

For information

**Legislative Council
Panel on Environmental Affairs**

**Proposed Amendments to the Schedules to the Protection of
Endangered Species of Animals and Plants Ordinance (Cap. 586)**

INTRODUCTION

This note informs Members of the proposed amendments to the Schedules to the Protection of Endangered Species of Animals and Plants Ordinance (Cap. 586) (the Ordinance) to reflect the latest decisions of the Conference of Parties (CoP) to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

BACKGROUND

2. CITES is an international treaty between governments to ensure that international trade in wild animals and plants does not threaten their survival. CITES requires that the international trade of the endangered species listed in its three Appendices¹ be subject to strict control. CITES regulates international trade through a system of permits/certificates under which the species in question would require a permit/certificate when leaving and entering a country.

3. Hong Kong has been implementing CITES through local legislation² since 1976. The Ordinance stipulates that a licence to be issued in advance by the Agriculture, Fisheries and Conservation Department (AFCD) is required for the import, introduction from the sea, export, re-

¹ Appendix I: Listing of species which are highly endangered and threatened with extinction.
Appendix II: Listing of species which, unless trade is controlled, could become threatened with extinction.
Appendix III: Listing of species identified by a CITES Party as requiring assistance from other CITES Parties in controlling their international trade.

² Hong Kong started to implement CITES regulations in 1976 through the enactment of the Animals and Plants (Protection of Endangered Species) Ordinance (Cap. 187). This Ordinance was replaced by the Protection of Endangered Species of Animals and Plants Ordinance (Cap. 586) in 2006.

export or possession of specimens of a scheduled species, whether alive, dead, its parts or derivatives, unless otherwise provided. The species in Appendices I, II and III to CITES have been listed under Schedule 1 to the Ordinance. In relation to the implementation and application, Schedule 3 to the Ordinance sets out the relevant parts of the Convention Instruments that are enforceable under the laws of Hong Kong. As CITES is implemented in Hong Kong through the Ordinance, the Ordinance is updated from time to time in light of the latest requirements of CITES. The last update was made in 2018 through the Protection of Endangered Species of Animals and Plants Ordinance (Amendment of Schedules 1 and 3) Order 2018.

LATEST PROPOSED AMENDMENTS TO CITES

4. Member Parties of CITES meet every two to three years in the CoP to review and amend the endangered species listed in the Appendices I and II to CITES. The 18th meeting (CoP18) was held in August 2019, during which Appendices I and II to CITES were amended. The amendments were mainly the addition and removal of certain taxa as well as the amendments to the annotations of the Appendices, which involved multiple lizard species, salamanders, sea cucumbers, mako sharks, otters, turtles and tortoises, etc. At the same time, the Parties also revised some of the Resolutions in relation to the implementation of CITES, including the conditions for acceptance of CITES documents, exemption for scientific exchange and the definition for the terms “appropriate and acceptable destination” and “assisted production”, etc. We need to reflect these amendments in the local legislation to implement the latest regulations under CITES. The amendments are detailed in **Annex A** of this note.

5. Furthermore, some taxa are added to or removed from CITES Appendix III outside the CoP period. As such, we will also take this opportunity to reflect such amendments in this proposed amendment exercise to the Ordinance. The amendments to CITES Appendix III are detailed in **Annex B** of this note.

IMPACT ON TRADE BY THE PROPOSED AMENDMENTS AND THE TRANSITIONAL ARRANGEMENT

6. The proposed amendments to the Ordinance will reflect the latest requirements of CITES for concerted efforts in international regulations on the listed endangered species. International trade in species listed in Appendices II and III, as well as local trade in stock of the listed species already imported legally before the implementation of the new amendments, can continue to take place under licensing control.

7. On the other hand, some existing control, pursuant to the latest CITES regulations, will be relaxed to facilitate the corresponding trade. For example, the proposed amendments will relax the control on some *Dalbergia* spp.³ in relation to musical instruments, with a view to facilitating the trade of relevant musical instruments.

8. In view that amendments to the local legislation must be made in order to implement the latest amendments to CITES, the AFCD has been implementing transitional arrangement for the clearance of relevant cargoes, for the period from the amendments to CITES taking effect at the end of November 2019 until the passage and commencement of the proposed amendments to the Ordinance. The AFCD accepts other alternative documents relating to CITES certification as a proof of the validity of the concerned goods to facilitate the smooth clearance of relevant cargoes and the local trade.

PUBLIC CONSULTATION

9. We consulted the Endangered Species Advisory Committee on the proposed legislative amendments in November 2019. All members supported the proposal. We also consulted relevant traders on the possible listing of the species in CITES Appendices in May 2019 before the CoP18, and informed them of the results afterwards. Overall speaking, the traders understood that the control would be our international obligation under

³ There is no official Chinese name for *Dalbergia* spp. but some may call it “rosewood”. Under the newly amended regulations, certain musical instruments made of *Dalbergia* spp., such as finished musical instruments, finished musical instrument parts and finished musical instrument accessories, will no longer be regulated by CITES.

CITES and thus did not have any objection to the proposal.

WAY FORWARD

10. Members are invited to note the proposed amendments to the Schedules to the Ordinance as described in paragraphs 4 to 5 above. We plan to gazette and table the amendments before the Legislative Council for negative vetting in early 2021, with a view to implementing the proposal in the second quarter of 2021 to comply with the latest regulations of CITES.

Environment Bureau
Agriculture, Fisheries and Conservation Department
January 2021

**18th Conference of the Parties to the Convention on International Trade in
Endangered Species of Wild Fauna and Flora (CITES)
Amendments to Appendices I and II***

**第 18 屆締約方大會就《瀕危野生動植物種國際貿易公約》(《公約》)
附錄 I 及 II 通過的修訂***

| Table A: New Inclusion in Appendix I (表 A: 新列入附錄 I) | |
|--|---|
| Species 物種 | Common Name (for reference only) 俗稱 (只供參考) |
| <i>Ceratophora erdeleni</i> | Erdelen's horn lizard 埃氏角吻蜥 |
| <i>Ceratophora karu</i> | Karunaratne's horn lizard 卡魯角吻蜥 |
| <i>Ceratophora tennentii</i> | Leaf-nose lizard, Tennent's leaf-nosed lizard 坦氏角吻蜥 |
| <i>Cophotis ceylanica</i> | Pygmy lizard 斯里蘭卡卷尾蜥 |
| <i>Cophotis dumbara</i> | Knuckles pygmy lizard 敦巴拉卷尾蜥 |
| <i>Gonatodes daudini</i> | Grenadines clawed gecko, Union Island gecko 尤寧島壁虎 |
| <i>Achillides chikae hermeli</i> | Mindoro peacock swallowtail 呂宋鳳蝶民都洛亞種 |
| <i>Parides burchellanus</i> | Riverside swallowtail 伯切爾番鳳蝶 |

| Table B: New Inclusion in Appendix II (表 B: 新列入附錄 II) | |
|--|---|
| Species 物種 | Common Name (for reference only) 俗稱 (只供參考) |
| <i>Giraffa camelopardalis</i> | Giraffe 長頸鹿 |
| <i>Syrmaticus reevesii</i> | Reeves's pheasant 白冠長尾雉 |
| <i>Ceratophora aspera</i> ¹ | Rough-nosed horn lizard, Sri Lanka horned agama 粗糙角吻蜥 |
| <i>Ceratophora stoddartii</i> ¹ | Rhino-horn lizard, Mountain horned agama 斯氏角吻蜥 |
| <i>Lyriocephalus scutatus</i> ¹ | Hump-nosed lizard, Hump snout lizard, Lyre head lizard 琴頭蜥 |
| <i>Goniurosaurus</i> spp. ² | Leopard geckos, cave geckos, tiger geckos 臉虎屬所有種 |
| <i>Gekko gekko</i> | Tokay gecko 大壁虎 |
| <i>Paroedura androyensis</i> | Grandidier's Madagascar ground gecko 安德羅伊馬島地虎 |
| <i>Ctenosaura</i> spp. | Spiny-tailed iguanas 櫛尾蜥屬所有種 |
| <i>Pseudocerastes urarachnoides</i> | Spider-tailed false-horned viper, Iranian spider-tailed viper 蛛尾擬角蝰 |
| <i>Echinotriton chinhaiensis</i> | Chinhai spiny newt, Chinhai spiny crocodile newt 鎮海棘蜥 |
| <i>Echinotriton maxiquadratus</i> | Mountain spiny newt, mountain spiny crocodile newt 高山棘蜥 |
| <i>Paramesotriton</i> spp. | Warty newts 瘰蜥屬所有種 |
| <i>Tylototriton</i> spp. | Crocodile newts, knobby newts 疣蜥屬所有種 |
| <i>Isurus oxyrinchus</i> | Shortfin mako shark 尖吻鯖鯊 |

* 附錄 I: 載列高度瀕危及瀕臨絕種的物種。

Appendix I: Listing species which are highly endangered and threatened with extinction.

附錄 II: 載列如不管制其貿易, 便可能瀕臨絕種的物種。

Appendix II: Listing species which, unless trade is controlled, could become threatened with extinction.

| Table B: New Inclusion in Appendix II (表 B : 新列入附錄 II) | |
|--|---------------------------------|
| <i>Isurus paucus</i> | Longfin mako shark 長鰭鯖鯊 |
| <i>Glaucostegus</i> spp. | Guitarfishes 藍吻犁頭鰩屬所有種 |
| Rhinidae spp. | Wedgefishes 圓犁頭鰩科所有種 |
| <i>Holothuria fuscogilva</i> ³ | White teatfish 黃乳海參 |
| <i>Holothuria nobilis</i> ³ | Black teatfish 印度洋黑乳海參 |
| <i>Holothuria whitmaei</i> ³ | Black teatfish 黑乳海參 |
| <i>Poecilotheria</i> spp. | Ornamental tarantulas 飾紋捕鳥蛛屬所有種 |
| <i>Widdringtonia whytei</i> | Mulanje cedar 姆蘭傑南非柏 |
| <i>Pterocarpus tinctorius</i> ⁴ | African padauk, bloodwood 染料紫檀 |
| <i>Cedrela</i> spp. ^{3, 4, 5, 6} | Cedars 洋椿屬所有種 |

Remarks (注釋):

1. Zero quota for wild specimens for commercial purposes.
作商業目的之野生標本，出口限額為零。
2. Except the species native to Japan.
除日本本土種。
3. Entry into effect delayed until 28 August 2020.
生效日期延遲至 2020 年 8 月 28 日。
4. Designate logs, sawn wood, veneer sheets and plywood.
指定原木、鋸材、面板和膠合板。
5. Populations of Neotropics.
新熱帶種群。
6. *Cedrela fissilis*, *Cedrela lilloi* and *Cedrela odorata* are transferred from Appendix III.
巴西洋椿(*Cedrela fissilis*)、阿根廷洋椿(*Cedrela lilloi*)及煙洋椿(*Cedrela odorata*)由附錄 III 轉入。

| Table C: Transfer from Appendix I to Appendix II (表 C : 由附錄 I 轉入附錄 II) | |
|--|--|
| Species 物種 | Common Name (for reference only) 俗稱 (只供參考) |
| <i>Vicugna vicugna</i> ¹ | Vicuña 小羊駝 |
| <i>Leporillus conditor</i> | Greater stick-nest rat 刺巢鼠 |
| <i>Pseudomys fieldi</i> ² | Shark Bay mouse 費氏擬鼠 |
| <i>Xeromys myoides</i> | False swamp rat 偽沼鼠 |
| <i>Zyzomys pedunculatus</i> | Central rock-rat 中澳白尾鼠 |
| <i>Dasyornis broadbenti litoralis</i> | Lesser rufous bristlebird 短翅刺鶯西澳亞種 |
| <i>Dasyornis longirostris</i> | Long-billed bristlebird 西刺鶯 |
| <i>Crocodylus acutus</i> ³ | American crocodile 窄吻鱷 |

Remarks 注釋:

1. Population of the Province of Salta (Argentina) with annotation 1.
阿根廷 Salta 省種群，附《公約》附錄註明 1。
2. Previously listed as *Pseudomys fieldi praecornis* in Appendix I.
先前以 *Pseudomys fieldi praecornis* 列入附錄 I。
3. Population of Mexico with a zero export quota for wild specimens for commercial purposes.
作商業目的之墨西哥種群野生標本，出口限額為零。

| Table D: Transfer from Appendix II to Appendix I (表 D : 由附錄 II 轉入附錄 I) | |
|---|---|
| Species 物種 | Common Name (for reference only) 俗稱 (只供參考) |
| <i>Aonyx cinerea</i> | Small-clawed otter, Oriental small-clawed otter 小爪水獺 |
| <i>Lutrogale perspicillata</i> | Smooth-coated otter, Indian smooth-coated otter 江獺 |
| <i>Balearica pavonina</i> | Black crowned crane, West African crowned crane, Northern crowned crane 黑冕鶴 |
| <i>Cuora bourreti</i> | Bourret's box turtle 布氏閉殼龜 |
| <i>Cuora picturata</i> | Southern Viet Nam box turtle 圖紋閉殼龜 |
| <i>Mauremys annamensis</i> | Annam leaf turtle 安南龜 |
| <i>Geochelone elegans</i> | Star tortoise, Indian star tortoise 印度星龜 |
| <i>Malacochersus tornieri</i> | Pancake tortoise, Tornier's tortoise, crevice tortoise 餅乾龜 |

| Table E: Amendments to Annotations (表 E : 修訂註釋) | | |
|--|---|--|
| Species 物種 | Common Name (for reference only) 俗稱 (只供參考) | Amendments (The English version shall prevail) 修訂(以英文為準) |
| <i>Saiga borealis</i> ; <i>Saiga tatarica</i> | Mongolian saiga 蒙古賽加羚羊; Saiga 賽加羚羊 | The annotation “a zero export quota for wild specimens traded for commercial purposes” was included. 加入以下注釋「作商業目的之野生標本，出口限額為零」。 |
| <i>Vicugna vicugna</i> | Vicuña 小羊駝 | The name of the population of Chile was amended from “population of the Primera Región” to “populations of the region of Tarapacá and of the region of Arica and Parinacota”. 智利種群的名稱由「Primera 地區的種群」改為「Tarapacá 地區和 Arica 及 Parinacota 地區的種群」。 |
| <i>Dalbergia</i> spp.; | Rosewoods 黃檀屬所有種; | Annotation #15 was amended as follows: “All parts and derivatives, except: a) leaves, flowers, pollen, fruits, and seeds; b) finished products to a maximum weight of wood of the listed species of up to 10 kg per shipment; c) finished musical instruments, finished musical instrument parts and finished musical instrument accessories; d) parts and derivatives of <i>Dalbergia cochinchinensis</i> , which are covered by Annotation # 4; e) parts and derivatives of <i>Dalbergia</i> spp. originating and exported from Mexico, which are covered by Annotation # 6.” 修改注釋#15 如下： 「所有部分及衍生物，但下述項目除外： |
| <i>Guibourtia demeusei</i> ; | 德米古夷蘇木; | |
| <i>Guibourtia pellegriniana</i> ; | 佩萊古夷蘇木; | |
| <i>Guibourtia tessmannii</i> | 特氏古夷蘇木 | |

Table E: Amendments to Annotations (表 E：修訂註釋)

| | | |
|------------------------------|-------------------------------|---|
| | | <p>a) 葉片、花、花粉、果實和種子；</p> <p>b) 每一付運批次所列木材物種含量總重量不超過 10 公斤的製成品；</p> <p>c) 樂器成品、樂器部件成品及樂器配件成品；</p> <p>d) 就 <i>Dalbergia cochinchinensis</i> <交趾黃檀> 而言—注釋#4 所涵蓋的部分及衍生物；及</p> <p>e) 就源自墨西哥及自墨西哥出口的 <i>Dalbergia spp.</i> <黃檀屬所有種> 而言—注釋#6 所涵蓋的部分及衍生物。」</p> |
| <i>Pericopsis elata</i> | African teak 高大花檀 | <p>Annotation #17 (to replace annotation #5) was added to the species as follows: "Logs, sawn wood, veneer sheets, plywood and transformed wood." 以注釋#17 取代對此物種的注釋#5，如下： 「原木、鋸材、面板、膠合板及加工木材。」</p> |
| <i>Aloe ferox</i> | Cape aloe 好望角蘆薈 | <p>Paragraph f) of Annotation #4 was amended as follows: "f) finished products of <i>Aloe ferox</i> and <i>Euphorbia antisyphilitica</i> packaged and ready for retail trade." 修改注釋#4 第 f)段如下： 「f) 經包裝並隨時可供零售貿易的 <i>Aloe ferox</i> <好望角蘆薈> 及 <i>Euphorbia antisyphilitica</i> <蠟大戟> 製成品。」</p> |
| <i>Adansonia grandidieri</i> | Grandidier's baobab 格氏猴麵包樹 | <p>Annotation #16 was amended as follows: "Seeds, fruits and oils." 修改注釋#16 如下： 「種子、果實及油」</p> |

**Amendments to Convention on International Trade in
Endangered Species of Wild Fauna and Flora (CITES) - Appendix III***

《瀕危野生動植物種國際貿易公約》(《公約》) 附錄 III 的修訂*

| Table A: New Inclusion in Appendix III (表 A: 新列入附錄 III) | | |
|--|---|------------------------------|
| Species 物種 | Common Name (for reference only) 俗稱 (只供參考) | Proponent(s) 提議成員 |
| <i>Anolis agueroi</i> | Cabo Cruz bearded anole, Aguero's anole 阿圭羅氏安樂蜥 | Cuba 古巴 |
| <i>Anolis baracoae</i> | Baracoa anole, Baracoa giant anole 巴拉科阿安樂蜥 | |
| <i>Anolis barbatus</i> | Western bearded anole 西部鬚安樂蜥 | |
| <i>Anolis chamaeleonides</i> | Short-bearded anole 避役安樂蜥 | |
| <i>Anolis equestris</i> | Knight anole 騎士安樂蜥 | |
| <i>Anolis guamuhaya</i> | Escambray bearded anole 埃斯坎布雷安樂蜥 | |
| <i>Anolis luteogularis</i> | Western giant anole, white-throated anole 淡喉安樂蜥 | |
| <i>Anolis pigmaequestrus</i> | Cayko Frances anole 侏儒騎士安樂蜥 | |
| <i>Anolis porcus</i> | Oriente bearded anole 東方鬚安樂蜥 | |
| <i>Sphaerodactylus armasi</i> | Guantanamo coastal gecko 阿馬斯氏球趾虎 | |
| <i>Sphaerodactylus celicara</i> | Baracoan eyespot sphaero 巴拉科阿球趾虎 | |
| <i>Sphaerodactylus dimorphicus</i> | Santiago de Cuba least gecko 雙型球趾虎 | |
| <i>Sphaerodactylus intermedius</i> | Mantanzas least gecko 馬坦薩斯球趾虎 | |
| <i>Sphaerodactylus nigropunctatus alayoi</i> | Black-spotted least gecko, three-banded sphaero 黑斑球趾虎阿氏亞種 | |
| <i>Sphaerodactylus nigropunctatus granti</i> | Black-spotted least gecko, three-banded sphaero 黑斑球趾虎格氏亞種 | |
| <i>Sphaerodactylus nigropunctatus lissodesmus</i> | Black-spotted least gecko, three-banded sphaero 黑斑球趾虎庫山亞種 | |
| <i>Sphaerodactylus nigropunctatus ocujal</i> | Black-spotted least gecko, three-banded sphaero 黑斑球趾虎奧庫哈亞種 | |
| <i>Sphaerodactylus nigropunctatus strategus</i> | Black-spotted least gecko, three-banded sphaero 黑斑球趾虎將軍亞種 | |
| <i>Sphaerodactylus notatus atactus</i> | Reef gecko, brown-speckled sphaero 礁岩球趾虎古巴亞種 | |

* 附錄 III: 載列個別《公約》締約方要求其他締約方協助管制其國際貿易的物種。

Appendix III: Listing species identified by a CITES Party as requiring assistance from other CITES Parties in controlling their international trade.

| Table A: New Inclusion in Appendix III (表 A : 新列入附錄 III) | | |
|---|--|-------------------|
| <i>Sphaerodactylus oliveri</i> | Juventud least gecko 奧氏球趾虎 | |
| <i>Sphaerodactylus pimienta</i> | Cuban pepper sphaero, pepper sphaero 胡椒球趾虎 | |
| <i>Sphaerodactylus ruibali</i> | Ruibal's least gecko 魯氏球趾虎 | |
| <i>Sphaerodactylus siboney</i> | Siboney grey-headed least gecko, Siboney least gecko 錫沃內球趾虎 | |
| <i>Sphaerodactylus torrei</i> | Cuban broad-banded sphaero, Barbour's least gecko 寬帶球趾虎 | |
| <i>Goniurosaurus kuroiwa¹</i> | Kuroiwa's ground gecko 琉球臉虎 | Japan 日本 |
| <i>Goniurosaurus orientalis¹</i> | Spotted ground gecko 東方臉虎 | |
| <i>Goniurosaurus sengokui¹</i> | Sengoku's ground gecko 千石臉虎 | |
| <i>Goniurosaurus splendens¹</i> | Banded ground gecko 亮紋臉虎 | |
| <i>Goniurosaurus toyamai¹</i> | Toyama's ground gecko 富山臉虎 | |
| <i>Goniurosaurus yamashinae¹</i> | Yamashina's ground gecko 久米臉虎 | |
| <i>Echinotriton andersoni¹</i> | Anderson's crocodile newt 琉球棘蜥 | |
| <i>Calotes ceylonensis</i> | Sri Lankan bloodsucker 斯里蘭卡樹蜥 | Sri Lanka 斯里蘭卡 |
| <i>Calotes desilvai</i> | 德氏樹蜥 ² | |
| <i>Calotes liocephalus</i> | Crestless lizard 滑頭樹蜥 | |
| <i>Calotes liolepis</i> | Whistling lizard 滑鱗樹蜥 | |
| <i>Calotes manamendrai</i> | 馬氏樹蜥 ² | |
| <i>Calotes nigrilabris</i> | Black lipped lizard 黑唇樹蜥 | |
| <i>Calotes pethiyagodai</i> | Pethiyagoda's crestless lizard 佩氏樹蜥 | |

Remarks (注釋) :

1. Excluding parts and derivatives, other than eggs.
不包括部份及衍生物，蛋除外。
2. No English common names.
沒有英文俗稱。

| Table B: New Deletion from Appendix III (表 B: 新刪除自附錄 III) | | |
|---|--|--|
| Species 物種 | Common Name (for reference only) 俗稱 (只供參考) | Proponent(s) 提議成員 |
| <i>Galictis vittata</i> | Greater grison 南美麩鼬 | Costa Rica 哥斯達黎加 |
| <i>Bassaricyon gabbii</i> | Bushy-tailed olingo 加氏犬浣熊 | |
| <i>Bassariscus sumichrasti</i> | Central American cacomistle 中美蓬尾浣熊 | |
| <i>Cabassous centralis</i> | Northern naked-tailed armadillo 五趾裸尾犰狳 | |
| <i>Choloepus hoffmanni</i> | Hoffmann's two-toed sloth 霍氏樹懶 | |
| <i>Sciurus deppei</i> | Deppe's squirrel 德氏松鼠 | |
| <i>Crax rubra</i> | Great curassow 大鳳冠雉 | |
| <i>Cedrela fissilis</i> ^{1,2} | South American cedar 劈裂洋椿、巴西洋椿 | Brazil, Plurinational State of Bolivia 巴西、多民族玻利維亞國 |
| <i>Cedrela lilloi</i> ^{1,2} | Cedro 阿根廷洋椿 | Brazil; Plurinational State of Bolivia 巴西、多民族玻利維亞國 |
| <i>Cedrela odorata</i> ^{1,2} | West Indian cedar 煙洋椿 | Brazil, Plurinational State of Bolivia, Population of Colombia (Colombia), Population of Guatemala (Guatemala), Population of Peru (Peru) 巴西、多民族玻利維亞國、 哥倫比亞種群 (哥倫比亞) 亞)、危地馬拉種群 (危地 馬拉) 及秘魯種群 (秘魯) |

Remarks (注釋):

1. Designates logs, sawn wood and veneer sheets.
指定原木、鋸材和面板。
2. These species were transferred to Appendix II.
該物種已被轉入附錄 II。