

L.N. 31 of 2014**Dutiable Commodities (Amendment) Regulation 2014**

(Made by the Chief Executive in Council under section 6 of the Dutiable Commodities Ordinance (Cap. 109))

1. Commencement

This Regulation comes into operation on a day to be appointed by the Secretary for Financial Services and the Treasury by notice published in the Gazette.

2. Dutiable Commodities Regulations amended

The Dutiable Commodities Regulations (Cap. 109 sub. leg. A) are amended as set out in sections 3 to 6.

3. Regulation 22 amended (applications for licences and permits)

(1) Regulation 22—

Repeal subregulation (2)**Substitute**

“(2) An application for a licence must be in the form of an electronic record that is submitted using the information system specified under regulation 22AAA.”.

(2) After regulation 22(2)—

Add

“(2A) An application for a licence is to be regarded as having been submitted when the specified information system accepts the application.”.

4. Regulation 22AAA added

After regulation 22—

Add**“22AAA. Specification of information system**

- (1) The Commissioner may specify an information system for the purposes of regulation 22(2).
- (2) As soon as practicable after making a specification, the Commissioner must give notice of the details of the specification in a manner that the Commissioner thinks fit.”.

5. Regulation 106 repealed (transitional)

Regulation 106—

Repeal the regulation.

6. Regulation 107 added

Before the Schedule—

Add**“107. Transitional provision for licence application**

- (1) This regulation applies to an application for a licence under regulation 22.
- (2) During the period specified in subregulation (4), the application may also be made in the manner provided for by regulation 22 as in force immediately before the commencement date of section 3 of the Dutiable Commodities (Amendment) Regulation 2014.
- (3) For that purpose, regulation 22 as so in force continues to have effect in relation to the application despite the amendments to it by section 3 of that Regulation.
- (4) The period specified for the purposes of subregulation (2) is a period of 6 months beginning on the commencement date of section 3 of that Regulation.”.

Kinnie WONG
Clerk to Executive Council

COUNCIL CHAMBER

11 March 2014

Explanatory Note

The purpose of this Regulation is to amend the Dutiable Commodities Regulations (Cap. 109 sub. leg. A) (*the Regulations*) to make provision regarding the use of an information system in connection with applications for licences under the Dutiable Commodities Ordinance (Cap. 109).

2. Section 3 amends regulation 22 of the Regulations to require all applications for licences to be in the form of an electronic record that is submitted to the Commissioner of Customs and Excise (*the Commissioner*) using a specified information system.
3. Section 4 adds a new regulation 22AAA to the Regulations to empower the Commissioner to specify an information system for the applications for licences.
4. Section 5 repeals regulation 106 of the Regulations, the effect of which is spent.
5. Section 6 adds a new regulation 107 to the Regulations so that applications for licences may also be made in paper form during a 6-month transitional period.