

**Bills Committee on
Securities and Futures Bill and Banking (Amendment) Bill 2000**

**Part XVI
Clause 384(8) : Making of Regulations**

In considering clause 384(8) at the Bills Committee meeting on 8 October 2001, some Members asked if there were precedents in our statute vesting similar power in the Chief Executive in Council to make subsidiary legislation which may create offences on breach of rules made by the Securities and Futures Commission, subject to certain penalty maxima stipulated in the primary legislation.

2. With the assistance of the Law Draftsman, we have conducted a research into the Hong Kong Laws and identified many provisions of similar nature. We have shortlisted a few at the **Annex** for Members' easy reference.

**Securities and Futures Commission
Financial Services Bureau
6 December 2001**

Examples of provisions empowering the Chief Executive in Council to make Regulations

- S. 109, Commodities Trading Ordinance (Cap 250)
- S. 41, Stock Exchanges Unification Ordinance (Cap 361)
- S. 35, Public Bus Services Ordinance (Cap 230)
- S. 29, Film Censorship Ordinance (Cap 392)
- S. 28, Drug Dependent Persons Treatment and Rehabilitation Centres (Licensing) Ordinance (Cap 566)
- S. 161, Chinese Medicine Ordinance (Cap 549)

Examples of provisions empowering Bureau Secretaries to make Regulations

- S. 35, Mass Transit Railway Ordinance (Cap 556)
- S. 70, Personal Data (Privacy) Ordinance (Cap 486)
- S. 30, Consumer Goods Safety Ordinance (Cap 456)
- S. 45, Human Reproductive Technology Ordinance (Cap 561)