

Control on Trade in Endangered Species of Birds

The Animals and Plants (Protection of Endangered Species) Ordinance

Introduction

The import, export and possession of endangered species of birds whether alive, dead, parts or derivatives, into and out of Hong Kong are strictly regulated in accordance with the Animals and Plants (Protection of Endangered Species) Ordinance, Cap. 187. The Ordinance provides that parties intending to import, export and possess these specimens require licences to be obtained in advance from the Agriculture, Fisheries and Conservation Department (AFCD).

The Ordinance gives effect to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) which is also known as the Washington Convention. The Convention aims to conserving the endangered species and preventing them from over-exploitation and extinction through controls over international imports and exports.

Details of the controls

CITES listed out the endangered bird species into three appendices (Appendix I, Appendix II and Appendix III) according to their levels of risk. Species listed in Appendix I are highly endangered and their international trade for commercial purposes are prohibited. The trade in bird species listed in Appendices II, III and captive-bred Appendix I species is allowed subject to strict licensing controls. The control measures generally follow the requirements of CITES.

The provisions for import, export and possession endangered bird species are listed in Table 1. Please be advised that controlling the trade in Appendices II, III and captive-bred Appendix I species is to ensure that they are obtained from sustainable sources in compliance with CITES, not to forbid the trade.

Table 1. Licensing Control on Trade on Endangered Species of Birds

CITES @	Source	Import	Export (& Re-export)	Possession
I	Wild	Import for commercial purposes prohibited	Export for commercial purposes prohibited	Must hold endangered species Possession Licence issued by AFCD [#]
	Captive-bred*	Must obtain, in advance, endangered species Import Licence from AFCD; And produce valid CITES export permit issued by the exporting countries	Must obtain, in advance, endangered species Export Licence from AFCD	Must hold endangered species Possession Licence issued by AFCD [#]
II	All	Must obtain, in advance, endangered species Import Licence from AFCD; And produce valid CITES export permit issued by the exporting countries	Must obtain, in advance, endangered species Export Licence from AFCD	Must hold endangered species Possession Licence issued by AFCD [#]
III	All	Must produce valid CITES export permit issued by the exporting countries; Endangered species Import Licence from AFCD not required	Must, obtain in advance endangered species Export Licence from AFCD	Exempted

@ CITES Appendix

* Captive-bred Appendix I bird refer to those come from captive-bred farm which is accredited and registered with the CITES Secretariat.

Possession licence is not required for species which is exempted from possession licensing requirement.

Protected Bird Species

Over 1600 endangered bird species are listed in the Ordinance. Some of the more common examples in Hong Kong are listed in Table 2.

Table 2 Protected Endangered Bird Species

學名	英文名	中文名	公約附錄
PSITTACIFORMES spp.	Parrot	鸚鵡(所有種)*	I/II
FALCONIFORMES spp.	Birds of Prey	猛禽(所有種)	I/II
Paradisaeidae spp.	Birds of paradise	鳳鳥(所有種)	II
STRIGIFORMES spp.	Owls	貓頭鷹(所有種)	I/II
Goura spp.	Crowned Pigeons	鳳冠鳩(所有種)	II
<i>Leucopsar rothschildi</i>	Bali or Rothschild's Starling	長冠八哥	I
<i>Gracula religiosa</i>	Hill Myna	鷓鴣	II
<i>Padda oryzivora</i>	Java Sparrow	爪哇禾雀	II
<i>Zosterops albogularis</i>	White-chested White-eye	白胸繡眼鳥	I
<i>Leiothrix argentauris</i>	Silver-eared Mesia	銀耳相思鳥	II
<i>Leiothrix lutea</i>	Red-billed Leiothrix	紅嘴相思鳥	II
<i>Picathartes gymnocephalus</i>	White-necked Rockfowl	白頸巖鵒	I
<i>Picathartes oreas</i>	Grey-necked Rockfowl	灰頸巖鵒	I
<i>Streptopelia roseogrisea</i>	Pink-headed Dove	粉頭斑鳩	III
<i>Streptopelia semitorquata</i>	Red-eyed Dove	紅眼斑鳩	III

* Excluding *Melopsittacus undulatus*, *Nymphicus hollandicus* and *Psittacula krameri*.

How to Apply for a Licence?

Applications for licences for endangered species have to be made in specific forms, together with documents of sources. In general, the import licence and export licence are valid for six months while the possession licence is valid for two years. Please apply the licences in advance as processing takes time. The application forms and the required documents for licences application are listed in Table 3.

Table 3. Forms and documents for the application of licences for endangered species.

Licence	Forms	Documents required	Turnaround
Import Licence	AF243	Copy of valid CITES export permit from the CITES Management Authority of the exporting countries, and documents showing the chain of transactions (e.g. invoice).	Two working days
Export Licence	AF244	Copy of the Import/Possession Licence issued by this Department or export permit/Certificate of Origin issued by the exporting country for certain specimens or products; and documents showing the chain of transactions (e.g. invoice).	Two working days
Possession Licence	AF243	Copy of valid Possession Licence held by the supplier, and documents showing the chain of transactions (e.g. invoice).	Two working days

The application may be delayed if the application form is incomplete or if the documents of sources are insufficient.

Warning

Please obtain in advance the required licences in respect of the import, export or possession of the scheduled endangered species. Any person who imports, exports or possesses the endangered species without licences will be prosecuted. The maximum penalties for offences against the Ordinance are fine of five million Hong Kong dollars, two years imprisonment and mandatory forfeiture of the goods upon conviction.

Other Relevant Ordinances

Importation of live animals to Hong Kong requires a Special Permit issued by the Livestock Regulatory Division of the Agriculture, Fisheries and Conservation Department under the Public Health (Animals and Birds) Ordinance and regulations ,Cap.139.

Submission of Forms and Enquiries

For enquiries about the controls on endangered animals and plants, please contact the Endangered Species Protection Division of the Agriculture, Fisheries and Conservation Department at 5/F, Cheung Sha Wan Government Offices, 303 Cheung Sha Wan Road, Kowloon. Telephone: 2150 6999. Fax: 2376 3749. or browse the AFCD's web-site at (<http://www.info.gov.hk/afcd>). Application forms may be posted or faxed to the above address.

Endangered Species Protection Division
Agriculture, Fisheries and Conservation Department
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