

## **Mainland Wheat Flour and Rice Flour:** **Registration Arrangement for Local Importers**

To ensure the stability of supplies and prices in the domestic market, the Mainland of China has implemented export quota administration for and imposed export duty on cereals & grain flour, including wheat flour and rice flour, since early 2008. The Ministry of Commerce of the Mainland announced in mid December 2008 the export quota arrangements of wheat flour and rice flour to Hong Kong in the first half of 2009<sup>1</sup>, and stipulated that the relevant exports should be supplied for local consumption in Hong Kong only and should not be re-exported. The General Administration of Customs of the Mainland promulgated earlier on that the export duty of the products concerned will continue to be exempted<sup>2</sup>.

2. To complement the relevant export quota measures and export duty exemption of the Mainland, the Trade and Industry Department of the Government of the Hong Kong Special Administrative Region (HKSAR) (hereafter referred to as “the Department”) will continue to implement a corresponding registration arrangement for local importers of cereals & grain flour from the Mainland. All local enterprises intending to import the wheat flour and rice flour listed in **Annex I** from the Mainland should apply to the Department for registration as an Importer of Mainland Cereals & Grain Flour (hereafter referred to as “Registered Importer”). In accordance with the agreement between the HKSAR Government and the Mainland authorities, Mainland enterprises allocated with the export quotas for supply to Hong Kong shall present the contracts signed with the Registered Importers of Hong Kong or related proofs, in applying to the Mainland authorities for export licences.

3. Transactions between the Registered Importers of Hong Kong and the export enterprises of the Mainland are commercial activities. Under the registration arrangement, there is no guarantee that a Registered Importer will obtain any quantity of cereals & grain flour at any price from the Mainland enterprises.

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<sup>1</sup> Please refer to the “Notice Concerning the Allocation of Quotas for Export of Grain Flour Products to Hong Kong and Macao in the First Half of 2009” (Circular No. (2008)134) announced by the Ministry of Commerce on 16 December 2008 (<http://wms.mofcom.gov.cn/aarticle/subject/ncp/subjectaa/200812/20081205955671.html?1083093739=823392802>).

<sup>2</sup> Please refer to the Notice No. 84/2008 on “Adjustment of Export Duties for Certain Products” issued by the General Administration of Customs on 25 November 2008 (<http://www.customs.gov.cn/publish/portal0/tab399/info144182.htm>).

### **Registration Conditions**

4. Applicants should meet the following conditions:
  - (i) carry on a business registered in Hong Kong under the Business Registration Ordinance (Cap 310) ; and
  - (ii) have engaged in the import business of wheat flour and rice flour from the Mainland during 2007 or 2008.

### **Registration Certificate and Validity Period**

5. Applicants should complete the application form at **Annex II** and submit it together with the required supporting documents to the Department in person. Where necessary, the Department may request the applicant to provide additional information and supporting documents. The Department will inform the applicants of the results of their applications **within 7 days** of the receipt of the duly completed application accompanied by all necessary supporting documents.

6. Upon verification by the Department, an applicant who meets the registration conditions will be issued with a Certificate to confirm its Registered Importer status. The Department will promulgate a Register of all Registered Importers through its departmental website (<http://www.tid.gov.hk>). The Certificate is valid for a maximum period of one year (until 31 December of every year).

### **Obligations and Undertaking**

7. Registered Importers should make use of the form provided by the Department and report the monthly quantities of wheat flour and rice flour imported from the Mainland. They should report on or before the 15<sup>th</sup> day of every month the import quantities of the preceding month. They should also give consent that the HKSAR Government may disclose the relevant information to the Mainland authorities. Such information will only be used for purposes in relation to the Mainland's export quota measures and the registration arrangement for local importers.

8. A Registered Importer should also undertake:
- (i) that all the wheat flour and rice flour imported from the Mainland shall not be re-exported;
  - (ii) to maintain accurate and up-to-date records of purchase, storage and sales. If wheat flour and rice flour are imported from multiple places of origin, stock records should be kept properly to ensure clear differentiation of all the wheat flour and rice flour imported from the Mainland;
  - (iii) to agree, under reasonable circumstances, to provide relevant officers of the HKSAR Government with information relating to (ii) and to give consent that the HKSAR Government may disclose the relevant information to the Mainland authorities. Such information will only be used for purposes in relation to the Mainland's administration measures for cereals and grain flour (including export quota and export duty exemption) and the registration arrangement for local importers;
  - (iv) to permit relevant officers of the HKSAR Government, under reasonable circumstances, to enter its business and storage premises for the purpose of inspection and verification of information relating to (ii); and
  - (v) to take all reasonable and practicable measures in ensuring that the wheat flour and rice flour imported from the Mainland are supplied to Hong Kong customers for local consumption only.
- 9 If a Registered Importer breaches any of the above undertakings and cannot provide reasonable explanations in writing, the Department may remove it from the Register and revoke the Certificate(s) issued. The Department will update the Register of Registered Importers accordingly.

### **Renewal Arrangement**

10. Existing Registered Importers remaining in conformity with the above-mentioned registration conditions may, starting from today and not later than two months after the expiry of the existing registration, apply for renewal of registration instead of submitting a new application for registration. Renewed registration will be valid for a maximum period of one year (until 31 December of every year). Renewed

Registered Importers will be issued with a Certificate with a new validity period. They should continue to abide by the declaration and undertaking of Registered Importers.

11. Registered Importers intending to apply for a renewed registration valid up to the end of 2009 should complete the renewal application form at **Annex III** and submit it together with the required supporting documents to the Department on or before 28 February 2009. The Department will inform the applicants of the results of their applications **within 7 days** of the receipt of the duly completed application accompanied by all necessary supporting documents. To facilitate the trade, the Department will issue notification to individual Registered Importers before the expiry of their registration and provide them with renewal application form and information about corresponding procedures.

### **Review**

12. The Department will review the registration arrangement and the implementation details from time to time in light of the latest development of the Mainland's administration measures on cereals & grain flour, and will inform the trade of any revision in advance.

### **Enquiry**

13. Applicants should submit the application form together with the supporting documents to the Department in person (address: Customer Service Centre, 2/F, Trade and Industry Department Tower, 700 Nathan Road, Mongkok, Kowloon). For any questions, please visit the Department's website (<http://www.tid.gov.hk>) or contact:

Tel : 2398 5733  
Fax : 2309 7744  
E-mail : [enquiry@tid.gov.hk](mailto:enquiry@tid.gov.hk)

Trade and Industry Department  
The Government of the Hong Kong Special Administrative Region  
18 December 2008

**Annexes**

- Annex I                      Categories of Wheat Flour and Rice Flour Subject to the Mainland's Export Quota Administration in 2009
- Annex II                     Mainland Wheat Flour and Rice Flour: Application Form for Registration of Local Importer
- Annex III                    Mainland Wheat Flour and Rice Flour : Renewal Application Form for Registered Importer