



本署檔號 Our Ref.: AF CON 07/24
通函編號 Circular No.: ES 02/14
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25 September 2014

Dear Sir/ Madam,

Amendments to the Protection of Endangered Species of Animals and Plants Ordinance

Further to our circular letter No. ES02/13 of 10 May 2013 concerning the amendments to Appendices I and II as adopted at the 16th meeting of the Conference of the Parties to CITES¹, I write to inform you of the corresponding legislative amendments made to the Protection of Endangered Species of Animals and Plants Ordinance, Cap. 586 ("the Ordinance"). The legislative amendments also include 1) some endangered species that have been added to Appendix III to CITES, 2) amendments to annotations, and (3) amendments to Convention Instruments and Exemption Order.

The amendments were published in the Gazette on 27 June 2014 and the new controls will come into operation on **28 November 2014**. Please refer to the Gazette (<http://www.gld.gov.hk/egazette/pdf/20141826/es22014182697.pdf> and <http://www.gld.gov.hk/egazette/pdf/20141826/es22014182698.pdf>) for details of the amendments. Amendments regarding the endangered species scheduled to the Ordinance are summarized in Annex I which could be found at the following link: http://www.afcd.gov.hk/english/conservation/con_end/files/ES0214_annexI.pdf. Examples of newly scheduled species include five species of sharks (Oceanic whitetip, Scalloped hammerhead, Great hammerhead, Smooth hammerhead and Porbeagle), Manta rays, some species of rosewoods, ebonies, turtles and tortoises.

When the above new controls take effect, all newly scheduled species will be subject to licensing control. According to the Ordinance, unless exempted or otherwise specified, the import, introduction from the sea, export, re-export or possession of endangered species, whether alive, dead, its parts or derivatives, requires a licence issued in advance by this department.

Traders in possession of stock of the newly scheduled Appendix II or III species (see Tables 1 and 2 of Annex I) for commercial purposes are required to declare to this department their stock by filling in **Annex II** attached and returning it to this department on or before **27 November 2014** if: 1) the concerned specimens may be exported/re-exported after the new controls take effect; or 2) the concerned specimens are live specimens of wild origin of newly scheduled Appendix II species.

Specimens of the newly scheduled species legally acquired before first date of CITES listing, with evidence that proves to the satisfaction of this department, will be regarded as "pre-Convention" and could be traded as such in future. Please refer to Annex I for the concerned first date of CITES listing.

¹ Convention on International Trade in Endangered Species of Wild Fauna and Flora

Under the new controls, a Licence to Possess must be obtained within the 3-month grace period which ends on **27 February 2015** for possession of the following specimens for commercial purpose:

- 1) live specimens of wild origin of newly scheduled Appendix II species which were legally acquired after the species was first listed in CITES (see Table 1 of Annex I); or
- 2) live specimens of wild origin of species transferred from Appendix III to Appendix II (see Table 4 of Annex I); or
- 3) specimens of species transferred from Appendix II to Appendix I (see Table 3 of Annex I).

We shall hold briefing sessions to brief relevant traders about the new controls under the Ordinance. If you or your representatives would like to attend the briefing sessions, please register by filling in **Annex III** and returning it to this department on or before **6 October 2014**.

If you have any enquiries regarding the above, please give us an e-mail at hk_cites@afcd.gov.hk or contact our officers listed below:

For enquiries about plants – Mr. Henry HO (Tel. 2150 6968)

For enquiries about animals – Mr. Horace IU (Tel. 2150 6969)

Summary of Important date	Event
6 October 2014	Deadline for registration of briefing sessions
14-17 October 2014	Briefing sessions
27 November 2014	Deadline for registration of stock of newly scheduled species
28 November 2014	New controls take effect
27 February 2015	End of grace period for obtaining Licence to Possess under new controls

Yours faithfully,



(Richard P. K. CHAN)

for Director of Agriculture, Fisheries and Conservation

Enclosures

Annex II

Annex III

覆函請寄交「漁農自然護理署署長」

Please address all replies to Director of Agriculture, Fisheries and Conservation