



東源大地有限公司
EASTERN WORLDWIDE COMPANY LIMITED

21/F., Western Centre, 40-50 Des Voeux Road West, H.K. Telex: (051) 94075526 EWCLG
Tel: (852) 2592 3388 Fax: (852) 2559 7090, 2858 5512 Web Site: <http://www.eww.com.hk>



Certificate No. 194954

Clerk to Bills Committee on Smoking (Public Health) (Amendment) Bill 2019
Legislative Council Secretariat
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong

LC Paper No. CB(2)1175/18-19(143)

2 April 2019

Dear Sirs

Founded in Hong Kong in 1973, we provide logistics services covering shipping, international freight forwarding, and transportation.

It has come to our attention that the Smoking (Public Health) (Amendment) Bill 2019 has been gazetted. The Bill proposes, among other things, to ban the import of alternative smoking products including 'heat-not-burn' tobacco products which have recently become popularized as a safer alternative to conventional smoking.

While the proposed section 15DD (1) of the Bill provides an exemption for an article in transit or air transshipment cargo, this exemption does not apply to products removed from the specified cargo transshipment area or the vessel, as the case may be. As a result, the Bill will make it illegal to store alternative smoking products intended for transshipment in bonded warehouses together with other dutiable tobacco products.

Dutiable tobacco products are permitted by the Dutiable Commodities Ordinance (Cap 109) to be stored in bonded warehouses, but must not be sold to the Hong Kong public without the payment of duty. There is no risk that allowing alternative smoking products to be stored in bonded warehouses would make these products available in Hong Kong.

By imposing an unnecessary restriction on transshipment, the Bill will therefore damage the logistics industry in Hong Kong, and is also inconsistent with Article 115 of the Basic Law which provides that Hong Kong shall pursue the policy of free trade and safeguard the free movement of goods.

We would like to further note that even though the import of alternative smoking products is currently legal, the Customs and Excise Department refuses to assign commodity codes to these products. We ask the Administration to revise the Bill and rectify the situation.

If you have any questions, please contact Wong Ching Lun and 24193668.

Yours faithfully

Eastern Worldwide Company Limited