

Import and Export (Amendment) Bill 2025

Debate and voting arrangements

- Object of the Bill :** To amend the Import and Export Ordinance (Cap. 60) and related legislation to:
- (a) provide for the use of the Trade Single Window System (“Specified System”) for transmitting certain import and export related information;
 - (b) provide for offences relating to the use of the Specified System;
 - (c) allow pre-shipment submission of certain declarations and manifests; and
 - (d) make related and miscellaneous amendments.

Joint debate : Clauses with no amendments, and clauses with amendments proposed by the Secretary for Commerce and Economic Development (“SCED”)	— Clauses 1 to 110
--	---------------------------

Joint debate on the original clauses and the amendments.

SCED’s amendments

Commencement of the enacted Ordinance

Clauses 1

- To remove the reference to clause 58 in clause 1(3)(i) to the effect that **clause 58 would come into operation on the day on which the Bill (if passed) is published in the Gazette as an Ordinance.**

Application eligibility of value-added service providers

Clauses 17, 70, 76, 80, 94, 102 and 109

- To amend clauses relating to value-added service providers (“VASPs”) by **replacing the reference to “company” with “person” or “applicant”,** so as to better reflect the legislative intent that **“a person”,** including a company formed and registered under the Companies Ordinance (Cap. 622), registered non-Hong Kong company, sole-proprietorship, partnership, unincorporated association or body corporate, **may apply to the Commissioner of Customs and Excise etc. for approval as a VASP,** provided that it **holds a valid business registration certificate issued under the Business Registration Ordinance (Cap. 310).**

Evidential burden of proof for offences relating to failure or neglect to lodge import manifest in the prescribed manner and within the prescribed period

Clauses 51

- To amend regulation 11(6) of the Import and Export (Registration) Regulations (Cap. 60E) by **deleting the existing reference to “(the burden of proof whereof shall be upon him)”** to ensure consistency with the proposed new regulation 14A of Cap. 60E (i.e. an evidential burden would be imposed on a person charged with the offence to establish a defence of “reasonable excuse”).

Drafting and technical amendments

Clauses 45 and 91

- To make a **drafting amendment** to the **Chinese text** of clause 45(2) for consistency with the English text.
- To make a **technical amendment** to section 23(4) of the Industrial Training (Clothing Industry) Ordinance (Cap. 318) to clarify that the scope of the offence under this subsection would only include failure to lodge a declaration under and in accordance with the existing section 23(1).

Voting order : 1. Clauses with no amendments (i.e. clauses 2 to 16, 18 to 44, 46 to 50, 52 to 69, 71 to 75, 77 to 79, 81 to 90, 92, 93, 95 to 101, 103 to 108 and 110) standing part of the Bill

2. SCED's amendments (to amend clauses 1, 17, 45, 51, 70, 76, 80, 91, 94, 102 and 109)

3. Clauses 1, 17, 45, 51, 70, 76, 80, 91, 94, 102 and 109 with or without amendments standing part of the Bill

SCED's amendments

(set out in LC Paper No. CB(2)1247/2025(01) issued on 18 June 2025)

Council Business Divisions

Legislative Council Secretariat

27 June 2025