Appendix III

APPLICATION FORM

Director-General of Trade and Industry
(Attn : Strategic Trade Controls Branch)
Trade and Industry Department
Room 1324, 13/F, Trade and Industry Tower
3 Concorde Road
Kowloon City
Hong Kong

Import and Export Ordinance (Cap. 60)
Import and Export (Strategic Commodities) Regulations (Cap. 60G)

Air Transhipment Cargo Exemption Scheme for Specified Strategic Commodities

Application for 2027

Part A - Applicant Particulars

1. Name of Company/Registered Business : _____
(English, in Block Letters)

_____
(Chinese, if applicable)

2. Office Address/Registered Business Address : _____

_____

3. Telephone No. : _____

4. Business Registration No. : _____
(Please attach a copy of valid Business Registration Certificate)

5. Date of Establishment : _____

6. Current Certificate of Exemption No. (if applicable) : SCTREX_____

Part B - Principal and Agent Relationship with Other Airlines

Paragraph 7 should be completed if the applicant is a freight forwarder

7. Airlines which have appointed the applicant as their agent for the purpose of handling air transhipment cargo are provided below (Copies of relevant letters of appointments issued by the airlines or agency agreements should be attached if available. Applicants must be able to prove their principal and agent or other contractual relationships with the airlines listed below regarding the handling of air transhipment cargo upon requests by the officers of the Customs and Excise Department.):

Name of Airline	Address, Telephone No. and Fax No.

[Please use additional sheets if necessary]

Paragraph 8 should be completed if the applicant is an airline, a ground handling agent, or both

8. Airlines for which the applicant acts as the registered owner, or hold himself out to be the owner, or acts as an agent in connection with the handling of cargo carried on the aircraft, or have the control or management of the aircraft, or has chartered or hired the aircraft are provided below (Copies of relevant letters of appointments issued by the airline or agency agreements should be attached if available. Applicants must be able to prove their principal and agent or other contractual relationships with the airlines listed below upon requests by the officers of the Customs and Excise Department.):

Name of Airline	Address, Telephone No. and Fax No.

[Please use additional sheets if necessary]

Part C - Declaration and Undertaking

9. The signatory declares on behalf of the applicant and to the best of his knowledge and belief that the information given in this application form is true and correct and that he undertakes to inform the Director-General of Trade and Industry immediately in writing of any change in the information provided in this application form. Both the signatory and/or the applicant understands that exemption obtained on the basis of false material particulars in an application is void from the start and the signatory and/or the applicant may be liable to criminal prosecution.

10. Both the signatory and/or the applicant understands that exemption granted under the Air Transhipment Cargo Exemption Scheme for Specified Strategic Commodities ("The Scheme") shall be subject to the conditions listed below. The signatory hereby agrees on behalf of the applicant that he has read and understood these conditions and undertakes to comply with them.

(A) During the period between its import and export, the air transhipment cargo must remain within the cargo transhipment area of the Hong Kong International Airport.

(B) Physical custody of the air transhipment cargo must always remain with the person registered under the Scheme at all times while the air transhipment cargo is in Hong Kong and that no further processing or substitution of the air transhipment cargo takes place in Hong Kong.

(C) The cargo is recorded in the manifests of both aircrafts which brought the cargo into and took it out of Hong Kong.

(D) Up-to-date books and records must be maintained by the person registered under the Scheme showing the following information in respect of the air transhipment cargo of strategic commodities handled by or on behalf of that person :

(i) a description of the cargo;

(ii) the quantity of the cargo;

(iii) the owner of the cargo and any agent or representative of the owner and that of any notifying party; and, as far as practicable, the name and address of the consignor and consignee;

(iv) the original port of loading of the cargo;

(v) the port of destination and discharge of the cargo;

(vi) the date of arrival of the cargo in Hong Kong;

(vii) the date of departure of the cargo from Hong Kong;

(viii) the names of the inbound and outbound carriers of the cargo;

(ix) the serial numbers of the flights on which the cargo is imported into and exported from Hong Kong;

(x) the master and house air waybill numbers in respect of the cargo;

(xi) if applicable, a description of any marks or labels on the cargo; and

(xii) if applicable, the place of origin of the cargo.

(E) The person registered under the Scheme allows officers of the Customs and Excise Department to inspect the air transhipment cargo and the books and records relating to the air transhipment cargo whenever required.

(F) The person registered under the Scheme ensures that the air transhipments under the Scheme are only released to and accepted from other airlines, ground handling agents and freight forwarders registered under the Scheme.

(G) The person registered under the Scheme advises the Director-General of Trade and Industry immediately of any change in any of the particulars provided in his application for registration under the Scheme.

(H) The Scheme is not applicable to consignments for which there is a change of destination after departure from the exporting place.

(I) When notified by the Director-General of Trade and Industry, whether before or at the time when an article is transhipped, that specified strategic commodities or any articles concerned are to be excluded from the exemption granted under this Scheme, the person registered under the Scheme must apply for import and export licences under section 6A of the Import and Export Ordinance (Cap. 60) ("the Ordinance") and regulation 2 of the Import and Export (Strategic Commodities) Regulations (Cap. 60G) ("the Regulations").

(J) The Director-General of Trade and Industry may vary, revise or cancel the Air Transhipment Cargo Exemption Scheme as it applies to any category of strategic commodities at any time he deems appropriate and the exemption granted under the Scheme will be deemed to be cancelled in respect of that category of strategic commodities.

(K) The Director-General of Trade and Industry may, whether at the time of making the exemption or subsequently, impose such conditions as he thinks fit in relation to an exemption made under this Scheme, and the person exempted shall comply with any condition imposed.

(L) All or any of the information provided in an application for registration, an application for renewal of registration or the returns to be lodged by airlines, ground handling agents and freight forwarders in respect of the transhipment cargo may be disclosed by the Trade and Industry Department to third parties either in Hong Kong or elsewhere provided that such disclosure facilitates the consideration or processing of the application for registration, facilitates enforcement by enforcement agencies, is in the interests of Hong Kong's trade, is authorized by law, or if explicit consent to such disclosure has been given by the applicant or relevant parties.

(M) A registered person must, in connection with the air transhipment cargo covered by the Scheme, keep the manifest and through air waybill indicating Hong Kong as a transhipment port and the shipping order or shipper's instruction. These documents should be kept at his registered premises for a two-year period from the date the consignment is imported or exported, irrespective of whether the registration has been

cancelled, suspended, revoked or has expired. The documents must be produced for inspection upon the request of officers of the Customs and Excise Department or the Trade and Industry Department.

(N) Monthly returns in the format specified at **Appendix IV** to this circular or any other format as approved by the Director-General of Trade and Industry should be lodged to the Trade and Industry Department on or before the 15th of each month. Returns should be properly signed, dated and should bear the company chop of the registered person. Lodgement of the monthly returns through electronic means as provided for under the Electronic Transactions Ordinance (Cap. 553) and in a format and manner as specified at **Appendix V** or any other format as approved by the Trade and Industry Department is also acceptable. Nil return is required.

Conditions applicable to airlines, ground handling agents, or both

(O) Import and export manifests in respect of the air transhipment cargo covered by the Scheme should be lodged to the Trade and Industry Department within 14 days after importation/exportation of the air transhipment cargo. The relevant manifests should be delivered to the Trade and Industry Department using the electronic service (i.e. through Brio Electronic Commerce Limited, Global e-Trading Services Limited or Tradelink Electronic Commerce Limited). Lodgement of through air waybills to the Trade and Industry Department is not necessary. Quoting the number of the Certificate of Exemption granted to the registered person under the Scheme along the relevant consignment in the electronic manifests will suffice. In addition, a ground handling agent should also comply with condition (P) below.

Conditions applicable to freight forwarders

(P) If the registrant ceases to be the agent of an airline which had previously appointed the registrant as its agent for the purpose of handling air transhipment cargo as indicated in its Application for Registration under the Scheme, the registrant shall immediately :

(i) inform the Director-General of Trade and Industry in writing that it has ceased to be the agent of that airline; and

(ii) except where the registrant remains the agent of one or more airlines, surrender its Certificate of Exemption to the Director-General of Trade and Industry for cancellation of its registration.

11. The signatory also confirms on behalf of the applicant that he understood that:

(i) Exemption granted under the Scheme does not apply to any article specified in Schedule 2 to the Regulations. Import and export of articles specified in Schedule 2 must be made under and in accordance with an import and export licence issued by the Director-General of Trade and Industry under section 6A(2) of the Ordinance and regulation 2(1) of the Regulations.

(ii) The person registered under the Scheme is not exempted from the end-use control for material, chemicals, agents and equipment etc. for the production or development of nuclear, chemical and biological weapon as imposed under section 6A(4) of the Ordinance and regulation 2(3) of the Regulations. Any person who imports or exports an article specified in Schedule 3 to the Regulations or technological document containing information relating to an article specified in Schedule 3 to the Regulations is required to

seek from the Director-General of Trade and Industry an import or export licence if he knows that the article or document is intended or likely to be used in an activity specified in Schedule 4 to the Regulations or there are reasonable grounds for him to believe that the article or document may be used in such an activity.

Signature/ Digital Signature (see Notes)	Name of Signatory (in block letters)	Company/Business Chop

Date	Position of Signatory (see Notes)

Notes : (1) This application form should be signed :
- (a) by the proprietor, if the applicant is a sole proprietor;
- (b) by a partner, if the applicant is a partnership; or
- (c) by a director, or other person authorised to sign on its behalf, if the applicant is a corporation.

(2) Please note that application submitted via email **must be digitally signed by using one of the following digital certificates**:
(a) "Organisational e-Cert" issued by Hongkong Post; or
(b) "Organisational ID-Cert Class 2" issued by Digi-Sign Certification Services Limited.
Application submitted in person or via mail must provide a **handwritten signature**.

(3) If the applicant is a sole proprietor or a partnership, the applicant should supply a copy of the Application for a Business Registration Certificate.

(4) If the applicant is a corporation, the application form must be signed by either a director of the applicant or a person who is authorised to sign on behalf of the applicant. Such authorization letter should be signed by a director of the applicant. In either case, a copy of the latest Annual Return which contains the details of the directors and the shareholders is required. If there is any subsequent change of directorship after the latest Annual Return has been filed, the applicant is required to submit a copy of the relevant form such as Form ND2A or Form NN6.

(5) In this application form, the word "person" includes sole proprietorships, partnerships and corporations.

(6) Applicants are reminded that it is an offence for any person granted an exemption under the Scheme to contravene or fail to comply with any conditions of exemption. Any person who contravenes or fails to comply with any such condition is liable to prosecution and/or may have his exemption under the Scheme revoked or suspended.