

L.N. 50 of 2006**IMPORT AND EXPORT (FEES) (AMENDMENT)
REGULATION 2006**

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

1. Commencement

This Regulation shall come into operation on 15 May 2006.

2. Regulation added

The Import and Export (Fees) Regulations (Cap. 60 sub. leg. B) is amended by adding—

**“3. Transitional arrangement relating to Import
and Export (General) (Amendment)
Regulation 2006 (refund of certain
registration fees)**

- (1) This regulation applies to a person who—
 - (a) before regulation 6DB(1A) of the Import and Export (General) Regulations (Cap. 60 sub. leg. A) (“relevant Regulations”) comes into operation (“relevant time”), has paid a fee for registration (“registration fee”) as a registered rough diamond trader under regulation 6DD of the relevant Regulations for a period that expires after the relevant time; and
 - (b) after the relevant time, is a person to whom regulation 6DB(1) of the relevant Regulations does not apply by virtue of regulation 6DB(1A) of the relevant Regulations.
- (2) A person to whom this regulation applies may apply in writing to the Director for refund of the appropriate part of the registration fee.
- (3) If the Director is satisfied that the person who makes an application under paragraph (2) (“applicant”) is a person to whom this regulation applies, he shall refund the appropriate part of the registration fee to the applicant.
- (4) Upon refunding the appropriate part of the registration fee to the applicant, the Director shall—

- (a) remove the name of the applicant from the register maintained under regulation 6DC of the relevant Regulations; and
- (b) send a notice to the applicant informing him that his name has been so removed.
- (5) In this regulation, the amount of the appropriate part of the registration fee shall be—
- (a) where the date of notice referred to in paragraph (4)(b) (“notification date”) is within one year from the date of registration, \$275; and
- (b) where the notification date is more than one year from the date of registration, a sum calculated in accordance with the following formula, with the result rounded up to the nearest dollar—
- $$\$275 \times \frac{A}{365}$$
- where A represents the number of calendar days within the period that begins on the notification date and expires on the date of expiration of the registration.
- (6) This regulation ceases to have effect on the second anniversary of the day on which the Import and Export (Fees) (Amendment) Regulation 2006 (L.N. 50 of 2006) comes into operation.”.

3. Scale of fees

Item 15 of the Schedule is amended—

- (a) in paragraph (a)(i), by repealing “840” and substituting “660”;
- (b) in paragraph (a)(ii), by repealing “595” and substituting “435”;
- (c) in paragraph (b), by repealing “175” and substituting “160”;
- (d) in paragraph (c), by repealing “200” and substituting “170”.

LAM Chik-ting, Tony
Clerk to the Executive Council

COUNCIL CHAMBER
28 February 2006

Explanatory Note

Under regulation 6DD(1) of the Import and Export (General) Regulations (Cap. 60 sub. leg. A) (“relevant Regulations”), a person shall pay a prescribed fee for registration as a registered rough diamond trader. After regulation 6DB(1A) of the relevant Regulations (“new provision”) comes into operation, the registration requirement for persons to whom the new provision applies will be dispensed with.

2. The object of this Regulation is to amend the Import and Export (Fees) Regulations (Cap. 60 sub. leg. B) to empower the Director-General of Trade and Industry (“Director”) to refund the appropriate part of the registration fee paid by a person whose registration requirement has been dispensed with under the new provision. Upon refunding the appropriate part of the registration fee to the person concerned, the Director shall remove the name of the person from the register of registered rough diamond traders and send him a notice informing him of this fact. The amount to be refunded is \$275 if the unexpired term of the registration on the date of the notice is not less than one year. The amount to be refunded is a portion of \$275 if the unexpired term of the registration on the date of the notice is less than one year.

3. This Regulation also reduces the various fees payable, namely the required fees for the initial registration as a registered rough diamond trader and for the renewal of such registration, and the required fees for the issue of an import licence and for the issue of an export licence in respect of rough diamonds.