

**Endangered Species Advisory Committee (ESAC)**  
**Minutes of Meeting**

Date : 30 September 2022 (Friday)  
Time : 2:30 p.m.  
Format : Videoconferencing via Zoom

**Present**

Chairman

Professor WONG Kam-bo

Members

Ms. CHAN Nga-chi, Angela

Ms. CHIANG Mei-ling

Ms CHIU Yuk-lin, Colleen

Ms. KO Lai-fong, Rose

Dr. LAU Tai-wai, David

Mr. LEUNG Lak-kee, Ricky

Dr. MA Kwan-ki, Xoni

Dr. SIN Yung-wa, Simon

Professor SO Wing-mui, Winnie

Dr. SUNG Yik-hei

Dr. LEUNG Siu-fai, JP	Director of Agriculture, Fisheries and Conservation
Mr. CHAN Kin-fung, Simon	Assistant Director of Agriculture, Fisheries and Conservation (Conservation)
Mr. WONG Shek-hey, Sebastian	Senior Administrative Officer (Waste Infrastructure Planning), Environmental Protection Department (EPD)
Ms. NG Kit-ching, Ida	Assistant Commissioner of Customs and Excise (Boundary and Ports), Customs and Excise Department (C&ED)

## Secretary

Ms. Lily CHEUNG

Assistant Secretary (Boards)1(Acting), Agriculture,  
Fisheries and Conservation Department (AFCD)

## **In Attendance**

### AFCD

Mr. Timothy LAM

Senior Endangered Species Protection Officer (Acting)

Dr. Edward LAU

Endangered Species Protection Officer (Enforcement)

Mr. Ken CHAN

Endangered Species Protection Officer (Licensing)1

Mr. Daniel TSANG

Endangered Species Protection Officer (Inspection)

### C&ED

Mr. LUI Chi-tak, Patrick

Group Head (Ports Control)

## **Absent with Apologies**

Mr. CHANG Kin-ming, Ken

Mr. WONG Yin-shun, Matthew

## **OPENING REMARKS**

1/22     The Chairman welcomed everyone to the meeting, especially three members who attended for the first time -

- Mr. WONG Shek-hey, Sebastian, Senior Administrative Officer (Waste Infrastructure Planning), EPD;
- Mr. LUI Chi-tak, Patrick, Group Head (Ports Control), C&ED; and
- Ms. Lily CHEUNG, Assistant Secretary (Boards)1, AFCD (Acting)

2/22     The Chairman stated that recording would be made during the meeting to facilitate the taking of minutes. The recording will be destroyed after the minutes have been confirmed.

3/22      The Chairman reminded members to press the “raise hand” button on Zoom to raise questions and give comments.

## **AGENDA ITEMS**

### **I.            Matters Arising from the Last Meeting held on 17 June 2021**

#### **(a)            Disposal of Timber Forfeited under the Protection of Endangered Species of Animals and Plants Ordinance, Cap. 586 (Para. 5/21 to 16/21)**

4/22            With a PowerPoint presentation, Mr. Daniel TSANG briefed members about the handling of the forfeited timber stock. He reported that the AFCD kept custody of four types of timber, including *Pterocarpus santalinus*, *Dalbergia stevensonii*, *Dalbergia louvelii* and *Dalbergia cochinchinensis*. As of 30 June 2022, 668,897 kg of forfeited timber was under AFCD storage, which was 16.84% less than a year ago in 2021. The Department endeavoured to maximise the uses of the forfeited timber and had been contacting non-commercial organisations in the Mainland and Hong Kong for donating the forfeited timber for conservation, education, arts and cultural purposes according to the guidelines of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). From 17 June 2021 to 30 June 2022, 141,366.9 kg of timber was donated to Shanghai Museum and the Hong Kong Palace Museum, and another 154,084 kg of timber was disposed of in landfill as they were not suitable for donation or storage due to their poor condition. To continue utilising the forfeited timber, the Department had been actively reaching out to non-commercial organisations, for example the Hubei Museum, the International Mangrove Wetland Center of Shenzhen and the Art Museum of the Chinese University of Hong Kong for timber donations.

5/22            A member suggested the AFCD to consider donating the forfeited timber to the Hong Kong Biodiversity Museum of the University of Hong Kong and to collaborate with the tertiary institutes to organise exhibitions. The Museum was visited by members of the public interested in conservation, which could help spread the message of conservation and the protection of endangered species effectively. The AFCD agreed to consider the suggestion.

**II. Phase-out of Local Ivory Trade**  
**(Committee Paper: CP/ESAC/1/2022)**

6/22 With a PowerPoint presentation, Mr. Timothy LAM updated members that the total ban of elephant ivory trade had been in effect since 31 December 2021 and briefed members on the education and publicity work as well as the strategy for monitoring any illegal ivory trade in the domestic market.

**III. Proposals for Amendment of Appendices I and II at the 19th Meeting of the Conference of the Parties to CITES**  
**(Committee Paper: CP/ESAC/2/2022)**

7/22 With a PowerPoint presentation, Mr. Ken CHAN reported on the proposed amendments of Appendices I and II submitted to the 19<sup>th</sup> meeting of the Conference of the Parties to CITES.

8/22 The Chairman noticed that new species were proposed to be added to the Appendices, and some species were to be listed on a higher level. He asked whether the proposed amendments would impact the trade in Hong Kong. Mr. Ken CHAN replied that some species of the proposed amendments, especially those in Appendix II, were traded in Hong Kong. Nevertheless, trading of the Appendix II species would still be allowed, subject to licensing controls. It was unlikely that the proposal would have significant impact on the trade in Hong Kong.

**IV. Progress Report of CITES Work**  
**(Committee Paper : CP/ESAC/3/2022)**

9/22 With a PowerPoint presentation, Dr. Edward LAU briefed members on the progress report of CITES work between 1 April 2021 and 30 June 2022.

(Dr. SUNG Yik-hei joined the meeting at this juncture.)

10/22 A member suggested the AFCD to collaborate with the Hong Kong Pet Trade Association to organise education talks in the Hong Kong Pet Show for local importers and pet

owners to promote the import and possession requirements of CITES-listed species. It could also arouse their awareness of the latest amendments to Appendices I and II.

11/22 Another member enquired if the AFCD would devote more human resources to gathering of long-term intelligence and evidence collection of illegal trade in endangered species, including online trade. He remarked that succulent plants had been popular in the market but the public might not be aware that they were CITES-listed species. He recommended the AFCD to promote the control of these species in popular selling locations such as Mong Kok Flower Market. He also advised the AFCD to expand its publicity channels to reach out to people of different age groups.

12/22 Mr. Timothy LAM replied that the AFCD staff had conducted inspections at the Hong Kong Pet Show. In addition, the AFCD organised briefing sessions in October 2022 to inform and consult relevant stakeholders, including the pet trade industry, about the control of endangered species and the amendments to CITES for the traders and relevant parties. Regarding online trade in endangered species, it was observed that after the previous enforcement operations, the traders had become more alert and turned their sale channels to private groups. To crack down on the illegal trade, the AFCD officers disguised as buyers in these groups, and would conduct enforcement operations when a suspected illegal sale of a scheduled species was detected. Concerning succulent plants, he agreed that the plant had growing popularity in the market, hence displayed an upward trend in illegal trade. In this regard, the AFCD had launched targeted promotional and education campaigns to raise the public awareness of the control over the specimen.

13/22 A member complimented the AFCD for the enforcement efforts. He concurred with Mr. Timothy LAM that the illegal traders had become more cautious. He also enquired if the AFCD would consider acquiring training from other Government departments which had enforcement experiences in combating organised and serious crimes, so as to better equip the enforcement team for the increasingly challenging work.

14/22 Another member remarked that the amount of the penalty, i.e. HK\$2,000, imposed to the offender who had illegally possessed six tails of Hong Kong newts was insignificant. He was of the view that a heavier penalty could provide a deterrent to the illegal trade.

15/22 Mr. Timothy LAM replied that the enforcement officers of the AFCD were not under the establishment of the Disciplined Services. In some organised and serious crimes, the

enforcement operations would be supported by the Hong Kong Police Force (HKPF). Regarding the penalties, the Court would take into account of all relevant factors, including the conservation status of the endangered species involved. He pointed out that depending on the circumstances of each case, a defendant was sentenced to 3 years' imprisonment in a previous convicted case.

16/22      Mr. Simon CHAN supplemented that, to curb illegal trade at its source, the AFCD and HKPF had joint operations to combat illegal poaching. Any person contravening the requirements of the Protection of Endangered Species of Animals and Plants Ordinance (Cap. 586) would be prosecuted. On conviction, the person would be liable to a maximum fine of HK\$10 million and imprisonment for 10 years.

17/22      In response to a member's enquiry, Mr. Timothy LAM indicated that corals were scheduled species in the Ordinance. Corals, which were legally acquired and possessed as personal or household effects, were exempted from the licensing requirement. In Hong Kong, coral traders would have to acquire export permits issued by the exporting place and possession licences, for keeping in their premises live corals which were sourced from the wild. They were required to produce export permits, possession licences and species, as well as the possession quantity for inspection.

18/22      A member remarked that some countries had introduced heavier penalties for illegal trade in endangered species. He enquired how to relay to prosecutors and the Court, the impact of illegal trade and how it threatened the endangered species. Mr. Timothy LAM replied that for each Court case, the AFCD would provide a brief with the local and international conservation status of the endangered species involved, in order to furnish the prosecutors and the Court with a better understanding of the impact on the endangered species concerned. The Court would consider all relevant factors when determining the seriousness of the offences under the Ordinance and hence the sentences.

19/22      A member observed that the Mong Kok Flower Market occasionally sold wild orchids. He recommended that the enforcement team keep a list of suspected illegal orchid traders and inspect these shops with priority. The team should also identify illegal consigners and conduct enforcement actions before the items were sold in the market. For succulent plants, he pointed out that the AFCD could consider using the common names instead of the scientific names in the education materials.

20/22 In response, Mr. Timothy LAM said that the AFCD kept a blacklist of shops and traders, covering not only orchids but also other endangered species, and would take enforcement actions according to the intelligence collected. As for succulent plants, Mr. LAM said that in order to arouse awareness from the public and the importers, common names were used in the AFCD's promotional and education materials.

21/22 In response to an enquiry from a member regarding the import of parrot eggs into Hong Kong, Mr. Timothy LAM replied that if the parrot was a scheduled species, the import of its egg was regulated under the Ordinance.

22/22 The Chairman recommended the AFCD to enhance education to the public through outreach activities in collaboration with the academic and the relevant trades and sectors.

23/22 Dr. LEUNG Siu-fai supplemented on the penalty for committing an offence under the Ordinance. He said that when the penalty was considered too lenient, the AFCD would consult the Department of Justice for an appeal. To raise public awareness of how illegal trade threatened the endangered species, he appealed to the academic and NGO sectors to share their views on the matter more frequently on social media.

**V. Serving the Community - Service Standards Committee 46<sup>th</sup> Monitoring Report**  
**(Committee Paper : CP/ESAC/4/2022)**

24/22 Mr. Ken CHAN briefed members on the performance results concerning the licensing service of endangered species from 1 April 2021 to 30 June 2022 (Committee Paper CP/ESAC/4/2022). Members noted the report.

**VI. Any Other Business**

**(a) Vote of Thanks**

25/22 Being the last meeting of the current term, the Chairman thanked four outgoing members Mr. CHANG Kin-ming, Ken, Ms. CHIU Yuk-lin, Colleen, Mr. LEUNG Lak-kee, Ricky and Professor SO Wing-mui, Winnie for their contribution to the Committee.

26/22      Dr. LEUNG Siu-fai expressed gratitude to the Chairman for his leadership and members' expert advice throughout the term. He also thanked representatives of EPD and C&ED for their contribution and advice to the Committee.

27/22      Members had no other business for discussion.

**VII.      Date of Next Meeting**

28/22      The Chairman said that members would be informed of the date of next meeting in due course.

29/22      The meeting was adjourned at 4:02 p.m.

- End -