

Government gazettes to include more endangered species on control list

The Government gazetted today (February 19) the Protection of Endangered Species of Animals and Plants Ordinance (Amendment of Schedules 1 and 3) Order 2021 (the Amendment Order), to amend Schedules 1 and 3 to the Protection of Endangered Species of Animals and Plants Ordinance (Cap. 586) (the Ordinance) for the inclusion of more endangered species on the control list.

A spokesman for the Agriculture, Fisheries and Conservation Department (AFCD) said that the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) is implemented in Hong Kong through the Ordinance and hence the Ordinance is updated from time to time in light of the latest requirements of CITES. The Amendment Order aims to give effect to the latest regulation of CITES on the controlled species.

The Amendment Order mainly reflects the addition, removal and other changes of species listed in the Appendices to CITES, which involves multiple species of lizards, salamanders, sea cucumbers, mako sharks, otters, turtles and tortoises, etc. Some existing control will also be relaxed to facilitate the corresponding trade. For example, the control on some *Dalbergia* spp. (some may call it "rosewood") in relation to musical instruments will be relaxed with a view to facilitating the trading of relevant musical instruments. The Amendment Order also includes some of the latest resolutions in relation to the implementation of CITES, including the conditions for acceptance of CITES documents, exemption for scientific exchanges, etc. Major amendments are set out in the Annex.

Under the Ordinance, except with exemptions or otherwise specified, the import, export, re-export, introduction from the sea or possession of the controlled species, including their parts and derivatives, are subject to licensing control. The Amendment Order will be tabled at the Legislative Council on February 24 for negative vetting and the new control measures will come into effect on April 30. A Licence to Possess must be obtained within the three-month grace period (i.e. on or before July 29) for the possession of specimens of Appendix I species or live specimens of wild origin of Appendix II species for commercial purposes. Local trading of the listed species in stock, which were already imported legally before the implementation of the new amendments, can continue to take place under licensing control. The AFCD will notify traders concerned about the legislative amendments to the Ordinance through circular letters, and brief relevant stakeholders about the new control measures.

The spokesman said, "More endangered species will be included on the control list after the amendments to the Ordinance are effected. This will help enhance protection of more endangered species and enable Hong Kong to make a contribution to nature conservation at an international level."

The spokesman reminded the public that it is illegal for any person to import, export or possess any endangered species without a required licence. Offenders are liable to a maximum penalty of a \$10 million fine and imprisonment for 10 years upon conviction. The specimens will also be forfeited. For licensing requirements for the species listed on different appendices, please visit the website: www.cites.hk or call 1823 for enquiries.