

LEGISLATIVE COUNCIL BRIEF

**Import and Export Ordinance
(Chapter 60)**

**Import and Export (Electronic Cargo Information) (Amendment)
Regulation 2017**

INTRODUCTION

At the meeting of the Executive Council on 26 September 2017, the Council ADVISED and the Chief Executive ORDERED that the Import and Export (Electronic Cargo Information) (Amendment) Regulation 2017 (“Amendment Regulation”) (at **Annex**), should be made under section 31 of the Import and Export Ordinance (Cap. 60) (“Ordinance”). The Amendment Regulation enables the operation of the Road Cargo System (“ROCARS”) to be extended to the Hong Kong-Zhuhai-Macao Bridge (“HZMB”) Hong Kong Port (“HKP”).

JUSTIFICATIONS

2. The ROCARS is an electronic advance cargo information system implemented since 2010 for customs clearance of road cargoes. Its coverage and operational details are prescribed in the Import and Export (Electronic Cargo Information) Regulation (Cap. 60L) (“Regulation”). Schedule 2 to the Regulation sets out the locations to which ROCARS applies. At present, these locations are the Lok Ma Chau Boundary Control Point (“BCP”), Man Kam To BCP, Sha Tau Kok BCP and the Clearance Area of the Shenzhen Bay Port Hong Kong Port Area.

3. The HZMB is the first cross-boundary land link connecting Guangdong, Hong Kong and Macao. The HZMB HKP will be a new location for customs clearance of road cargoes in Hong Kong. To pave way for the commissioning of HZMB HKP, Schedule 2 to the Regulation should be amended to include the HZMB HKP, so as to enable the extension of ROCARS to that location. This amendment will allow the Commissioner of Customs and Excise¹ to designate an area within HZMB HKP as customs clearance point for the purpose of ROCARS operation pursuant to section 13 of the Regulation.

4. According to the current progress, the Highways Department's assessment is that the Hong Kong Section of the HZMB will achieve readiness for commissioning by the end of 2017.

THE PROPOSAL

5. To enable the ROCARS operation to be extended to the HZMB HKP, the Amendment Regulation should be made to include the HZMB HKP in Schedule 2 to the Regulation pursuant to section 31 of the Ordinance.

THE AMENDMENT REGULATION

6. The Amendment Regulation will update Schedule 2 to the Regulation by adding HZMB HKP to the list of locations to which ROCARS applies.

LEGISLATIVE TIMETABLE

7. The legislative timetable will be -

Publication in the Gazette	6 October 2017
Tabling at the Legislative Council (for negative vetting)	11 October 2017
Commencement of the Amendment Regulation	To be appointed by the Secretary for Commerce and Economic Development

¹ According to Section 2 of the Import and Export Ordinance, "Commissioner" means the Commissioner of Customs and Excise and any Deputy or Assistant Commissioner of Customs and Excise.

IMPLICATIONS OF THE PROPOSAL

8. The proposal is in conformity with the Basic Law, including the provisions concerning human rights. It will not affect the current binding effect of the Ordinance. The proposed amendment is technical in nature, and has no financial, civil service, economic, competition, productivity, environmental, sustainability, family or gender implications.

PUBLIC CONSULTATION

9. The Legislative Council Panel on Commerce and Industry noted the information paper provided by the Government in July 2017 on the proposed technical amendment without comments.

PUBLICITY

10. A press release will be issued on 4 October 2017 and a spokesperson will be available to answer enquiries.

ENQUIRIES

11. Enquiries to this brief can be addressed to Ms Ivy Chan, Principal Assistant Secretary for Commerce and Economic Development (Commerce and Industry) 4, at 3655 4903.

Commerce and Economic Development Bureau
October 2017

**Import and Export (Electronic Cargo Information)
(Amendment) Regulation 2017**

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

1. Commencement

This Regulation comes into operation on a day to be appointed by the Secretary for Commerce and Economic Development by notice published in the Gazette.

2. Import and Export (Electronic Cargo Information) Regulation amended

The Import and Export (Electronic Cargo Information) Regulation (Cap. 60 sub. leg. L) is amended as set out in section 3.

3. Schedule 2 amended (location of customs clearance point)

Schedule 2—

Add

“5. Hong Kong-Zhuhai-Macao Bridge Hong Kong Port.”.

Clerk to the Executive Council

COUNCIL CHAMBER

2017

Explanatory Note

This Regulation adds the Hong Kong-Zhuhai-Macao Bridge Hong Kong Port (*Hong Kong Port*) to Schedule 2 to the Import and Export (Electronic Cargo Information) Regulation (Cap. 60 sub. leg. L) so that the Commissioner of Customs and Excise, or a Deputy or Assistant Commissioner of Customs and Excise, may designate an area within the Hong Kong Port as a customs clearance point.