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Dear Sir/ Madam,

The Protection of Endangered Species of Animals and Plants Ordinance (Cap. 586)
Regulations on Ivory Trade

This circular aims to remind traders about the regulations on ivory trade.

African elephant and Asian elephant are listed in the Appendix I to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Their import, possession or re-export is strictly regulated under the Protection of Endangered Species of Animals and Plants Ordinance (Cap. 586).

The international trade in ivory has been banned by CITES since 1990. But for the ivory which had been legally imported before the ban, they can be traded locally in Hong Kong if they have been registered with this department and are kept under a valid Possession Licence issued by this department. However, such ivory cannot be re-exported out of Hong Kong for commercial purposes¹.

Each Possession Licence is valid for one keeping premises only. The licence shall be kept and displayed in a conspicuous position in the keeping premises specified in the licence. The licensee must record every transaction in a specified form, such as acquisition, consumption and sale, and attach to the form relevant documents in connection with such transaction. Upon sale, the supplier should provide an invoice and a copy of his/her Possession Licence (showing at least the licence number, species name and keeping premises) to his/her

¹ Trade in ivory acquired before the CITES provisions apply on them (i.e. pre-Convention specimens) in 1970s is permitted. If accompanied with a valid pre-Convention Certificates issued by the CITES Management Authority of the exporting place, pre-Convention specimens can be legally imported into Hong Kong and be used for commercial trade. Possession of pre-Convention specimens does not require any Possession Licence. However, re-export of pre-Convention specimens would require a Re-export Licence from this department.

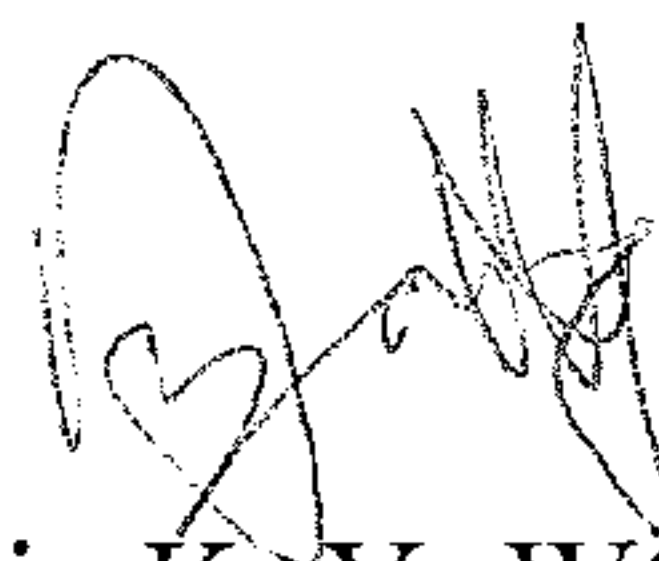
customer to prove that the ivory is obtained from legal source².

Please note that any ivory bought by a tourist in Hong Kong could not be re-exported out of Hong Kong to other places (including the Mainland of China).

Any person import, possession or re-export ivory not in accordance with the Ordinance is an offence. The maximum penalty is a fine of HK\$5 million, imprisonment for 2 years and forfeiture of the specimens upon conviction. In addition, breach of any condition of the licence is an offence. The licence may be cancelled and the licensee is liable on conviction to a fine of HK\$ 50,000.

Should you have any question about this circular, please contact Mr. IU Ka-po at telephone number 2150 6969.

Yours faithfully,



(Azaria K. Y. WONG)

for Director of Agriculture, Fisheries and Conservation

² Possession of ivory for non-commercial purposes in Hong Kong by a private individual is exempted from the requirement of a Possession Licence.