to amend the Import and Export (Registration) (Amendment) Regulation 2012 to reduce the import and export declaration charges specified in the Import and Export (Registration) Regulations under the Import and Export Ordinance.


As a result of the deferral of the discussion on the motion at the LegCo meeting on 9 May 2012, I have informed the Clerk to the Legislative Council on 28 May 2012 of my withdrawal of the original notice of motion and my plan to give fresh notice of motion to provide for a deferred commencement date.

I hereby give fresh notice of motion to seek the LegCo's approval of the amendment at the LegCo meeting on 6 June 2012. In this regard, I attach a notice of motion together with the revised motion, which seek to amend by resolution the commencement date of the amendment. My speech to be made when moving the motion is also attached.

There is no change to the contents of the amendment regulation and the withdrawal of my original notice of motion was solely due to a deferral of the discussion of the motion. I would therefore like to seek your approval to waive the normal 20-day notice in respect of the fresh notice to move the motion at the LegCo meeting on 6 June 2012 to approve the amendment.

I should be most grateful if you would give the matter favourable consideration.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Greg So', with a large, sweeping flourish underneath.

(Greg So)

Secretary for Commerce and Economic Development

(Translation)

**Speech by the
Secretary for Commerce and Economic Development
in Legislative Council on 6 June 2012**

**Import and Export (Registration)
(Amendment) Regulation 2012**

Mr. President,

I move that the motion as set out under my name on the Agenda be passed.

2. The purpose of this resolution is to reduce the import and export declaration charges (TDEC) specified in the Import and Export (Registration) Regulations under the Import and Export Ordinance.

3. The Financial Secretary announced in his Budget Speech on 1 February 2012 a package of support measures for the business sector. One of the measures is to reduce TDEC across-the-board by half to ease the business cost for the import and export trade.

4. The proposed reduction of TDEC would have positive effects for Hong Kong's external trade as it would

lower the transaction cost, and thus, directly benefitting the import and export trade sector generally. We estimate that the proposal will help each company that lodges trade declarations to save about \$9,000 a year on average. We estimate that the proposal will result in about \$750 million loss in TDEC receipts for the Government in each year.

5. If the resolution is passed, the Government intends to implement the new TDEC rates on 1 July 2012.

6. Mr. President, I move the motion and hope that the resolution be passed with Members' support.