

Import and Export Ordinance (Cap. 60)

Guidelines on Application for an Import/Export Licence for Scheduled Chemicals

1. Under the Hazardous Chemicals Control Ordinance (Cap. 595) (HCCO), any person importing, exporting, or arranging for transshipment or transit^{Note1} of a scheduled chemical must hold a valid Import Permit, Export Permit, Transshipment and Transit Permit for that chemical issued by the Environmental Protection Department (EPD) respectively. In addition, each consignment of scheduled chemical(s) entering/leaving Hong Kong must also be covered by an import/export licence issued under the Import and Export Ordinance (Cap. 60) (IEO). The import/export licence requirements are also applicable to scheduled chemicals in transshipment, but not transit. Such licences are issued by the EPD under the delegated authorities from the Director-General of Trade and Industry

2. This document provides information on matters requiring attention when applying for the IEO import/export licences. For more information on application of the Import Permit, Export Permit, Transshipment and Transit Permit under the HCCO, please refer to the “Hazardous Chemicals Control Ordinance (Cap. 595) - Guidelines on Application for Import Permit, Export Permit and Transshipment / Transit Permit for Scheduled Chemicals”.

Pre-requisite for Import/Export Licence Applications under the IEO for Scheduled Chemicals

3. Any person applying for an import/export licence under the IEO for a scheduled chemical is required to have in possession:

- (a) a valid Import Permit, Export Permit or Transshipment and Transit Permit under the HCCO ; and
- (b) evidence of explicit consent from import and export countries or regions, as appropriate.

4. Any person planning to apply for an IEO import licence, unless otherwise exempted by the EPD, should submit evidence of explicit consent referred to in paragraph 3 (b) above for verification by the EPD at least 15 working days in advance of the anticipated arrival date of the shipment or before it leaves the exporting country, whichever the earlier. Scheduled chemicals without valid explicit consent should not be shipped to Hong Kong.

Note 1

Article in transit means an article which –

- (a) is brought into Hong Kong solely for the purpose of taking it out of Hong Kong; and
- (b) remains at all times in or on the vessel or aircraft in or on which it is brought into Hong Kong.

5. Any person planning to apply for an IEO export licence, unless otherwise exempted by the EPD, should submit evidence of explicit consent referred to in paragraph 3 (b) above for verification by the EPD at least 15 working days in advance of the anticipated departure date of the shipment.

The Explicit Consent Document

6. Procedures to obtain the necessary explicit consent from exporting/importing countries or regions:

- (a) If you are an importer, you may ask your exporting counterpart to provide the necessary explicit consent documents to you.
- (b) If you are an exporter, you should obtain the explicit consent from the importing country or region directly.
- (c) Please note that a request for explicit consent to import/export scheduled chemical(s) may take up to 90 days or more to process. Therefore, any such application should be made well in advance of your intended date of import/export of the scheduled chemical(s).

Exemptions

7. Articles in transit (for Type 1 chemicals only, since requirements not applicable to Type 2 chemicals) or air transshipment cargo^{Note2} (for Type 1 and Type 2 chemicals) do not require an import or export licence issued under the IEO, nor the submission of explicit consent documents in advance as mentioned in paragraphs 4 and 5. However, the following are required:

- (a) a valid Import Permit and Export Permit or Transshipment and Transit Permit issued under the HCCO;
- (b) explicit consent from both export and import countries/regions (unless otherwise exempted by the EPD); and
- (c) notify the EPD (Form No. EPD HCC7) within a period of 7 days of the arrival/departure of the articles/cargo details of the articles/cargo with relevant documents (including consent documents and bill of lading or other shipping documents).

Note 2

Air transshipment cargo means transshipment cargo that is both imported and consigned for export in an aircraft and which, during the period between its import and export, remains within the cargo transshipment area of Hong Kong International Airport.

Procedure for Application of Import/Export Licence for Scheduled Chemicals under the IEO

8. Applicants are required to complete an application form (Import Licence Form 3 (TRA 187) or Export Licence Form 6 (TRA 394)) available for sale at the Trade and Industry Department, Collection Office, Trade & Industry Department Tower, 700 Nathan Road, Kowloon.

9. No other fee shall be payable for the application for issue of an import/export licence for scheduled chemicals under the IEO.

10. For guidance notes on completion of the Import Licence Form 3 (TRA 187) or Export Licence Form 6 (TRA 394), please refer to the Appendix.

11. The applicant should send the consent documents to the EPD in advance as mentioned in paragraphs 4 and 5 by post or by fax. Completed application forms together with the relevant bill of lading should be sent to the following address:

Territorial Control Office (Hazardous Chemicals Control)
Environmental Protection Department
28/F, Southorn Centre
130 Hennessy Road
Wan Chai
Hong Kong

12. EPD will diligently process an application upon receipt. However, the actual processing time of an application will depend on the number of applications being processed and the availability of information of individual applications. Our target is to issue a licence within 2 working days upon receipt of all relevant information. Applicants are therefore advised to submit the completed application form and all relevant information not less than 2 clear working days before the shipment arrival/departure.

Enquiries

13. For enquiries about the IEO licence applications, please call the EPD at 2835 1963 or email to enquiry@epd.gov.hk.

WARNING

- Any person, who, in respect of an application for the issue of a licence makes or causes to be made any statement or furnishes or causes to be furnished any information which is false or misleading in a material particular or omits any material particular shall be guilty of an offence and shall be liable on conviction to a fine of \$500,000 and to imprisonment for 2 years, unless he satisfies the court or magistrate that he did not know and had no reason to believe the statement or information to be false or misleading or the omission to be material.
- Any person who (a) forges any licence; (b) without authority makes any alteration to any licence; or (c) knowingly utters or makes use of any licence that has been forged or altered without authority, commits an offence and is liable on conviction to a fine of \$500,000 and to imprisonment for 2 years.

Environmental Protection Department

August 2010

**Guidance Notes on Completion of Import / Export Licence
for Scheduled Chemicals**

Application for an IEO import / export licence for scheduled chemicals should be submitted in triplicate (original and 2 copies in sequence). When filling in the application form, please follow the guidance instructions given below; the instruction numbers correspond to the numbers marked on the import / export licence sample form. Unless otherwise specified, the guidance instructions apply to completing both the import and export licences application forms. Please use one application form for each scheduled chemical. Please refer to the sample completed form (export licence) attached for reference.

- (1) Name and Address of Hong Kong importer / exporter
Fill in the company name and address. P.O. Box in lieu of full address or 'Company A on behalf of Company B' is not acceptable. Also, state the importer / exporter's valid Hazardous Chemicals Control Ordinance Import / Export Permit No. in this section.
- (2) Name and Address of Foreign Exporter / Consignee
Fill in the company name and full company address. If the address of the foreign exporter is not at the place of export, the wording 'By the order of' must be added before the company name in the Import Licence Form 3 (TRA 187). If the address of the consignee is not at the place of destination, the wording 'To the order of' must be added before the company name in the Export Licence Form 6 (TRA 394).
- (3) Business Registration Number and Telephone Number
Fill in the valid business registration number and contact telephone number of the company.
- (4) Arrival / Departure Date
Fill in the estimated arrival / departure date, if the exact date is not yet known. The licence application should be submitted well before the intended date of arrival / departure to allow sufficient time for the application to be processed.
- (5) Vessel / Flight / Vehicle No.
Fill in the mode of transport (by sea, by air, by road). Vessel name, flight number or vehicle number should be stated if available.
- (6) Marks and Nos., Container No.
Fill in the shipping marks and the number. If there are no shipping marks and numbers, the words 'no marks' should be stated.
- (7) Number of Packages
Indicate the number of packages / cartons in words or numerals.
- (8) Description of Goods
The full name of the scheduled chemical(s) as stated in the Hazardous Chemicals Control Ordinance permit, concentration, formulation (if appropriate), CAS Registry number should be stated. All the information shown should also be indicated in the bill of lading / through bill of lading.

- (9) No. of Units
Indicate the net weight of the scheduled chemical(s) in the appropriate unit (e.g. kilogram (kg)) and write 'Net Weight (N.W.)' before the quantity of goods. If it is a mixture of chemicals, indicate the total net weight of the mixture. For PCB containing equipment, provide the estimated net weight of PCB.
- (10) For transshipment of scheduled chemicals, the following statement should be made in the blank space:

"Transshipment cargoes from _____ (Place of Export) via Hong Kong to _____
_____ (Place of Destination) under through B/L No. _____"
- (11) Importer's Declaration (for Import Licence Application only)
Indicate clearly whether the goods are for local consumption or re-export, and delete whichever is inappropriate. For re-export scheduled chemicals, please state above the dotted line the place of destination to which the goods would be subsequently re-exported.
- (12) Signatory's Name
Give the signatory's name in block letter.
- (13) Date, Signature & Company Chop
Indicate the application date, sign and chop the 3 copies (original and 2 copies) of the import / export licence application form.
- (14) Place of Origin and Code
Specify the place of origin for each item, i.e. the country/region where the goods are manufactured, but not necessarily the same as the exporting country/region. The code numbers (export licence application only) need not be given, if not known.
- (15) Destination & Code (for Export Licence Application only)
Specify the destination country/region and the respective country/region code. The code numbers need not be given, if not known.
- (16) Name and Address of HK Manufacturer/Processor (for Export Licence only)
For goods manufactured/processed in Hong Kong, the name and full address of the manufacturer/processor should be stated.

- Note : (1) If the consignment consists of more than one scheduled chemicals, please submit one licence application form for each scheduled chemical. The information for items no. (7), (8), (9) should be individually stated in the bill of lading / through bill of lading.
- (2) No erasure or correction fluid should be used on import / export licence application forms. Errors should be clearly crossed out. Each erasure, amendment, deletion or addition of information should bear a company chop, a specimen of which shall be submitted to the EPD during the Hazardous Chemicals Control Ordinance permit application. No more than 3 amendment chops are allowed on each import / export licence application form.

EXPORT LICENCE Form 6 出口許可證表格六 ORIGINAL 正本

<p>1 → Exporter (Name and Address) 出口商 (名稱及地址) ABC CO. LTD. RM. 903, LOON KEE BLDG., 267-275 DES VOEUX RD. C., CENTRAL, HONG KONG. (HCCO Permit No.: XXXXXXXXXXXX)</p>	<p>Date of Issue 發出日期</p> <p>Licence No. 許可證編號</p> <p style="text-align: center;">THE GOVERNMENT OF THE HONG KONG SPECIAL ADMINISTRATIVE REGION Import and Export Ordinance, Cap. 60 Reserved Commodities Ordinance, Cap. 296 and any other Enactment 香港特別行政區政府 《進出口條例》(第60章) 《儲備商品條例》(第296章)及其他成文法則</p>																							
<p>3 → Business Reg. No. 商業登記號碼 3XXXXXXXX-000-04-03-A</p> <p>Tel. No. 電話號碼 2123 XXXX</p>	<p>Conditions of issue of this licence include the following:- 本許可證的發出條件包括以下各項:</p> <p>(i) Normally the form is to be submitted in duplicate. However for certain categories of goods, which are notified through Trade and Industry Department circulars, triplicates are required. 一般而言,本表格必須一式三份呈交,但就工業貿易署藉通告通知的若干類貨品而言,本表格須一式三份呈交。</p> <p>(ii) Any number of items in licensable categories may be entered on this form provided all are shipped at the same time on the same vessel, aircraft or vehicle. 須領取出口許可證的不同類別貨品,如在同一時間全部由同一船隻、飛機或車輛裝運,可在本表格內,併填報,貨品數量不限。</p> <p>(iii) The original must be given to the shipping, airline or transportation company for return to the Trade and Industry Department together with the relevant manifest. 本許可證的正本須交給船運、航空或運輸公司,由該公司將本許可證連同有關單交回工業貿易署。</p> <p>(iv) The exporter must lodge export declarations in respect of items on this licence within 14 days of shipment. 在本許可證所開列的貨品付運後的14天內,出口商必須就該等貨品呈交出口報關單。</p> <p>(v) The name and address of the Hong Kong manufacturer or processor must be provided for locally produced commodities covered by this licence. 對於本許可證所開列的本地製造商品,必須提供香港製造商或加工商的名稱及地址。</p> <p>(vi) In case of re-exports, condition (v) does not apply. However, the place of origin of the items must be shown in the box provided for the purpose on this licence. 第(v)項條件不適用於轉口貨品,但必須在本許可證特備的空格內填報該等貨品的來源地方。</p> <p>(vii) This licence is valid for twenty eight days from the date of issue. 本許可證有效期為二十八天,由發出日期起計。</p> <p>(viii) HKD means Hong Kong Dollar. *HKD*指港元。</p>																							
<p>2 → Consignee (Name and Address) 收貨人 (名稱及地址) To the order of DEF FAR EAST LTD. 6300, SUNSET AVENUE, SYDNEY, AUSTRALIA</p>																								
<p>4 → Departure Date 離境日期 15 MARCH 2007</p>																								
<p>5 → Vessel/Flight/Vehicle No. 船隻/班機/車輛編號 BY AIR / BY SEA (vessel name/flight number/ vehicle number)</p>																								
<p>WARNING: All alterations must be carried out by authorised officers. Heavy penalties are provided for false declaration & information, unauthorised alterations & misuse of this licence. 警告: 只有獲授權人員方可更改本許可證。凡作虛假聲明、提供虛假資料、未獲授權而更改本許可證或不當地使用本許可證者,可被重罰。</p>																								
<p>6 → Marks and Nos., Container No. 標記及編號,貨櫃編號 HONG KONG C/NO. 1-10 MADE IN USA</p>	<p>No. and Kind of Packages Brand and Model, 包裹數目及種類,牌子及型號 ONE BAG</p>	<p>DESCRIPTION OF GOODS 貨品的說明 <u>CHEMICAL</u> TREMOLITE (CAS Registry No. 77536-68-6)</p>	<p>No. of Units (e.g. kg, litre) 單位數量 (如公斤,公升) N.W. 1 kg</p>	<p>F.O.B. Value HKD 離岸價 (以港元計) \$1,000.00</p>																				
<p>7 →</p>	<p>8 →</p>	<p>T/S Cargoes from _____ (Exporting Country) to _____ (Destination Country) via Hong Kong under through B/L no. _____.</p>	<p>9 →</p>	<p>10 →</p>																				
<p>SAMPLE</p>		<p>15 →</p>	<p>Total 總額 \$,1,000.00</p>	<p>Destination & Code 目的地及代碼 AUSTRALIA AU</p>																				
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:5%;">Item No. 項目</th> <th style="width:20%;">Place of Origin 來源地方</th> <th style="width:10%;">Code of Place of Origin 來源地方代碼</th> <th style="width:65%;">Name and Address of HK Manufacturer/Processor 香港製造商/加工商名稱及地址</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>U.S.A</td> <td>US</td> <td rowspan="2" style="vertical-align: top;"> <p>14 →</p> <p>16 →</p> <p>如多過一種貨品</p> </td> </tr> <tr> <td>2</td> <td>U.S.A</td> <td>US</td> </tr> <tr> <td>3</td> <td></td> <td></td> <td></td> </tr> <tr> <td>4</td> <td></td> <td></td> <td>Approved 已批准</td> </tr> <tr> <td>5</td> <td></td> <td></td> <td style="text-align: center;">(代行) for Director-General of Trade and Industry 工業貿易署署長</td> </tr> </tbody> </table>	Item No. 項目	Place of Origin 來源地方	Code of Place of Origin 來源地方代碼	Name and Address of HK Manufacturer/Processor 香港製造商/加工商名稱及地址	1	U.S.A	US	<p>14 →</p> <p>16 →</p> <p>如多過一種貨品</p>	2	U.S.A	US	3				4			Approved 已批准	5			(代行) for Director-General of Trade and Industry 工業貿易署署長	<p>EXPORTER'S DECLARATION 出口商聲明書</p> <p>I hereby declare that I am the exporter of the goods in respect of which this declaration is made and that the particulars given in this declaration are true and that the value declared above is the full value. 本人謹此聲明:本人是本身聲明書所指貨品的出口商,本聲明書中填報的資料均屬真實無訛,而且上列填報的價值為全部價值。</p> <p>Signature and Date 簽署及日期</p> <p>12 →</p> <p>Signatory's Name in Block Letters 簽署人姓名 (用正楷填寫) CHAN TAI MAN</p> <p>Company Chop 公司印章</p> <p>13 →</p>
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IMPORTANT NOTE 重要事項

If there is any discrepancy between the English text and the Chinese text of this form, the English text shall be taken as conclusive.
倘本表格的中英文本有任何差異,應當以英文本為準。