

LN163-E

L. N. 163 of 2000

Animals and Plants (Protection of Endangered Species) (Exemption) (Amendment) Order 2000

(Made under section 18 of the Animals and Plants (Protection of Endangered Species) Ordinance (Cap. 187) after consultation with the Executive Council)

1. Commencement

This Order shall come into operation on a day to be appointed by the Secretary for the Environment and Food by notice in the Gazette.

2. Interpretation

Paragraph 1A(1) of the Animals and Plants (Protection of Endangered Species) (Exemption) Order (Cap. 187 sub. leg.) is amended, in the definition of "personal effects"---

(a) by renumbering paragraphs (a), (aa) and (b) as subparagraphs (i), (ii) and (iii);

(b) by repealing "property made" and substituting---

"property---

(a) made";

(c) by adding---

"(b) which are artificially propagated plants in their natural form".

3. Exemption in respect of possession or control of certain scheduled animals, animal parts and plants

Paragraph 5 is amended---

(a) by renumbering it as paragraph 5(1);

(b) in subparagraph (1)---

(i) in sub-subparagraph (c), by repealing "or";

(ii) in sub-subparagraph (d), by repealing the full stop and substituting "; or";

(iii) by adding---

"(e) subject to subparagraph (2), of any artificially propagated plant specified in Part 1 of Schedule 3 to the Ordinance.";

(c) by adding---

"(2) Section 6 of the Ordinance does not apply to the possession or control of an artificially propagated plant referred to in subparagraph (1)(e), which is intended for the purpose of trade or business, only if a record of transactions in respect of the plant is kept by a person who is in possession or control of it in

a form specified by the Director or in any other form which sets out the information required to be furnished in the specified form".

4. Exemption in respect of
personal effects

Paragraph 8(1) is repealed and the following substituted---

"(1) Sections 4, 5 and 6 of the Ordinance shall not apply to the import, export, possession or control of any personal effects---

(a) made from any scheduled animal part (other than any animal part of an animal specified in Part III of the Schedule) or of any scheduled plant; or

(b) which are artificially propagated plants in their natural form".

5. Exemption in respect of import of
scheduled animals, animal parts
and plants

Paragraph 10(1) is amended---

(a) in sub-subparagraph (b), by repealing "or";

(b) in sub-subparagraph (c), by repealing the full stop and substituting "; or";

(c) by adding---

"(d) any artificially propagated plant specified in Part 1 of Schedule 3 to the Ordinance. "

TUNG Chee-hwa

Chief Executive

18 May 2000

Explanatory Note

This Order amends the Animals and Plants (Protection of Endangered Species) (Exemption) Order (Cap. 187 sub. leg.) to widen the present exemptions in relation to the import, possession or control of artificially propagated plant species specified in Schedule 3 to the Animals and Plants (Protection of Endangered Species) Ordinance (Cap. 187).