

**Bills Committee on Protection of Endangered Species of
Animals and Plants (Amendment) Bill 2017**

**List of follow-up actions arising from the discussion
at the meeting on 7 July 2017**

The Administration was requested to:

- (a) in respect of elephant ivory ("ivory") items that were acquired before the application of the Convention on International Trade in Endangered Species of Wild Fauna and Flora ("CITES") to elephants (commonly referred to as "pre-Convention ivory") and those acquired thereafter but before the international ivory trade ban (commonly referred to as "post-Convention ivory"), provide information on when the import and export of such ivory items were prohibited in France, Germany, the Netherlands and the United Kingdom;
- (b) provide figures on (i) the total amount of ivory items imported into Hong Kong from European countries ("European imports") since the implementation of the CITES provisions in Hong Kong, and (ii) the amount of European imports that are still possessed by traders in Hong Kong for commercial purposes;
- (c) explain whether pre-Convention ivory items that were available in the local market before the CITES application to elephants and those imported into Hong Kong thereafter are subject to the same regulatory control on export and local trade;
- (d) the Administration's position with detailed legal analysis on why the proposals in the Bill are considered to be in conformity with Articles 6 and 105 of the Basic Law on protection of the right of private ownership of property and the right to compensation for lawful deprivation of property of individuals and legal persons;
- (e) explain whether the Administration would consider advancing the total ivory trade ban through cancellation of existing Licences to Possess and offering ex-gratia payments to affected licensees, and the reasons if the Administration would not consider so;
- (f) provide information on (i) the total number of ivory craftsmen in Hong Kong and their age profile, and (ii) how the Administration would assist ivory traders in their business transformation and the ivory craftsmen in meeting their employment needs;

- (g) provide the total number of prosecutions made under Cap. 586 for offences related to illegal ivory in the past few years, and the following details for each case: (i) whether the offence was committed for commercial or non-commercial purposes, (ii) the amount of illegal ivory involved, (iii) whether the defendant was convicted, and (iv) the penalties handed down by the Court (if convicted); and
- (h) provide information on the starting points of sentencing for offences under Cap. 586 in relation to illegal ivory.

Council Business Division 1
Legislative Council Secretariat
25 August 2017