



GUIDE TO APPLY FOR PESTICIDES LICENCES TO
IMPORT/SUPPLY/MANUFACTURE/REPACKAGE/STORE/RETAIL
REGISTERED PESTICIDES UNDER THE PESTICIDES ORDINANCE (CAP. 133)

A. Introduction

The Pesticides Ordinance (Cap. 133) and the Pesticides Regulations (Cap. 133A) regulate the import, supply, manufacture, repackaging, storage, retail and labelling of pesticides for the purpose of protecting human health and the environment. Only persons with licences issued under the Ordinance are allowed to carry out the aforementioned activities in respect of registered pesticides.

Registered pesticides are listed in a register maintained by the Director of Agriculture, Fisheries and Conservation (DAFC) under section 4 of the Ordinance. Part I of the register shall contain a list of pesticides which are in the form ready for immediate use without going through any treatment or process and which are for general domestic use. Part II of the register shall contain a list of all other pesticides. Registration of a pesticide in the register may be subject to conditions imposed by DAFC, such as maximum concentration of active ingredient(s) and permitted formulation. For further information, please refer to the list of registered pesticides on AFCD's website at <http://www.afcd.gov.hk> or approach the office of the Plant and Pesticides Regulatory Division of AFCD. All persons to whom Pesticides Licences are issued for the import, manufacture, sale or supply of pesticides listed in the register shall comply with the said conditions apart from other conditions that may impose upon each individual Licence as DAFC sees necessary.

Any person who intends to import/ cause to be imported/ supply/ offer to supply/ manufacture/ sell / offer or expose for sale any Part I and/or II pesticides shall apply for a Pesticides Licence (see section 7 of the Ordinance).

B. Procedures for Application of a Pesticides Licence

- (1) Applicants are required to complete, in duplicate, the application form for a Pesticides Licence. The form can be obtained from the Plant and Pesticides Regulatory Division of AFCD at 5/F., Cheung Sha Wan Government Offices, 303 Cheung Sha Wan Road, Kowloon or downloaded from its website at <http://www.afcd.gov.hk>.
- (2) The completed form should be submitted in person or by post together with a photocopy of the Business Registration Certificate. If the applicant is an unlimited company, proof of proprietorship, e.g. "Certified Copy of an Extract of Information on the Business Registration Register (Form 1a/1c)" or a photocopy of the "Notice of Assessment of Profits Tax of the Corporation", should also be submitted. Postal applications should be addressed to DAFC at 5/F., Cheung Sha Wan Government Offices, 303 Cheung Sha Wan Road, Kowloon.
- (3) Fees associated with the licence include the application fee and the issue fee. The applicant should pay the application fee at the time of application. Please note that the application fee is not refundable if the application is rejected. To simplify the application procedures, applicants should pay the licence issue fee together with the

application fee if the licence required only involves import, supply or retail. Regarding application for a licence to manufacture/ repackage/ store pesticides, a satisfactory evaluation of the activity is required before the licence is approved. Upon approval, a “Notice of Approval” will be issued to inform the applicant to pay the licence issue fee within one month. The applicant should pay the fee before the due date. Otherwise, the approval will lapse and a fresh application has to be made.

The fee can be settled by one of the following methods –

- (i) In person: Cash, Crossed cheque (made payable to “The Government of the HKSAR”) or EPS;
- (ii) By post: Crossed cheque (made payable to “The Government of the HKSAR”);
or
- (iii) Online payment: Credit card (an email address should be provided on the application form to receive a payment URL).

Please refer to the attached table for the various fees. Upon receipt of the application, officers of Plant and Pesticides Regulatory Division of AFCD may need to inspect the following –

- (i) the premises intended for the storage, repackaging, manufacture or retail of pesticides¹; and
 - (ii) the packaging of pesticides to be stored or retailed².
- (4) AFCD normally takes 2 working days to process an application and the Pesticides Licence, if approved, will normally be sent to the applicant by post. Should there be any enquiries, please contact the Plant and Pesticides Regulatory Division of AFCD at (852) 2150 7007.

C. Renewal of Pesticides Licences

Every Pesticides Licence shall expire 12 months after the date of issuance. Application for licence renewal is accepted up to 2 months prior to the expiry of the Licence. No application for renewal will be accepted after the expiry of the Licence.

D. Variation of Pesticides Licences

Should there be any change to information of a Pesticides Licence, such as particulars of the responsible person, correspondence address or any other particulars on the Licence, the Licence holder must inform DAFC in advance for a variation of the Pesticides Licence.

E. Import and Export of Registered Pesticides

- (1) The holder of an “Import and Supply” Pesticides Licence can import and/or export registered pesticides, but should still comply with the Import and Export Ordinance (Cap.

¹ Caution note: Pesticides must be kept out of reach of children. No food or drink should be stored or prepared in proximity to premises where pesticides are placed. Similarly, no clothing or other absorbent material should be placed nearby.

² Caution note: The containers holding the pesticides must be impervious to the pesticide and strong enough to resist damage from normal handling and transport.

- 60). Each consignment of pesticides to be imported, exported or transhipped in Hong Kong must be covered by an Import and/or Export Licence issued by AFCD under the delegated authority from the Director-General of Trade and Industry.
- (2) If a pesticide is in transhipment on a through bill of lading via Hong Kong to another place outside Hong Kong, a Pesticides Licence is not necessary but the Import and Export Licences are still required. Such pesticide, after being shipped into Hong Kong, must be stored in a public godown until leaving Hong Kong. Moreover, the licensing requirement under Cap. 60 for pesticides undergoing transhipment on a through air waybill has been waived since May 2000.
 - (3) If a pesticide is in transit, that is passing through Hong Kong on the same ship, aircraft or vehicle without transhipment, a Pesticides Licence and Import/Export Licence under Cap. 60 are exempted.

F. Statutory Penalties for Violation of the Ordinance in Dealing with Registered Pesticides

- (1) Import/ manufacture/ sale/ supply of registered pesticides by any person without a Pesticides Licence:
Penalty: A maximum fine at level 5 and one year imprisonment. (See section 17(1) of the Ordinance.)
- (2) Contravention of any conditions concerning:
 - (i) use of any prohibited or controlled inert ingredient in the manufacture of pesticide.
 - (ii) import/ sale/ supply of pesticides containing any prohibited or controlled inert ingredient.*Penalty: A maximum fine at level 1 and six months imprisonment. (See section 17(4) & (5) of the Ordinance.)*
- (3) Contravention of any of the conditions imposed on a Pesticides Licence:
Penalty: A maximum fine at level 4 and six months imprisonment. (See section 17(2) of the Ordinance.)
- (4) Obstruction of an inspector, refusal of collection of a sample, failure to produce a Pesticides Licence, etc.:
Penalty: A maximum fine at level 3 and six months imprisonment. (See section 17(3) of the Ordinance.)

G. Enquiry

Should you have any enquiries regarding application for Pesticides Licences, please contact the Plant and Pesticides Regulatory Division of AFCD as follows.

Plant and Pesticides Regulatory Division
Agriculture, Fisheries and Conservation Department
Tel: (852) 2150 7007
Fax: (852) 2314 2622
Email: pestlic@afcd.gov.hk
Website: <http://www.afcd.gov.hk>

Revision of Fees Prescribed in the Schedule to the Pesticides Regulations

(Effective from 31st October, 2014)

《除害劑規例》附表內所訂的收費調整 (二零一四年十月三十一日起生效)

Item 項目	Matter 事項	New Fee (\$) 新收費(元)
1.	Application for pesticides registration 為某除害劑申請註冊	2,880
2.	Application for a pesticides licence 提交除害劑牌照申請	140
3.	Application for a pesticides permit 提交除害劑許可證申請	180
4.	Issue of a licence covering Part I pesticides only 為只在登記冊第 I 部註冊的除害劑簽發牌照	435
5.	Issue of a licence covering Part II or both Part I and Part II pesticides 為在登記冊第 II 部或同時在第 I 及第 II 部註冊的除害劑簽發牌照	880
6.	Issue of a varied licence at the request of the licensee 應持牌人要求簽發修訂牌照	570
7.	Issue of a permit to import or possess a scheduled pesticide or an unregistered pesticides for re-export only 為進口或擁有以作轉口用途的附表所列除害劑或未註冊除害劑簽發許可證	805
8.	Issue of a permit for a scheduled pesticide or an unregistered pesticide to cover any other purpose 為作任何其他用途的附表所列除害劑或未註冊除害劑簽發許可證	1,470
9.	Issue of a varied permit at the request of the permittee 應持證人要求簽發修訂許可證	910
10.	Renewal of a licence covering Part I pesticides only 為只在登記冊第 I 部註冊的除害劑續牌	220
11.	Renewal of a licence covering Part II or both Part I and Part II pesticides 為在登記冊第 II 部或同時在第 I 及第 II 部註冊的除害劑續牌	640
12.	Issue of a duplicate licence or permit 簽發牌照或許可證複本	175
13.	Extension of a permit to import or possess a scheduled pesticide or an unregistered pesticide for re-export only 為進口或擁有以用作轉口用途的附表所列除害劑或未註冊的除害劑的除害劑延長許可證的有效期	435
14.	Extension of a permit for a scheduled pesticide or an unregistered pesticide to cover any other purpose 為作任何其他用途的附表所列除害劑或未註冊的除害劑延長許可證的有效期	1,050