

Protection of Endangered Species of Animals and Plants Ordinance, Cap. 586
Guidelines on Export & Re-export of Endangered Species

The import, export, re-export or possession of endangered species of animals and plants in Hong Kong, whether alive, dead, parts or derivatives, is subject to licensing control under the Protection of Endangered Species of Animals and Plants Ordinance (the Ordinance), Cap. 586. The Ordinance is the local legislation that gives effect to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). The Convention aims to protect endangered species from over exploitation through international trade. They are scheduled in the Appendices to Schedule 1 to the Ordinance.

Licensing Requirement for Export & Re-export of Scheduled Species

For export of a scheduled species which is originated from Hong Kong, a Licence to Export issued by the Agriculture, Fisheries and Conservation Department (AFCD) must first be obtained. To re-export a scheduled species from Hong Kong which was previously imported, a Licence to Re-export issued by AFCD must also be obtained in advance. Each Licence could cover one or more species but is valid for one shipment only. The shipment should not be arranged before the relevant Licence to Export / Re-export has been issued.

Hong Kong has adopted stricter measures banning the import and re-export of elephant hunting trophies and all elephant ivory and its products (except antiques ivory), except in certain circumstances in accordance with the Ordinance.

Application for Licence to Export / Re-export

To apply for an Export or Re-export Licence, the following documents must be submitted to AFCD, by fax, mail, email or in person:

- completed application form (AF244), which is available from AFCD website and headquarters
- for export: documents proving that the specimens of scheduled species are acquired in accordance with CITES and the relevant provisions of the local laws (e.g. proof that the species is captive-bred or artificially propagated, photocopy of Licence to Possess issued by AFCD)
- for re-export: photocopy of the relevant CITES certifying document (e.g. CITES export permit issued by the CITES Management Authority* of place of previous export or a Licence to Import issued by AFCD)
- documents (e.g. invoices) showing the chain of transaction from the original importer/supplier, subsequent traders to the exporter.

Normally 2 working days are required for processing an application for Licence, but the issue of a Licence is by no means automatic. The prescribed fee for a Licence to Export/Re-export endangered species is \$160.

Inspection of Export Shipment

All export or re-export shipment of scheduled species must be inspected by an authorized officer before export or re-export. The exporter should:

- make an appointment for an inspection with AFCD at least 2 working days in advance (telephone no.: 2150 6986)
- at the time of inspection, produce and surrender the duplicate of the Export or Re-export Licence to the authorized officer.

Invoice, packing list and other relevant shipping documents should also be produced

Export or Re-export shipment can be exported legally only after an authorized officer has inspected the specimens to compare it with the particulars on that Export or Re-export Licence and is satisfied that the particulars tally.

For Licence Application and Enquiries

Fax: 2376 3749

Hotline: 2150 6973

Website: www.cites.hk

Licence Application Email: applycites@afcd.gov.hk

Enquiry Email: hk_cites@afcd.gov.hk

Address: 5/F., Cheung Sha Wan Government Offices, 303 Cheung Sha Wan Road, Kowloon, Hong Kong.

WARNING

Export or Re-export of any specimen of scheduled species not in accordance with the requirement of the Protection of Endangered Species of Animals and Plants Ordinance is an offence. The maximum penalty is a fine of HK\$10 million and imprisonment for 10 years upon conviction.

Any breach of a licence condition is an offence. The licensee is liable on conviction to a fine of HK\$50,000 and the licence may be cancelled.

The issue of an Export or Re-export Licence under the Protection of Endangered Species of Animals and Plants Ordinance does not in any way exempt the licensee from the provisions of other legislations.

*Details of the CITES Management Authorities of CITES Parties are available at CITES website: www.cites.org.