

漁農自然護理署
九龍長沙灣道三零三號
長沙灣政府合署五樓



AGRICULTURE, FISHERIES AND
CONSERVATION DEPARTMENT
Cheung Sha Wan Government Offices
303 Cheung Sha Wan Road, 5th Floor
Kowloon, Hong Kong

本署檔號 OUR REF.: (2) in AF CR 1-160/74/2 PT. 7
來函檔號 YOUR REF.: CB4/PAC/R76
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7 June 2021

The Public Accounts Committee
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong
(Attn: Ms. Wendy JAN)

Dear Ms. JAN,

Public Accounts Committee
Consideration of Chapter 3 of the Director of Audit's Report No. 76
Control of trade in endangered species by
the Agriculture, Fisheries and Conservation Department

Thank you for your letter of 3 June 2021 concerning further questions raised by members on Chapter 3 of Director of Audit's Report No. 76. We are pleased to provide our response to the questions raised in the Appendix.

For any further questions, please contact the undersigned or our Senior Endangered Species Protection Officer, Mr. KWAN Sai-ping, Boris (Tel. 2150 6980).

Yours sincerely,

(LAI Kin-ming)

for Director of Agriculture, Fisheries and Conservation

Encl.

c.c. Secretary for the Environment (email: sen@enb.gov.hk)
Secretary for Financial Services and the Treasury (email: sfst@fstb.gov.hk)
Director of Audit (email: john_nc_chu@aud.gov.hk)

**Response to questions asked and information requested by
the Public Accounts Committee of the Legislative Council
in relation to the control of trade in endangered species
by the Agriculture, Fisheries and Conservation Department
in Chapter 3 of the Director of Audit's Report No. 76**

Q1: With regard to the reply to question 2 (paragraphs 2.4(a) and 2.6 of the Audit Report) made by the Agriculture, Fisheries and Conservation Department, please provide a sample of an inspection report, and advise whether staff will be recruited to fill the vacancies as soon as possible.

A1: The Agriculture, Fisheries and Conservation Department (AFCD) is recruiting contract staff to fill the relevant vacancies and will keep in view the trade volume of endangered species so as to make timely internal redeployment to increase manpower to handle relevant work. A sample of an inspection report is at Enclosure.

Q2: With regard to the reply to question 9 (paragraph 2.15 of the Audit Report), apart from reminding officers concerned to record the measurement of the keeping facilities, would inspection officers be required to record the measurement clearly on the application documents in the future to avoid a lack of standard in processing applications?

A2: The AFCD has reminded inspection officers that they are required to record the measurements and attach photos of the keeping facilities in the inspection reports after inspection of the keeping premises. Supervisors will also examine the inspection reports to ensure that relevant information is recorded. The inspection reports shall then be enclosed in the relevant licence application files. As such, the application files will contain records of the measurements of the keeping facilities.

Q3: With regard to the reply to question 19 (paragraphs 3.18 to 3.22 of the Audit Report), please set out the details of the reward levels, including the ways to determine the levels and whether such data has ever been disclosed to the public.

A3: The reward scheme and the reward levels were established with the approval from the then Finance Bureau in 1999. The reward levels are mainly determined in accordance with the level of the fine imposed and the attractiveness of the reward. Under the reward scheme, if the intelligence leads to successful prosecution of the

***Note by Clerk, PAC: See Appendix 9 to this Report for the reply from Director of Agriculture, Fisheries and Conservation, and only extract of inspection report is attached.**

offender, the registered informer may receive an amount equivalent to 10% of the fine imposed as a reward with a ceiling of \$50,000. If the penalty is non-monetary or if the intelligence does not lead to successful prosecution of the offender, but resulted in seizure of relevant specimens by the AFCD, the registered informer may receive 10% of the estimated market value of the seized specimens as a reward with a ceiling of \$5,000. When the reward scheme was established, AFCD had issued a relevant press release. Currently, they will explain details of the reward levels to all newly registered informers. The AFCD is conducting a comprehensive review on the reward scheme which includes enhancing publicity to the general public and disseminating details of the reward scheme.

Q4: With regard to the reply to question 20 (paragraph 4.7 of the Audit Report), although the latest stocktaking exercise was smoothly completed in April this year, would the Department take measures to ensure that the stocktaking exercise on dead specimens is to be conducted annually in the future? If yes, what are the details? If not, what are the reasons?

A4: The annual stocktaking exercise is laid out in the operation manual of the Endangered Species Protection Division. Officers of the division are required to perform the concerned work according to the operation manual. The AFCD will make use of the bring-up mechanism to ensure that relevant officers are reminded to conduct the annual stocktaking exercise every year according to the schedule.

***Note by Clerk, PAC: See Appendix 9 to this Report for the reply from Director of Agriculture, Fisheries and Conservation.**

Print Date : 17/01/2020

Endangered Species Protection Division

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Import Inspection Report

Export Permit No. : [REDACTED] Country : ID (INDONESIA)
Retrospective Inspection : NO Released w/o Insp. : NO
Importer : [REDACTED] Purpose : COMMERCIAL / TRADE
Actual Import Date : 17/01/2020 Info Reference No. :
Inspection Date : 17/01/2020 ESP Case No. :
Inspection Ratio : 177.000/177.000 100.00% TA
Inspection Location : YUE SHI CHEUNG ROAD, ABERDEEN AWB/Bill of Lading : IMPORTING VESSEL : [REDACTED]
Remarks : IMPORTED 177 TAILS OF LIVE CHEILINUS UNDULATUS IN TOTAL.

<u>Specimen</u>	<u>Licensed Qty</u>	<u>Inspected Qty</u>	<u>%Inspected</u>	<u>Irregularity</u>
LIVE	200 TAIL	177	100 %	NO

Species : CHEILINUS UNDULATUS (HUMPHEAD WRASSE)
Appendix (Source) : II (R)
Country of Origin and Permit No. : INDONESIA [REDACTED]
Country of Previous Export and Permit No. :

Remarks :

Additional Information : Total Count: 0 Imported: 0 Not Imported: 0

Inspection Officer :

(LEE LAI FAN)

Designation : FO(EP)25

Report Date : 17/01/2020

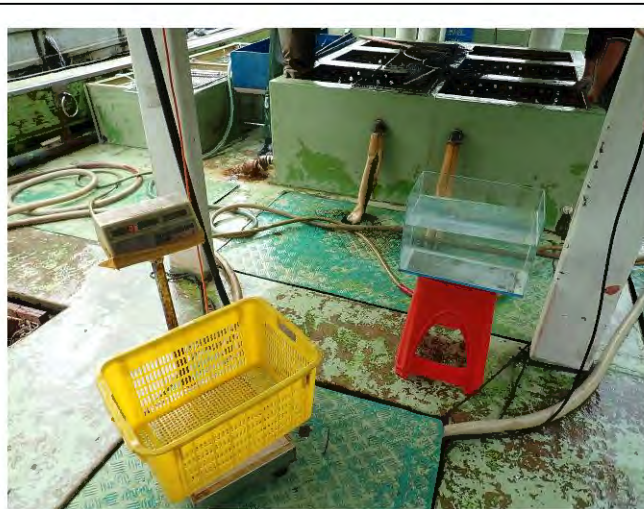
**Photo Report for *Cheilinus undulatus* (Humphead Wrasses)
Import Inspection under the CITES Export Permit
([REDACTED]) on 17.1.2020**

Cheilinus undulatus were imported by vessel (no. [REDACTED]) from Indonesia to Hong Kong on 17.1.2020

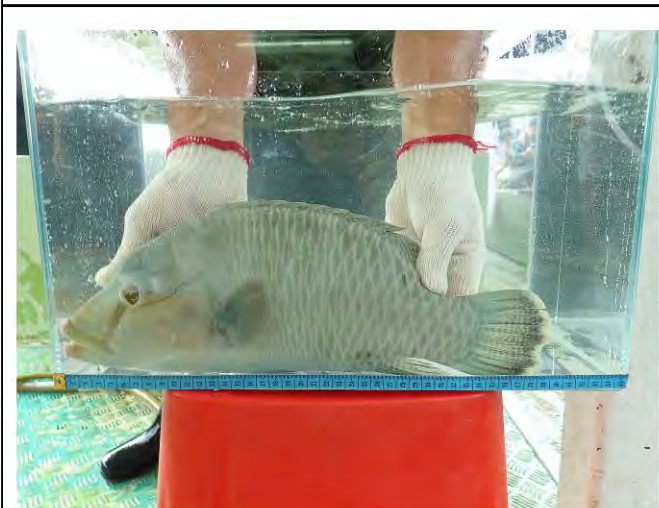


The working environment on the vessel (no: [REDACTED]):





Taking measurements of 40 heads of *Cheilinus undulates*:



1. The length was 39 cm, 1.35 kg



CONVENTION ON INTERNATIONAL
TRADE IN ENDANGERED SPECIES
OF WILD FAUNA AND FLORA



KEMENTERIAN LINGKUNGAN HIDUP DAN KEHUTANAN
DIREKTORAT JENDERAL KONSERVASI SUMBER DAYA ALAM DAN EKOSISTEM
MINISTRY OF ENVIRONMENT AND FORESTRY
DIRECTORATE GENERAL OF ECOSYSTEM AND NATURAL RESOURCES CONSERVATION



Alamat : Manggala Wanabhakti, Blok-VII LL.7 Jl. Gatot Subroto Jakarta 10270 Telp. (62-21) 5720227, 5704501-04 Ext.769, Fax. (62-21) 5720227, 5734818
Address e-mail: subditlp.ditkhh@gmail.com

I. Surat Angkut Tumbuhan dan Satwa Liar Permit No. : [REDACTED] Export Import Re-export Others

II. Diberikan Kepada (nama, alamat, negara) Permitee (name, address, country) : [REDACTED]

III. Dikirim Kepada (nama, alamat, negara) Consignee (name, address, country) : [REDACTED]

IV. Berlaku sampai dengan / Valid until : 25 March 2020

V. Pelabuhan Tujuan / Place Port of destination : Hong Kong

VI. Pelabuhan Pemberangkatan / Port of exportation : Tanjung Pinang

VII. Maksud transaksi / Purpose of transaction : Commercial

VIII. Pemegang sertifikat ini diberi ijin untuk mengekspor/mengimpor satwa dan tumbuhan sebagai berikut
The above mentioned permittee is authorized to export/import the wild animals and plants specified here order

No.	Nama Jenis Name of species (Scientific Name, Indonesia, Common)	Jumlah Quantity	Kelamin dan keterangan lain tentang spesimen Sex and/or other description of specimens	Appendiks (Sumber) Appendices (Source)	Jumlah yang telah dikirim/ kuota (Tahun) Total exported / Quota (Year)
1	Cheilinus undulatus * ; Ikan Napoleon; Napoleon Wrasse	200 Head(s)	Live	II(R)	6,900 / 15000 (2019)
TOTAL		200 (Two hundred)			

-200 heads-
RELEASED BY
L.F. LEE FO(EP)(25)
AGRICULTURE, FISHERIES AND CONSERVATION DEPARTMENT
17-1-2020

100% INSPECTED
Tueshi Cheung Road,
Aberdeen

CANCELLED

IX. Syarat khusus : Tidak sah apabila ada coretan/koreksi : untuk satwa hidup, hanya berlaku apabila pengangkutannya sesuai dengan peraturan IATA untuk satu kali pengiriman
Special conditions : Not valid for any correction : For live animals this permit is only valid if the transport conditions conform to the guidelines for transport of live animals, or IATA regulation and valid for one shipment only

Security Stamp No: 1856726: Issued in lieu of the unused permit No. [REDACTED] Rancing specimen.

X. Sertifikat ini diterbitkan oleh
This permit is issued by

ATAS NAMA DIREKTUR JENDERAL
KONSERVASI SUMBER BAYU ALAM DAN EKOSISTEM
FOR THE DIRECTOR GENERAL
OF ECOSYSTEM AND NATURAL RESOURCES CONSERVATION

MOH HARYONO

1856726

Jakarta, 26/1/2020

XI. Diisi oleh petugas pemeriksa pengiriman
To be completed by official who inspect the shipment

Lihat kolom jenis/See column of species		No. Bukti Pengiriman Bill of Lading (Airway bill number)
No.	Jumlah/Quantity	Tanggal Date
1.	200 (Two Hundred heads Live)	10 Januari 2020
2.		
3.		Pelabuhan pemberangkatan Port of exportation : Tanjung Pinang
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		

FATEUR, 2021 S.S.Si.
NIP. 1994080120021001

XII. Pembaharuan
Renewal

Berlaku sampai dengan
Valid until

Dikirim kepada (nama, alamat, negara)
Consignee (name, address, country)

Pelabuhan pemberangkatan
Port of exportation

Pelabuhan tujuan
Port of destination

Tanggal
Date

Cap
Official stamp

Tanda tangan
Signature