

INLAND REVENUE (AMENDMENT) BILL 2000

COMMITTEE STAGEAmendments to be moved by the Secretary for
Financial Services and the TreasuryClauseAmendment Proposed

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- (a) In subclause (1), by deleting "Section" and substituting "Subject to subsection (4), section".
- (b) In subclause (3), by deleting "2001/02" and substituting "2004/05".
- (c) By adding -

"(4) Section 4 (in so far as it relates to section 12(6)(c)(iii) and (f) of the Inland Revenue Ordinance (Cap. 112)) applies in relation to the year of assessment 2004/05 and to all subsequent years of assessment.

(5) Section 20A -

- (a) subject to paragraph (b),
applies in relation to the year
of assessment 2004/05 and to
all subsequent years of
assessment;
- (b) in so far as it relates to item
17 of Schedule 13 to the Inland
Revenue Ordinance (Cap. 112),
applies in relation to the year

of assessment in which section 5(1)(e) of the Legal Practitioners (Amendment) Ordinance 1998 (27 of 1998) comes into operation and to all subsequent years of assessment."

4 In the proposed section 12(6)-

(a) by deleting paragraph (b)(ii) and substituting -

"(ii) fees in respect of an examination set by an education provider or a trade, professional or business association, and undertaken by the taxpayer to gain or maintain qualifications for use in any employment,";

(b) in paragraph (c) -

(i) in subparagraph (ii), by deleting "for its members;" and substituting "; or";

(ii) by adding -

"(iii) a training or development course accredited or recognized by an institution specified in Schedule 13;";

(c) in paragraph (e), by deleting the full stop and substituting a semicolon;

(d) by adding -

“(f) the Secretary for Financial Services and the Treasury may by order amend Schedule 13.”.

6 By deleting the clause and substituting -

“6. Ascertainment of chargeable profits

Section 16 is amended -

(a) in subsection (1)(a) -

(i) by repealing “the conditions set out in subsection (2) are satisfied” and substituting “the condition for the application of this paragraph is satisfied under subsection (2), and subject to subsections (2A), (2B) and (2C)”;

(ii) by repealing “upon” and substituting “on”;

(b) in subsection (2) -

(i) by repealing “conditions referred to in subsection (1)(a) are that -” and substituting “condition for the application of subsection (1)(a) is satisfied if -”;

(ii) by repealing paragraphs (d), (e) and (f) and substituting -

- "(d) the money has been borrowed
from a financial institution or
an overseas financial
institution;
- (e) the money has been borrowed
wholly and exclusively to
finance -
 - (i) capital expenditure on the
provision of machinery or
plant incurred by the
borrower, where such
expenditure qualifies for
an allowance under Part VI;
or
 - (ii) the purchase of trading
stock by the borrower,
where the trading stock
purchased is used by the
borrower in the production
of profits chargeable to
tax under this Part,
and -
 - (iii) the lender is not an
associate of the borrower;
and
 - (iv) where the lender is a
trustee of a trust estate
or a corporation

controlled by such a trustee, neither the trustee nor the corporation nor any beneficiary under the trust is the borrower or an associate of the borrower; or

(f) the borrower is a corporation and the deduction claimed is in respect of interest payable by it -

(i) on debentures listed on a stock exchange in Hong Kong or on any other stock exchange recognized by the Commissioner for the purposes of this subparagraph;

(ii) on instruments (other than debentures described in subparagraph (i)) -

(A) issued bona fide and in the course of carrying on business and marketed in Hong Kong or in a major financial centre

outside Hong Kong
recognized by the
Commissioner for the
purposes of this sub-
subparagraph; or

(B) issued pursuant to
any agreement or
arrangements, where
the issue of an
advertisement,
invitation or
document in respect
of the agreement or
arrangements has been
authorized by the
Securities and
Futures Commission
under section 105 of
the Securities and
Futures Ordinance
(Cap. 571), and the
advertisement,
invitation or
document has been
issued to the public;
or

(iii) on money borrowed from an
associated corporation of

the borrower, where the money borrowed in the hands of the associated corporation arises entirely from the proceeds of an issue by the associated corporation of debentures described in subparagraph (i) or of instruments described in subparagraph (ii), in an amount not exceeding the interest payable by the associated corporation to the holders of such debentures or instruments.”;

(c) by adding -

“(2A) Where -

- (a) the condition for the application of subsection (1)(a) is satisfied under subsection (2)(c), (d) or (e);
- (b) at any time during the basis period of the borrower for the year of assessment concerned, the payment of any sum payable by way of principal or interest

in respect of the money
borrowed is secured or
guaranteed, whether wholly or
in part and whether directly or
indirectly, by a deposit or
loan made by the borrower or an
associate of the borrower with
or to -

- (i) the lender or an associate
of the lender;
 - (ii) a financial institution or
an associate of a
financial institution; or
 - (iii) an overseas financial
institution or an
associate of an overseas
financial institution; and
- (c) any sum payable by way of
interest on the deposit or loan
is not chargeable to tax under
this Ordinance,

the amount of the deduction which, but for
this subsection and subsections (2B) and (2C),
would have been allowed under subsection (1)(a)
for the year of assessment concerned in
respect of sums payable by the borrower by way
of interest on the money borrowed shall be
reduced, having regard to the sum payable by

way of interest on the deposit or loan, by an amount calculated on such basis as is most reasonable and appropriate in the circumstances of the case.

(2B) Where -

- (a) the condition for the application of subsection (1)(a) is satisfied under subsection (2)(c), (d) or (e); and
- (b) at any time during the basis period of the borrower for the year of assessment concerned, arrangements are in place, whether between the borrower and the lender or otherwise, whereby any sum payable by way of interest on the money borrowed or on any part of the money borrowed is payable, whether directly or through any interposed person, to the borrower or to a person (other than the lender) who is connected with the borrower and in either case the borrower or the person, as the case may be, is not an excepted person as defined in subsection (2E)(c),

the amount of the deduction which, but for this subsection and subsections (2A) and (2C), would have been allowed under subsection (1)(a) for the year of assessment concerned in respect of sums payable by the borrower by way of interest on the money borrowed or on the relevant part of the money borrowed, as the case may be, shall be reduced by an amount calculated in accordance with the following formula -

$$\frac{A}{B} \times C$$

where: A means the total number of days during the basis period of the borrower for the year of assessment concerned, at the end of each of which the principal in respect of the money borrowed or in respect of the relevant part of the money borrowed, as the case may be, is outstanding and the arrangements are in place;

B means the total number of days during the basis period of the borrower for the year of assessment concerned, at the end of each of which the principal in respect of the money borrowed or in respect of

the relevant part of the money borrowed, as the case may be, is outstanding; and

C means the total amount of sums payable by the borrower by way of interest on the money borrowed or on the relevant part of the money borrowed, as the case may be, which, but for this subsection and subsections (2A) and (2C), would have been deductible under subsection (1)(a) for the year of assessment concerned.

(2C) Subject to subsection (2G), where -

(a) the condition for the application of subsection (1)(a) is satisfied under subsection (2)(f); and

(b) at any time during the basis period of the borrower for the year of assessment concerned, arrangements are in place, whether between the borrower and the holders of the debentures or instruments concerned or otherwise, whereby any sum payable by way of interest on the debentures or

instruments concerned or on any interest in the debentures or instruments concerned is payable, whether directly or through any interposed person, to the borrower or to a person who is connected with the borrower and in either case the borrower or the person, as the case may be, is not an excepted person as defined in subsection (2F)(c),

the amount of the deduction which, but for this subsection and subsections (2A) and (2B), would have been allowed under subsection (1)(a) for the year of assessment concerned in respect of -

- (c) (where the condition for the application of subsection (1)(a) is satisfied under subsection (2)(f)(i) or (ii)) the sum payable by the borrower by way of interest on the debentures or instruments concerned or on the relevant interest in the debentures or instruments concerned, as the case may be; or

(d) (where the condition for the application of subsection (1)(a) is satisfied under subsection (2)(f)(iii)) the sum payable by the borrower by way of interest on money borrowed from the associated corporation, being money arising entirely from the proceeds of the issue of the debentures or instruments concerned or of the relevant interest in the debentures or instruments concerned, as the case may be,

shall be reduced by an amount calculated in accordance with the following formula -

$$\frac{X}{Y} \times Z$$

where: X means the total number of days during the basis period of the borrower for the year of assessment concerned, at the end of each of which the principal in respect of the debentures or instruments concerned or in respect of the relevant interest in the debentures or instruments concerned, as the case may be, is outstanding and the

arrangements are in place;

Y means the total number of days during the basis period of the borrower for the year of assessment concerned, at the end of each of which the principal in respect of the debentures or instruments concerned or in respect of the relevant interest in the debentures or instruments concerned, as the case may be, is outstanding; and

Z means the total amount of sums referred to in paragraph (c) or (d), as the case may be, which, but for this subsection and subsections (2A) and (2B), would have been deductible under subsection (1)(a) for the year of assessment concerned.

(2D) For the purposes of subsection (2A), if a deposit or loan is made by a trustee of a trust estate or a corporation controlled by such a trustee, the deposit or loan shall be deemed to have been made by each of the trustee, the corporation and the beneficiary under the trust.

(2E) For the purposes of subsection (2B) -

(a) any reference in that

subsection to any sum payable by way of interest on the money borrowed or on any part of the money borrowed, however described, shall be construed as including a reference to any sum payable by way of principal or interest in respect of any other loan, where the payment of such sum is -

- (i) secured or guaranteed, whether wholly or in part and whether directly or indirectly, by any sum payable by way of principal or interest in respect of the money borrowed or in respect of any part of the money borrowed; or
- (ii) conditional, whether wholly or in part and whether directly or indirectly, on the payment of any sum payable by way of principal or interest in respect of the money borrowed or in respect of

any part of the money

borrowed;

- (b) if any sum payable by way of interest on the money borrowed or on any part of the money borrowed, as construed in accordance with paragraph (a), is payable, whether directly or through any interposed person, to a trustee of a trust estate or a corporation controlled by such a trustee, such sum shall be deemed to be so payable to each of the trustee, the corporation and the beneficiary under the trust; and

- (c) "excepted person" (除外人士)

means -

- (i) a person who is chargeable to tax under this Ordinance in respect of any sum payable by way of interest on the money borrowed or on any part of the money borrowed, as construed in accordance with paragraph (a);

- (ii) in the case of a person

(other than the lender)
who is connected with the
borrower -

(A) a person who is
entitled to any sum
referred to in
subparagraph (i) in
the capacity of -

(I) a person acting
as a trustee of
a trust estate
or holding
property
belonging to
others pursuant
to the terms of
a contract,
where the person
is not
beneficially
entitled to the
sum in question;

(II) a beneficiary of
a unit trust to
which section
26A(1A)(a)(i) or
(ii) applies,
where the sum in

question is
payable to a
trustee of the
unit trust in
respect of a
specified
investment
scheme referred
to in section
26A(1A)(b); or

(III) a member of a
retirement scheme
which is either a
recognized
retirement scheme
or a substantially
similar retirement
scheme
established
outside Hong Kong,
where the
Commissioner is
satisfied that the
latter scheme
complies with the
requirements of a
supervisory
authority within

an acceptable
regulatory regime;

(B) a public body;

(C) a body corporate,
where the Government
owns beneficially
more than half in
nominal value of the
issued share capital
of that body
corporate for the
time being; or

(D) a financial
institution or an
overseas financial
institution.

(2F) For the purposes of subsection

(2C) -

(a) any reference in that
subsection to any sum payable
by way of interest on the
debentures or instruments
concerned or on any interest in
the debentures or instruments
concerned, however described,
shall be construed as including
a reference to any sum payable
by way of principal or interest

in respect of any other loan,
where the payment of such sum
is -

(i) secured or guaranteed,
whether wholly or in part
and whether directly or
indirectly, by any sum
payable by way of
principal or interest in
respect of the debentures
or instruments concerned
or in respect of any
interest in the debentures
or instruments concerned;
or

(ii) conditional, whether
wholly or in part and
whether directly or
indirectly, on the payment
of any sum payable by way
of principal or interest
in respect of the
debentures or instruments
concerned or in respect of
any interest in the
debentures or instruments
concerned;

(b) if any sum payable by way of

interest on the debentures or instruments concerned or on any interest in the debentures or instruments concerned, as construed in accordance with paragraph (a), is payable, whether directly or through any interposed person, to a trustee of a trust estate or a corporation controlled by such a trustee, such sum shall be deemed to be so payable to each of the trustee, the corporation and the beneficiary under the trust; and

(c) "excepted person" (除外人士)

means -

(i) a person who is chargeable to tax under this Ordinance in respect of any sum payable by way of interest on the debentures or instruments concerned or on any interest in the debentures or instruments concerned, as construed in accordance with paragraph (a);

(ii) in the case of a person who is connected with the borrower -

(A) a person who is entitled to any sum referred to in subparagraph (i) in the capacity of -

(I) a person acting as a trustee of a trust estate or holding property belonging to others pursuant to the terms of a contract, where the person is not beneficially entitled to the sum in question;

(II) a beneficiary of a unit trust to which section 26A(1A)(a)(i) or (ii) applies, where the sum in

question is payable to a trustee of the unit trust in respect of a specified investment scheme referred to in section 26A(1A)(b); or

(III) a member of a retirement scheme which is either a recognized retirement scheme or a substantially similar retirement scheme established outside Hong Kong, where the Commissioner is satisfied that the latter scheme complies

with the
requirements of
a supervisory
authority within
an acceptable
regulatory
regime;

(B) a public body;

(C) a body corporate,
where the Government
owns beneficially
more than half in
nominal value of the
issued share capital
of that body
corporate for the
time being; or

(D) a financial
institution or an
overseas financial
institution.

(2G) Subsection (2C) shall not apply
where under the relevant arrangements,
the relevant sum payable by way of
interest on the debentures or instruments
concerned or on any interest in the
debentures or instruments concerned is
payable to a market maker who, in the

ordinary course of conduct of his trade, profession or business in respect of market making, holds such debentures or instruments or such interest for the purpose of providing liquidity thereof.

(2H) In subsection (2G), "market maker" () means a person who -

- (a) is licensed or registered for dealing in securities under the Securities and Futures Ordinance (Cap. 571) or authorized to do so by a regulatory authority in a major financial centre outside Hong Kong recognized by the Commissioner for the purposes of subsection (2)(f)(ii)(A);
- (b) in the ordinary course of conduct of his trade, profession or business in respect of market making holds himself out as being willing to buy and sell securities for his own account and on a regular basis; and

(c) is actively involved in market making in securities issued by a wide range of unrelated institutions.”;

(d) in subsection (3) -

(i) by repealing “subsection (2) and this subsection” and substituting “this section”;

(ii) by repealing the definitions of “control” and “debentures”;

(iii) in the definition of “overseas financial institution”, by repealing “subsection (2)” and substituting “this section”;

(e) by adding -

“(3A) In this section -

(a) a corporation shall be regarded as being controlled by a person if the person has the power to secure -

(i) by means of the holding of shares or the possession of voting power in or in relation to that or any other corporation; or

(ii) by virtue of any power conferred by the articles of association or any

other document regulating
that or any other
corporation,

that the affairs of the first-
mentioned corporation are
conducted in accordance with
his wishes; and

- (b) a person (other than a
corporation) shall be regarded
as being controlled by another
person if the first-mentioned
person is accustomed or under
an obligation, whether express
or implied, and whether or not
enforceable or intended to be
enforceable by legal
proceedings, to act, in
relation to his investment or
business affairs, in accordance
with the directions,
instructions or wishes of that
other person.

(3B) In this section, a person shall be
regarded as being connected with a borrower if
the person is -

- (a) an associated corporation of
the borrower;
- (b) a person (other than a

corporation) -

(i) who controls the borrower;

(ii) who is controlled by the
borrower; or

(iii) who is under the control
of the same person as is
the borrower.";

(f) in subsection (4), by repealing "subsection (2)"
and substituting "this section";

(g) by adding -

"(5A) The amendments made to this section
by section 6(a), (b), (c), (d), (e) and (f) of
the Inland Revenue (Amendment) Ordinance 2004
(of 2004) ("the Amendment Ordinance") do
not apply to sums described in subsection
(1)(a) which were incurred -

(a) before the commencement of the
Amendment Ordinance;

(b) under a transaction which was
the subject of an application
for advance clearance made to
the Commissioner before 1 April
1998, and the Commissioner has
before the commencement of the
Amendment Ordinance expressed
the opinion that the
transaction would not fall
within the terms of section 61A;

or

- (c) under an arrangement which was the subject of an application made to the Commissioner under section 88A, and the Commissioner has before the commencement of the Amendment Ordinance made a ruling under that section that the arrangement would not fall within the terms of section 61A."."

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(a) In paragraph (b) -

- (i) in subparagraph (ii), by deleting the full stop at the end and substituting a semicolon;

- (ii) by adding -

- "(iii) in paragraph (b)(i), by repealing "in which this section commences" and substituting "commencing on 1 April 1998";".

(b) By adding -

- "(c) in subsection (4), by repealing "commencement of this section" and substituting "commencement of the Inland Revenue (Amendment)(No. 2) Ordinance 1998

(32 of 1998)".".

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(a) By deleting paragraph (a)(i) and substituting -

"(i) by repealing everything after "in relation to" and before the proviso and substituting -

"a commercial building or structure -

(i) subject to subparagraph

(ii), means the amount of the capital expenditure incurred on the

construction of the

building or structure

reduced by -

(A) the amount of any initial allowance made under section 34(1);

(B) the amount of any annual allowance made under section 33A or 34(2);

(C) the amount of any balancing allowance made under section 35, or under section 33B or 35 that was in force immediately

before the
commencement of the
Inland Revenue
(Amendment) Ordinance
2004 (of 2004),
and increased by the
amount of any balancing
charge made under section
35, or under section 33B
or 35 that was in force
immediately before the
commencement of the Inland
Revenue (Amendment)
Ordinance 2004 (of
2004); or

- (ii) where the building or
structure is a building or
structure to which section
33A(4) applies, means the
amount of the capital
expenditure incurred on
the construction of the
building or structure as
determined under section
33A(4)(a) reduced by -
(A) the amount of any
initial allowance
made under section

34(1) in respect of
any year of
assessment commencing
on or after 1 April
1998;

(B) the amount of any
annual allowance made
under section 33A or
34(2) in respect of
any year of
assessment commencing
on or after 1 April
1998;

(C) the amount of any
balancing allowance
made under section 35,
or under section 33B
or 35 that was in
force immediately
before the
commencement of the
Inland Revenue
(Amendment) Ordinance
2004 (of 2004),
in respect of any
year of assessment
commencing on or
after 1 April 1998,

and increased by the amount of any balancing charge made under section 35, or under section 33B or 35 that was in force immediately before the commencement of the Inland Revenue (Amendment) Ordinance 2004 (of 2004), in respect of any year of assessment commencing on or after 1 April 1998:";".

(b) In paragraph (b)(i), by deleting everything after "substituting -" and substituting -

"(i) the amount of any initial allowance made under section 34(1);

(ii) the amount of any annual allowance made under section 33A or 34(2);

(iii) the amount of any balancing allowance made under section 35, or under section 33B or 35 that was in force immediately before the commencement of the Inland Revenue (Amendment) Ordinance 2004 (of 2004),

and increased by the amount of any balancing charge made under section 35, or under section

33B or 35 that was in force immediately before the commencement of the Inland Revenue (Amendment) Ordinance 2004 (of 2004):";".

14(b) In the proposed section 68(9A), by deleting "The Secretary for the Treasury" and substituting "The Secretary for Financial Services and the Treasury".

15(b) In the proposed section 69(1A), by deleting "The Secretary for the Treasury" and substituting "The Secretary for Financial Services and the Treasury".

New By adding -

"16A. Section added

The following is added -

"70AA. Revision of assessment due to commencement of section 4 or 8 of Inland Revenue (Amendment) Ordinance 2004

(1) Notwithstanding any other provisions of this Ordinance, if, upon application made within 12 months after the date of commencement of section 4 or 8 of the Inland Revenue (Amendment) Ordinance 2004 (of 2004), or within 6 years after the end of a year of assessment that expires before that date, whichever is the later, it is established to the satisfaction of an assessor that the tax charged for any year of

assessment (the relevant year) is made is excessive solely by reason of the commencement of that section, the assessor shall revise the assessment for the relevant year.

(2) Where an assessor refuses to revise an assessment in accordance with an application under this section, he shall give notice thereof in writing to the person who made such application and such person shall thereupon have the same rights of objection and appeal under this Part as if such notice of refusal were a notice of assessment."."

17(b) In the proposed section 82B(1A), by deleting "1 April 2001" and substituting "the commencement of the Inland Revenue (Amendment) Ordinance 2004 (of 2004)".

New By adding immediately before the heading "**Consequential Amendments**" -

"20A. Schedule 13 added

The following is added -

"SCHEDULE 13 [s. 12]

INSTITUTIONS THAT MAY ACCREDIT OR RECOGNIZE
TRAINING OR DEVELOPMENT COURSES FOR THE
PURPOSE OF SECTION 12(6)(c)(iii)

Item	Institution
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1. The Architects Registration Board established by section 4 of the Architects Registration Ordinance (Cap. 408)
2. The Chinese Medicine Council of Hong Kong established by section 3 of the Chinese Medicine Ordinance (Cap. 549)
3. The Chiropractors Council established by section 3 of the Chiropractors Registration Ordinance (Cap. 428)
4. The Construction Industry Training Authority established by section 4 of the Industrial Training (Construction Industry) Ordinance (Cap. 317)
5. The Dental Council of Hong Kong established by section 4 of the Dentists Registration Ordinance (Cap. 156)
6. The Engineers Registration Board established by section 3 of the Engineers Registration Ordinance (Cap. 409)

7. The Estate Agents Authority established by section 4 of the Estate Agents Ordinance (Cap. 511)
8. The Hong Kong Academy of Medicine established by section 3 of the Hong Kong Academy of Medicine Ordinance (Cap. 419)
9. The Hong Kong Bar Association referred to in section 2(1) of the Legal Practitioners Ordinance (Cap. 159)
10. The Hong Kong Institute of Architects incorporated by section 3 of The Hong Kong Institute of Architects Incorporation Ordinance (Cap. 1147)
11. The Hong Kong Institution of Engineers incorporated by section 3 of The Hong Kong Institution of Engineers Ordinance (Cap. 1105)
12. The Hong Kong Institute of Housing incorporated by section 3 of The Hong Kong Institute of Housing Ordinance (Cap. 507)

13. The Hong Kong Institute of Landscape Architects incorporated by section 3 of The Hong Kong Institute of Landscape Architects Incorporation Ordinance (Cap. 1162)
14. The Hong Kong Institute of Planners incorporated by section 3 of The Hong Kong Institute of Planners Incorporation Ordinance (Cap. 1153)
15. The Hong Kong Institute of Surveyors incorporated by section 3 of The Hong Kong Institute of Surveyors Ordinance (Cap. 1148)
16. The Hong Kong Society of Accountants incorporated by section 3 of the Professional Accountants Ordinance (Cap. 50)
17. The Hong Kong Society of Notaries referred to in section 2(1) of the Legal Practitioners Ordinance (Cap. 159) as amended by section 5(1)(e) of the Legal

Practitioners (Amendment) Ordinance 1998
(27 of 1998)

18. The Housing Managers Registration Board established by section 3 of the Housing Managers Registration Ordinance (Cap. 550)
19. The Land Surveyors Registration Committee appointed under section 6 of the Land Survey Ordinance (Cap. 473)
20. The Landscape Architects Registration Board established by section 3 of the Landscape Architects Registration Ordinance (Cap. 516)
21. The Law Society of Hong Kong referred to in section 2(1) of the Legal Practitioners Ordinance (Cap. 159)
22. The Medical Council of Hong Kong established by section 3 of the Medical Registration Ordinance (Cap. 161)
23. The Medical Laboratory Technologists

- Board established by section 5 of the
Supplementary Medical Professions
Ordinance (Cap. 359)
24. The Midwives Council of Hong Kong
established by section 3 of the Midwives
Registration Ordinance (Cap. 162)
25. The Nursing Council of Hong Kong
established by section 3 of the Nurses
Registration Ordinance (Cap. 164)
26. The Occupational Therapists Board
established by section 5 of the
Supplementary Medical Professions
Ordinance (Cap. 359)
27. The Optometrists Board established by
section 5 of the Supplementary Medical
Professions Ordinance (Cap. 359)
28. The Pharmacy and Poisons Board
established by section 3 of the Pharmacy
and Poisons Ordinance (Cap. 138)
29. The Physiotherapists Board established by

section 5 of the Supplementary Medical Professions Ordinance (Cap. 359)

30. The Planners Registration Board established by section 3 of the Planners Registration Ordinance (Cap. 418)
31. The Radiographers Board established by section 5 of the Supplementary Medical Professions Ordinance (Cap. 359)
32. The Security and Guarding Services Industry Authority established by section 4 of the Security and Guarding Services Ordinance (Cap. 460)
33. The Social Workers Registration Board established by section 4 of the Social Workers Registration Ordinance (Cap. 505)
34. The Surveyors Registration Board established by section 3 of the Surveyors Registration Ordinance (Cap. 417)
35. The Travel Industry Council of Hong Kong referred to in section 32A(1) of the

Travel Agents Ordinance (Cap. 218)

36. The Veterinary Surgeons Board established by section 3 of the Veterinary Surgeons Registration Ordinance (Cap. 529)

37. The Vocational Training Council established by section 4 of the Vocational Training Council Ordinance (Cap. 1130)".".

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By deleting everything after "substituting" and substituting ""where the condition for the application of section 16(1)(a) of the Ordinance is satisfied under section 16(2)(c), (d) or (e) of the Ordinance and section 16(2A) of the Ordinance does not apply"".".