



1 June 2023

(23-3726)

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Committee on Import Licensing

Original: English

**AGREEMENT ON IMPORT LICENSING PROCEDURES**

**NOTIFICATION UNDER ARTICLE 5.1 TO 5.4 OF THE AGREEMENT<sup>1</sup>**

HONG KONG, CHINA

The following notification dated 25 May 2023, is being circulated at the request of the delegation of Hong Kong, China.

	Category	Notification details
1	Notifying Member	Hong Kong, China
2	Title of new legislation/procedure	1. Dangerous Drugs Ordinance (Amendment of First Schedule) Order 2022 2. Control of Chemicals Ordinance (Amendment of Schedule 2) Order 2022
3	Date of Publication	20 October 2022
4	Date of entry into force	16 December 2022, except for cannabidiol ("CBD") of which the effective date is 1 February 2023
5	Website link/Official publication of the new regulation/procedure	<a href="https://www.info.gov.hk/gia/general/202210/20/P2022102000492.htm">https://www.info.gov.hk/gia/general/202210/20/P2022102000492.htm</a>
6	Have you attached a copy of the regulation (PDF) to the Secretariat	[X] Yes. (Please attach a copy of the regulation to the notification.) [ ] No.
7	Type of notification	[ ] (a) New licensing regulation/procedure <sup>2</sup> ; (please answer question 8 to 14)  [X] (b) Changes to a regulation/procedure which has been previously notified in document: <u>G/LIC/N/2/HKG/14 and G/LIC/N/2/HKG/19 (dangerous drugs); and G/LIC/N/3/HKG/26 (controlled chemicals)</u> (please answer question 15 and 16)
8	List of products subject to licensing	Please provide the HS codes and detailed descriptions of the products. In case of a long list, please attach the list as an Annex in MS WORD document.
9	Nature of licensing	Automatic: [ ] Non-Automatic: [ ]
10	Administrative purpose/measure being implemented	(a) <input type="checkbox"/> Protect public morals; (b) <input type="checkbox"/> Protect human, animal or plant life and health; protect environment; (c) <input type="checkbox"/> Collect trade statistics or market surveillance; (d) <input type="checkbox"/> Protection of patents, trademarks and copyrights, and the prevention of deceptive practices;

<sup>1</sup> It is understood that the notifying Member has also completed its notification obligations under Article 1.4(a) and Article 8.2(b) regarding the relevant law/regulation/procedure notified for by filling this form in a full and complete manner.

<sup>2</sup> "New licensing regulation/procedure" is understood to refer to any newly introduced law, regulation or procedure, and those which are in force but being notified for the first time to the Committee.

	Category	Notification details
		(e) <input type="checkbox"/> Pursue obligations under the UN Charter and other international treaties ( <i>i.e. CITES, Basel Convention, Rotterdam Convention, UNSC Resolutions etc.</i> ) (f) <input type="checkbox"/> Quota (including TRQ) administration; (g) <input type="checkbox"/> Regulate imports of arms, ammunition or fissionable materials and safeguard national security; (h) <input type="checkbox"/> Other: _____ ( <i>please specify</i> )
11	<b>Administrative body(ies) for submission of applications</b>	Ministry/authority and Department: [ ] Address: [ ] Website: [ ] Telephone: [ ] E-Mail: [ ]
12	<b>Contact point for information on eligibility</b>	Ministry/authority and Department: [ ] Address: [ ] Website: [ ] Telephone: [ ] E-Mail: [ ]
13	<b>Expected duration of licensing procedure</b>	
14	<b>A summary of the notification in one of the WTO official languages</b>	
15	<b>In the case of 7(b), please indicate the type of new change(s)</b>	(a) <input type="checkbox"/> <b>Termination</b> (b) <input type="checkbox"/> <b>Suspension</b> (c) <input checked="" type="checkbox"/> <b>Modification of specific details in existing procedures:</b> <input checked="" type="checkbox"/> Product coverage; <input type="checkbox"/> Administrative purpose; <input type="checkbox"/> Automatic or Non-automatic; <input type="checkbox"/> Duration of licensing; <input type="checkbox"/> Change the nature of quantity/value restriction; <input type="checkbox"/> Eligibility of applicants; <input type="checkbox"/> Contact information on eligibility; <input type="checkbox"/> Administrative body(ies) for submission of application; <input type="checkbox"/> Documentation requirements (including application form); <input type="checkbox"/> Period for Application; <input type="checkbox"/> Administrative body(ies) to issue licence; <input type="checkbox"/> Processing time for issuing licence; <input type="checkbox"/> Licence fee/administrative charge; <input type="checkbox"/> Deposit/advance payment and relevant conditions; <input type="checkbox"/> Appeal regulations/procedures; <input type="checkbox"/> Validity of licence; <input type="checkbox"/> Other conditions of licence (extension, transferability, penalty of non-use etc.); <input type="checkbox"/> Foreign exchange requirements; <input type="checkbox"/> Other: _____ ( <i>please specify</i> ).
16	<b>Please elaborate the changes in detail (in one of the WTO official languages)</b>	From 16 December 2022, nine substances ( <i>i.e.</i> , brorphine, clonazepam, CUMYL-PEGACLONE, diclazepam, diphenidine, flubromazepam, isotonitazene, MDMB-4en-PINACA, and metonitazene) have been put under the same strict control as other dangerous drugs under the Dangerous Drugs Ordinance ("DDO"); and three substances ( <i>i.e.</i> , 4-anilinopiperidine, tert-butyl 4-(phenylamino)piperidine-1-carboxylate, and norfentanyl) added to the control under the Control of Chemicals Ordinance. Also, from 1 February 2023, CBD has been put under the same strict control as other dangerous drugs under the DDO. Hong Kong Harmonized

	Category	Notification details
		System (HKHS) codes of the concerned substances are tabulated in the Annex of this notification. The amendments aimed to deter the trafficking and abuse of these dangerous drugs and substances and help fortify Hong Kong's defence in the fight against drugs.

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**ANNEX**

Substances subject to Dangerous Drugs Ordinance (Amendment of First Schedule) Order 2022	Hong Kong Harmonized System (HKHS) Codes (2023 Edition):
1. Brorphine	ex 2939 1900
2. Cannabidiol ("CBD")	ex 2907 2900
3. Clonazepam	ex 2933 9900
4. CUMYL-PEGACLONE	ex 2933 7900
5. Diclazepam	ex 2933 9900
6. Diphenidine	ex 2933 3990
7. Flubromazolam	ex 2933 9900
8. Isotonitazene	ex 2933 9900
9. MDMB-4en-PINACA	ex 2933 3990
10. Metonitazene	ex 2933 3990

Substances subject to Control of Chemicals Ordinance (Amendment of Schedule 2) Order 2022	Hong Kong Harmonized System (HKHS) Codes (2023 Edition):
1. 4-Anilinopiperidine	ex 2933 3990
2. Tert-butyl 4-(phenylamino)piperidine-1-carboxylate	ex 2933 3990
3. Norfentanyl	ex 2933 3990