

## Regulatory Framework for Opening, Operating and Closing a Business

Disclaimer: Any information rendered in this document is for general references only and should not be considered as legal advice. Users are strongly advised to seek independent legal advice if they are in doubt of their legal position.

### Trade Regulations - Goods

No.	Regulatory Framework	Link
<b><i>International Trade in Goods</i></b>		
1.	Establishing an interoperable maritime single window environment to streamline port and Customs procedures	➤ <a href="#">Electronic Business System (eBS)</a>
2.	Providing temporary admission of goods by adopting standardized international Customs documents	➤ Regulation 3(h)(vi), <a href="#">Cap. 60E Import and Export (Registration) Regulations</a>
3.	Defining the liability of carriers for loss or damage to goods during maritime transport	➤ <a href="#">Cap. 462 Carriage of Goods by Sea Ordinance</a>
4.	Direct exporters and importers or their authorized representatives have the right to administratively appeal all regulatory decisions of the responsible administrative authority on areas affecting international trade in goods	➤ Section 6, <a href="#">Cap. 60 Import and Export Ordinance</a> ➤ Section 5, <a href="#">Cap. 442 Administrative Appeals Board Ordinance</a>
5.	Direct exporters and importers or their authorized representatives have the right to judicially appeal all regulatory decisions of the responsible administrative authority to the courts on areas affecting international trade in goods	➤ Order 53, <a href="#">Cap. 4A The Rules of the High Court</a>

No.	Regulatory Framework	Link
<b><i>Sustainable trade policy</i></b>		
6.	Requiring an export permit to trade in endangered species	<ul style="list-style-type: none"> <li>➤ <a href="#">Cap. 586, Protection of Endangered Species of Animals and Plants Ordinance</a></li> <li>➤ <a href="#">Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)</a></li> </ul>
7.	Regulating oil, chemical, sewage and air pollution originating from ships	<ul style="list-style-type: none"> <li>➤ <a href="#">The International Convention for the Prevention of Pollution from Ships (MARPOL)</a></li> <li>➤ <a href="#">Cap. 413, Merchant Shipping (Prevention and Control of Pollution) Ordinance</a></li> </ul>
8.	Requiring an exporting party to provide advance notification and receive explicit consent from the importing party prior to exporting a shipment of hazardous waste, hazardous chemicals or pesticides	<ul style="list-style-type: none"> <li>➤ Section 8, <a href="#">Cap. 595 Hazardous Chemicals Control Ordinance</a></li> <li>➤ <a href="#">Rotterdam Convention on the prior informed consent procedure for certain hazardous chemicals and pesticides in international trade</a></li> <li>➤ <a href="#">Stockholm Convention on Persistent Organic Pollutants</a></li> <li>➤ <a href="#">Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal</a></li> <li>➤ Part IVA, <a href="#">Cap. 354 Waste Disposal Ordinance</a></li> </ul>
<b><i>International trade cooperation</i></b>		
9.	Being a party to any international agreement which includes legally binding commitments that govern its trade relationships with China, the United States, or Japan	<ul style="list-style-type: none"> <li>➤ <a href="#">World Trade Organization Legal Texts</a></li> <li>➤ <a href="#">Agreement on Trade in Goods under the Mainland and Hong Kong Closer Economic Partnership Arrangement (CEPA)</a></li> <li>➤ <a href="#">Hong Kong, China-Japan Investment Promotion and Protection Agreement</a></li> </ul>

No.	Regulatory Framework	Link
10.	Having a free trade agreement which encompasses all goods with China	➤ <a href="#">CEPA Agreement on Trade in Goods</a>
11.	Having legally binding commitments with China that provide mutual recognition of conformity assessments as applicable to technical non-tariff measures (NTMs)	➤ Articles 59, 60 and 69, <a href="#">CEPA Agreement on Trade in Goods</a> ➤ Annex 1 (sub-sector 1.F.e, Table 2), <a href="#">CEPA Agreement on Trade in Services</a> ➤ <a href="#">Hong Kong Accreditation Service</a>
12.	Having legally binding commitments with China or Japan to permit the free transfer for all covered investment	➤ Article 14 (Transfer), <a href="#">CEPA Investment Agreement</a> ➤ Article 7, <a href="#">Hong Kong, China-Japan Investment Promotion and Protection Agreement</a>
13.	Having an established competent authority to oversee implementation of all legally binding commitments contracted in trade agreements with China or Japan	➤ Article 19 (Institutional Arrangements), <a href="#">CEPA</a> ➤ <a href="#">Hong Kong, China-Japan Investment Promotion and Protection Agreement</a>
<b><i>Non-tariff measures</i></b>		
14.	Imposing sanitary or phytosanitary measures for imports of all products under the code HS 20230: Meat of bovine animals: frozen from any trading partner (regardless of the origin of the goods and without preferential treatment)	➤ Section 59(1)(c), <a href="#">Cap. 132 Public Health and Municipal Services Ordinance</a> ➤ Regulation 4(1)(a)(i), <a href="#">Cap. 132AK Imported Game, Meat, Poultry and Eggs Regulations</a>
15.	The technical barriers to trade for imports of all products under the code HS 854239: Electronic integrated circuits: Other from any trading partner (regardless of the origin of the goods and without preferential treatment) do not breach the principle of national treatment	➤ No such restriction under <a href="#">Cap. 60 Import and Export Ordinance</a>

No.	Regulatory Framework	Link
16.	Not imposing of a pre-shipment inspection (PSI) either for customs valuation or for quality control for imports of any product under HS 854239: Electronic integrated circuits: Other from any trading partner (regardless of the origin of the goods and without preferential treatment)	➤ No such restriction under <a href="#">Cap. 60 Import and Export Ordinance</a>
17.	Not imposing any quantity control measures (e.g., non-automatic licensing, quotas, prohibitions) for economic purposes for imports of any product under the agricultural product chapters HS 01-24 from any trading partner (regardless of the origin of the goods and without preferential treatment)	➤ <a href="#">Cap. 139 Public Health (Animals and Birds) Ordinance</a> ➤ <a href="#">Cap. 421 Rabies Ordinance</a> ➤ <a href="#">Cap. 60 Import and Export Ordinance</a> ➤ <a href="#">Cap. 132AK Imported Game, Meat, Poultry and Eggs Regulations</a> ➤ <a href="#">Cap. 109 Dutiable Commodities Ordinance</a>
18.	Not imposing any price control measure for economic purposes for imports of any product under the agricultural product chapters HS 01-24 from any trading partner (regardless of the origin of the goods and without preferential treatment)	➤ <a href="#">Cap. 354 Waste Disposal Ordinance</a> ➤ <a href="#">Cap. 132BW Smokeless Tobacco Products (Prohibition) Regulations</a>
19.	Not imposing any finance measures (e.g., advance payment requirements, Exchange rate allocation) for economic purposes for imports of any product under the agricultural product chapters HS 01-24 from any trading partner (regardless of the origin of the goods and without preferential treatment)	
20.	Not imposing any export restrictions for economic purposes for imports of any product under the agricultural product chapters HS 01-24 from any trading partner (regardless of the origin of the goods and without preferential treatment)	➤ Section 6D, <a href="#">Cap. 60 Import and Export Ordinance</a>