

**立法會**  
**Legislative Council**

LC Paper No. LS132/02-03

**Paper for the House Committee Meeting  
on 27 June 2003**

**Legal Service Division Report on  
Import and Export (Facilitation) Bill 2003**

**I. SUMMARY**

- 1. Objects of the Bill**            This Bill seeks to provide for the relaxation of import, export and transportation control on certain articles.
  
- 2. Comments**
  - (a) The Carriage Licence for air conditioners and refrigerators and the export certification requirement for television sets, video cassette recorders and players and poultry carcasses and products will be removed.
  
  - (b) The Import Licence and Export Licence for left hand drive vehicles and outboard engines exceeding 111.9 kilowatts will be removed while their Carriage Licences will be retained.
  
  - (c) The relevant permits for marine fish as transshipment cargoes and Notification of Exports will be removed.
  
  - (d) A combined Import and Export Licence will be introduced for transshipment of ozone depleting substances.
  
  - (e) Instead of licensing controls, a pre-shipment notification system will be introduced for optical disc mastering and replication equipment, and radiocommunications transmitting apparatus.
  
- 3. Public Consultation**        Relevant trades have been consulted. They all welcome the relaxation measures.
  
- 4. Consultation with LegCo Panels**        The policy aspects of the Bill were discussed at the meeting of the Panel on Commerce and Industry on 14 April 2003.
  
- 5. Conclusion**                 Subject to Members' views on the policy aspects of this Bill, Members may wish to defer a decision on the Bill pending our submission of a further report on its technical aspects.

## II. REPORT

### Objects of the Bill

To amend three Ordinances and seven regulations so as to remove or relax the import, export and transportation control on television sets, video cassette recorders, video cassette players, air conditioners, refrigerators, poultry carcasses and poultry products, left hand drive vehicles, outboard engines exceeding 111.9 kilowatts, marine fish, ozone depleting substances, optical disc mastering and replication equipment and radiocommunications transmitting apparatus.

### LegCo Brief Reference

2. L/M (3) in CIB/BSPU CR 2/60/1 dated 11 June 2003 issued by the Commerce, Industry and Technology Bureau.

### Date of First Reading

3. 25 June 2003.

### Comments

4. According to the Administration, there are 31 categories of articles currently subject to licensing control on their import, export and transshipment, and in some cases, their storage or movement in Hong Kong. The controls are imposed mainly for the purposes of fulfilling the international obligations of Hong Kong, public health or safety, anti-smuggling, or protection of public revenue.

5. To facilitate trade, the Administration has reviewed the licensing control and proposed to relax licensing control on the following categories of articles. Details of the relaxation are listed as follows-

Categories of articles	Existing licensing control	Applicable Ordinance or sub. leg.	Proposed relaxation under the Bill
<b>A. <i>Removing licensing or export certification requirement entirely</i></b>			
Television sets, video cassette recorders and video cassette players	Export Licence	Import and Export (Prescribed Articles) Regulations (Cap. 60 sub. leg. D)	To be removed under section 12, Schedule 1.
	Carriage Licence (if carried on board by vessel less than 250 gross tons)	Import and Export (Carriage of Articles) Regulations (Cap. 60 sub. leg. I)	To be removed under section 13, Schedule 1.  These articles are no longer popular items for smuggling.

Air conditioners and refrigerators	Carriage Licence (if carried on board by vessel less than 250 gross tons)	Import and Export (Carriage of Articles) Regulations (Cap. 60 sub. leg. I)	To be removed under section 13, Schedule 1. These articles are no longer popular items for smuggling.
Poultry carcasses and poultry products	Export Certificate	Poultry (Slaughtering for Export) Regulations (Cap. 139 sub. leg. E)	The export certificate requirement for U.S.A. to be removed under Schedule 3 because at present, Hong Kong is not exporting any poultry products to U.S.A.
<b>B. Removing some licensing control or combining import and export licences</b>			
Left hand drive vehicles and outboard engines exceeding 111.9 kilowatts	Import Licence Export Licence  Carriage Licence (if carried on board by vessel less than 250 gross tons)	Import and Export (General) Regulations (Cap. 60 sub. leg. A)  Import and Export (Carriage of Articles) Regulations (Cap. 60 sub. leg. I)	Import and Export Licences to be removed under sections 8 and 9, Schedule 1.  Carriage Licence to be retained under section 13, Schedule 1 for anti-smuggling reasons.
Marine fish	Landing Permit Transportation Permit Export Permit Notification of Exports	Marine Fish (Marketing and Exportation) Regulations (Cap. 291 sub. leg. A)	The Landing Permit, Transportation Permit and Export Permit for marine fish as transshipment cargoes and Notification of Exports to be removed under Schedule 4.
Ozone depleting substances	Import Licence Export Licence	Import and Export Ordinance (Cap. 60)  Import and Export Manifests Notice (Cap. 60 sub. leg. C)  Ozone Layer Protection Ordinance and its subsidiary legislation (Cap. 403)	A combined Import and Export Licence at HK\$1,330 to be introduced for transshipment cargoes under sections 1 and 11, Schedule 1 and Schedule 5.

<b>C. Replacing licensing requirements with a notification system</b>			
Optical disc mastering and replication equipment	Import Licence Export Licence	Import and Export (General) Regulations (Cap. 60 sub. leg. A)	To replace the licensing control on other modes of transshipment with a new pre-shipment notification system under sections 2 to 7, and 10, Schedule 1.
Radiocommunications transmitting apparatus	Import Permit Export Permit	Telecommunications Ordinance (Cap. 106)	The import and export permit to be replaced by a new pre-shipment notification system under Schedule 2.

6. According to the Administration, the relaxation measures in respect of strategic commodities, pesticides, radioactive substances and irradiating apparatus and firearms and ammunition will be pursued separately.

### **Public Consultation**

7. The Trade and Industry Advisory Board, the Small and Medium Enterprises Committee, the Business Advisory Group, the Advisory Council of the Environment as well as over 50 relevant trading and transport associations and companies have been consulted. They all welcome the relaxation measures.

### **Consultation with LegCo Panel**

8. The Panel on Commerce and Industry was consulted on the proposal at the meeting held on 14 April 2003. Members of the Panel were generally in support of the Administration's proposal. Some members did not support relaxing the licensing control on strategic commodities and firearms and ammunition, which are not covered by the Bill.

### **Conclusion**

9. Subject to Members' views on the policy aspects of this Bill, Members may wish to defer a decision on the Bill pending our submission of a further report on its technical aspects.

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