

## HOW TO APPLY FOR TEXTILES EXPORT LICENCE (FORM 4)

Applications for export licences should be made on Export Licence (Textiles) Form 4 (TIC 353). Forms are available for sale at the Trade and Industry Department Collection and Form Sales Office, Room 104, Trade and Industry Department Tower, 700 Nathan Road, Kowloon.

### How to Complete Form 4

2. Licence applicants are advised to note the following before completing the form:

(a) General

- (i) Licence applicants should read carefully the conditions of licence set out at the back of the licence form before completing the form and ensure that these conditions are fully complied with. Breach of any of the conditions may render the licence be cancelled, revoked or suspended by the Director-General of Trade and Industry in addition to appropriate legal and/or administrative actions to be taken against the trader concerned.
- (ii) The form in triplicate should be completed in English for shipments to sensitive markets abroad (other than the Mainland)<sup>1</sup>. Other export licence applications may be completed either entirely in English or entirely in Chinese. All entries must be clear and legible, and must not deface other particulars of the form.
- (iii) All columns and boxes in the form must be completed. The only exceptions are those boxes relating to the receipt and issue of the form by the Director-General of Trade and Industry and those permitted omissions as specified below.
- (iv) Form 4 is printed on NCR (No-Carbon-Required) paper. This being the case, exporters/manufacturers will only need to complete/sign on the first (original) copy and the application particulars/signatures will come out on the other copies. They should not complete the different copies of a

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<sup>1</sup> With effect from 1 January 2005, the sensitive markets cover : (a) all textiles imports from and exports to the Mainland; and (b) exports to those economies which have invoked safeguard measures against textiles and clothing products of the Mainland, currently the USA.

licence application separately. However, company/business chops must be stamped separately on every copy of the application.

(b) Particulars of Exporter and Manufacturer

- (i) The addresses of the exporter and the manufacturer in the 'Exporter' and 'Manufacturer' boxes must be given in full and P.O. Box numbers are not acceptable. The Textiles Controls Registration (TCR) No. should be left blank. The Factory Registration (FR) No. must be stated if available. Where the trader concerned is not so registered, the word 'NIL' must be stated.
- (ii) The exporters and the manufacturers must give their full Business Registration Number (first 8 digits only).
- (iii) An exporter or a manufacturer is not allowed to apply for an export licence on behalf of another trader and therefore wording such as 'on behalf of', 'care of', 'to order of' etc. are not accepted.
- (iv) Telephone number must be provided

(c) Consignee's Name and Address

The consignee's name and address must be given in full. P.O. Box numbers are not acceptable. The address of the consignee must correspond with the country of final destination declared on the applications. In case the goods are to be shipped to the country of final destination to order of another party, the full name and address of this party must appear in this box with the words 'To order of' etc.

(d) Departure Date

The estimated departure date should be at least two clear working days after the date of lodgement of the application. The date should be in the format of day/month/year. Licence applicants are also required to note that the goods covered by the licence should be ready for physical inspection by officers of the Customs and Excise Department on or before the actual departure date.

(e) Country of Final Destination

The country, not the name of a city, of final destination should be given except for cases where the final destination is not a country e.g. Macau.

(f) Mode of Transport

The words 'By sea', 'By air', 'By train' or 'By road' as the case may be should be inserted. The relevant vessel name, flight number or vehicle number should be given if such information is known at the time of application.

(g) CO/Form A No.

C.O./Form A number, if any, should be given. If the goods are not of Hong Kong origin, the country of manufacture of the goods must be stated.

(h) Commodity Item Code No.

Completion of this box is optional

(i) Mark(s) and Number(s), Origin Marking (if any) on Packages

(i) The shipping marks and numbers, if any, should be given. If a country of destination is shown in the shipping marks, it must not differ from the one declared in the 'Country of Final Destination' box. In case an exporter prefers to indicate in the 'Mark(s) and Number(s)' column a port of unloading which is not a port in the country of final destination, such wording as 'in transit to (country of final destination) or via (port of unloading) to (country of final destination)' must be included as part of the shipping marks.

(ii) Origin marking, if any, on the packages, must be stated.

(j) No. of Packages

The unit of packages in cartons, rolls, bales, cases, packages etc., must be stated.

(k) Full Description of Goods, Origin marking (if any)

on goods (State Country of Origin of raw materials)

(i) The construction of textiles such as 'woven' or 'knitted', and the percentage composition of fibres of the textile products must be provided. Description such as 'Ladies' 65% cotton 35% polyester woven blouse' instead of general terms such as 'clothing' should be used.

(ii) Origin marking, if any, on the goods must be stated.

(iii) If the application covers garments, state whether the garments are for men, women, boys, girls, children or infants.

- (iv) For non-adult garments, the size in age or the size height in cm must be stated.
- (v) If the application covers garment parts or semi-finished garments, the component parts (e.g. front panel, back panel, sleeves, collars, etc.) as well as the type of garment into which the garment parts or semi-finished garments are to be manufactured must be stated.
- (vi) In respect of exports of suits or matching sets, the component parts comprising the suit/matching set must be stated.

(l) No. of Units

The 'No. of Units' can be shown in figures or both words and figures. The unit given for any particular textiles product should be in accordance with that specified in the Hong Kong Imports and Exports Classification List (Harmonized System), e.g. in pieces, pairs, sets, m<sup>2</sup>, kg, etc..

(m) Value f.o.b. HK\$ and Total value f.o.b. HK\$

The f.o.b. value of individual items as well as the total f.o.b. value must be given under this column. (The f.o.b. value represents the costs of the goods to the purchaser abroad, up to the point where the goods are deposited on board the exporting vessel, aircraft or vehicle, i.e. the ex-works value of the goods plus export packing, local transport, loading charges, documentation fees (including consular fee), commissions payable to local or overseas agency, seller's profit or agent's commission and all other costs, charges and expenses (e.g. local insurance) accruing up to the point where the goods have been loaded on the exporting vessel, aircraft or vehicle.)

(n) Exporter's and Manufacturer's Declaration

- (i) The 'Exporter's and Manufacturer's Declaration' boxes should be fully completed. A person acting and signing for and on behalf of an exporter, a manufacturer should be the proprietor, a partner or a director as the case may be or other duly authorized representative of the company/registered business concerned. For a manufacturer registered under the FR, the person acting and signing for and on behalf of the manufacturer should be an authorized signatory under FR. Licence application that fails to comply with the above requirement and/or bears a signature or a company

chops different from that kept in the Department's records may result in rejection or deferment as appropriate.

- (ii) Company/Business chops, instead of the small amendment chops, should be stamped.
  - (iii) In the event that an individual acts as the exporter, the requirement of stamping the company/business chop may be waived.
  - (iv) Declaration cannot be made on behalf of another trader and wordings such as 'on behalf of', 'care of', 'to order of', etc., are not acceptable.
  - (v) The date of declaration must be in the format of day/month/year.
- (o) Application Fee
- (i) Application fee (currently at \$56 per licence application) can be paid in cash or through EPS or in the form of adhesive postage stamps to be affixed/franked onto the appropriate space provided at top right-hand corner of the original copy of each licence application.
  - (ii) Torn or defaced stamps will not be accepted. For payment of application fees by impressed postage stamps, applicants should ensure that the franking date appearing on the impression should be within 7 days before the submission date of the applications.
  - (iii) The Department will not provide any refund where stamps of value in excess of the stipulated fees have been affixed/franked onto the textiles licence applications.
- (p) Permitted Omission of Particulars

Applicants, if they so wish, may omit the following on licence applications:

Manufacturer's Particulars/Declaration

- (i) The manufacturer's particulars/declaration may be omitted from the triplicate and quadruplicate copies of the licence application.

Value f.o.b. and Total f.o.b.

- (ii) The f.o.b. value of the goods may be omitted from the triplicate copy of the licence application.

Full Description of Goods, Origin Marking (if any)

On Goods (State Country of Origin of Raw Materials)

- (iii) The country of origin of raw materials may be omitted.

Commodity Item Code No.

- (iv) HK HS code numbers may be omitted.

(q) Alterations

- (i) All amendments made must be clear and legible, and must not deface the other particulars on the form.
  - (ii) For applications completed by typing, applicants must delete any typing errors on the application form by typing 'XXX' over them. Every amendment, defacement, addition or deletion on the application form must be endorsed by stamping the applicant's amendment chop in blue and initialling with date adjacent to each and every amendment. Every amendment, defacement, addition or deletion in the 'Manufacturer's Declaration' box must likewise be endorsed by the manufacturer by stamping the latter's amendment chop in blue and initialling with date adjacent to each amendment. No erasure or correcting fluid should be used on the application form.
  - (iii) No more than three areas of amendments are allowed for each application.
  - (iv) Any amendment to the export licence after issue can only be made by the Department upon approval of application for amendments submitted by the licensee concerned.
- (r) For application covering exports of textiles articles purchased locally of which the manufacturer cannot be identified, the following declaration should be made in the 'Full Description of Goods' column of the licence application :

"Goods are purchased from :

Name of company and address : XXXXXX

Telephone No. : XXXXXXXXX

Invoice No. XXXX attached.”

Moreover, photocopy(ies) of the relevant invoice(s) covering the consignments must be attached to the applications for Export Licence (Textiles) Form 4.

### **Licensing Arrangement for Re-export of Textiles Goods**

3. Applicants must comply with the following when applying for Export Licence (Textiles) Form 4 to cover textiles re-exports:

(a) The following declaration must be made in the ‘Full Description of Goods’ column:

‘For re-export only. No manufacturing process has been carried out in Hong Kong on the goods described above which would permit the issue, in accordance with the origin criteria laid down by the Director-General of Trade and Industry, of a Certificate of Hong Kong Origin in respect of the goods. The goods were imported from (name of country) under Import Licence(s)/Import Notification(s)/Comprehensive Import Licence(s) No(s) \_\_\_\_\_, (a) true copy(ies) of which is (are) attached herewith.’

(b) The photocopy(ies) of the relevant import licence(s) / import notification(s) / comprehensive import licence(s) should be attached to the application.

(c) The ‘Manufacturer’ and ‘Manufacturer’s Declaration’ boxes must be left blank.

(d) Detailed requirements are set out in the relevant Notices to Exporters issued by the Department.

### **Submission of Application**

4. All applications should be made in person to Counters Nos. 1-4, 2/F, Trade and Industry Department Tower, 700 Nathan Road, Kowloon. Under normal circumstances, export licences will be ready for collection **two** clear working days (excluding Sundays and public holidays) after the date on which the licence applications are received. The opening hours of the Receiving and Issuing Counters are:

Monday to Friday	8:45 a.m. - 12:30 p.m. 1:30 p.m. - 5:00 p.m.
Saturday	9:00 a.m. - 12:30 p.m.

5. The original copy of an export licence will be retained by the Department. The duplicate and the triplicate of the licence will be issued to the exporter, who should keep the duplicate for his own reference and present the triplicate to the carrier before the textiles is exported.

6. Export licences must be applied on an individual consignment basis, i.e. each licence may cover only one consignment of textiles exports. In this connection, textiles goods exported on the same carrier from the same trader to the same foreign importer may be regarded as one consignment. Each licence application must not cover more than seven commodity items.

#### **Validity of an Export Licence**

7. Export licences are valid for 28 days from the date of issue.

#### **Amendment and Cancellation of Export Licence**

8. Requests for amendment and cancellation of export licences after issue must be made on standard ['Request for Amendment' form](#) and ['Request for Cancellation' form](#) respectively. Duplicate copy (for licences with shipment effected) or both duplicate and triplicate copies (for licences with shipment not effected) of the approved licence should be returned together with the completed amendment request form. Applicant should provide copies of bill of lading/airway bill, invoice and packing list to evident particulars to be amended. Under normal circumstances, the amended export licences will be issued to the applicants two clear working days after the date on which the amendment requests are received. The Department will acknowledge receipt of all cancellation requests received.

#### **Applications for Retrospective Export Licences**

9. The Department does not normally accept applications for export licences submitted after the subject textiles has been exported from Hong Kong. Late applications may be considered only if the applicant can provide the following supporting documents:

- (a) a letter (see Appendix) giving reason(s) for late application;
- (b) the relevant shipping documents (e.g. export manifest (if by road), bill of lading (if by sea), air waybill (if by air)); and
- (c) any other relevant supporting documents (e.g. invoice, packing list) which may be requested as necessary to support the late application.

10. Late applications should be submitted to the Customer Service Centre of the Textiles Controls Branch, 2/F, Trade and Industry Department Tower, 700 Nathan Road, Kowloon. Under normal circumstances and if the Department is satisfied with the explanations provided in respect of the late application, the retrospective export licences will be ready for collection **two** clear working days (excluding Sundays and public holidays) after the date on which the applications are received.

11. Exporters should note that making of late applications does not imply automatic approval of retrospective export licences, and the issue of retrospective export licences is without prejudice to any legal and/or administrative actions the Director-General of Trade and Industry may take in respect of the exportation of the consignments concerned. Director-General of Trade and Industry may also institute legal actions against exporters who fail to provide satisfactory explanations in respect of their late applications.

### **Important Notes**

12. Under the Import and Export Ordinance and its subsidiary legislations, no person shall export textiles from Hong Kong except under and in accordance with a valid export licence, unless otherwise exempted by the Director-General of Trade and Industry. Any person who contravenes the relevant legislations shall be guilty of an offence and shall be liable to a fine of \$500,000 and to imprisonment for two years.

13. Under Section 11 of the Import and Export Ordinance, an exporter shall present the textiles export licence issued by the Trade and Industry Department to the owner of the vessel, aircraft or vehicle in or on which the textiles consignment is exported before the consignment is exported. The carrier company shall, within fourteen days after the day on which the textiles consignment is exported, return the textiles export licence together with the relevant manifest to the Trade and Industry

Department. Failure to comply with any of the above requirements shall be liable to a fine of \$5,000.

14. Section 36(1) of the Import and Export Ordinance provides that any person who furnishes false or misleading information on an export licence application shall be guilty of an offence and shall be liable to a fine of \$500,000 and to imprisonment for two years.

### **Enquiries**

15. Enquiries relating to textiles export licensing requirements / arrangements should be directed to:

Customer Service Centre  
Textiles Controls Branch  
Trade and Industry Department  
2/F, Trade and Industry Department Tower  
700 Nathan Road  
Kowloon  
(Tel. 2398 5288)

Customer Service Centre  
Textiles Controls Branch  
Trade and Industry Department  
2/F, Trade and Industry Department Tower  
700 Nathan Road, Kowloon

Dear Sir,

**Application for Retrospective Export Licence (Textiles)**

I, \_\_\_\_\_, signing for and on behalf of  
#(Name of signatory in full and block letters)

\_\_\_\_\_, wish to request you to issue a retrospective  
(Name of exporter)  
Export Licence (Textiles) in respect of the following consignment to my company:

Full Description of Goods : \_\_\_\_\_

Quantity : \_\_\_\_\_

Departure Date of the Consignment : \_\_\_\_\_

Name of Carrier Company : \_\_\_\_\_

Vehicle/Vessel/Flight No.\*: \_\_\_\_\_

Country of Final Destination : \_\_\_\_\_

2. My company has to apply for a retrospective Export Licence (Textiles) in respect of the above consignment because : (please "✓" where appropriate)

a valid textile export licence/notification has not been obtained/lodged

there is an overshipment in excess of the quantity provided in Export Licence/Notification No. \_\_\_\_\_

other reasons (please specify) \_\_\_\_\_  
\_\_\_\_\_

3. I enclose herewith photocopies of the invoice, packing list and the relevant Bill of Lading / Airway Bill / Export Manifest\* relating to the above consignment to support the request.

\_\_\_\_\_  
Date

\_\_\_\_\_  
# Signature & Company Chop

\* Delete where appropriate

# The signatory must be the **proprietor, a partner or a director** as the case may be, or **other duly authorized representative of the trader.**