

Protection of Endangered Species of Animals and Plants Ordinance, Cap.586
Guidelines on Import and Export of Endangered Plants
(Including Plants of Wild and Artificially Propagated Origins)

The import, export, re-export or possession of endangered species of plants in Hong Kong, whether alive, dead, parts or derivatives, of artificially propagated or wild origin, 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. The endangered species are scheduled in the Appendices to Schedule 1 to the Ordinance.

Import

To import a scheduled plant into Hong Kong, a valid CITES export permit¹ issued by the CITES Management Authority² of the previous exporting place must first be obtained. If the plant to be imported is an Appendix I plant³ or a live Appendix II plant of wild origin, a Licence to Import issued by the Agriculture, Fisheries and Conservation Department (AFCD) is also required. Applicant should also note the possession licence requirement and apply for the required Licence to Possess in advance.

Export & Re-export

To export a scheduled plant from Hong Kong, a Licence to Export issued by AFCD must first be obtained. If it is an Appendix II plant artificially propagated in and originated from Hong Kong, it may be exported with a phytosanitary certificate issued under the Plant (Importation and Pest Control) Ordinance, Cap. 207 and no Licence to Export is required. For re-export of a scheduled plant which was previously imported, a Licence to Re-export issued by AFCD must also be obtained in advance.

Application for Licence to Import/Export/Re-export

Each Licence to Import/Export/Re-export could cover one or more species but is valid for one shipment only. To apply for a licence, the following documents must be submitted to AFCD, by fax, mail, e-form or in person:

- completed application form (AF243 for import, AF244 for export/re-export), which is available from AFCD website and headquarters, and

Import

- copy of the relevant CITES export permit issued by the place of previous export

Export (for plants originated from Hong Kong)

- copy of the Licence to Possess issued by AFCD, or proof that the plants are artificially propagated (such as transaction record)
- documents (e.g. invoice and contract) showing the chain of transaction from the supplier, subsequent traders to the exporter.

To apply for using phytosanitary certificate as a Licence to Export for Appendix II plant artificially propagated in and originated from Hong Kong, applicant is advised to submit proof of the artificially propagated origin of the plant (such as transaction record) and invoice together with the completed phytosanitary certificate application form to the Plant and Pesticides Regulatory Division of AFCD by fax or mail in advance.

Re-export (for plants previously imported into Hong Kong)

- copy of the relevant CITES export permit issued by the place of previous export, Licence to Import/Possess issued by AFCD
- documents (e.g. invoice) 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, and the shipment should not be arranged before the relevant licence has been issued. The prescribed fee for a Licence to Import plant is \$170 and for a Licence to Export/Re-export is \$160.

Inspection of Import/Export/Re-export Shipment

All import/export/re-export shipment of scheduled species, whether or not a licence is required, must be inspected by an authorized officer upon landing in Hong Kong or before export. The importer/exporter should:

- make an appointment for an inspection with AFCD at least 2 working days in advance (telephone no.: 2116 0175 for specimens imported by air; 2673 4443 for specimens imported through border and 2150 6986 for other specimens)
- at the time of inspection, produce (and surrender when necessary) the Licence to Import/Export/Re-export, original CITES export permit to the authorized officer. Invoice, packing list and shipping documents should also be produced

All shipment can be imported/exported legally only after an authorized officer has inspected the specimens to compare it with the particulars on the documents and is satisfied that the particulars tally.

For Licence Application and Enquiries regarding Endangered Plants

Fax: 2376 3749

Hotline: 2150 6967

E-mail: hk_cites@afcd.gov.hk

Website: www.cites.org.hk

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

For phytosanitary certification service in Hong Kong, please contact the Plant and Pesticides Regulatory Division

Fax: 2314 2622

Hotline: 2150 7000

E-mail: plantlic@afcd.gov.hk

Website: www.afcd.gov.hk

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

WARNING

- Import/export/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\$5 million and imprisonment for 2 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 a 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.
- It is generally a requirement of importing countries that any importing consignment of plants or plant materials shall be accompanied by a phytosanitary certificate issued by the exporting country/ place.

Note

¹ 12 countries (Austria, Belgium, Denmark, Canada, Germany, Italy, Luxembourg, the Netherlands, South Korea, Singapore, Sweden & Switzerland) issue phytosanitary certificates which have endorsements serving as CITES export permits for the export of artificially propagated Appendix II plant.

² Details of the CITES Management Authorities of CITES Parties are available at CITES website: www.cites.org.

³ Appendix I plants artificially propagated for commercial purposes are treated as of Appendix II.