

**LEGISLATIVE COUNCIL BRIEF**

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

**Import and Export (Electronic Cargo Information) (Amendment)  
Regulation 2018**

**INTRODUCTION**

At the meeting of the Executive Council on 18 September 2018, the Council ADVISED and the Chief Executive ORDERED that the Import and Export (Electronic Cargo Information) (Amendment) Regulation 2018 (“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 Heung Yuen Wai (“HYW”) Boundary Control Point (“BCP”).

**JUSTIFICATIONS**

2. The ROCARS is an electronic advance cargo information system for customs clearance of road cargoes. Its coverage and operational details are prescribed in the Import and Export (Electronic Cargo Information) Regulation (Cap. 60 sub. leg. L) (“the Regulation”). Schedule 2 to the Regulation sets out the locations of customs clearance point at which ROCARS operates. At present, these locations include all land BCPs in Hong Kong, i.e. the Lok Ma Chau BCP, Man Kam To BCP, Sha Tau Kok BCP and the Clearance Area of the Shenzhen Bay Port Hong Kong Port Area. To pave the way for the operation of ROCARS at the Hong Kong-Zhuhai-Macao Bridge (“HZMB”) Hong Kong Port (“HKP”), the Regulation was amended in October 2017 by adding the HZMB HKP to Schedule 2, and the amendment will come into operation on a day to be appointed by the Secretary for Commerce and Economic Development (“SCED”) by a notice published in the Gazette.

3. For HYW BCP, according to the current construction progress, the Development Bureau aims at substantial completion of the building structures in end 2018. HYW BCP will be another new location for clearance of road cargoes in Hong Kong upon its commissioning. To enable extension of ROCARS to HYW BCP, Schedule 2 to the Regulation should be amended to include the HYW BCP accordingly. This amendment will allow the Commissioner of Customs and Excise to designate an area within HYW BCP as customs clearance point for the purpose of ROCARS operation pursuant to section 13 of the Regulation.

### **THE PROPOSAL**

4. To extend the ROCARS operation to the HYW BCP, the Amendment Regulation should be made to include the HYW BCP in Schedule 2 to the Regulation pursuant to section 31 of the Ordinance.

### **THE AMENDMENT REGULATION**

5. The Amendment Regulation will update Schedule 2 to the Regulation by adding HYW BCP to the list of locations of customs clearance point.

### **LEGISLATIVE TIMETABLE**

6. The legislative timetable will be -

Publication in the Gazette	5 October 2018
Tabling at the Legislative Council (for negative vetting)	10 October 2018
Commencement of the Amendment Regulation	To be appointed by the SCED

### **IMPLICATIONS OF THE PROPOSAL**

7. 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**

8. The Legislative Council Panel on Commerce and Industry noted the information paper provided by the Government in July 2018 on the proposed technical amendment without comments.

## **PUBLICITY**

9. A press release will be issued on 3 October 2018 and a spokesperson will be available to answer enquiries.

## **ENQUIRIES**

10. 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  
September 2018

**Import and Export (Electronic Cargo Information)  
(Amendment) Regulation 2018**

(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**

“6. Heung Yuen Wai Boundary Control Point.”.

Clerk to the Executive Council

COUNCIL CHAMBER

2018

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### **Explanatory Note**

This Regulation adds the Heung Yuen Wai Boundary Control Point 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 may designate an area within the boundary control point as a customs clearance point.