



## 香港法例第 635A 章

### 《南極海洋生物資源養護（犬牙魚產品證書制度）規例》

#### 犬牙魚進口許可證申請指引

#### I. 簡介

《南極海洋生物資源養護公約》（《公約》）<sup>1</sup> 是一份旨在養護南極海洋生物資源的國際公約。《南極海洋生物資源養護委員會》（委員會）根據《公約》採取了一套全面的養護措施，包括《10-05 措施》“犬牙南極魚產品證書制度”，以免犬牙魚遭國際間違規捕撈侵害。香港訂立《南極海洋生物資源養護條例》（《條例》）（第 635 章）和《南極海洋生物資源養護（犬牙魚產品證書制度）規例》（《產品證書制度規例》）（第 635A 章）以執行《公約》及相關養護措施的規定，《條例》和《產品證書制度規例》已於二零二零年七月一日生效。如欲查閱有關《條例》及《產品證書制度規例》的全文，請瀏覽電子版香港法例網站（[www.elegislation.gov.hk](http://www.elegislation.gov.hk)）。

根據《產品證書制度規例》，進口鱗頭犬牙南極魚（*Dissostichus mawsoni*）和小鱗犬牙南極魚（*Dissostichus eleginoides*）（俗稱白鱈魚或鱸魚）到香港，不論是活體或已死，包括任何魚肉或其他部分（不論是未經烹煮，或以任何方式加工或保質處理），均受許可證制度管制。本指引<sup>2</sup>旨在為進口貿易業界就申請犬牙魚進口許可證一事，提供一般資料。

#### II. 進口犬牙魚產的許可證要求

《產品證書制度規例》第 3 條指明，除非領有由漁農自然護理署署長（署長）發出的進口許可證，否則不得進口犬牙魚產。擬進口任何犬牙魚產的人士，須向漁農自然護理署（漁護署）提交進口許可證的申請。每張許可證可用於涵蓋多批裝運及不同品種和類型的犬牙魚產，但所有裝運的貨物均須同一時間由同一船隻／飛機／車輛／火車運進香港，而申請人須提供本指引第 III 節所要求的全部文件，以支持其申請。如進口的犬牙魚產會以多於一架船隻／飛機／車輛／火車進口香港，申請人應就每次貨運／運輸申請單獨的進口許可證。如根據《條例》獲授權的人員（獲授權人員）提出要求，須出示有關許可證供該人員查閱。

<sup>1</sup> 有關《公約》詳情，請瀏覽 [www.ccamlr.org](http://www.ccamlr.org)。

<sup>2</sup> 本指引並非法律文件。

### III. 申請程序

#### (i) 所需文件及資料

申請人須透過本節(ii)所列的方法向漁護署提出許可證申請，並提供申請表上指明的資料及下列文件：

- (a). 已填妥的申請表 (AF 635A F001) <sup>3</sup>;
- (b). 申請人的香港身分證或旅行證件 (適用於個人申請) 或公司商業登記證 (適用於公司申請) 的副本 <sup>4</sup>;
- (c). 相關的犬牙南極魚出口證書 (DED) 或犬牙南極魚再出口證書 (DRED) <sup>5</sup>的副本;
- (d). 附有運輸詳情的裝運單據副本; 以及
- (e). 其他證明文件 <sup>6</sup>的副本 (例如證明由原出口商/供應商、其後貿易商以至進口商的交易過程的發票)。

#### (ii) 提交申請方法

網上 : 貿易單一窗口 ( [www.tradesinglewindow.hk](http://www.tradesinglewindow.hk) ) ( 須預先登記帳戶 )  
親身或 : 漁農自然護理署漁業管理科  
郵寄 : 香港九龍長沙灣道 303 號  
長沙灣政府合署五樓  
傳真 : 2314 2866  
電郵 : [ccamlr@afcd.gov.hk](mailto:ccamlr@afcd.gov.hk)

#### (iii) 申請費用及繳費方法

進口許可證的申請費用為港幣 375 元，繳費方法見下表。收取申請費用並不保證你的申請一定獲得批准。無論申請成功與否或申請人自行取消申請，所有已繳付的申請費用均不會退還。

提交申請方法	繳費方法
網上	信用卡 ( Visa / Mastercard / 中國銀聯 / JCB )
郵寄	支票 <sup>7</sup>
親身	現金 / 支票 / 易辦事
傳真或電郵	繳款單 <sup>8</sup>

#### (iv) 處理申請所需時間

- <sup>3</sup> 申請表可親身或以郵寄方式向漁護署總部(香港九龍長沙灣道 303 號長沙灣政府合署五樓)索取，也可從漁護署的網頁 ( [www.afcd.gov.hk/ccamlr](http://www.afcd.gov.hk/ccamlr) ) 下載或電郵至 [ccamlr@afcd.gov.hk](mailto:ccamlr@afcd.gov.hk) 索取。
- <sup>4</sup> 如親身提交申請表，申請人須出示身分證、護照或商業登記證以供核實，但不需提供副本。
- <sup>5</sup> 犬牙南極魚出口證書及犬牙南極魚再出口證書是指根據《10-05 措施》經由產品證書制度網上系統發出的證書，當中載有相關犬牙南極魚進口或出口資料。《10-05 措施》及有關證書的樣本可從網頁下載 ( 網址 : [www.ccamlr.org/en/conservation-and-management/browse-conservation-measures](http://www.ccamlr.org/en/conservation-and-management/browse-conservation-measures) )。
- <sup>6</sup> 申請人或需提供更多文件或資料，以支持其申請。如未能提供所需的文件或資料，申請可能不獲處理。
- <sup>7</sup> 須以劃線支票繳費 ( 支票抬頭: 「香港特別行區政府」)。現金及期票恕不接納。
- <sup>8</sup> 可透過繳費靈/自動櫃員機/電子賬單/電子支票/轉數快/網上銀行/電話理財/郵寄/郵政局/便利店等繳費。

在收妥所需的文件及資料後，一般需時五個工作天<sup>9</sup>處理有關申請。如以郵寄方式遞交申請，或需額外三至五個工作天處理。如申請獲批，申請人可根據其在申請表的選擇，親身<sup>10</sup>或以郵寄方式領取許可證。如透過貿易單一窗口於網上辦理申請，獲批申請者的註冊帳戶將會收到電子郵件，通知其查看和下載許可證。

#### **IV. 進口許可證的有效期**

除非另有註明，否則進口許可證由核准日期起計 180 天內有效，許可證在有效期屆滿後自動失效。許可證經核准和簽發後，不得對物種、描述和淨重作任何修改。持證人如欲在許可證到期後進口犬牙魚產或更改擬進口的犬牙魚產的詳情，必須重新申領新的許可證。

#### **V. 貨物檢查**

為核實《產品證書制度規例》是否獲遵守，獲授權人員可檢查任何犬牙魚產貨物。犬牙魚進口許可證上可能會附加特殊條件，要求有關貨物須接受檢查。獲授權人員亦可在沒有事先通知的情況下，對任何貨物進行突擊檢查。如貨物被選取進行檢查，申請人會在貨物擬定進口時間之前收到檢查通知書，訂明進行檢查的時間和地點。在貨物接受檢查時，須向獲授權人員出示有關的犬牙魚進口許可證，並提供與該批貨物相關的發票、裝箱單及其他相關的裝運單據。如獲該人員要求，申請人須提供相關文件的副本作存檔記錄。

#### **VI. 查詢**

電話：(852) 2150 6634

傳真：(852) 2314 2866

電郵：[ccamlr@afcd.gov.hk](mailto:ccamlr@afcd.gov.hk)

網址：[www.afcd.gov.hk/ccamlr](http://www.afcd.gov.hk/ccamlr)

地址：香港九龍長沙灣道 303 號長沙灣政府合署八樓

**漁農自然護理署**

**2020 年 6 月**

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<sup>9</sup> 工作天指星期一至星期五，公眾假期除外，接獲申請當天亦不計算在內。

<sup>10</sup> 本署將發出通知書，告知申請人領證詳情。



## Conservation of Antarctic Marine Living Resources (Toothfish Catch Documentation Scheme) Regulation, Cap. 635A

### GUIDELINES ON APPLICATION FOR TOOTHFISH IMPORT LICENCE

#### I. Introduction

The Convention on the Conservation of Antarctic Marine Living Resources (“CAMLRL Convention”)<sup>1</sup> is an international convention with the objective to conserve Antarctic marine living resources. With a view to protecting toothfish from illegal, unreported and unregulated fishing internationally, the Commission for the Conservation of Antarctic Marine Living Resources (“CCAMLR”) adopts a comprehensive set of Conservation Measures (“CMs”), including the “Catch Documentation Scheme for *Dissostichus* spp.” (CM10-05) under the Convention. The CAMLR Convention and the CMs relevant to Hong Kong are implemented in Hong Kong through the Conservation of Antarctic Marine Living Resources Ordinance (“CAMLRL Ordinance”), Cap. 635 and the Conservation of Antarctic Marine Living Resources (Toothfish Catch Documentation Scheme) Regulation (“TCDS Regulation”), Cap. 635A, which have come into operation on 1 July 2020. To view the full text of the CAMLR Ordinance and the TCDS Regulation please visit the Hong Kong e-Legislation website ([www.elegislation.gov.hk](http://www.elegislation.gov.hk)).

Under the TCDS Regulation, import of Antarctic toothfish (*Dissostichus mawsoni*) and Patagonian toothfish (*Dissostichus eleginoides*) (commonly known as white cod or seabass) into Hong Kong, including any live or dead fish, and any flesh or other part (whether raw, or in any way processed or preserved), is subject to licensing control. This Guideline<sup>2</sup> aims to provide the import trade with general information on how to apply for an import licence for toothfish.

#### II. Licensing Requirements for Import of Toothfish Items

Under section 3 of the TCDS Regulation, a person must not import a toothfish item into Hong Kong except under and in accordance with an import licence granted by the Director of Agriculture, Fisheries and Conservation (“DAFC”). A person who intends to import a toothfish item must submit an application for an import licence to the Agriculture, Fisheries and Conservation Department (“AFCD”). A single licence can be used to cover multiple consignments of toothfish items as well as multiple species and types of toothfish, provided that all the consignments will be imported into Hong Kong at the same time in the same shipment by the same vessel/aircraft/vehicle/train, and all the documents as required in Part III below are provided by the applicant to support the application. If the toothfish items are to be imported into Hong Kong by more than one vessel/aircraft/vehicle/train the applicant should apply for a separate import licence for each shipment/transport. If requested by an authorized officer under the CAMLR Ordinance (“authorized officer”), the licence must be produced for inspection by the officer.

<sup>1</sup> Details of the CAMLR Convention are available at [www.ccamlr.org](http://www.ccamlr.org)

<sup>2</sup> This guideline is not a legal document.

### III. Application Procedures

#### (i) Documents and information required

Licence application(s) must be submitted to AFCD through one of the channels mentioned in (ii) below, providing the information specified on the application form and the following documents:

- (a). a completed application form (AF 635A F001)<sup>3</sup>;
- (b). a copy<sup>4</sup> of the applicant's Hong Kong Identity Card or travel document (for application from an individual) or the company's Business Registration Certificate (for application from a company);
- (c). copy(ies) of the relevant *Dissostichus* export document (DED) or *Dissostichus* re-export document (DRED)<sup>5</sup>;
- (d). copy(ies) of shipping document(s) with transport details; and
- (e). copy(ies) of other supporting document(s)<sup>6</sup> (e.g. invoices showing the chain of transactions from the original exporter/supplier, subsequent traders to the importer).

#### (ii) Application channels

<i>Online</i>	: Trade Single Window ( <a href="http://www.tradesinglewindow.hk">www.tradesinglewindow.hk</a> ) (Registration of a user account is required)
<i>In person or by post</i>	: Fisheries Management Division Agriculture, Fisheries and Conservation Department 5/F, Cheung Sha Wan Government Offices, 303 Cheung Sha Wan Road, Kowloon
<i>Fax</i>	: 2314 2866
<i>Email</i>	: <a href="mailto:ccamlr@afcd.gov.hk">ccamlr@afcd.gov.hk</a>

#### (iii) Application fee and payment methods

The application fee for an import licence is HK\$ 375. The payment methods for different application channels are shown in the table below. The collection of fee does not constitute any assurance that the licence application will be approved. The fee is non-refundable whether the application is approved or not, or where the application is cancelled by the applicant.

Application channel	Fee payment method
Online submission	Credit Card (Visa/Mastercard/China Union Pay/JCB)
By post	Cheque <sup>7</sup>
In person	Cash/Cheque/EPS
By fax or email	Demand Note <sup>8</sup>

<sup>3</sup> Hard copy of the application form can be obtained by post or in person at AFCD Headquarters (5/F, Cheung Sha Wan Government Offices, 303 Cheung Sha Wan Road, Kowloon). Softcopy of the application form can be downloaded from AFCD's website ([www.afcd.gov.hk/ccamlr](http://www.afcd.gov.hk/ccamlr)) or be obtained by sending an e-mail to [ccamlr@afcd.gov.hk](mailto:ccamlr@afcd.gov.hk).

<sup>4</sup> For application(s) submitted in person, the original copy of the Identity Card, Passport or Business Registration Certificate is required for verification purpose and no copy is required.

<sup>5</sup> DED and DRED are generated by the e-CDS with information relating to the import and export of *Dissostichus* spp. in accordance with CM10-05. CM10-05 together with samples of DED/DRED can be downloaded at [www.ccamlr.org/en/conservation-and-management/browse-conservation-measures](http://www.ccamlr.org/en/conservation-and-management/browse-conservation-measures).

<sup>6</sup> Additional documents or information may be required to support the application. An application may not be processed if the required supporting documents or information are not provided.

<sup>7</sup> The fee should be settled by a crossed cheque made payable to "The Government of the Hong Kong Special Administrative Region". Cash and post-dated cheque are not accepted.

<sup>8</sup> Payment may be made by PPS/ATM/EBPP/e-Cheque/FPS/Internet banking/phone banking/post or in post office/convenience store.

**(iv) Processing time**

In general, 5 working days<sup>9</sup> are required for processing an application for a licence after receipt of all necessary information and documents. For applications submitted by post, an extra 3 to 5 working days may be required. The licence, if granted, can be collected either in person<sup>10</sup> or sent out by post, according to the choice made by the applicant on the application form. For online application via Trade Single Window, a notification email will be sent to the applicant's registered account for viewing and downloading of the licence, if granted.

**IV. Validity of Import Licence**

Unless otherwise specified, an import licence for toothfish items is valid for 180 days from the date of approval, and will automatically become invalid upon the expiry of the licence. No amendment to the species, description and net weight can be made after the approval and issuance of the licence. A licensee who wishes to import the toothfish items after the expiry of the licence or amend the details of the toothfish item(s) to be imported, must submit a fresh application for a new licence.

**V. Inspection of Shipment**

For verifying compliance with the TCDS Regulation, any shipment of toothfish item(s) may be inspected by an authorized officer. A special condition may be imposed on a Toothfish Import Licence to require such inspection be conducted for a shipment. An authorized officer may also conduct surprise inspection of any shipment without prior notification. If a shipment is selected for inspection, the applicant will receive an Inspection Notice prior to the intended import specifying the time and location of the inspection. At the time of inspection, the relevant Toothfish Import Licence should be produced to the authorized officer conducting the inspection. Invoice, packing list and other relevant shipping documents related to the shipment to be inspected should also be produced. Copies of all the relevant documents should be provided for record if so requested by the officer.

**VI. Enquires**

Telephone no. : (852) 2150 6634  
Fax no. : (852) 2314 2866  
E-mail : ccamlr@afcd.gov.hk  
Website : www.afcd.gov.hk/ccamlr  
Address : 8/F, Cheung Sha Wan Government Offices, 303 Cheung Sha Wan Road,  
Kowloon, Hong Kong

**Agriculture, Fisheries and Conservation Department**  
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<sup>9</sup> Working days denote Monday to Friday excluding General Holidays, and excluding the day of receipt of the application.

<sup>10</sup> A notice will be issued to inform the applicant of the collection details.