

## LEGISLATIVE COUNCIL BRIEF

### Import and Export Ordinance (Chapter 60)

### Import and Export (General) Regulations (Amendment of Schedule 7) Notice 2020

## INTRODUCTION

The Director-General of Trade and Industry (DGTI) has made the Import and Export (General) Regulations (Amendment of Schedule 7) Notice 2020 (“the Notice”) to delete **Swaziland** from and add **Eswatini** to the English text of the list of specified countries or places in Schedule 7 to the Import and Export (General) Regulations (Cap. Annex A 60A) (“the Regulations”). The Notice is at Annex A.

## JUSTIFICATIONS

2. The Kimberley Process Certification Scheme (KPCS) was developed by the Kimberley Process (KP), an international negotiating forum that seeks to stop trade in “conflict diamonds”<sup>1</sup> from fuelling

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<sup>1</sup> “Conflict diamonds” is defined under the KPCS as rough diamonds used by rebel movements or their allies to finance conflicts aimed at undermining legitimate governments, as described in the relevant United Nations Security Council (UNSC) resolutions insofar as they remain in effect, or in other similar UNSC resolutions which may be adopted in the future, and as understood and recognised in United Nations General Assembly (UNGA) Resolution 55/56, or in other similar UNGA resolutions which may be adopted in future.

armed conflicts, activities of rebel movements and illicit proliferation of armament. Participants of the KPCS should ensure that no shipment of rough diamonds is imported from or exported to a non-Participant of the KPCS.

3. To safeguard Hong Kong's interest as a trading hub of diamonds in the region, and to minimise disruption to the local diamond industry, we have implemented the KPCS in Hong Kong since January 2003 through a registration system and import / export controls stipulated in the Regulations. The countries and places which Hong Kong traders can import rough diamonds from or export rough diamonds to, currently 82 in total, are specified in Schedule 7 to the Regulations (**Annex B**). Under regulation 7(2) of the Regulations, DGTI may add to, or delete from, Schedule 7 the name of a country or place.

Annex B

4. Swaziland, a KP Participant, was renamed as Eswatini in April 2018 while its name in Chinese remained unchanged<sup>2</sup>. The change was duly noted at the KP Plenary Meeting held in New Delhi in November 2019. DGTI has made the Notice to delete "Swaziland" from and add "Eswatini" to the English text of Schedule 7 to the Regulations to enable the trading of rough diamonds between Hong Kong and Eswatini in accordance with the KPCS.

## **THE NOTICE**

5. The Notice deletes "Swaziland" from and adds "Eswatini" to the English text of the list of specified countries or places in Schedule 7 to the Regulations.

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<sup>2</sup> According to the United Nations Terminology Database, the English name of "Swaziland" has been changed to "Eswatini", while the Chinese name remained unchanged as "斯威士蘭".

## **LEGISLATIVE TIMETABLE**

6. The Notice will be published in the Gazette on 8 May 2020 and tabled at the Legislative Council on 13 May 2020.
7. The Notice will come into operation on 10 July 2020.

## **IMPLICATIONS OF THE NOTICE**

8. The Notice is in conformity with the Basic Law, including the provisions concerning human rights, and will not affect the current binding effect of the Regulations.

## **PUBLICITY**

9. The Trade and Industry Department will inform the trade of the details of the Notice through a trade circular and will provide general advisory service on enquiry.

## **ENQUIRIES**

10. For any enquiries on this brief, please contact Miss Alicia Wong, Principal Trade Officer of the Trade and Industry Department at 2398 5483.

Trade and Industry Department  
6 May 2020

**Import and Export (General) Regulations  
(Amendment of Schedule 7) Notice 2020**

A copy of the captioned notice is attached.

## Import and Export (General) Regulations (Amendment of Schedule 7) Notice 2020

(Made by the Director-General of Trade and Industry under regulation 7(2) of the Import and Export (General) Regulations (Cap. 60 sub. leg. A))

### 1. Commencement

This Notice comes into operation on 10 July 2020.

### 2. Import and Export (General) Regulations amended

The Import and Export (General) Regulations (Cap. 60 sub. leg. A) are amended as set out in section 3.

### 3. Schedule 7 amended (specified countries or places)

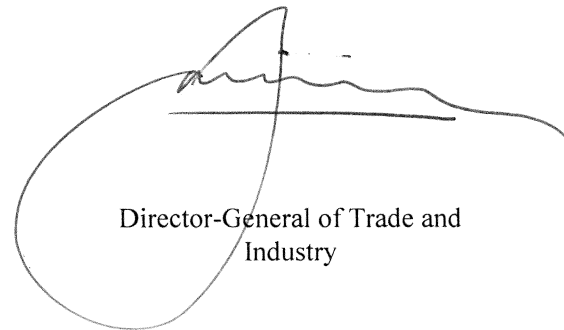
Schedule 7, English text—

(a) **Repeal**

“Swaziland”;

(b) **Add in alphabetical order**

“Eswatini”.



Director-General of Trade and  
Industry

21 April 2020

## Explanatory Note

Part 6 of the Import and Export (General) Regulations (Cap. 60 sub. leg. A) implements in Hong Kong the Kimberley Process Certification Scheme under which trade in rough diamonds is regulated. Schedule 7 to the Regulations specifies—

(a) the countries and places for which the Scheme is effective; and

(b) other countries and places that are permitted by the Kimberley Process to trade rough diamonds with countries and places described in subparagraph (a).

2. This Notice deletes “Swaziland” from, and adds “Eswatini” to, the English text of the Schedule.

Cap. 60A

Import and Export (General) Regulations

18/04/2019

**Schedule 7**

[regs. 6DA & 7]

**Specified Countries or Places**

Angola  
Armenia, Republic of  
Australia  
Austria  
Bangladesh  
Belarus  
Belgium  
Botswana  
Brazil  
Bulgaria  
Cambodia, Kingdom of  
Cameroon, Republic of  
Canada  
Central African Republic  
China, People's Republic of  
Congo, Democratic Republic of the  
Congo, Republic of the  
Côte d'Ivoire  
Croatia  
Cyprus  
Czech Republic  
Denmark  
Estonia  
Finland  
France  
Gabon  
Germany  
Ghana  
Greece  
Guinea

Guyana  
Hungary  
India  
Indonesia  
Ireland  
Israel  
Italy  
Japan  
Kazakhstan, Republic of  
Korea, Republic of  
Lao People's Democratic Republic  
Latvia  
Lebanon  
Lesotho  
Liberia  
Lithuania  
Luxembourg  
Malaysia  
Mali  
Malta  
Mauritius  
Mexico  
Namibia  
Netherlands, The  
New Zealand  
Norway  
Panama, Republic of  
Poland  
Portugal  
Romania  
Russian Federation  
Sierra Leone  
Singapore  
Slovakia  
Slovenia  
South Africa  
Spain  
Sri Lanka  
Swaziland

Sweden  
Switzerland  
Tanzania  
Thailand  
Togo  
Turkey  
Ukraine  
United Arab Emirates  
United Kingdom  
United States of America  
Venezuela, Bolivarian Republic of  
Viet Nam (otherwise known as Vietnam)  
Zimbabwe

*(Schedule 7 added L.N. 179 of 2002; L.N. 250 of 2002; L.N. 10 of 2003; L.N. 37 of 2003; L.N. 68 of 2003; L.N. 101 of 2003; L.N. 128 of 2003; L.N. 202 of 2003; L.N. 210 of 2003; L.N. 239 of 2003; L.N. 254 of 2003; L.N. 11 of 2004; L.N. 68 of 2004; L.N. 141 of 2004; L.N. 106 of 2005; L.N. 138 of 2005; L.N. 169 of 2005; L.N. 201 of 2006; L.N. 255 of 2006; L.N. 118 of 2007; L.N. 173 of 2007; L.N. 232 of 2007; L.N. 209 of 2008; L.N. 13 of 2009; E.R. 1 of 2012; L.N. 80 of 2012; L.N. 173 of 2012; L.N. 90 of 2013; L.N. 198 of 2013; L.N. 13 of 2017; L.N. 13 of 2019)*