

HAFFA SPECIAL CIRCULAR

For the kind attention of: CEO, Director and Senior Management of HAFFA Member Company

Date: 30 May 2013

Dear Members,

CIVIL AVIATION DEPARTMENT HONG KONG (CAD)

- ***New Regulated Agent Regime's Requirements from 15 July 2013***
- 從 2013 年 7 月 15 日起新管制代理人制度要求
- ***Important Requirement: Recognition of a Known Consignor (KC) / Account Consignor (AC) with multiple sites within and/or outside Hong Kong (where items, products, goods or consignments designated as air cargo are prepared, packaged and/or stored)***

重要要求： 對一間擁有多個位於香港境內及／或境外的地點，用作準備、包裝(俗稱：出貨)及／或儲存屬空運貨物的物品、產品、貨品或托運貨物的已知托運人的認可安排

- ***HAFFA Best Practice on KC/AC Recognition***
- 協會最佳作業指引：已知/帳戶托運人的認可安排

Since CAD promulgated the new requirement of Regulated Agent Regime (RAR) in February 2013, in response to numerous enquiries and comments from our Members, HAFFA has carried out rounds of in-depth dialogue with CAD aiming at ironing out the many concerns and issues that Members are facing.

自民航處於本年二月底公佈有關管制代理人制度的新要求，為回應會員所提出的眾多疑問及意見，協會與民航處進行多次深入探討，旨在解決會員現時所面對有關新要求的種種問題。

We would like to draw Members' attention that in the course of discussion regarding KC/AC recognition with CAD (*in particular under the scenario of triangular trade*), it was realized that the following was an important requirement for KC / AC recognition:

在討論已知/帳戶托運人的認可安排期間（尤其關於三角貿易的情況），協會得知以下為重要要求：

- If the air cargo is not packaged by the KC itself, the address(es) of the site where the air cargo is packaged should be specified on the KC Declaration of Compliance. For example, if air cargo tendered by the KC is packaged by 5 different factories in the Mainland, the KC is required to sign 5 KC Declaration of Compliances, specifying the address of each 5 different factories on each form, and later need to assign 5 different KC codes to these parties.

如已知托運人的空運貨物並非由其公司負責包裝出貨，該已知托運人必須在《已知托運人符合規定聲明》上提供負責包裝出貨地點的地址。即例如已知托運人的空運貨物分別由 5 間大陸廠家負責包裝出貨，該已知托運人需向管制代理人簽署 5 份《已知托運人符合規定聲明》。每份聲明需分別提供其中一間大陸廠家出貨的公司地址。管制代理人也需為已知托運人編配 5 個不同的已知托運人編號。

To minimize the operational disruption and disturbance to the stakeholders as many consignors have already signed the new KC declaration form, HAFFA suggested and CAD has agreed in principle that: 由於部份托運人已經向管制代理人遞交《已知托運人符合規定聲明》，為減少對業界的運作影響，協會向民航處建議以下簡化程序，並已獲民航處原則上同意：

- **Instead of signing many KC forms by one KC, each KC can sign one single KC form and use an Appendix to list the addresses of all such sites where air cargo is packaged (RA will assign for each site a unique known consignor code). Details below under HAFFA best practice.**
該已知托運人可以向管制代理人遞交一份《已知托運人符合規定聲明》，並以附錄形式列出所有負責包裝出貨地點的地址（管制代理人為不同的出貨地點分配專用的已知托運人編號）。下面於協會最佳作業指引有詳細說明。

- ***HAFFA Best Practice on KC/AC Recognition***
- 協會最佳作業指引：已知/帳戶托運人的認可安排

To facilitate RAs and KCs in comprehending the above important requirement, we have prepared the attached flow chart, explanatory notes, illustrative example and a template of APPENDIX for Members' reference that are self-explanatory. The document is attached herewith and has been uploaded on to the HAFFA Website:

<http://www.haffa.com.hk>

為讓會員理解上述民航處的重要要求，協會現提供關於已知/帳戶托運人認可安排的最佳作業指引，當中包括認可流程、註釋、說明例子及附件(樣本)供會員參考。現附上該指引，會員也可於協會網頁下載：

<http://www.haffa.com.hk>

CAD has updated its FAQ to include the above important requirement. Please refer to the last questions on page 3 of the attached FAQ documents (both English and Chinese versions) which are also available: 民航處已將上述的重要要求加入附件的《常見問題》(頁三的最後一條問題)。

民航處《常見問題》可於以下網址下載

English version: <http://www.cad.gov.hk/english/pdf/Enhanced RAR FAQs and Answer.pdf>

中文版本: <http://www.cad.gov.hk/chinese/pdf/Enhanced RAR FAQs and Answer.pdf>

- ***Important Reminder:***

Action required before 15 July 2013 or else the RA status will be removed wef 15 July 2013

Further to previous News regarding the new RAR's requirements from 15 July 2013, we would like to remind Members who are Regulated Agents (RA) that the following actions are required before 15 July 2013:

- **If an existing RA fails to submit the “Application for Registration as Regulated Agent” before 15 July 2013, its RA status will be removed/invalidated in the RA list from 15 July 2013. That means, from 15 July 2013 onwards, we shall see ONLY RAs whom have submitted the applicable documents to CAD, otherwise the RA company name and status will be removed from the RA list.** Under this circumstance, carriage of consignment of air cargo onboard aircraft (no matter passenger aircraft or freighter) departing Hong Kong by a non-RA is not allowed unless such unknown cargo are screened.

Please visit the following webpages for relevant information and documentation on the enhancement of the RAR:

<http://www.cad.gov.hk/english/newrar.html> (English)

<http://www.cad.gov.hk/chinese/newrar.html> (中文)

Thank you for your kind attention.

With best regards,



Alice Lui
Director

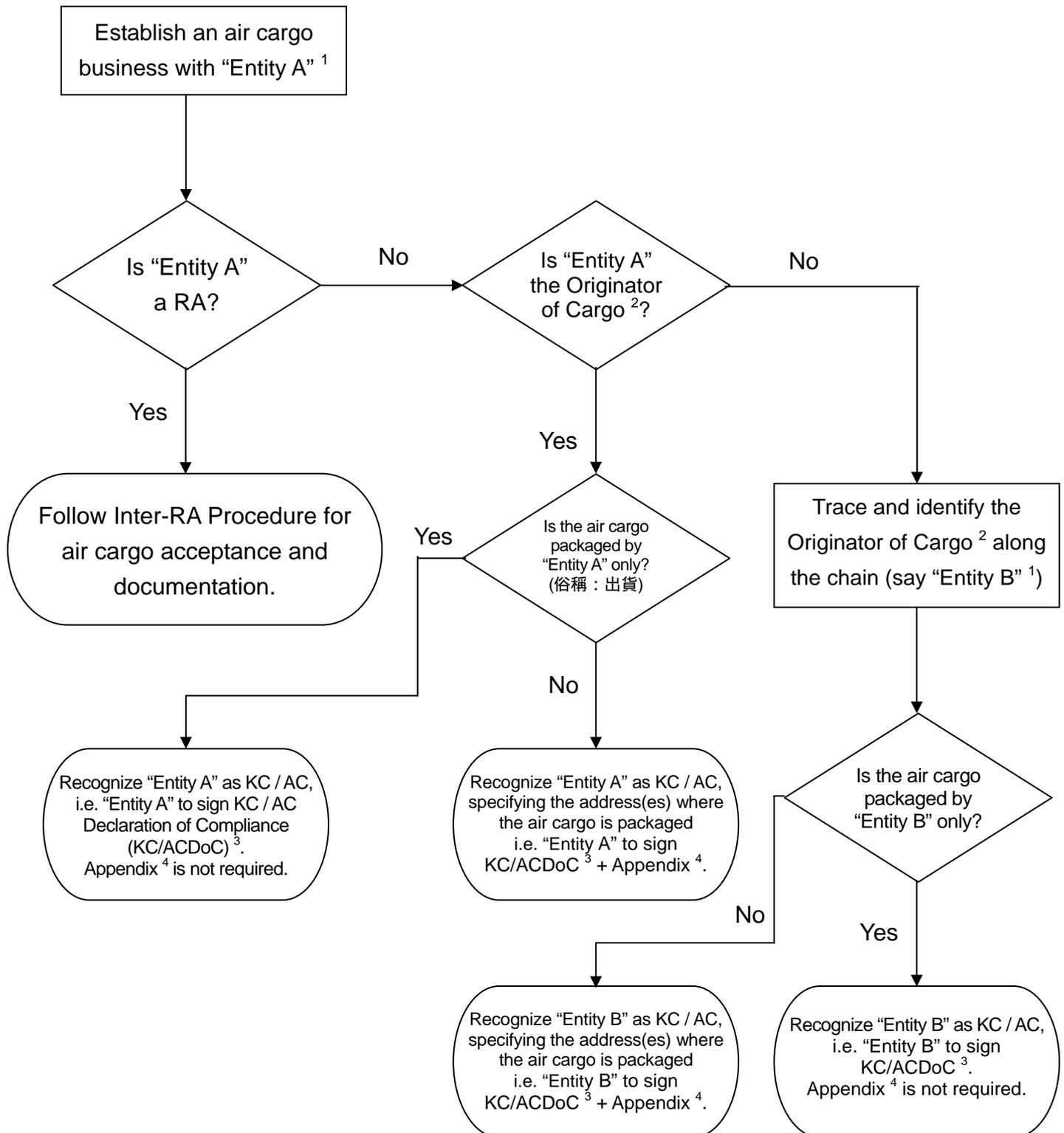
Remark: Members may download/view relevant documents by clicking into the hyperlinks mentioned above (if the link is invalid, please paste the whole URL in the appropriate field of your browser)

Known Consignor (KC) / Account Consignor (AC) Recognition

A. Basic Principle

A secured supply chain shall start with the entity which **first identifies a particular consignment as air cargo**. This entity is called the **Originator of Cargo**, which shall sign KC/AC Declaration of Compliance and become KC/AC.

B. Flow Chart



C. Important Points to Note

1. This Entity can be a manufacturer, factory, trading company, forwarder, consolidator or others.
2. Originator of Cargo means the Entity that first identifies the consignment as air cargo.
3. Provided that this Entity fulfills the requirement as stipulated in CAD's "Requirement Document for Consignor".
4. Address of all locations where the air cargo may be packaged should be specified on the Appendix to the KC/AC Declaration of Compliance. A unique code should be assigned to each location so as to identify that a particular air consignment is packaged at different specific site.

Example 例子:

"Trading Company A" located in Germany is an "Originator of Cargo" and fulfills the requirement as stipulated in CAD's "Requirement Document for Consignor".

- "Trading Company A" located in Germany sends booking to "RA B".
位於德國的“貿易公司 A”向“RA B”落單。
- Air cargo consigned by "Trading Company A" may be packaged by 5 different factories located in China, namely "Factory 1", "Factory 2", "Factory 3", "Factory 4" and "Factory 5".
德國“貿易公司 A”的空運貨物通常分別由 5 間不同的大陸廠家“廠家 1”，“廠家 2”，“廠家 3”，“廠家 4”及“廠家 5”負責包裝出貨。
- Apart from a KC / AC Declaration of Compliance, "Trading Company A" is required to sign an Appendix (please see attached a sample), on which the address of 5 factories, "Trading Company A"'s authorized personnel signature, name, title, date and company chop (Factory 1 - 5) should be specified.
除已知/帳戶托運人符合規定聲明外，德國“貿易公司 A”須向“RA B”簽署一附件(見附頁樣本)。附件上需列明 5 間大陸廠家出貨的公司地址(即“廠家 1”至“廠家 5”的大陸地址)、“貿易公司 A”的負責人簽名、姓名、職位、簽署日期及蓋章。
- Apart from assigning a unique KC/AC code to "Trading Company A", "RA B" is required to also assign 5 different unique sub-codes to each factory so as to identify that a particular air cargo consigned by "Trading Company A" is packaged at a specific site.
(e.g. KC code of "Trading Company A" is KC123
Unique code of "Factory 1" is KC123-1
Unique code of "Factory 2" is KC123-2
Unique code of "Factory 3" is KC123-3
Unique code of "Factory 4" is KC123-4
Unique code of "Factory 5" is KC123-5)

除編配一個專用的已知/帳戶托運人編號予德國“貿易公司 A”外，“RA B”也需要編配 5 個不同的專用編號予每間廠家，以識辨該批空運貨物由哪一間大陸廠家包裝出貨。

(例： 德國“貿易公司 A”的已知托運人編號為 KC123

“廠家 1”的專用編號為 KC123-1

“廠家 2”的專用編號為 KC123-2

“廠家 3”的專用編號為 KC123-3

“廠家 4”的專用編號為 KC123-4

“廠家 5”的專用編號為 KC123-5)

- Subject to the factory where a particular air consignment is packaged, “Trading Company A” shall mark the unique code of this factory assigned to him by “RA B” on the shipping documents (e.g. shipper's letter of instructions, house air waybill)

(e.g. If a particular air cargo is packaged by “Factory 3”, “Trading Company A” shall mark the unique code of this factory, i.e. KC123-3 on the shipping documents.)

德國“貿易公司 A”須按空運貨物由哪一間大陸廠家包裝出貨，在裝運單據(例如貨物托運書、副空運提單)註明“RA B”所編配的該間廠家專用編號。

(例：該批空運貨物由“廠家 3”負責包裝出貨，德國“貿易公司 A”須在裝運單據上註明“廠家 3”的專用編號 KC123-3)

- If there is any amendment to the list of factories (e.g. addition, deletion, update of factory address) in future, “Trading Company A” should sign the Appendix again, which will supersede the previous one.

(e.g. “Trading Company A” no longer appoints “Factory 3” and “Factory 4” to package its air cargo, while “Factory 6”, “Factory 7” and “Factory 8” are new factories for air cargo packaging. “Trading Company A” shall sign a new Appendix on which the address of “Factory 1”, “Factory 2”, “Factory 5”, “Factory 6”, “Factory 7” and “Factory 8” should be specified.

To avoid confusion, the unique code of “Factory 3” KC123-3 and “Factory 4” KC123-4 should not be re-assigned anymore in the Appendix.)

如廠家名單有任何修改(例如增加、減少、地址變更)，德國“貿易公司 A”須向“RA B”簽署一份新的附件，該份新的附件將取代所有舊有附件。

(例：德國“貿易公司 A”不再委托“廠家 3”及“廠家 4”包裝空運貨物，而新的廠家為“廠家 6”、“廠家 7”及“廠家 8”。德國“貿易公司 A”須向“RA B”簽署一份新的附件。附件上需列明“廠家 1”、“廠家 2”、“廠家 5”、“廠家 6”、“廠家 7”及“廠家 8”的公司地址。

為免造成混亂，“廠家 3”及“廠家 4”的專用編號 KC123-3 及 KC123-4 於往後不應再被編配予其他廠家。)

- The above example applies to any shipping/trading companies located in Hong Kong.

以上例子也適用於任何香港的船務/貿易公司。

- If all air cargo consigned by a KC/AC is packaged by itself only, this KC/AC is not required to submit the Appendix since the address of KC/AC is already shown on the KC/AC Declaration of Compliance.

如所有空運貨物只由已知/帳戶托運人本身負責包裝出貨，由於該已知/帳戶托運人的公司地址已在已知/帳戶托運人符合規定聲明註明，故該已知/帳戶托運人無須簽署有關附件。

Appendix Sample
附件樣本

Company Name of Consignor: Trading Company A 貿易公司 A

Address(es) of locations where the air cargo is packaged

- (1) 廠家 1 於東莞的地址
- (2) 廠家 2 於汕頭的地址
- (3) 廠家 3 於深圳的地址
- (4) 廠家 4 於珠海的地址
- (5) 廠家 5 於番禺的地址

Name: Chan Tai Man

Signature:  _____

Position in Company: Shipping Manager



Date: 15 July 2013

Company Chop: _____