

L.N. 25 of 2013

**Import and Export (General) (Amendment) Regulation
2013**

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

1. Commencement

This Regulation comes into operation on 1 March 2013.

2. Import and Export (General) Regulations amended

The Import and Export (General) Regulations (Cap. 60 sub.
leg. A) are amended as set out in sections 3, 4 and 5.

3. Regulation 2 amended (interpretation)

Regulation 2—

Add in alphabetical order

“*powdered formula* (配方粉) means a substance in powder
form that—

- (a) is or appears to be for consumption by a person
aged under 36 months; and
- (b) is or appears to be milk or milk-like substance in
powder form to satisfy wholly or partly the
nutritional requirement of a person aged under 36
months;”.

4. Regulation 6 amended (application and exemption)

After regulation 6(1C)—

Add

“(1D) Section 6D(1) of the Ordinance does not apply to powdered formula (whether of the same composition and whether in one or more containers) that is exported in the accompanied personal baggage of a person aged 16 or above leaving Hong Kong—

(a) if—

- (i) the person did not leave Hong Kong in the last 24 hours; and
- (ii) the formula does not exceed 1.8 kg in total net weight; or

(b) if—

- (i) the person left Hong Kong one or more times in the last 24 hours;
- (ii) the person is leaving Hong Kong together with a person aged under 36 months (*child*); and
- (iii) the formula is in an unsealed container and does not exceed a reasonable quantity for the child’s consumption during the travelling time from a point of exit in Hong Kong to the next point of entry in a place outside Hong Kong.”.

5. Schedule 2 amended

Schedule 2, Part 1, after item 8—

Add

“9.	Powdered formula.	All places outside Hong Kong.”.
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Kinnie WONG
Clerk to the Executive Council

COUNCIL CHAMBER

22 February 2013

Explanatory Note

The object of this Regulation is to amend the Import and Export (General) Regulations (Cap. 60 sub. leg. A) to prohibit the export of powdered formula (as defined under a new definition) to all places outside Hong Kong, except under an export licence or an exemption.

2. The prohibition covers all substances in powder form that are or appear to be for consumption by a person aged under 36 months (*child*), and are or appear to be milk or milk-like substances in powder form to satisfy wholly or partly the nutritional requirement of a child (*powdered formula*).
3. To allow a reasonable quantity for personal use, the prohibition does not apply to powdered formula not exceeding 1.8 kg in total net weight that is exported in the accompanied personal baggage of a person leaving Hong Kong. However, the person must be aged 16 or above who did not in the last 24 hours leave Hong Kong.
4. In addition, provisions are made to cater for the need of children leaving Hong Kong together with a person aged 16 or above who left Hong Kong one or more times in the last 24 hours. The prohibition does not apply to powdered formula, not exceeding a reasonable quantity for the children's consumption during the travelling time from a point of exit in Hong Kong to the next point of entry in a place outside Hong Kong, that is exported in the accompanied personal baggage of such a person. However, the formula must be in an unsealed container.