

MACAO SPECIAL ADMINISTRATIVE REGION

Administrative Regulation no. 19/2017

Complementary regulations to Law no. 2/2017 - Enforcement Law of the Convention on International Trade in Endangered Species of Wild Fauna and Flora

The Chief Executive, after consultation with the Executive Council, stipulates, pursuant to subparagraph 5) of article 50 of the Basic Law of the Macao Special Administrative Region and article 41 of Law no. 2/2017, this complementary administrative regulation, as follows:

CHAPTER I

General provisions

Article 1

Object

This administrative regulation establishes the complementary regulations to Law no. 2/2017.

Article 2

Model of document

The model of the certificate is published in the *Official Gazette of the Macao Special Administrative Region*, hereinafter referred to as *Official Gazette*, by Decision of the Secretary for Economy and Finance.

Article 3

Rates

1. The issuance of certificates shall be subject to payment of fees, whereof the amount shall be stipulated by Decision of the Chief Executive, to be published in *Official Gazette*.
2. The amount of fees charged in accordance with the preceding paragraph shall constitute revenue of the Macao Special Administrative Region.

CHAPTER II

Licenses and certificates

Article 4

Procedure of issuance of licenses and certificates

1. Application for licenses and certificates shall be submitted to the Macao Economic Services.
2. Within five days from the date of submission of the application, the Macao Economic Services shall proceed to the preliminary examination of the application and, as a consequence:
 - 1) Accepts the request and proceeds to consult the entities entitled to give opinions on the request;
 - 2) Requests for correction of application and to notify the applicant accordingly to correct or supplement it, otherwise the application shall be rejected preliminarily;
 - 3) Rejects the application preliminarily and notify the applicant where the application is found to manifest violations contrary to applicable rules.
3. The entities consulted in accordance with sub-paragraph 1) of the preceding paragraph shall give opinions within a period of 15 days from the date of receipt of the notification for this purpose.
4. Where the Macao Economic Services considers that the opinion issued by any of the entities referred to in sub-paragraph 1) of paragraph 2 is insufficient, it may request further clarification deemed to be necessary, and the entities consulted shall give their opinion within five days of the date from the date of receipt of the notification for this purpose.
5. The decision on the license and the certificate application shall be given within 30 days of the date of submission of the application.
6. The application for a license and certificate shall not be decided without obtaining the opinion of the consulted entities, and the applicant shall be notified in the event of failure to comply with the period set forth in the preceding paragraph by virtue of compliance with this obligation.

Article 5

Validity of licenses and certificates

1. Certificates to be issued by the Macao Economic Services shall indicate the period of validity from the date of issue, not exceeding six months.
2. The licenses of export, re-export and import shall be valid for a period of 30 days from the date of issue.
3. Where a license of export, re-export and import expires before its respective operation while the corresponding certificate is still valid, the Macao Economic Services may issue a new license without the necessity to replace the certificate. However, annotations concerning the cancellation of the previous license and its replacement shall be recorded in the certificate.

4. The license of export, re-export or import shall indicate the number of the certificate which corresponds to it, and the certificate shall also indicate the number of the license, both being issued simultaneously.

Article 6

Certificates

1. Certificates issued by the Macao Economic Services shall consist of three copies, marked with letters A, B and C.
2. When proceeding with the export, re-export or import, the certificate holder shall deliver to the Customs Services the copies referred to in the preceding paragraph, and the agent receiving them shall complete them and endorse on the relating fields.
3. The Customs Services shall return the holder with copy A of the certificate, send copy C to the Macao Economic Services and archive copy B.

Article 7

Documents issued by other countries

1. Licenses and certificates issued by other countries and territories and accepted in the Macao Special Administrative Region shall be in conformity with the provisions of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, hereinafter referred to as the Convention.
2. The documents referred to in the preceding paragraph shall be free from any erasures or amendments that may affect its validity.

CHAPTER III

Registration

Article 8

Procedure

The register of captive breeders and nurserymen of specimens of the species listed in the Appendices to the Convention, provided for in article 24 of Law no. 2/2017 shall be comprised of:

- 1) Entries indicating the identification elements of the captive breeders and nurserymen, whether natural or legal persons, as well as the respective conditions for carrying out the activity, with a description of the degree of risk and the level of safety of the specimens;
- 2) Description of the activities carried out;

- 3) Description of the installations, accompanied by photographic records;
- 4) Documents certifying the legal origin of the specimens that can be any documents of transfer issued in the name of the holder or any document issued by the Macao Economic Services.;
- 5) Number of specimens moved, by species, in each calendar year;
- 6) Number of specimens held, by species, in each calendar year;
- 7) Specimens to be reproduced;
- 8) Purpose of holding or moving the specimen.

Article 9

Preliminary examination

Within eight days of the filing of the application for registration, the Macao Economic Services shall proceed to the preliminary examination of the application and, as a consequence:

- 1) Rejects the application preliminarily, as it manifests contrary to the applicable rules resulting from the examination of application information, by notifying the applicant;
- 2) Requests that the application be remedied and notifies the applicant to correct or supplement it within 10 days, otherwise the application shall be rejected preliminarily.

Article 10

Decision

The Macao Economic Services shall decide on the application for registration within a period of 30 days from the date of submission of the application or, if it has been requested to be refined, from the date of submission of the additional elements by the applicant.

CHAPTER IV

Transitional and final provisions

Article 11

Transitional regime

Any person who carries out the activity of captive breeder or nurseryman prior to the date of entry into force of this administrative regulation must apply to be registered in accordance with the provisions of Chapter III within 90 days from the date of entry into force of this regulation.

Article 12

Entry into force

This law shall enter into force on 1 September of 2017.

Approved on 12 May of 2017.

Published.

The Chief Executive, *Chui Sai On*.