

L. N. 322 of 1999

Import and Export (Registration)

(Amendment) Regulation 1999

(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 shall come into operation on a day to be appointed by the Secretary for Trade and Industry by notice in the Gazette.

2. Import declarations

Regulation 4 of the Import and Export (Registration) Regulations (Cap. 60 sub. leg.) is amended---

(a) by repealing paragraph (1) and substituting---

"(1) Every person who imports any article other than an exempted article shall lodge with the Commissioner an accurate and complete import declaration relating to such article using services provided by a specified body, in accordance with the requirements that the Commissioner may specify. ";

(b) by repealing paragraph (4);

(c) by repealing paragraph (7) and substituting---

"(7) The Commissioner may, on the lodgement of any import declaration that is incomplete in any respect, refuse to accept the declaration until it is completed in every respect and upon such refusal the declaration shall be deemed not to have been lodged with the Commissioner. ".

3. Export declarations

Regulation 5 is amended---

(a) by repealing paragraph (1) and substituting---

"(1) Every person who exports or re-exports any article other than an exempted article shall lodge with the Commissioner an accurate and complete export declaration relating to such article using services provided by a specified body, in accordance with the requirements that the Commissioner may specify. ";

(b) by repealing paragraph (4);

(c) by repealing paragraph (7) and substituting---

"(7) The Commissioner may, on the lodgement of any export declaration that is incomplete in any respect, refuse to accept the declaration until it is completed in every respect and upon such refusal the declaration shall be deemed not to have been lodged with the Commissioner. ".

4. Place and manner of lodging declarations

Regulation 6 is repealed.

5. Charges payable on the late lodgement of declarations

Regulation 7(1) is amended by repealing "regulations 4 and 6 or regulations 5 and 6" and substituting "regulation 4 or 5".

6. Charges payable on lodgement of declarations

Regulation 8 is amended---

(a) by repealing paragraphs (1), (1A), (2) and (2A) and substituting---

"(1) Every person who lodges an import declaration under regulation 4(1) or an export declaration under regulation 5(1) shall pay---

(a) in respect of an import declaration relating to an article or articles specified in Appendix I of the Imports and Exports Classification List, a charge of 50 cents, irrespective of the value of the article or the aggregate value of the articles specified in the declaration;

(b) in respect of any other import declaration---

(i) where the value of the article or the aggregate value of the articles specified in the declaration does not exceed \$46,000, a charge of 50 cents;

(ii) where the value of the article or the aggregate value of the articles specified in the declaration exceeds \$46,000, a charge calculated at the rate of 50 cents for the first 46,000 dollars' value and 25 cents for each additional 1,000 dollars' value or part thereof and rounded up to the nearest 10 cents;

(c) in respect of any export declaration for articles for which the origin country code refers to the Hong Kong Special Administrative Region---

(i) where the value of the article or the aggregate value of the articles specified in the declaration does not exceed \$46,000, a charge of 50 cents;

(ii) where the value of the article or the aggregate value of the articles specified in the declaration exceeds \$46,000, a charge calculated at the rate of 50 cents for the first 46,000 dollars' value and 25 cents for each additional 1,000 dollars' value or part thereof and rounded up to the nearest 10 cents; and

(d) in respect of any export declaration for articles other than those referred to in subparagraph (c)---

(i) where the value of the article or the aggregate value of the articles specified in the declaration does not exceed \$46,000, a charge of 50 cents;

(ii) where the value of the article or the aggregate value of the articles specified in the declaration exceeds \$46,000, a charge calculated at the rate of 50 cents for the first 46,000 dollars' value and 25 cents for each additional 1,000 dollars' value or part thereof and rounded up to the nearest 10 cents.

(1A) For the purposes of paragraph (1)(c), the origin country code shall

be determined in accordance with the Hong Kong Electronic Data Interchange Implementation Instructions for Import/Export Declarations.

(2) The charge under paragraph (1) in respect of every import declaration and export declaration shall be paid in the manner agreed by the Government and the specified body whose services are used for lodging the declaration. ";

(b) in paragraph (3), by repealing "(1)(b)" and substituting "(1)(c)".

7. Publication of forms and requirements specified by the Commissioner

Regulation 14(1) is repealed.

Mable CHAN

Clerk to the Executive Council

Council Chamber

16 November 1999

Explanatory Note

At present, import and export declarations may be lodged with the Commissioner of Customs and Excise in person or by using information technology services provided by a specified body within the meaning of the Import and Export Ordinance (Cap. 60). This Regulation amends the Import and Export (Registration) Regulations (Cap. 60 sub. leg.) to remove lodgement in person as a method of lodging import and export declarations.