

**立法會**  
**Legislative Council**

LC Paper No. LS45/18-19

**Paper for the House Committee Meeting  
on 15 February 2019**

**Legal Service Division Report on  
Subsidiary Legislation Gazetted on 1 February 2019**

**Tabling in LegCo** : Council meeting of 20 February 2019

**Amendment to be made by** : Council meeting of 20 March 2019 (or that of 17 April 2019 if extended by resolution)

**Import and Export (General) Regulations (Amendment of  
Schedule 7) Notice 2019** **(L.N. 13)**

L.N. 13 is made by the Director-General of Trade and Industry under regulation 7(2) of the Import and Export (General) Regulations (Cap. 60A) to add "Gabon" to Schedule 7 to Cap. 60A. The effect is that rough diamond traders registered under regulation 6DD of Cap. 60A may lawfully trade in rough diamonds with Gabon under an international certificate scheme known as the Kimberley Process Certification Scheme ("Scheme").<sup>1</sup>

2. Part 6 of and Schedule 7 to Cap. 60A implement the Scheme in Hong Kong. Regulation 6DE in Part 6 of Cap. 60A provides, among other things, that no person shall import rough diamonds from, or export rough diamonds to, a country or place other than a specified country or place. Schedule 7 specifies the countries or places for which the Scheme is effective, and other countries or places that are permitted by the Kimberley Process to trade rough diamonds with those countries or places.

3. According to paragraph 3 of the Legislative Council Brief (File Ref.: TRA CR 1651/3/1) issued by the Trade and Industry Department on 30 January 2019, the Scheme has been implemented in Hong Kong since

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<sup>1</sup> The Scheme was developed by the Kimberley Process, an international negotiating forum that seeks to stop trade in rough diamonds used by rebel movements or their allies to finance conflicts aimed at undermining legitimate governments. Under the Scheme, participating economies cannot trade rough diamonds with non-participants.

2 January 2003 by way of legislation in order to safeguard Hong Kong's interest as a trading hub of rough diamonds in the region, and to minimize disruption to the local diamond industry.

4. As advised by the Clerk to the Panel on Commerce and Industry, the Panel has not been consulted on L.N. 13.

5. L.N. 13 comes into operation on 18 April 2019.

6. No difficulties have been identified in the legal and drafting aspects of L.N. 13.

Prepared by

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