

Import and Export (General) Regulations
(Cap. 60 sub. leg. A)

Contents

Regulation	Page
Part 1	
Preliminary	
1. Citation	1-2
2. Interpretation	1-2
Part 1A	
Production Notification of Certain Textiles for Export	
2A. Matters prescribed for purposes of Part 2A of the Ordinance	1A-2
2B. Exemption from Part IIA of the Ordinance	1A-2
Part 2	
Import Licences	
3. Articles specified for purposes of section 6C(1) of the Ordinance	2-2
Part 3	
Export Licences	
4. Articles specified for purposes of section 6D(1) of the Ordinance	3-2
5. Prohibition on issue of licences	3-2

Regulation	Page
Part 3A	
Registration in Respect of Import and Export of Textiles	
5AA.	Interpretation of this Part 3A-2
5AB.	Power to maintain register 3A-2
5AC.	Method of making application and power to call for evidence in support 3A-4
5AD.	Restrictions on publication of information obtained under regulation 5AC 3A-6
5AE.	Records to be kept and inspection 3A-8
Part 4	
Textiles Trader Registration	
5A.	Textiles trader registration 4-2
Part 5	
Application of, and Exemption from, Licensing Requirements	
6.	Application and exemption 5-2
6AA.	Application to air transshipment cargo 5-10
Part 5A	
Import or Export of Textiles (otherwise than as Transshipment Cargo) in Reliance on Exemption	
6A.	Obligations of registered textiles trader 5A-2
6B.	Obligations of carrier 5A-4
6BA.	Obligations of registered textiles trader 5A-6

Regulation	Page
6BB. Obligations of carrier	5A-10
6BC. <i>(Repealed)</i>	5A-12
6BD. <i>(Repealed)</i>	5A-12
6BE. <i>(Repealed)</i>	5A-12
6BF. <i>(Repealed)</i>	5A-12
6C. Certain requirements deemed complied with if manifest lodged with Commissioner using services provided by a specified body	5A-12
6D. Commissioner etc. to have access to notifications delivered to Director	5A-14

Part 5B

**Import or Export of Specified Articles
as Transhipment Cargo Exempted from
Licensing Requirements**

6DAA. Endorsement on transhipment notification	5B-2
6DAB. Import carrier not to release transhipment cargo without transhipment notification	5B-2
6DAC. Delivery of transhipment notification and manifest to the Director	5B-4
6DAD. Export carrier not to accept transhipment cargo without transhipment notification	5B-6
6DAE. Delivery of transhipment notification and manifest to the Director	5B-6
6DAF. Endorsement on transhipment notification ceases to have effect	5B-8

Regulation	Page
6DAG. Certain requirements deemed complied with if manifest lodged with Commissioner using services provided by a specified body	5B-8
6DAH. Transitional	5B-10

**Part 6
Control on Import, Export, Etc. of Rough
Diamonds**

6DA. Interpretation of Part 6	6-2
6DB. Traders in rough diamonds to be registered	6-4
6DC. Register of registered rough diamond traders	6-4
6DD. Registration	6-6
6DE. Rough diamonds to be traded with specified country or place only	6-6
6DF. Rough diamonds in transit or as air transshipment cargo not to be tampered with	6-6
6DG. Registered rough diamond trader to keep daily trade record, etc.	6-8
6DH. Appointment of persons to assist in examination of rough diamonds	6-10
6DI. Non-derogation from other laws	6-12

**Part 7
Miscellaneous**

6E. Defence of reasonable diligence	7-2
6F. Offences	7-4

Import and Export (General) Regulations

T-10

Cap. 60A

Regulation		Page
6G.	Liability of principals	7-8
6H.	Transitional provisions apply in respect of specified period	7-8
6I.	Transitional arrangement arising from Import and Export (General) (Amendment) Regulation 2015	7-8
7.	Amendment of Schedules	7-10
Schedule 1		S1-2
Schedule 2		S2-2
Schedule 3		S3-2
Schedule 4		S4-2
Schedule 5		S5-2
Schedule 6		S6-2
Schedule 7	Specified Countries or Places	S7-2
Schedule 8	Transitional Arrangements Arising from Import and Export (General) (Amendment) (No. 2) Regulation 2003	S8-2
Schedule 9	Specified Articles	S9-2

Import and Export (General) Regulations

(Cap. 60, section 31)

[1 January 1972]

(*Format changes—E.R. 1 of 2012*)

Part 1

Preliminary

1. Citation

These regulations may be cited as the Import and Export (General) Regulations.

2. Interpretation

In these regulations, unless the context otherwise requires—

export carrier (出口承運人) means the owner of any exporting vessel, aircraft or vehicle; (*L.N. 93 of 2003*)

export notification (出口通知書) means an export notification in the form approved by the Director and completed by a registered textiles trader in accordance with the conditions imposed under regulation 6(3B); (*L.N. 111 of 1993*)

exporting vessel, aircraft or vehicle (出口船隻、飛機或車輛), in relation to goods that are, are to be or have been exported, means any vessel, aircraft or vehicle in or on which they are, are to be or have been exported (as the case may be); (*L.N. 93 of 2003*)

import carrier (進口承運人) means the owner of any importing vessel, aircraft or vehicle; (*L.N. 93 of 2003*)

import notification (進口通知書) means an import notification in the form approved by the Director and completed by a registered textiles trader in accordance with the conditions imposed under regulation 6(3B); (*L.N. 111 of 1993*)

importing vessel, aircraft or vehicle (進口船隻、飛機或車輛), in relation to goods that are, are to be or have been imported, means any vessel, aircraft or vehicle in or on which they are, are to be or have been imported (as the case may be); (*L.N. 93 of 2003*)

in electronic form (以電子形式) means in the form of an electronic record, whether or not it is sent using services provided by a specified body; (*L.N. 93 of 2003*)

licence (許可證) means a licence issued under section 3 of the Ordinance;

pesticide (除害劑) has the meaning assigned to it in section 2 of the Pesticides Ordinance (Cap. 133); (*79 of 1990 s. 21*)

powdered formula (配方粉) means a substance in powder form that—

- (a) is or appears to be for consumption by a person aged under 36 months; and
- (b) is or appears to be milk or milk-like substance in powder form to satisfy wholly or partly the nutritional requirement of a person aged under 36 months; (*L.N. 25 of 2013*)

reference number (編號)—

- (a) in relation to an import notification or export notification under Part 5A, means the reference number assigned to it under regulation 6A(2)(a) or 6BA(2)(a) (as the case may be); (*L.N. 43 of 2011*)
- (b) in relation to a transshipment notification under Part 5B, means the reference number assigned to it under regulation 6DAA(2)(a); (*33 of 2003 s. 2*)

registered textiles trader (登記紡織商) means a person registered as a textiles trader under regulation 5A; (*L.N. 111 of 1993*)

specified article (指明物品) means an article specified in Schedule 9; (*33 of 2003 s. 2*)

textiles (紡織品) includes any natural or artificial fibre products and any combination of natural and artificial fibre products in the form of yarn, fabrics, garments or other manufactured articles;

transshipment notification (轉運通知書)—

(a) (*Repealed L.N. 43 of 2011*)

(b) in relation to specified articles, means a transshipment notification in the form specified by the Commissioner and completed by a person who intends to rely on an exemption under regulation 6(1)(ba). (*33 of 2003 s. 2*)

(*L.N. 255 of 1984; 29 of 2000 s. 2; E.R. 1 of 2012*)

Part 1A

Production Notification of Certain Textiles for Export

(Part 1A added L.N. 193 of 1999)

2A. Matters prescribed for purposes of Part 2A of the Ordinance

- (1) The textiles specified in the third column of Part 1 of Schedule 5 are prescribed for the purposes of the definition of *specified textiles* in section 6AA(1) of the Ordinance.
- (2) The processes specified in the fourth column of Part 1 of Schedule 5 are prescribed in relation to the specified textiles opposite those processes in the third column of that Part for the purposes of the definition of *production* in section 6AA(1) of the Ordinance.
- (3) The countries or places specified in the second column of Part 1 of Schedule 5 are prescribed in relation to the specified textiles opposite those countries or places in the third column of that Part for the purposes of section 6AA(2) of the Ordinance.
- (4) The period specified in Part 3 of Schedule 5 is prescribed for the purposes of the definition of *permitted period* in section 6AA(1) of the Ordinance.
- (5) The particulars specified in Part 4 of Schedule 5 are prescribed as material for the purposes of the definition of *material particular* in section 6AA(1) of the Ordinance.

(L.N. 155 of 2004; E.R. 1 of 2012)

2B. Exemption from Part IIA of the Ordinance

Part IIA of the Ordinance does not apply to the specified textiles prescribed in Part 5 of Schedule 5.

Import and Export (General) Regulations

Part 1A

1A-4

Regulation 2B

Cap. 60A

(E.R. 1 of 2012)

Part 2

Import Licences

3. Articles specified for purposes of section 6C(1) of the Ordinance

The articles in Schedule 1 are specified for the purposes of section 6C(1) of the Ordinance.

(L.N. 136 of 1994; E.R. 1 of 2012)

Part 3

Export Licences

4. Articles specified for purposes of section 6D(1) of the Ordinance

The articles in Schedule 2 are specified for the purposes of section 6D(1) of the Ordinance.

(L.N. 136 of 1994; E.R. 1 of 2012)

5. Prohibition on issue of licences

(1) Where, in relation to the export of any article specified in Schedule 2 to any country or place there is in existence a quota system or an export authorization system, a licence to export such article to such country or place shall not be issued for the purposes of section 6D(1) of the Ordinance unless the person making the application for the licence is the holder of a valid quota allocation certificate or valid export authorization relating to the export of that article. *(L.N. 136 of 1994; L.N. 542 of 1995)*

(2) Paragraph (1) shall be in addition to, and not in derogation from the powers conferred on the Director by section 3 of the Ordinance.

(E.R. 1 of 2012)

Part 3A

Registration in Respect of Import and Export of Textiles

(Part 3A added L.N. 193 of 1999)

5AA. Interpretation of this Part

In this Part—

applicant (申請人), in relation to a relevant document, means the person who applies for the issue of, or is required to lodge with the Director, the relevant document under the Ordinance;

relevant document (有關文件) means—

- (a) an import or export licence in respect of textiles;
- (b) a production notification;
- (c) a validated production notification; or
- (d) any other document issued by, or required to be lodged with, the Director in respect of the import or export of textiles under the Ordinance.

5AB. Power to maintain register

- (1) The Director may maintain a register in such form as he may determine containing the names, addresses and business of those persons who are—
 - (a) approved by the Director or an appointed officer as being eligible to be issued with a relevant document; or
 - (b) required to lodge a relevant document with the Director under the Ordinance.

- (2) The Director may, before issuing or receiving a relevant document, require the applicant to be registered under paragraph (1).
- (3) Where the applicant is required by the Director to be registered under paragraph (1), he may be registered for such period not exceeding 12 months as the Director considers appropriate on payment of the prescribed fee.
- (4) The Director may enter in, refuse to enter in, delete from or restore to the register maintained under paragraph (1) the name of any person.
- (5) The Director may publish the name and address of any person whose name is entered in, deleted from or restored to the register.

5AC. Method of making application and power to call for evidence in support

- (1) Any person or group of persons who wish to be entered upon the register maintained under regulation 5AB or who wish to be issued with or lodge a relevant document shall apply to the Director in such manner and in such form as the Director may determine.
- (2) For the purposes of registration or continuation of registration or the issue or lodging of a relevant document, the Director or an appointed officer may require an applicant to maintain or to furnish in such form as he may provide such records or information as he may specify relating to the manufacture, processing or production and sale of goods by such applicant whether or not such goods have been exported or are to be exported and whether or not such goods are included or have been included or are to be included on any relevant document.
- (3) As a condition precedent to registration and as a condition of continuation of registration the Director may require an

applicant to give such undertaking as to the conduct of his business as the Director may require.

5AD. Restrictions on publication of information obtained under regulation 5AC

- (1) No person shall publish any information obtained by the Director or an appointed officer under regulation 5AC which information discloses the identity of any person or the nature of any goods manufactured, processed, produced, sold or exported by any person, unless the Director gives permission for publication of the information.
- (2) The Director shall not give permission for the publication of any information under paragraph (1) unless—
 - (a) publication is limited to the name and address of the person identifiable by the information or to whom the information relates and the fact that he is engaged in the manufacture, processing, production, sale or exportation of a particular product, and is made for the purpose of replying to a trade inquiry; or
 - (b) in the opinion of the Director, such publication is desirable for the purposes of—
 - (i) enforcing a provision of these regulations;
 - (ii) investigating a suspected offence against these regulations; or
 - (iii) investigating a suspected offence in respect of a relevant document, or an application for or use of it; or
 - (c) the person identifiable by the information or to whom the information relates consents in writing to publication of the information.

- (3) This regulation is subject to any provisions in any other Ordinances that allow the release of information for purposes permitted under those Ordinances.

5AE. Records to be kept and inspection

- (1) Without prejudice to regulation 5AC(2), a person whose name is entered in a register maintained under regulation 5AB shall keep—
- (a) accurate and up-to-date records containing particulars of—
 - (i) wages paid to his employees;
 - (ii) purchases of materials used in the manufacture, processing or production of any article;
 - (iii) the use of any such materials;
 - (iv) the daily production of articles manufactured, processed or produced by him;
 - (v) sales of articles manufactured, processed or produced by him or another person for him and his stock of such articles;
 - (vi) any work, being work consisting of the manufacture, processing or production of any article, being carried out for him by another person; and
 - (vii) cash and bank receipts and payments;
 - (b) purchase invoices of raw materials and components used in the production of the article specified in a relevant document; and
 - (c) such other records and documents as the Director may require.

Import and Export (General) Regulations

Part 3A

3A-10

Regulation 5AE

Cap. 60A

- (2) The record containing particulars of wages paid to employees shall contain an acknowledgment by each employee of the receipt of his wages.
 - (3) Any record kept under paragraph (1) shall be retained by such person for not less than 2 years after it is made.
-

Part 4

Textiles Trader Registration

(L.N. 179 of 2002)

5A. Textiles trader registration

- (1) If the Director is satisfied that a person is carrying on business as a textiles trader in the manner set out in the Schedule 4, the Director may, on the application of the person in the form approved by the Director, and having regard to the person's compliance with the Ordinance, the Trade Descriptions Ordinance (Cap. 362) and directions issued under either of those Ordinances, register the person as a textiles trader.
- (2) The Director may by notice in writing cancel, revoke or suspend a registration made under paragraph (1).
- (3) The Director may serve notice of the cancellation, revocation or suspension of registration on the person formerly registered as a textiles trader and the person shall be deemed to be served with the notice if it—
 - (a) is delivered to the person personally; or
 - (b) is addressed to him and left at or forwarded by registered post to him at his usual or last known place of abode or business.

(L.N. 111 of 1993; E.R. 1 of 2012)

Part 5

Application of, and Exemption from, Licensing Requirements

(L.N. 179 of 2002)

6. Application and exemption

- (1) Sections 6C(1) and 6D(1) of the Ordinance shall not apply to— *(L.N. 136 of 1994)*
 - (a) any article in transit, unless otherwise provided in regulation 6DF; *(L.N. 440 of 1990; L.N. 179 of 2002)*
 - (b) transshipment cargo imported or exported by a person to whom an exemption relating to that transshipment cargo has been granted under paragraph (2); *(L.N. 440 of 1990)*
 - (ba) any specified article imported or exported as transshipment cargo, unless otherwise provided in regulation 6AA, being an article in respect of which a transshipment notification has been endorsed by the Commissioner or an authorized officer and the endorsement remains to have effect when the specified article is imported or exported; *(33 of 2003 s. 2)*
 - (c) any article specified in—
 - (i) items 1, 1A, 1B and 1C of Schedule 3, imported or exported in the accompanied personal baggage of a person entering or leaving Hong Kong and which is for his personal use; *(47 of 1999 s. 171)*
 - (ii) item 2 of Schedule 3 imported or exported by an individual for his personal use or as a bona fide gift to another individual; *(L.N. 155 of 2004)*

- (iii) Schedule 3, imported or exported as part of the provisions required for consumption or use by the crew or passengers of the vessel, aircraft or vehicle on which the article is carried,
and is in each case in a quantity which is reasonable having regard to the purpose for which it is imported or exported as the case may be; (*L.N. 440 of 1990*)
- (ca) any article specified in Schedule 6 which is—
- (i) imported in the accompanied personal baggage of a person entering Hong Kong;
 - (ii) for the personal use of that person or is a gift;
 - (iii) in an amount not exceeding 15 kg; and
 - (iv) accompanied by a health certificate as defined by regulation 2 of the Imported Game, Meat, Poultry and Eggs Regulations (Cap. 132 sub. leg. AK); (*L.N. 142 of 2000; L.N. 105 of 2015*)
- (d) any article in respect of the import or export of which a person has been granted an exemption under paragraph (5). (*L.N. 440 of 1990*)
- (1A) Section 6C(1) of the Ordinance does not apply to any article of textiles that is—
- (a) imported from a place other than that referred to in paragraph (a) of Schedule 4; or
 - (b) subject to paragraph (1B), imported as transshipment cargo. (*L.N. 43 of 2011*)
- (1B) If at any time between its import to and export from Hong Kong, an article of textiles imported as transshipment cargo under paragraph (1A)(b) ceases to be transshipment cargo, section 6C(1) of the Ordinance has effect as if paragraph (1A)(b) had not been enacted. (*L.N. 43 of 2011*)

- (1C) Section 6D(1) of the Ordinance does not apply to any article of textiles that is—
- (a) exported to a place other than that referred to in paragraph (b) of Schedule 4; or
 - (b) exported as transshipment cargo. (*L.N. 43 of 2011*)
- (1D) Section 6D(1) of the Ordinance does not apply to powdered formula (whether of the same composition and whether in one or more containers) that is exported in the accompanied personal baggage of a person aged 16 or above leaving Hong Kong—
- (a) if—
 - (i) the person did not leave Hong Kong in the last 24 hours; and
 - (ii) the formula does not exceed 1.8 kg in total net weight; or
 - (b) if—
 - (i) the person left Hong Kong one or more times in the last 24 hours;
 - (ii) the person is leaving Hong Kong together with a person aged under 36 months (*child*); and
 - (iii) the formula is in an unsealed container and does not exceed a reasonable quantity for the child's consumption during the travelling time from a point of exit in Hong Kong to the next point of entry in a place outside Hong Kong. (*L.N. 25 of 2013*)
- (2) If the Director is satisfied that a person is engaged in the business of dealing in transshipment cargo he may exempt in writing, with respect to the transshipment of any of the items set out in Schedules 1 and 2 and specified in the exemption,

that person from the licensing requirements under sections 6C(1) and 6D(1) of the Ordinance. (*L.N. 136 of 1994*)

- (3) The Director may impose such conditions as he thinks fit upon any exemption made under paragraph (2) and any person exempted under paragraph (2) shall comply with any condition imposed under this paragraph.
- (3A) If a person is a registered textiles trader, the Director may exempt, in writing, the registered textiles trader from the licensing requirements under sections 6C(1) and 6D(1) of the Ordinance for the import or export of textiles in accordance with Schedule 4 by the registered textiles trader. (*L.N. 111 of 1993; L.N. 136 of 1994*)
- (3B) The Director may impose such conditions as he thinks fit upon any exemption made under paragraph (3A) and any person who relies on an exemption issued under paragraph (3A) shall comply with any condition imposed under this paragraph. (*L.N. 111 of 1993*)
- (3C) The Director may vary the conditions as he thinks fit upon any exemption made under paragraph (3A) and any person who relies on an exemption issued under paragraph (3A) shall comply with any condition varied under this paragraph. (*L.N. 111 of 1993*)
- (3D) The Director may approve the form of an import notification or export notification that a registered textiles trader is required to submit under these regulations. (*L.N. 111 of 1993; L.N. 43 of 2011*)
- (4) If a person contravenes or fails to comply with any condition imposed under paragraph (3), (3B) or (3C)— (*L.N. 111 of 1993*)
 - (a) he shall be guilty of an offence and shall be liable on conviction to a fine of \$500,000 and to imprisonment for 2 years; and

- (b) the Director may by notice in writing revoke or suspend any exemption granted to that person or may amend any condition.
- (5) Without prejudice to paragraphs (2), (3), (3A), (3B), (3C) and (4), the Director may, on application and in respect of any article specified in Schedule 1 or 2, exempt in writing any person from any requirement to obtain a licence under sections 6C(1) and 6D(1) of the Ordinance. (*L.N. 440 of 1990; L.N. 111 of 1993; L.N. 136 of 1994*)
- (6) The Commissioner may specify the form of, and the information required to be given in, a transhipment notification in respect of any specified article. (*33 of 2003 s. 2*)
(*L.N. 255 of 1984; E.R. 1 of 2012*)

6AA. Application to air transhipment cargo

- (1) Unless otherwise provided in regulation 6DF, section 6C(1) of the Ordinance does not apply in relation to an article specified in paragraph (2) that is air transhipment cargo; but if at any time between its being brought into and taken out of Hong Kong such article is removed from the cargo transhipment area of Hong Kong International Airport then, for the purposes of section 6C(1) of the Ordinance— (*L.N. 179 of 2002*)
 - (a) the article is deemed to be imported at the time of such removal; and
 - (b) the person who brought the article, or caused it to be brought, into Hong Kong as air transhipment cargo is deemed to be the person who imports the article at the time of its removal,and, except to that extent, that section has effect as if this paragraph had not been enacted.
- (2) The articles specified for the purposes of paragraph (1) are—

- (a) the articles set out in Part 1 of Schedule 1, other than textiles;
 - (b) the articles set out in Part 2 of that Schedule.
- (3) Unless otherwise provided in regulation 6DF, section 6D(1) of the Ordinance does not apply in relation to an article specified in paragraph (4) that is air transshipment cargo; but if at any time between its being brought into and taken out of Hong Kong such article is removed from the cargo transshipment area of Hong Kong International Airport, section 6D(1) of the Ordinance has effect as if this paragraph had not been enacted. (*L.N. 179 of 2002*)
- (4) The articles specified for the purposes of paragraph (3) are—
- (a) the articles set out in Part 1 of Schedule 2, other than textiles;
 - (b) the articles set out in Part 2 of that Schedule.
- (5) (a) For the purpose of the issue of a licence under section 3 of the Ordinance for the import of an article specified in paragraph (2), the import of such an article that is air transshipment cargo does not take place unless and until the article is removed from the cargo transshipment area of Hong Kong International Airport other than for the purpose of its being taken out of Hong Kong by air.
- (b) Nothing in this regulation precludes the issue of a licence under section 3 of the Ordinance for the export of an article specified in paragraph (4) that is air transshipment cargo only because the article has been removed from the cargo transshipment area of Hong Kong International Airport.
- (6) In proceedings against a person for an offence under section 6C or 6D of the Ordinance, being proceedings—

- (a) in relation to the import or export of an article specified in paragraph (2) or (4) that is air transshipment cargo; and
 - (b) in which it is necessary for the prosecution to prove that, at any time between its being brought into and taken out of Hong Kong, the article was removed from the cargo transshipment area of Hong Kong International Airport, it is a defence for the person to show that he took all reasonable steps and exercised reasonable diligence to avoid such removal occurring or that he reasonably believed that such removal had not occurred, as the case may be.
- (7) Where in any proceedings the defence provided by paragraph (6) involves an allegation that the commission of the offence was due to—
- (a) the act or default of another person; or
 - (b) reliance on information given by another person, the defendant is not, without the leave of the court, entitled to rely on the defence unless, not less than 10 days before the hearing of the proceedings, he has served a notice in writing on the prosecutor giving all particulars of—
 - (i) the person who committed the act or default or gave the information; and
 - (ii) the act, default or information, of which he is aware at the time he serves the notice.
- (8) A person is not entitled to rely on the defence provided by paragraph (6) by reason of his reliance on information supplied by another person, unless he shows that it was reasonable in all the circumstances for him to have relied on the information, having regard in particular to—

Import and Export (General) Regulations

Part 5

5-16

Regulation 6AA

Cap. 60A

- (a) the steps which he took, and those which might reasonably have been taken, for the purpose of verifying the information; and
- (b) whether he had any reason to disbelieve the information.

(29 of 2000 s. 2; E.R. 1 of 2012)

Part 5A

Import or Export of Textiles (otherwise than as Transshipment Cargo) in Reliance on Exemption

(Amended L.N. 43 of 2011)

Import of textiles otherwise than as transshipment cargo

6A. Obligations of registered textiles trader

- (1) A registered textiles trader shall ensure that no textiles are imported otherwise than as transshipment cargo, in or on any vessel, aircraft or vehicle, in reliance on an exemption issued to him under regulation 6(3A) until he has—
 - (a) delivered to the Director, using services provided by a specified body, an import notification in respect of the textiles;
 - (b) received the reference number assigned to that import notification and sent by the Director under paragraph (2); and
 - (c) delivered to the import carrier, in electronic form or in paper form, the reference number of that import notification and indicated to the import carrier that it is such reference number.
- (2) The Director, on receiving from a registered textiles trader an import notification under paragraph (1)(a) in respect of any textiles—
 - (a) is to assign a reference number to the notification for the purpose of identifying the notification; and

- (b) is to send to the registered textiles trader, using services provided by a specified body, the reference number of the notification.
- (3) A registered textiles trader who has delivered an import notification to the Director, and has complied with other requirements in paragraph (1), in respect of any textiles shall not take, or cause to be taken, possession of the textiles imported without having delivered to the import carrier, in electronic form or in paper form, all the particulars contained in that import notification and having indicated to the import carrier that they are such particulars.
- (4) Any person who contravenes paragraph (1) commits an offence and is liable on conviction—
 - (a) where the offence involves a breach of paragraph (1)(c) only, to a fine at level 2; or
 - (b) in any other case, to a fine of \$500,000 and to imprisonment for 2 years.
- (5) Any person who contravenes paragraph (3) commits an offence and is liable on conviction to a fine at level 2.

(L.N. 93 of 2003)

6B. Obligations of carrier

- (1) This regulation applies where textiles are imported otherwise than as transshipment cargo in or on any vessel, aircraft or vehicle under an exemption issued to a registered textiles trader under regulation 6(3A).
- (2) The import carrier shall not release possession of the textiles imported until he has received from the registered textiles trader information, in electronic form or in paper form, that—
 - (a) includes all the items of particulars required to be contained in an import notification;

- (b) appears on its face to be information in respect of the textiles; and
- (c) is indicated by the registered textiles trader to be—
 - (i) all the particulars contained in an import notification that the registered textiles trader has delivered to the Director in respect of the textiles as required in regulation 6A(1)(a); and
 - (ii) the reference number assigned by the Director to that notification (*reference number as informed*).
- (3) The import carrier shall—
 - (a) within 14 days after the day on which he receives the reference number as informed or on which the textiles are imported (whichever is the later); and
 - (b) using services provided by a specified body, deliver to the Director a copy or extract of the manifest of the importing vessel, aircraft or vehicle, which copy or extract shall contain, in addition to the particulars required to be contained in a manifest under paragraph 2 of the Import and Export Manifests Notice (Cap. 60 sub. leg. C), that reference number.
- (4) Any person who contravenes paragraph (2) commits an offence and is liable on conviction to a fine of \$500,000 and to imprisonment for 1 year.
- (5) Subject to regulation 6C, any person who contravenes paragraph (3) commits an offence and is liable on conviction to a fine at level 2.

(L.N. 93 of 2003)

Export of textiles otherwise than as transshipment cargo

6BA. Obligations of registered textiles trader

- (1) A registered textiles trader shall ensure that no textiles are exported otherwise than as transshipment cargo, in or on any vessel, aircraft or vehicle, in reliance on an exemption issued to him under regulation 6(3A) until he has—
 - (a) delivered to the Director, using services provided by a specified body, an export notification in respect of the textiles;
 - (b) received the reference number assigned to that export notification and sent by the Director under paragraph (2); and
 - (c) delivered to the export carrier, in electronic form or in paper form, all the particulars contained in, and the reference number of, that export notification and indicated to the export carrier that they are such particulars and reference number.
- (2) The Director, on receiving from a registered textiles trader an export notification under paragraph (1)(a) in respect of any textiles—
 - (a) is to assign a reference number to the notification for the purpose of identifying the notification; and
 - (b) is to send to the registered textiles trader, using services provided by a specified body, the reference number of the notification.
- (3) Any person who contravenes paragraph (1) commits an offence and is liable on conviction—
 - (a) where the offence involves a breach of paragraph (1)(c) only, to a fine at level 2; or
 - (b) in any other case, to a fine of \$500,000 and to imprisonment for 2 years.

(L.N. 93 of 2003)

6BB. Obligations of carrier

- (1) This regulation applies where textiles are or are to be exported otherwise than as transshipment cargo in or on any vessel, aircraft or vehicle under an exemption issued to a registered textiles trader under regulation 6(3A).
- (2) The export carrier shall not export the textiles until he has received from the registered textiles trader information, in electronic form or in paper form, that—
 - (a) includes all the items of particulars required to be contained in an export notification;
 - (b) appears on its face to be information in respect of the textiles; and
 - (c) is indicated by the registered textiles trader to be—
 - (i) all the particulars contained in an export notification that the registered textiles trader has delivered to the Director in respect of the textiles as required in regulation 6BA(1)(a); and
 - (ii) the reference number assigned by the Director to that notification (*reference number as informed*).
- (3) The export carrier shall, within 14 days after the day on which the textiles are exported and using services provided by a specified body, deliver to the Director a copy or extract of the manifest of the exporting vessel, aircraft or vehicle, which copy or extract shall contain, in addition to the particulars required to be contained in a manifest under paragraph 3 of the Import and Export Manifests Notice (Cap. 60 sub. leg. C), the reference number as informed.
- (4) Any person who contravenes paragraph (2) commits an offence and is liable on conviction to a fine of \$500,000 and to imprisonment for 1 year.

- (5) Subject to regulation 6C, any person who contravenes paragraph (3) commits an offence and is liable on conviction to a fine at level 2.

(L.N. 93 of 2003)

(Cross-heading repealed L.N. 43 of 2011)

6BC. *(Repealed L.N. 43 of 2011)*

6BD. *(Repealed L.N. 43 of 2011)*

(Cross-heading repealed L.N. 43 of 2011)

6BE. *(Repealed L.N. 43 of 2011)*

6BF. *(Repealed L.N. 43 of 2011)*

Miscellaneous provisions

6C. Certain requirements deemed complied with if manifest lodged with Commissioner using services provided by a specified body

The requirements under regulation 6B(3) or 6BB(3) are deemed to have been complied with if— *(L.N. 43 of 2011)*

- (a) regulation 11 or 12 (as the case may be) of the Import and Export (Registration) Regulations (Cap. 60 sub. leg. E) has been complied with in relation to the importing vessel, aircraft or vehicle or exporting vessel, aircraft or vehicle (as the case may be) by the manifest having been lodged with the Commissioner, or with an officer appointed by the Commissioner, using services provided by a specified body; and

- (b) the manifest contains the reference number as informed within the meaning of regulation 6B(2)(c)(ii) or 6BB(2)(c)(ii) (as the case may be). *(L.N. 43 of 2011)*

(L.N. 93 of 2003)

6D. Commissioner etc. to have access to notifications delivered to Director

The Commissioner, an authorized officer or a member of the Customs and Excise Service of or above the rank of Inspector shall have access to any information contained in an import, export or transshipment notification that has been delivered under these regulations to the Director.

(L.N. 93 of 2003)

Part 5B

Import or Export of Specified Articles as Transshipment Cargo Exempted from Licensing Requirements

(Part 5B added 33 of 2003 s. 2)

Endorsement by the Commissioner, etc. on transshipment notification

6DAA. Endorsement on transshipment notification

- (1) A person who intends to rely on an exemption under regulation 6(1)(ba) in respect of a specified article to be imported or exported as transshipment cargo shall—
 - (a) complete a transshipment notification in respect of the specified article; and
 - (b) deliver the completed notification to the Commissioner for endorsement.
- (2) On receipt of a completed notification, the Commissioner or an authorized officer shall as soon as reasonably practicable—
 - (a) assign a reference number to the notification for the purpose of identifying the notification;
 - (b) endorse on the notification if—
 - (i) all information required to be given in the notification has been given; and
 - (ii) the Commissioner or authorized officer is satisfied that the specified article is transshipment cargo; and
 - (c) return the notification endorsed under subparagraph (b) to the person referred to in paragraph (1).

Import of specified articles as transshipment cargo

6DAB. Import carrier not to release transshipment cargo without transshipment notification

- (1) This regulation applies where a specified article is imported as transshipment cargo in or on any vessel, aircraft or vehicle in reliance on an exemption under regulation 6(1)(ba).
- (2) An import carrier shall retain possession of a specified article until he has received a transshipment notification endorsed under regulation 6DAA(2) in respect of the specified article.
- (3) Any person who contravenes paragraph (2) commits an offence and is liable on conviction to a fine of \$500,000 and to imprisonment for 1 year.

6DAC. Delivery of transshipment notification and manifest to the Director

- (1) A person who receives a transshipment notification endorsed under regulation 6DAA(2) shall, within 7 days after the day on which the specified article to which the notification relates is imported, present the endorsed notification to an import carrier.
- (2) The import carrier, on receiving the endorsed notification pursuant to paragraph (1)—
 - (a) may release the specified article to the consignee; and
 - (b) shall, within 7 days after receiving the endorsed notification—
 - (i) deliver it to the Director; and
 - (ii) deliver to the Director, using services provided by a specified body, a copy or extract of the manifest of the importing vessel, aircraft or vehicle, which copy or extract shall contain, in addition to the particulars required to be contained in a

manifest under paragraph 2 of the Import and Export Manifests Notice (Cap. 60 sub. leg. C), the reference number.

- (3) Any person who contravenes paragraph (1) or (2)(b) commits an offence and is liable on conviction to a fine at level 2.

Export of specified articles as transshipment cargo

6DAD. Export carrier not to accept transshipment cargo without transshipment notification

- (1) This regulation applies where a specified article is exported as transshipment cargo in or on any vessel, aircraft or vehicle in reliance on an exemption under regulation 6(1)(ba).
- (2) An export carrier shall not accept a specified article for export on an exporting vessel, aircraft or vehicle until he has received a transshipment notification endorsed under regulation 6DAA(2) in respect of the specified article.
- (3) Any person who contravenes paragraph (2) commits an offence and is liable on conviction to a fine of \$500,000 and to imprisonment for 1 year.

6DAE. Delivery of transshipment notification and manifest to the Director

- (1) A person who receives a transshipment notification endorsed under regulation 6DAA(2) shall, before the specified article to which the notification relates is exported, present the endorsed notification to an export carrier.
- (2) The export carrier, on receiving the endorsed notification pursuant to paragraph (1), shall within 14 days after the day on which the article is exported—
 - (a) deliver the endorsed notification to the Director; and

- (b) deliver to the Director, using services provided by a specified body, a copy or extract of the manifest of the exporting vessel, aircraft or vehicle, which copy or extract shall contain, in addition to the particulars required to be contained in a manifest under paragraph 3 of the Import and Export Manifests Notice (Cap. 60 sub. leg. C), the reference number.
- (3) Any person who contravenes paragraph (1) or (2) commits an offence and is liable on conviction to a fine at level 2.

6DAF. Endorsement on transhipment notification ceases to have effect

- (1) If a transhipment notification has been endorsed under regulation 6DAA(2) and any information in the endorsed notification relating to the consignment of the transhipment cargo is rendered inaccurate in a material particular by any change of circumstances, the endorsement on the notification shall cease to have any effect.
- (2) Where the endorsement of a transhipment notification ceases to have effect at any time before the specified article to which the notification relates is imported or exported, section 6C or 6D of the Ordinance shall respectively apply.

6DAG. Certain requirements deemed complied with if manifest lodged with Commissioner using services provided by a specified body

The requirements under regulation 6DAC(2)(b)(ii) or 6DAE(2)(b) are deemed to have been complied with if—

- (a) regulation 11 or 12 (as the case may be) of the Import and Export (Registration) Regulations (Cap. 60 sub. leg. E) has been complied with in relation to the importing vessel, aircraft or vehicle or exporting vessel, aircraft or vehicle (as the case may be) by the manifest having been lodged with the Commissioner, or with an officer

appointed by the Commissioner, using services provided by a specified body; and

- (b) the manifest contains the reference number.

6DAH. Transitional

- (1) For the purposes of this Part, any provision of regulations 6DAC and 6DAE requiring that a copy or extract of a manifest delivered under those regulations be delivered by using services provided by a specified body shall, in respect of the period specified in paragraph (3), but subject to any determination made under section 32A(2)(a) of the Ordinance or notice published under section 32B(2) of the Ordinance, be construed as requiring that the copy or extract be delivered either in paper form or by using services provided by a specified body.
- (2) Where a copy or extract of a manifest is delivered in paper form during the period specified in paragraph (3), the import carrier or export carrier (as the case may be) shall, in addition to complying with other requirements under regulation 6DAC or 6DAE, deliver to the Director such copy or extract duly certified by the import carrier or export carrier (as the case may be) as a true copy or extract of the manifest, failing which the requirements under regulation 6DAC(2)(b)(ii) or 6DAE(2)(b) shall not be regarded as having been complied with.

Import and Export (General) Regulations

Part 5B

5B-12

Regulation 6DAH

Cap. 60A

- (3) The period specified for the purposes of paragraphs (1) and (2) is the period beginning with the commencement* of section 4 of Schedule 1 to the Import and Export (Facilitation) Ordinance 2003 (33 of 2003) and ending at midnight on a date to be specified by the Director for the purposes of this paragraph by notice published in the Gazette**. (*L.N. 206 of 2005*)
 - (4) A notice published under paragraph (3) may specify different dates in relation to different classes of persons or information.
 - (5) A notice published under paragraph (3) is subsidiary legislation.
-

Editorial Note:

* Commencement date: 8 January 2004.

** L.N. 31 of 2006 was made by the Director for the purposes of regulation 6DAH(3) and its text is reproduced as follows—

“For the purposes of regulation 6DAH(3) of the Import and Export (General) Regulations (Cap. 60 sub. leg. A), I specify 15 June 2006 as the date on which the period specified for the purposes of regulation 6DAH(1) and (2) (in so far as it relates to any provision of regulation 6DAC or 6DAE of the Regulations requiring the delivery of a copy or extract of the manifest of a vessel) of the Regulations shall end.”.

Last updated date
9.2.2012

Part 6

Control on Import, Export, Etc. of Rough Diamonds

(Part 6 added L.N. 179 of 2002)

6DA. Interpretation of Part 6

In this Part, unless the context otherwise requires—

diamond (鑽石) means a natural mineral consisting essentially of pure crystallized carbon in the isometric system, with a hardness on the Mohs (scratch) scale of 10, a specific gravity of approximately 3.52 and a refractive index of 2.42;

Kimberley Process (金伯利進程) means the international forum in which the participants have developed an international certification scheme for rough diamonds;

registered rough diamond trader (登記未經加工鑽石商) means a person registered under regulation 6DD;

rough diamonds (未經加工鑽石) means diamonds that are unworked or simply sawn, cleaved or bruted and fall under the Hong Kong Harmonisation System Codes 7102 1000, 7102 2100 and 7102 3100 under the heading 7102 in the Hong Kong Imports and Exports Classification List (Harmonised System) issued by the Commissioner (as amended from time to time);

Scheme (計劃) means the international certification scheme for rough diamonds presented in the form of a document entitled the “Kimberley Process Certification Scheme” and adopted at a meeting of the Kimberley Process on 5 November 2002 in Interlaken, Switzerland;

specified country or place (指明國家或地方) means a country or place for the time being specified in Schedule 7 as being—

- (a) a country or place for which the Scheme is effective; or
- (b) any other country or place from which the import of rough diamonds into, and to which the export of rough diamonds from, a country or place for which the Scheme is effective is permitted by the Kimberley Process.

(E.R. 1 of 2012)

6DB. Traders in rough diamonds to be registered

- (1) Subject to paragraph (1A), no person shall carry on a business of importing, exporting, buying, selling or carrying rough diamonds, unless he is a registered rough diamond trader.
(L.N. 49 of 2006)
- (1A) Paragraph (1) does not apply to a person by reason only that he carries on a business of carrying rough diamonds, if the person—
 - (a) is an owner of a vessel, aircraft or vehicle; and
 - (b) is required to comply with the requirements applicable to an owner of a vessel, aircraft or vehicle under—
 - (i) in the case of the import of rough diamonds, section 7(1) and section 8(2)(b) of the Ordinance; and
 - (ii) in the case of the export of rough diamonds, section 10(1)(a) and section 11(2)(b) of the Ordinance. *(L.N. 49 of 2006)*
- (2) A person who contravenes paragraph (1) commits an offence and is liable on conviction to a fine at level 6 and to imprisonment for 1 year.

6DC. Register of registered rough diamond traders

- (1) The Director shall maintain a register of registered rough diamond traders.

- (2) The register maintained under this regulation shall be in such form, and shall contain the names and such other particulars of persons who are registered under regulation 6DD, as the Director may consider appropriate.

6DD. Registration

- (1) The Director shall, on an application to him in accordance with paragraph (2) by any person and upon payment of the prescribed fee, register the person as a registered rough diamond trader by entering the name of the person in the register maintained under regulation 6DC.
- (2) An application to the Director shall be made in such manner and in such form, and be accompanied by such information, as the Director may determine.
- (3) The Director is to assign a registration number to each person registered under paragraph (1) and is to inform the person of the registration number.
- (4) Registration under paragraph (1) shall be valid for a period of 2 years.

6DE. Rough diamonds to be traded with specified country or place only

- (1) No person shall, whether as agent or otherwise, import rough diamonds from, or export rough diamonds to, a country or place other than a specified country or place.
- (2) A person who contravenes paragraph (1) commits an offence and is liable on conviction to a fine of \$500,000 and to imprisonment for 2 years.

6DF. Rough diamonds in transit or as air transshipment cargo not to be tampered with

- (1) Notwithstanding regulation 6(1)(a), the licensing requirements

under sections 6C(1) and 6D(1) of the Ordinance shall apply to rough diamonds that are in transit, unless the requirements specified in paragraph (3) are complied with in respect of the rough diamonds.

- (2) Notwithstanding regulation 6AA(1) and (3), the licensing requirements under sections 6C(1) and 6D(1) of the Ordinance shall apply in relation to rough diamonds that are air transshipment cargo, unless the requirements specified in paragraph (3) are complied with in respect of the rough diamonds.
- (3) The requirements specified for the purposes of paragraphs (1) and (2) are—
 - (a) that the rough diamonds are sealed in a container; and
 - (b) that the container has not been tampered with and the seals on the container remain intact.

6DG. Registered rough diamond trader to keep daily trade record, etc.

- (1) A registered rough diamond trader who carries on a business of importing, exporting, buying or selling rough diamonds shall, in such manner and in such form as the Director may require, keep an accurate and up-to-date record of his daily import, export, purchase and sale of rough diamonds. The record must contain—
 - (a) the name of each person from or to whom the trader buys or sells the rough diamonds and (if that person is also a registered rough diamond trader) that person's registration number;
 - (b) the amount and value of rough diamonds imported, exported, bought or sold; and
 - (c) such other particulars as the Director may require.

- (2) A registered rough diamond trader referred to in paragraph (1) shall retain each record kept under paragraph (1)—
 - (a) for 5 years from the day on which it is made; or
 - (b) for such shorter period as the Director may, bearing in mind requirements of the Scheme, specify.
- (3) A registered rough diamond trader shall submit such returns or notifications relating to the import, export, purchase and sale of rough diamonds as the Director may require at such intervals as the Director may require.
- (4) Neither the Director nor any other person who has access to any record kept, or information obtained, under this regulation in the course of exercising or performing any powers or duties shall disclose such record or information except for the purposes of or in connection with—
 - (a) the exercise or performance of any of the powers or duties conferred or imposed by the Ordinance, or of any regulation made under it, applicable to rough diamonds;
 - (b) the Scheme or its implementation; or
 - (c) the institution of any proceedings for an offence under the Ordinance or any regulation made under it.
- (5) A person who contravenes paragraph (1), (2) or (3) commits an offence and is liable on conviction to a fine of \$200,000 and to imprisonment for 1 year.
- (6) A person who contravenes paragraph (4) commits an offence and is liable on conviction to a fine of \$200,000 and to imprisonment for 1 year.

6DH. Appointment of persons to assist in examination of rough diamonds

- (1) Without prejudice to sections 4 and 4A of the Ordinance and any other law that enable a person to exercise or perform

any of the powers or duties conferred or imposed by the Ordinance, the Commissioner may appoint in writing any person to assist any authorized officer or any member of the Customs and Excise Service in the examination of rough diamonds.

- (2) For the purpose of assisting in the examination of rough diamonds, a person appointed under paragraph (1) may accompany an authorized officer or a member of the Customs and Excise Service in entering any place or premises which the officer or member is empowered by the Ordinance to enter.

6DI. Non-derogation from other laws

The provisions of these regulations relating to rough diamonds are in addition to, and do not derogate from, any other law prohibiting or restricting the import into, or export from, Hong Kong of rough diamonds.

Part 7

Miscellaneous

(L.N. 179 of 2002)

6E. Defence of reasonable diligence

- (1) In any proceedings against a person for an offence under regulation 6A(4), 6B(4), 6BA(3), 6BB(4), 6DAB(3) or 6DAD(3), it shall be a defence for the person to show that he took all reasonable steps and exercised reasonable diligence to avoid committing the offence. *(L.N. 93 of 2003; 33 of 2003 s. 2; L.N. 43 of 2011)*
- (2) Where in any proceedings the defence provided by paragraph (1) involves an allegation that the commission of the offence was due—
 - (a) to the act or default of another person; or
 - (b) to reliance on information given by another person,the defendant shall not, without the leave of the court, be entitled to rely on the defence unless, not less than 10 days before the hearing of the proceedings, he has served a notice in writing on the prosecutor giving all particulars of the person who committed the act or default or gave the information and of the act, default and information of which he is aware at the time he serves notice.
- (3) A person shall not be entitled to rely on the defence provided by paragraph (1) by reason of his reliance on information supplied by another person, unless he shows that it was reasonable in all the circumstances for him to have relied on the information, having regard in particular—

- (a) to the steps which he took, and those which might reasonably have been taken, for the purpose of verifying the information; and
- (b) to whether he had any reason to disbelieve the information.

(L.N. 111 of 1993)

6F. Offences

- (1) Any person who—
 - (a) makes or gives or causes to be made or given any statement, which he knows or has reason to believe to be false or misleading in a material particular, in any declaration or any information whether verbal or in writing or otherwise required by the Director or an appointed officer under these regulations;
 - (b) makes or gives or causes to be made or given any statement or information, which he knows or has reason to believe to be false or misleading in a material particular, in respect of any document—
 - (i) that is required to be maintained or furnished under regulation 5AC; or
 - (ii) that he knows or has reason to believe may be used in support of an application for registration under regulation 5AC;
 - (c) is in breach of an undertaking or part of an undertaking given under regulation 5AC;
 - (d) contravenes any requirement under regulation 5AE;
(L.N. 179 of 2002)
 - (e) makes in any record kept under regulation 5AE(1) any statement that he knows or has reason to believe to be

false or misleading in a material particular; (*L.N. 179 of 2002*)

- (f) gives or causes to be given any information, which he knows or has reason to believe to be false or misleading in a material particular, in support of an application for registration under regulation 6DD; (*L.N. 179 of 2002; 33 of 2003 s. 2*)
- (g) makes in any record kept, or any return or notification submitted, under regulation 6DG any statement that he knows or has reason to believe to be false or misleading in a material particular; or (*L.N. 179 of 2002; 33 of 2003 s. 2*)
- (h) gives or causes to be given any information, which he knows or has reason to believe to be false or misleading in a material particular, in a transshipment notification under regulation 6DAA(1), (*33 of 2003 s. 2*)

commits an offence and is liable on conviction to a fine of \$500,000 and to imprisonment for 2 years.

- (2) Where a person convicted of an offence under these regulations is a company, every director and every officer concerned in the management of the company shall be guilty of the like offence unless he proves that the act constituting the offence took place without his knowledge or consent.
- (3) Where an offence under these regulations committed by a partner in a partnership is proved to have been committed with the consent or connivance of, or to be attributable to any act on the part of, any other partner of the partnership or any person concerned in the management of the partnership, that other partner or the person concerned in the management of the partnership commits the like offence.

(L.N. 193 of 1999)

6G. Liability of principals

- (1) Any person who authorizes another person (hereinafter referred to as the agent) to act for him in relation to anything required to be done under any of these regulations shall be liable for the acts and omissions of the agent, and may accordingly be prosecuted for any offence committed by the agent with respect to any such act or omission in the same manner as if he had himself committed the offence, but shall not be sentenced to imprisonment unless he actually consented to the commission of the offence.
- (2) Nothing in this regulation shall relieve the agent from liability to prosecution.

(L.N. 193 of 1999)

6H. Transitional provisions apply in respect of specified period

- (1) In respect of the period specified in paragraph (2), Schedule 8 has effect.
- (2) The period specified for the purpose of paragraph (1) is the period beginning with the commencement of the Import and Export (General) (Amendment) (No. 2) Regulation 2003 (*L.N. 93 of 2003*) and ending at midnight on a date to be specified by the Director for the purposes of this paragraph by notice published in the Gazette. (*L.N. 206 of 2005*)
- (3) A notice published under paragraph (2) may specify different dates in relation to different classes of persons or textiles.
- (4) A notice published under paragraph (2) is subsidiary legislation.

(L.N. 93 of 2003; E.R. 1 of 2012)

6I. Transitional arrangement arising from Import and Export (General) (Amendment) Regulation 2015

- (1) An official certificate within the meaning of the pre-amended Regulations—
- (a) that was in force immediately before 5 December 2015; and
 - (b) accompanying an article specified in Schedule 6, continues to have effect for the purposes of regulation 6(1)(ca)(iv) on and after that date as if it were a health certificate as defined by regulation 2 of the Imported Game, Meat, Poultry and Eggs Regulations (Cap. 132 sub. leg. AK).
- (2) In this regulation—
- pre-amended Regulations*** (《未修訂規例》) means the Imported Game, Meat and Poultry Regulations (Cap. 132 sub. leg. AK) in force immediately before 5 December 2015.

(L.N. 105 of 2015)

7. Amendment of Schedules

- (1) The Director-General of Trade and Industry may, by order published in the Gazette, amend Part 1 of Schedule 1 or 2, Schedule 3, Schedule 4, Schedule 5, or Schedule 6. *(L.N. 206 of 1977; L.N. 294 of 1982; L.N. 440 of 1990; L.N. 297 of 1991; L.N. 111 of 1993; L.N. 136 of 1994; L.N. 193 of 1999; L.N. 142 of 2000; L.N. 173 of 2000; L.N. 179 of 2002)*
- (2) The Director-General of Trade and Industry may, by notice published in the Gazette—
- (a) add to Schedule 7 the name of—
 - (i) a country or place for which the Scheme is effective; or
 - (ii) any other country or place from which the import of rough diamonds into, and to which the export of rough diamonds from, a country or place for

Import and Export (General) Regulations

Part 7

7-12

Regulation 7

Cap. 60A

which the Scheme is effective is permitted by the Kimberley Process; and

- (b) delete from Schedule 7 the name of a country or place that is not a country or place referred to in subparagraph (a)(i) or (ii); or (*L.N. 179 of 2002; 33 of 2003 s. 2*)
- (c) amend Schedule 9. (*33 of 2003 s. 2*)

(E.R. 1 of 2012)

Schedule 1

[regs. 3, 6, 6AA & 7]

(29 of 2000 s. 2)

Part 1

1. Pesticides.
2. Pharmaceutical products and medicines as defined by section 2 of the Pharmacy and Poisons Ordinance (Cap. 138).
- 2A. Chinese herbal medicines specified in Schedule 1 of the Chinese Medicine Ordinance (Cap. 549). *(47 of 1999 s. 172)*
- 2B. 5 Chinese herbal medicines specified in Schedule 2 of the Chinese Medicine Ordinance (Cap. 549), namely, Flos Campsis (凌霄花), Processed Radix Aconiti (製川烏), Processed Radix Aconiti Kusnezoffii (製草烏), Radix Clematidis (威靈仙) and Radix Gentianae (龍膽). *(47 of 1999 s. 172)*
- 2C. Proprietary Chinese medicines as defined in section 2 of the Chinese Medicine Ordinance (Cap. 549). *(47 of 1999 s. 172)*
3. *(Repealed L.N. 91 of 2014)*
- 4-5. *(Repealed L.N. 246 of 1997)*
- 5A. Rough diamonds within the meaning of regulation 6DA. *(L.N. 179 of 2002)*

Import and Export (General) Regulations

Schedule 1—Part 2

S1-4

Regulation 1...2

Cap. 60A

6. Frozen or chilled beef, mutton, pork, veal or lamb, and the frozen or chilled offal of any animal from which such meat is derived. *(L.N. 142 of 2000)*
7. The frozen or chilled carcass of a domestic fowl, duck, goose or turkey or any part of such a carcass. *(L.N. 142 of 2000)*
8. Any frozen or chilled part of a bird mentioned in item 7 which is edible or used in the preparation of food, other than the carcass or a part of the carcass of such a bird. *(L.N. 142 of 2000)*
9. Any chemical to which section 8 of the Hazardous Chemicals Control Ordinance (Cap. 595) applies under section 3 of that Ordinance. *(19 of 2007 s. 52)*
10. Any article that has as its part any chemical to which section 8 of the Hazardous Chemicals Control Ordinance (Cap. 595) applies under section 3 of that Ordinance. *(19 of 2007 s. 52)*

Part 2

- 1-2. *(Repealed 33 of 2003 s. 2)*
 3. Optical disc mastering and replication equipment. *(L.N. 529 of 1997)*
(L.N. 136 of 1994)
-

Schedule 2

[regs. 4, 5, 6, 6AA & 7]
(29 of 2000 s. 2)

Part 1

Item	Article	Country or place
1.	<i>(Repealed L.N. 91 of 2014)</i>	
2.	Pesticides.	All countries.
3.	Pharmaceutical products and medicines as defined by section 2 of the Pharmacy and Poisons Ordinance (Cap. 138).	All countries.
3A.	Chinese herbal medicines specified in Schedule 1 of the Chinese Medicine Ordinance (Cap. 549).	All countries. <i>(47 of 1999 s. 173)</i>
3B.	The following 5 Chinese herbal medicines specified in Schedule 2 of the Chinese Medicine Ordinance (Cap. 549): Flos Campsis (凌霄花) Processed Radix Aconiti (製川烏) Processed Radix Aconiti Kusnezoffii (製草烏) Radix Clematidis (威靈仙) Radix Gentianae (龍膽).	All countries. <i>(47 of 1999 s. 173)</i>
3C.	Proprietary Chinese medicines as defined in section 2 of the Chinese Medicine Ordinance (Cap. 549).	All countries. <i>(47 of 1999 s. 173)</i>

Import and Export (General) Regulations

Schedule 2—Part 2

S2-4

Cap. 60A

4-5. *(Repealed L.N. 246 of 1997)*

- | | | |
|----|---|--|
| 6. | Rough diamonds within the meaning of regulation 6DA. | Without prejudice to regulation 6DE, any country or place. <i>(L.N. 179 of 2002)</i> |
| 7. | Any chemical to which section 7 of the Hazardous Chemicals Control Ordinance (Cap. 595) applies under section 3 of that Ordinance. | All places outside Hong Kong. <i>(19 of 2007 s. 52)</i> |
| 8. | Any article that has as its part any chemical to which section 7 of the Hazardous Chemicals Control Ordinance (Cap. 595) applies under section 3 of that Ordinance. | All places outside Hong Kong. <i>(19 of 2007 s. 52)</i> |
| 9. | Powdered formula. | All places outside Hong Kong. <i>(L.N. 25 of 2013)</i> |

Part 2

- | Item | Article | Country or place |
|------|---|--|
| 1-2. | <i>(Repealed 33 of 2003 s. 2)</i> | |
| 3. | Optical disc mastering and replication equipment. | All places outside Hong Kong. <i>(L.N. 529 of 1997)</i>
<i>(L.N. 136 of 1994)</i> |
-

Schedule 3

[regs. 6 & 7]

Item	Article
1.	Pharmaceutical products and medicines as defined by section 2 of the Pharmacy and Poisons Ordinance (Cap. 138).
1A.	Chinese herbal medicines specified in Schedule 1 of the Chinese Medicine Ordinance (Cap. 549). <i>(47 of 1999 s. 174)</i>
1B.	5 Chinese herbal medicines specified in Schedule 2 of the Chinese Medicine Ordinance (Cap. 549), namely, Flos Campsis (凌霄花), Processed Radix Aconiti (製川烏), Processed Radix Aconiti Kusnezoffii (製草烏), Radix Clematidis (威靈仙) and Radix Gentianae (龍膽). <i>(47 of 1999 s. 174)</i>
1C.	Proprietary Chinese medicines as defined in section 2 of the Chinese Medicine Ordinance (Cap. 549). <i>(47 of 1999 s. 174)</i>
2.	Textiles.

(L.N. 440 of 1990)

Schedule 4

[regs. 5A, 6 & 7]
(*L.N. 118 of 2001*)

Textiles traders carrying on business of—

- (a) importing textiles from the Mainland; or
 - (b) exporting textiles to—
 - (i) the Mainland; or (*L.N. 4 of 2006; L.N. 68 of 2009*)
 - (ii) the United States of America.
 - (iii) (*Repealed L.N. 68 of 2009*)
 - (c) (*Repealed L.N. 43 of 2011*)
 - (d)-(e) (*Repealed L.N. 155 of 2004*)
(*L.N. 111 of 1993; L.N. 155 of 2004; L.N. 43 of 2011*)
-

Schedule 5

[regs. 2A, 2B & 7]

Part 1

Specified Textiles And Production for Purposes of Section 6AA(1) and Countries or Places for Purposes of Section 6AA(2) of the Ordinance

(L.N. 155 of 2004)

Item	Countries or Places	Textiles	Process
1.	<i>(Repealed L.N. 91 of 2014)</i>		
2.	<i>(Repealed L.N. 68 of 2009)</i>		

Part II

(Repealed L.N. 155 of 2004)

Part 3

Permitted Period for Purposes of Section 6AA(1) of the Ordinance

On or before the day on which production of the specified textiles commences, but not earlier than 3 working days before that day.

- (1) In this Part, ***working day*** (工作天) means any day other than a general holiday, a gale warning day or a black rainstorm warning day.

- (2) In subparagraph (1), ***gale warning day*** (烈風警告日) and ***black rainstorm warning day*** (黑色暴雨警告日) have the same meanings as in section 71(2) of the Interpretation and General Clauses Ordinance (Cap. 1).

Part 4

Material Particular for Purposes of Section 6AA(1) of the Ordinance

1. Name, address and registration number of the manufacturer.
2. Name, address and registration number of the subcontractor.
3. Product descriptions.
4. Quantity of products.
5. Category number of products.
6. Country or place of destination.
7. Descriptions and sources of component parts.
8. Production order number.
9. Buyer's order number or reference number or mark specifically assigned to identify the purchasing transaction in respect of the particular consignment in question.
10. Local subcontracting arrangement.

11. Commencement and completion dates of production.
12. Place of production.
13. Other particulars from time to time specified by the Director for the purpose of enabling him to determine whether or not a production notification should be validated.

For the purposes of items 1 and 2, **registration number** (登記編號) means the number by which the manufacturer or subcontractor is registered under Part 3A of these regulations or regulation 7 of the Export (Certificates of Origin) Regulations (Cap. 60 sub. leg. H)

Part 5

Specified Textiles Exempted from Part IIA of the Ordinance

1. Consignment of specified textiles consisting solely of samples that—
 - (a) are of the same style; and
 - (b) do not exceed 60 pieces in quantity.
2. Consignment of specified textiles consisting solely of samples that—
 - (a) are of the same style; and
 - (b) are intended to be distributed free of charge for the purpose of advertising those garments; and
 - (c) do not exceed 120 pieces in quantity.
3. Specified textiles that are—

Import and Export (General) Regulations

Schedule 5—Part 5

S5-8

Regulation 3

Cap. 60A

- (a) exported by an individual and are either for his personal use or a bona fide gift to another individual; or (*L.N. 155 of 2004*)
- (b) exported as part of the provisions required for consumption or use by the crew or passengers of the vessel, aircraft or vehicle on which the textiles are carried,

and are in each case in a quantity that is reasonable having regard to the purpose for which they are exported.

(Schedule 5 added L.N. 193 of 1999. E.R. 1 of 2012)

Schedule 6

[regs. 6, 6I & 7]
(L.N. 105 of 2015)

1. Frozen or chilled beef, mutton, pork, veal or lamb, and the frozen or chilled offal of any animal from which such meat is derived.
2. The frozen or chilled carcass of a domestic fowl, duck, goose or turkey or any part of such a carcass.
3. Any frozen or chilled part of a bird mentioned in item 2 which is edible or used in the preparation of food, other than the carcass or a part of the carcass of such a bird.

(Schedule 6 added L.N. 142 of 2000)

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

Import and Export (General) Regulations

Schedule 7

S7-4

Cap. 60A

Côte d'Ivoire

Croatia

Cyprus

Czech Republic

Denmark

Estonia

Finland

France

Germany

Ghana

Greece

Guinea

Guyana

Hungary

India

Indonesia

Ireland

Israel

Italy

Japan

Kazakhstan, Republic of

Import and Export (General) Regulations

Schedule 7

S7-6

Cap. 60A

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

Import and Export (General) Regulations

Schedule 7

S7-8

Cap. 60A

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)

Import and Export (General) Regulations

Schedule 7

S7-10

Cap. 60A

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)

Schedule 8

[reg. 6H]

Transitional Arrangements Arising from Import and Export (General) (Amendment) (No. 2) Regulation 2003

In respect of the period specified in regulation 6H(2), the Import and Export (General) Regulations (Cap. 60 sub. leg. A) shall have effect as if the following provisions were substituted for regulations 6A, 6B, 6BA, 6BB and 6C— (*L.N. 43 of 2011*)

“Import of textiles otherwise than as transshipment cargo

6A. Obligations of registered textiles trader

- (1) A registered textiles trader shall ensure that no textiles are imported otherwise than as transshipment cargo, in or on any vessel, aircraft or vehicle, in reliance on an exemption issued to him under regulation 6(3A) until—
 - (a) he has—
 - (i) delivered to the Director, using services provided by a specified body, an import notification in respect of the textiles;
 - (ii) received the reference number assigned to that import notification and sent by the Director under paragraph (2); and
 - (iii) delivered to the import carrier, in electronic form or in paper form, the reference number of that import notification and indicated to the import carrier that it is such reference number; or

- (b) he has delivered to the import carrier an import notification in paper form in respect of the textiles.
- (2) The Director, on receiving from a registered textiles trader an import notification under paragraph (1)(a)(i) in respect of any textiles—
 - (a) is to assign a reference number to the notification for the purpose of identifying the notification; and
 - (b) is to send to the registered textiles trader, using services provided by a specified body, the reference number of the notification.
- (3) A registered textiles trader who has delivered an import notification to the Director using services provided by a specified body, and has complied with other requirements in paragraph (1)(a), in respect of any textiles shall not take, or cause to be taken, possession of the textiles imported without having delivered to the import carrier, in electronic form or in paper form, all the particulars contained in that import notification and having indicated to the import carrier that they are such particulars.
- (4) Any person who contravenes paragraph (1) commits an offence and is liable on conviction—
 - (a) where the person has complied with paragraph (1)(a)(i) and (ii) but fails to comply with paragraph (1)(a)(iii), to a fine at level 2; or
 - (b) in any other case, to a fine of \$500,000 and to imprisonment for 2 years.
- (5) Any person who contravenes paragraph (3) commits an offence and is liable on conviction to a fine at level 2.

6B. Obligations of carrier

- (1) This regulation applies where textiles are imported otherwise than as transshipment cargo in or on any vessel, aircraft or vehicle under an exemption issued to a registered textiles trader under regulation 6(3A).
- (2) The import carrier shall not release possession of the textiles imported until he has received from the registered textiles trader—
 - (a) information, in electronic form or in paper form, that—
 - (i) includes all the items of particulars required to be contained in an import notification;
 - (ii) appears on its face to be information in respect of the textiles; and
 - (iii) is indicated by the registered textiles trader to be—
 - (A) all the particulars contained in an import notification that the registered textiles trader has delivered to the Director in respect of the textiles as required in regulation 6A(1)(a)(i); and
 - (B) the reference number assigned by the Director to that notification (*reference number as informed*); or
 - (b) an import notification in paper form that the registered textiles trader delivers to him under regulation 6A(1)(b) in respect of the textiles.
- (3) The import carrier shall—
 - (a) (where he has received the reference number as informed) within 14 days after the day of

that receipt or the day on which the textiles are imported (whichever is the later)—

- (i) deliver to the Director in paper form a copy or extract of the manifest of the importing vessel, aircraft or vehicle, duly certified by the import carrier; or
- (ii) deliver to the Director using services provided by a specified body a copy or extract of the manifest of the importing vessel, aircraft or vehicle,

which certified copy or certified extract, or copy or extract, shall contain, in addition to the particulars required to be contained in a manifest under paragraph 2 of the Import and Export Manifests Notice (Cap. 60 sub. leg. C), that reference number; or

- (b) (where he has received an import notification in paper form as stated in paragraph (2)(b)) within 14 days after the day of that receipt or the day on which the textiles are imported (whichever is the later)—
 - (i) deliver to the Director the import notification in paper form; and
 - (ii) deliver to the Director—
 - (A) in paper form a copy or extract of the manifest of the importing vessel, aircraft or vehicle, duly certified by the import carrier; or
 - (B) using services provided by a specified body a copy or extract of the manifest of the importing vessel, aircraft or vehicle. (*L.N. 116 of 2003*)

- (4) Any person who contravenes paragraph (2) commits an offence and is liable on conviction to a fine of \$500,000 and to imprisonment for 1 year.
- (5) Subject to regulation 6C, any person who contravenes paragraph (3) commits an offence and is liable on conviction to a fine at level 2.

Export of textiles otherwise than as transshipment cargo

6BA. Obligations of registered textiles trader

- (1) A registered textiles trader shall ensure that no textiles are exported otherwise than as transshipment cargo, in or on any vessel, aircraft or vehicle, in reliance on an exemption issued to him under regulation 6(3A) until—
 - (a) he has—
 - (i) delivered to the Director, using services provided by a specified body, an export notification in respect of the textiles;
 - (ii) received the reference number assigned to that export notification and sent by the Director under paragraph (2); and
 - (iii) delivered to the export carrier, in electronic form or in paper form, all the particulars contained in, and the reference number of, that export notification and indicated to the export carrier that they are such particulars and reference number; or
 - (b) he has delivered to the export carrier an export notification in paper form in respect of the textiles.

- (2) The Director, on receiving from a registered textiles trader an export notification under paragraph (1)(a)(i) in respect of any textiles—
 - (a) is to assign a reference number to the notification for the purpose of identifying the notification; and
 - (b) is to send to the registered textiles trader, using services provided by a specified body, the reference number of the notification.
- (3) Any person who contravenes paragraph (1) commits an offence and is liable on conviction—
 - (a) where the person has complied with paragraph (1)(a)(i) and (ii) but fails to comply with paragraph (1)(a)(iii), to a fine at level 2; or
 - (b) in any other case, to a fine of \$500,000 and to imprisonment for 2 years.

6BB. Obligations of carrier

- (1) This regulation applies where textiles are or are to be exported otherwise than as transshipment cargo in or on any vessel, aircraft or vehicle under an exemption issued to a registered textiles trader under regulation 6(3A).
- (2) The export carrier shall not export the textiles until he has received from the registered textiles trader—
 - (a) information, in electronic form or in paper form, that—
 - (i) includes all the items of particulars required to be contained in an export notification;
 - (ii) appears on its face to be information in respect of the textiles; and

- (iii) is indicated by the registered textiles trader to be—
 - (A) all the particulars contained in an export notification that the registered textiles trader has delivered to the Director in respect of the textiles as required in regulation 6BA(1)(a)(i); and
 - (B) the reference number assigned by the Director to that notification (*reference number as informed*); or
- (b) an export notification in paper form that the registered textiles trader delivers to him under regulation 6BA(1)(b) in respect of the textiles.
- (3) The export carrier shall, within 14 days after the day on which the textiles are exported—
 - (a) where he has received the reference number as informed—
 - (i) deliver to the Director in paper form a copy or extract of the manifest of the exporting vessel, aircraft or vehicle, duly certified by the export carrier; or
 - (ii) deliver to the Director using services provided by a specified body a copy or extract of the manifest of the exporting vessel, aircraft or vehicle,

which certified copy or certified extract, or copy or extract, shall contain, in addition to the particulars required to be contained in a manifest under paragraph 3 of the Import and Export Manifests Notice (Cap. 60 sub. leg. C), that reference number; or

- (b) where he has received an export notification in paper form as stated in paragraph (2)(b)—
 - (i) deliver to the Director the export notification in paper form; and
 - (ii) deliver to the Director—
 - (A) in paper form a copy or extract of the manifest of the exporting vessel, aircraft or vehicle, duly certified by the export carrier; or
 - (B) using services provided by a specified body a copy or extract of the manifest of the exporting vessel, aircraft or vehicle. (*L.N. 116 of 2003*)
- (4) Any person who contravenes paragraph (2) commits an offence and is liable on conviction to a fine of \$500,000 and to imprisonment for 1 year.
- (5) Subject to regulation 6C, any person who contravenes paragraph (3) commits an offence and is liable on conviction to a fine at level 2.

(Cross-heading repealed L.N. 43 of 2011)

6BC. *(Repealed L.N. 43 of 2011)*

6BD. *(Repealed L.N. 43 of 2011)*

(Cross-heading repealed L.N. 43 of 2011)

6BE. *(Repealed L.N. 43 of 2011)*

6BF. *(Repealed L.N. 43 of 2011)*

Miscellaneous provisions

6C. Certain requirements deemed complied with if manifest lodged with Commissioner using services provided by a specified body

- (1) The requirements under regulation 6B(3)(a) or 6BB(3)(a) are deemed to have been complied with if— *(L.N. 43 of 2011)*
 - (a) regulation 11 or 12 (as the case may be) of the Import and Export (Registration) Regulations (Cap. 60 sub. leg. E) has been complied with in relation to the importing vessel, aircraft or vehicle or exporting vessel, aircraft or vehicle (as the case may be) by the manifest having been lodged with the Commissioner, or with an officer appointed by the Commissioner, using services provided by a specified body; and
 - (b) the manifest contains the reference number as informed within the meaning of regulation

6B(2)(a)(iii)(B) or 6BB(2)(a)(iii)(B) (as the case may be).

- (2) The requirements under regulation 6B(3)(b)(ii) or 6BB(3)(b)(ii) are deemed to have been complied with if regulation 11 or 12 (as the case may be) of the Import and Export (Registration) Regulations (Cap. 60 sub. leg. E) has been complied with in relation to the importing vessel, aircraft or vehicle or exporting vessel, aircraft or vehicle (as the case may be) by the manifest having been lodged with the Commissioner, or with an officer appointed by the Commissioner, using services provided by a specified body.

(L.N. 43 of 2011)

6CA. Determination that may be made when delivery of notification by using services provided by specified body is not practicable

(L.N. 43 of 2011)

- (1) Where the Commissioner considers that it is not practicable for an import notification or export notification to be delivered to the Director by using services provided by a specified body as specified in regulation 6A(1)(a)(i) or 6BA(1)(a)(i), he may make a determination that, in respect of the period for which the determination is in force— *(L.N. 43 of 2011)*
- (a) regulation 6A(1)(a)(i) or 6BA(1)(a)(i) (as the case may be) and the relevant provisions applicable where a notification is delivered by using services provided by a specified body shall have no effect;
- (b) an import notification or export notification (as the case may be)— *(L.N. 43 of 2011)*

- (i) shall not be delivered by using services provided by a specified body; but
 - (ii) shall be delivered in paper form as specified in regulation 6A(1)(b) or 6BA(1)(b); and
 - (c) these regulations shall have effect subject to the determination.
- (2) Notice of a determination made under paragraph (1) shall be published in the Gazette within 14 days of the determination having been made.
- (3) A determination made under paragraph (1) may make different provision in relation to different classes of persons or notifications.
- (4) In this regulation, in relation to a determination made under paragraph (1) in respect of any provisions specified in column 1 of the Table below, ***relevant provisions applicable where a notification is delivered by using services provided by a specified body*** (在使用指明團體所提供的服務交付通知書情況下適用的有關條文) means the provisions specified opposite to the first-mentioned provisions in column 2 of the Table—

Table

Column 1	Column 2
Provision in respect of which a determination under paragraph (1) is made regulation 6A(1)(a)(i)	Relevant provisions applicable where a notification is delivered by using services provided by a specified body regulations 6A(1)(a), (2), (3), (4)(a) and (5) and 6B(2)(a) and (3)(a)

Import and Export (General) Regulations

Schedule 8

S8-24

Cap. 60A

regulation 6BA(1)(a)(i) regulations 6BA(1)(a), (2) and (3)(a) and 6BB(2)(a) and (3)(a).

(L.N. 43 of 2011)

6CB. Certain provisions subject to determination or notice under section 32A(2)(a) or 32B(2) of the Ordinance

Any provisions of regulation 6B(3) or 6BB(3) requiring either the delivery of a certified copy or certified extract of a manifest in paper form or the delivery of a copy or extract of a manifest using services provided by a specified body shall have effect subject to any determination made under section 32A(2)(a) of the Ordinance or notice published under section 32B(2) of the Ordinance.

(L.N. 43 of 2011)”.

(Schedule 8 added L.N. 93 of 2003)

Import and Export (General) Regulations

Schedule 9
Regulation 1

S9-2
Cap. 60A

Schedule 9

[regs. 2 & 7]

Specified Articles

Item

1. Optical disc mastering and replication equipment.

(Schedule 9 added 33 of 2003 s. 2)