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環境保護署
跨境及國際事務組
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27 August 2020

Dear Sir/Madam,

**Control on Import and Export of Mercury under the
Import and Export (General) Regulations (Cap. 60 sub. leg. A)**

I am writing to inform you that the Import and Export (General) Regulations (Amendment of Schedules 1 and 2) Order 2020 (Amendment Order) to control the import and export of mercury had been approved by the Legislative Council on 15 July and will take effect on 1 November 2020. The purpose of the Amendment Order is to enable Hong Kong to fulfil the obligation to control the import and export of mercury under the Minamata Convention on Mercury (“the Convention”).

Under the Amendment Order, “Mercury (CAS No. 7439-97-6)” will be subject to the respective import and export licensing control. Import and export licences will be administered by the Environmental Protection Department (“EPD”) and issued by the Director of Environmental Protection (“DEP”) under the delegated authority from the Director-General of Trade and Industry. Before issuing an import or export licence, the DEP will consider whether the use of the mercury will be allowed under the Convention (e.g. for use in laboratories for research purposes or as a reference standard), 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 before 1 November 2020.

The Convention is an international legally binding treaty to protect human health and the environment from anthropogenic emissions and releases of mercury and mercury compounds. To prepare for the implementation of the Convention in Hong Kong, the EPD conducted a series of consultations with members of the public and relevant trades in 2018. Stakeholders generally supported the Government to introduce legislation to regulate mercury, mercury compounds and mercury-added products, including the statutory import and export control of mercury under a licensing framework.

The Amendment Order controls the trading of elemental mercury and does not cover the trading of mercury compounds, mercury-added products (e.g. mercury-containing thermometers and sphygmomanometers) or the elemental mercury contained in mercury-added products. To fulfil all the obligations under the Convention, we will introduce in due course a new piece of legislation to restrict import and export of mercury, prohibit the manufacture, import and export of mercury-added products required to be phased out by the Convention, phase out or restrict manufacturing processes in which mercury or mercury compounds are used, and restrict the storage of mercury and mercury compounds.

Should you have any questions about the trading of mercury (including re-export of mercury through Hong Kong) after the Amendment Order takes effect on 1 November 2020, please e-mail to <mercury@epd.gov.hk> or contact me or Ms. Chloe Fung at 2594 6013.

Yours faithfully,



(Larry CHAN)

for Director of Environmental Protection