

L.Peng (#41837)  
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**PUBLIC HEALTH AND MUNICIPAL SERVICES  
(AMENDMENT) BILL 2001**

**COMMITTEE STAGE**

Amendments to be moved by the Secretary for the Environment and Food

<u>Clause</u>	<u>Amendment Proposed</u>
2	<p>(a) In paragraph (b), by deleting the full stop at the end and substituting a semicolon.</p> <p>(b) By adding -</p> <p style="padding-left: 40px;">"(c) in subsection (10)(c), by repealing " 撕去 " and substituting " 移去 " ."</p>
3	<p>(a) By deleting the proposed section 128A(1)(b) and substituting -</p> <p style="padding-left: 40px;">"(b) any premises -</p> <p style="padding-left: 80px;">(i) on or from which any restricted food specified in Schedule 2 to the Food Business Regulation (Cap. 132 sub. leg.) is sold or offered or exposed for sale; or</p>

- (ii) on which any such food is possessed for sale or for use in the preparation of any article of food for sale;"
- (b) In the proposed section 128A(1)(d), by deleting "regulation" and substituting "section".
- (c) In the proposed section 128A(2) -
  - (i) in the definition of "immediate health hazard", by deleting "from or handled or sold on" and substituting "on or from, or handled or possessed on,";
  - (ii) by adding -
    - ""use" (用、使用), in relation to any premises referred to in subsection (1)(c), includes occupy."
- (d) In the proposed section 128A(3), by deleting "from or handled or sold on" wherever it appears and substituting "on or from, or handled or possessed on,".
- (e) In the proposed section 128A, by adding -
  - "(4) In subsections (2) and (3) -
    - (a) a reference to food supplied on or from any premises includes food sold, or offered or exposed for sale, on or from the premises;
    - (b) a reference to food handled on any premises includes food manufactured on

- the premises; and
- (c) a reference to food possessed on any premises means food possessed on the premises for sale or for use in the preparation of any article of food for sale."
- (f) In the proposed section 128B(1) -
- (i) in paragraph (a) -
- (A) by deleting "將" and substituting "使用";
- (B) by deleting "作某項用途";
- (ii) in paragraph (b), by adding "進行" before "第";
- (iii) by deleting "(as the case may be) on any premises" and substituting "on any premises (as the case may be)";
- (iv) by deleting "作如此用途、" and substituting "如此使用、".
- (g) In the proposed section 128B(4)(a) -
- (i) by deleting "掌控" and substituting "控制";
- (ii) by deleting "僱員" and substituting "受僱人".
- (h) In the proposed section 128B(7)(a), by deleting "the premises or the activity" and substituting ", or the activity to be conducted on, the premises".
- (i) In the proposed section 128B(16), by deleting "掌控" and substituting "控制".

- (j) In the proposed section 128C(2)(a) -
    - (i) by deleting "掌控" and substituting "控制";
    - (ii) by deleting "僱員" and substituting "受僱人".
  - (k) In the proposed section 128C, by adding -
    - "(2A) A closure order made in respect of any premises shall be served -
      - (a) by sending a copy of it to the owner of the premises by registered post addressed to his last known place of business or residence; and
      - (b) by affixing a copy of it at a conspicuous place on the premises."
  - (l) In the proposed section 128C(3), by deleting "affixed at a conspicuous place on the premises in respect of which it is made" and substituting "served under subsection (2A)(b)".
  - (m) In the proposed section 128C(6)(a) -
    - (i) by deleting "或活動";
    - (ii) by deleting "用途或擬" and substituting "使用或擬在該處所內".
  - (n) In the proposed section 128C(19), by deleting "掌控" and substituting "控制".
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- (a) By deleting "by adding -" and substituting -

- (a) in Form F, in Note 3, by repealing "撕去" and substituting "移去";
  - (b) in Form G, in Note 2, by repealing "撕去" and substituting "移去";
  - (c) by adding "-".
- (b) In the proposed Form H, by adding "or occupied" after "used".
- (c) In the proposed Form I -
- (i) by deleting "NOW on proof to my satisfaction" and substituting "I now have reasonable cause to believe";
  - (ii) by deleting "the use of the premises/vessel/that part of the vessel/the activity#" and substituting "the use or occupation of/the activity to be conducted on or in\* the premises/vessel/that part of the vessel#";
  - (iii) by adding "or occupied" after "not be used";
  - (iv) by adding "/in the vessel/in that part of the vessel\*" after "conducted on the premises";
  - (v) by deleting "to seek legal remedy" and substituting "against this order".
- (d) In the proposed Form J -
- (i) by adding "or occupation" after "the use";
  - (ii) by deleting "activity conducted on\*" and substituting "the activity conducted on or in\*";

- (iii) by adding "or occupied" after "not be used";
- (iv) by adding "/in the vessel/in that part of the vessel\*" after "conducted on the premises".