

# Import and export of mercury to be controlled under Import and Export (General) Regulations

The Import and Export (General) Regulations (Amendment of Schedules 1 and 2) Order 2020 (Amendment Order) to control the import and export of mercury was gazetted today (June 12).

The Amendment Order seeks to subject mercury trading to the import and export control under the Import and Export (General) Regulations (Cap. 60 sub. leg. A). Under the Amendment Order, elemental mercury as a scheduled article specified in Schedule 1 and Schedule 2 to the Regulations will be subject to the respective import and export licensing control to be administered by the Director of Environmental Protection (DEP) under the delegated authority of the Director-General of Trade and Industry.

"The Amendment Order will enable Hong Kong to effectively fulfil the obligations under the Minamata Convention on Mercury to restrict the import and export of mercury," a spokesman for the Environmental Protection Department (EPD) said.

The Convention, which came into force in August 2017, is an international legally binding treaty to protect human health and the environment from anthropogenic emissions and releases of mercury and mercury compounds. The People's Republic of China is one of the Parties to the Convention, which also applies to the Hong Kong Special Administrative Region. One of the obligations under the Convention is to control the import and export of mercury by establishing a prior written consent mechanism to regulate mercury trading. Before issuing a licence, the DEP will consider whether the use of the mercury will be allowed under the Convention, whether the mercury will be stored in an environmentally sound manner, whether the source of the mercury is allowed under the Convention in the case of an import licence, and whether the import of the mercury is agreeable to the importing side in the case of an export licence. These factors for consideration will be stated in the application guidelines to be issued by the EPD.

The Amendment Order will be tabled in the Legislative Council for negative vetting on June 17, and will take effect on November 1, 2020.