

53 Ordinances which contain references to the “Crown”

Of the 53 Ordinances which contain references to the “Crown”, 18 have been wholly or partly adapted so far. References to the “Crown” in four of these Ordinances have been replaced by references to the “State” which includes the offices set up by the Central People’s Government in the HKSAR (“CPG offices”). The relevant Ordinances are as follows -

- (a) The Interpretation and General Clauses Ordinance (Cap. 1);
- (b) The Dangerous Goods Ordinance (Cap. 295);
- (c) The Civil Aviation (Aircraft Noise) Ordinance (Cap. 312); and
- (d) The Merchant Shipping (Prevention and Control of Pollution) Ordinance (Cap. 413).

The other 14 Ordinances have the word “Crown” replaced by the word “Government”.

2. As for the remaining Ordinances or provisions which have yet to be amended, they are to be construed in accordance with the Hong Kong Reunification Ordinance the relevant provisions of which have now been incorporated into the Interpretation and General Clauses Ordinance (Cap.1). In accordance with the relevant provisions in the Hong Kong Reunification Ordinance, the word “Crown” is to be construed as the “Government of the HKSAR”, or “the CPG or other competent authorities of the People’s Republic of China” where the content of the provision -

- (a) relates to the titles of land in the HKSAR;
- (b) involves affairs for which the CPG has responsibility; or
- (c) involves the relationship between the Central Authorities and the HKSAR.

“The CPG or other competent authorities of the People’s Republic of China” includes the CPG offices. Although these Ordinances or provisions have yet to be adapted, the legal effect of these Ordinances or provisions has not been compromised.

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