

Control on Trade in Endangered Species of Tortoises and Turtles

The Animals and Plants (Protection of Endangered Species) Ordinance

Introduction

The import, export and possession of endangered species of tortoises and turtles, 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 tortoises and turtles 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 tortoises and turtles 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 tortoises and turtles 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 Tortoises and Turtles

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 tortoises and turtles refer to those come from captive-bred farm which is accredited and registered with the CITES Secretariat

Protected Tortoises and Turtles Species

Endangered tortoises and turtles species which are list on the CITES Appendices and are protected under Cap. 187 are listed in Table 2.

Table 2 Protected Endangered Species of Tortoises and Turtles

Scientific name	English common name	Chinese common name	CITES Appendix
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Scientific name	English common name	Chinese common name	CITES Appendix
<i>Batagur baska</i>	Batagur	潮龜	I
<i>Dermatemys mawii</i>	Central American River Turtle	泥龜	II
<i>Clemmys muhlenbergi</i>	Bog Turtle	牟氏水龜	I
<i>Geoclemys hamiltonii</i>	Black Pond Turtle	黑池龜	I
<i>Kachuga tecta (=Kachuga tecta tecta)</i>	Indian Roofed Turtle	印度棱龜	I
<i>Melanochelys (=Nicoria = Geoemyda) tricarinata</i>	Terrestrial Turtle	三脊棱龜	I
<i>Morenia ocellata</i>	Burmese Yellow Turtle	眼斑沼龜	I
<i>Terrapene coahuila</i>	Box Turtle	箱龜	I
<i>Dermochelys coriacea</i>	Leathery Turtle	棱皮龜	I
<i>Trionyx (=Aspideretes) ater</i>	Mexico Soft-shelled Turtle	猛鱉	I
<i>Trionyx (=Aspideretes) gangeticus</i>	Ganges Soft-shelled Turtle	恒河鱉	I
<i>Trionyx (=Aspideretes) hurum</i>	Lower Ganges Soft-shelled Turtles	宏鱉	I
<i>Trionyx (=Aspideretes) nigricans</i>	Eastern Soft-shelled Turtle	黑鱉	I
<i>Pseudemydura umbrina</i>	Snake-necked Turtle	短頸龜	I
<i>Callagur borneoensis</i>	Painted Terrapin	鹹水龜	II
<i>Clemmys insculpta</i>	Wood Turtle	木雕水龜	II
<i>Lissemys punctata</i>	India Flapshell Turtle	緣板鱉	II
<i>Erymnochelys madagascariensis</i>	Hidden-necked Turtle	馬達加斯加大頭側頸龜	II
<i>Callagur borneoensis</i>	Painted Terrapin	鹹水龜	II
<i>Clemmys insculpta</i>	Wood Turtle	木雕水龜	II
<i>Erymnochelys madagascariensis</i>	Hidden-necked Turtle	馬達加斯加大頭側頸龜	II
<i>Peltocephalus dumeriliana</i>	Hidden-necked Turtle	亞馬遜大頭側頸龜	II
<i>Podocnemis species</i>	Hidden-necked Turtle	南美側頸龜	II
<i>Geochelone (=Testudo) nigra (=Geochelone)</i>	Galapagos Giant Turtle	象龜	I

Scientific name	English common name	Chinese common name	CITES Appendix
<i>elephantopus</i>)			
<i>Geochelone radiata</i> (=Testudo)	Radiated Tortoise	輻紋陸龜	I
<i>Geochelone yniphora</i> (=Testudo)	Madagascar Tortoise	馬達加斯加陸龜	I
<i>Gopherus flavomarginatus</i>	Bolson Tortoise	黃緣沙龜	I
<i>Psammobates geometricus</i> (=Testudo)	Geometric Tortoise	幾何沙龜	I
<i>Testudo kleinmanni</i>	Egyptian Tortoise	埃及陸龜	I
Cheloniidae Species	Sea Turtles	海龜	I
Terrapene species	Box Turtles	箱龜	I/II
Testudinidae species	True Tortoises	陸龜	I/II

Note:

1. All land tortoises are listed on CITES.
2. All box turtles are listed on CITES.
3. All sea turtles are listed on CITES Appendix I.

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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