

漁農自然護理署
九龍長沙灣道三零三號
長沙灣政府合署六樓



AGRICULTURE, FISHERIES AND
CONSERVATION DEPARTMENT
6/F Cheung Sha Wan Government Offices,
303 Cheung Sha Wan Road,
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本署檔號 Our Ref.: AF CON 07/24
通函編號 Circular No.: ES 03/14
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25 September 2014

Dear Sir/ Madam,

**New Controls on Some Shark and Ray Species
under the Protection of Endangered Species of Animals and Plants Ordinance**

Further to our circular letter No. ES02/13 of 10 May 2013 concerning the amendments to Appendices I and II as adopted at the 16th meeting of the Conference of the Parties to CITES¹, I write to inform you of the corresponding legislative amendments made to the Protection of Endangered Species of Animals and Plants Ordinance, Cap. 586 (“the Ordinance”). These cover new inclusion of five species of sharks (Oceanic whitetip shark, Scalloped hammerhead shark, Great hammerhead shark, Smooth hammerhead shark and Porbeagle shark) and Manta rays into Appendix II to the Ordinance. The amendments were published in the Gazette² on 27 June 2014 and the new controls will come into operation on **28 November 2014**.

When the above new controls take effect, all newly scheduled species will be subject to licensing control. According to the Ordinance, unless exempted or otherwise specified, the import, introduction from the sea, export, re-export or possession of endangered species, whether alive, dead, its parts or derivatives, requires a licence issued in advance by this department. As for dead specimens, parts or derivatives of the newly scheduled shark and ray species (e.g. fins or gill plates), a licence is not required for their import subject to the production of a CITES permit and inspection by an authorized officer upon the landing of the specimens. Export or re-export of specimens of any scheduled species must be under a licence. (Possession of dead specimens, parts or derivatives of the aforesaid species does not require a licence.)

Traders now in possession of stock of the newly scheduled shark and ray species for commercial purposes are advised to declare to this department their existing stock by filling

¹ Convention on International Trade in Endangered Species of Wild Fauna and Flora

² The details of the amendments can be found at the Gazette

(<http://www.gld.gov.hk/egazette/pdf/20141826/es22014182697.pdf> and

<http://www.gld.gov.hk/egazette/pdf/20141826/es22014182698.pdf>). Amendments regarding the endangered species scheduled to the Ordinance are summarized in Annex I which could be found at the following link:

http://www.afcd.gov.hk/english/conservation/con_end/files/ES0214_annexI.pdf.

覆函請寄交「漁農自然護理署署長」

Please address all replies to Director of Agriculture, Fisheries and Conservation

in **Annex II** attached and returning it to this department on or before **27 November 2014** if:

- 1) the concerned specimens may be exported/re-exported after the new controls take effect; or
- 2) the concerned specimens are live specimens of wild origin.

Specimens of the newly scheduled shark and ray species legally acquired before the first date of CITES listing, with evidence that proves to the satisfaction of this department, will be regarded as “pre-Convention” and could be exported/ re-exported in future³.

Under the new controls, a Licence to Possess must be obtained within the 3-month grace period which ends on **27 February 2015** for possession for commercial purpose of live specimens of wild origin of the newly scheduled shark and ray species which were legally acquired on or after the first date of CITES listing.

We shall hold a briefing session to brief relevant traders about the new controls under the Ordinance. If you or your representatives would like to attend the briefing session, please register by filling in **Annex III** and returning it to this department on or before **6 October 2014**.

If you have any enquiries regarding the above, please give us an e-mail at hk_cites@afcd.gov.hk or contact our officer Mr. Michael LEE at Tel. 2150 6973.

| Summary of Important date | Event |
|----------------------------------|---|
| 6 October 2014 | Deadline for registration of briefing session |
| 14 October 2014 | Briefing session |
| 27 November 2014 | Deadline for registration of stock of newly scheduled species |
| 28 November 2014 | New controls take effect |
| 27 February 2015 | End of grace period for obtaining Licence to Possess under new controls |

Yours faithfully,



(Richard P. K. CHAN)

for Director of Agriculture, Fisheries and Conservation

Enclosures

Annex II

Annex III

³ The first date of CITES listing for Scalloped hammerhead shark and Porbeagle shark is 26 February 2013; the date for Oceanic whitetip shark, Great hammerhead shark, Smooth hammerhead shark and Manta rays is 14 September 2014.