

立法會
Legislative Council

LC Paper No. LS 59/00-01

**Paper for the House Committee Meeting of the
Legislative Council
on 23 February 2001**

**Legal Service Division Report on
Subsidiary Legislation Gazetted on 16 February 2001**

Date of Tabling in LegCo : 21 February 2001

Amendment to be made by : 14 March 2001 (or 28 March 2001 if extended by resolution)

Part I ***Public Health and Municipal Services***

Public Health and Municipal Services Ordinance (Cap. 132)

Public Health and Municipal Services Ordinance (Public Markets) (Designation and Amendment of Tenth Schedule) Order 2001 **(L.N. 43)**

Declaration of Markets Notice (Amendment) Declaration 2001 **(L.N. 44)**

L.N. 43 designates the Chai Wan Market as a public market which will be managed and controlled by the Director of Food and Environmental Hygiene. L.N. 44 declares the Chai Wan Market to be a market to which the Public Health and Municipal Services Ordinance (Cap. 132) applies.

2. The legal and drafting aspects of both legal notices are in order.

Part II ***Commencement Notice***

Broadcasting Ordinance (48 of 2000)

Broadcasting Ordinance (48 of 2000) (Commencement) Notice 2001
(L.N. 45)

3. This Notice appoints 16 February 2001 as the day on which sections 13, 14, 16 and 17 of the Broadcasting Ordinance (48 of 2000) will come into operation. These sections deal with the requirements applicable to licensees of broadcasting services. These requirements include those relating to prohibition of anti-competitive conduct and prohibition of abuse of dominance in a television programme service market. The remaining provisions of the Ordinance have already come into operation on 7 July 2000.

4. To tie in with the commencement of the competition provisions of the Ordinance, the Competition Investigation Procedures and the Guidelines to the Application of the Competition Provisions of the Broadcasting Ordinance (G.N. 816 of 2001) have been published in the Gazette on 16 February 2001 and taken effect on the same day.

5. The legal and drafting aspects of the Notice are in order.

**Intellectual Property (Miscellaneous Amendments) Ordinance 2000 (64 of 2000)
Intellectual Property (Miscellaneous Amendments) Ordinance 2000 (64 of 2000)
(Commencement) Notice 2001 (L.N. 46)**

6. This Notice appoints 1 April 2001 as the day on which the Intellectual Property (Miscellaneous Amendments) Ordinance 2000 (64 of 2000) will come into operation. The Ordinance creates an offence of unauthorized possession of video recording equipment in a place of public entertainment and clarifies the law to facilitate prosecution of corporate copyright infringement.

7. To tie in with the commencement of the offence provision on unauthorized possession of video recording equipment in a place of public entertainment, the form of notices to be displayed in such place to warn the public of the offence has been prescribed in the Prevention of Copyright Piracy (Notices) Regulation (L.N. 39 of 2001) gazetted on 9 February 2001. The said Regulation will also come into operation on 1 April 2001. For Members' information, a subcommittee has been formed to study the Regulation.

8. The legal and drafting aspects of the Notice are in order.

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19 February 2001