

C016-E

A Bill to Adapt certain provisions of various Ordinances to bring them into conformity with the Basic Law and with the status of Hong Kong as a Special Administrative Region of the People's Republic of China.

Enacted by the Legislative Council.

1. Short title

This Ordinance may be cited as the Adaptation of Laws (Miscellaneous Provisions) Ordinance 2002.

2. Commencement

(1) (a) This Ordinance, except as provided in subsections (2) to (6), shall be deemed to have come into operation on 1 July 1997.

(b) Paragraph (a) shall be subject to Article 12 of the Hong Kong Bill of Rights set out in Part II of the Hong Kong Bill of Rights Ordinance (Cap. 383).

(2) Sections 1 and 2 of Schedule 6 shall be deemed to have come into operation on 19 November 1999.

(3) Sections 1, 2 and 3 of Schedule 8 shall be deemed to have come into operation on 19 November 1999.

(4) Section 1 of Schedule 9 shall be deemed to have come into operation on 3 April 1998.

(5) Section 1 of Schedule 12 shall be deemed to have come into operation on 20 February 1998.

(6) Section 1 of Schedule 14 shall be deemed to have come into operation on 7 June 1999.

3. Amendment of Ordinances

The Ordinances specified in the Schedules are amended in the manner indicated in those Schedules.

SCHEDULE 1 [s. 3]

Dangerous Drugs Ordinance

1. Section 52(10) of the Dangerous Drugs Ordinance (Cap. 134) is amended, in the definition of "香港海關關長"---

(a) by repealing "副總監" and substituting "副關長";

(b) by repealing "理總監" and substituting "理關長".

2. Section 53A(10) is amended, in the definition of "香港海關關長"---

(a) by repealing "副總監" and substituting "副關長";

(b) by repealing "理總監" and substituting "理關長".

SCHEDULE 2 [s. 3]

Control of Chemicals Ordinance and Its Subsidiary Legislation

Control of Chemicals Ordinance

1. Section 2(1) of the Control of Chemicals Ordinance (Cap. 145) is amended---
 - (a) in the definition of "Commissioner", by repealing "(總監)" and substituting "(關長)";
 - (b) in the definition of "許可證", by repealing "總監" and substituting "關長";
 - (c) in the definition of "牌照", by repealing "總監" and substituting "關長".
2. Section 7 is amended by repealing "總監" where it twice appears and substituting "關長".
3. Section 8(1), (3), (4) and (5) is amended by repealing "總監" wherever it appears and substituting "關長".
4. Section 9(1), (2), (3), (4) and (5) is amended by repealing "總監" wherever it appears and substituting "關長".
5. Section 12(3) is amended by repealing "總監" and substituting "關長".
6. Section 18 is amended by repealing "總監" where it twice appears and substituting "關長".

Control of Chemicals Regulations

7. Regulation 2 of the Control of Chemicals Regulations (Cap. 145 sub. leg.) is amended by repealing "總監" wherever it appears and substituting "關長".
8. Regulation 3(1), (4) and (5) is amended by repealing "總監" and substituting "關長".
9. Regulation 4(1) and (2) is amended by repealing "總監" wherever it appears and substituting "關長".

SCHEDULE 3 [s. 3]

General Holidays Ordinance

1. Section 4(2) of the General Holidays Ordinance (Cap. 149) is amended by repealing "首席大法官" wherever it appears and substituting "終審法院首席法官".

SCHEDULE 4 [s. 3]

Aerial Ropeways (Operation and Maintenance) Regulations

1. Regulation 15(1) of the Aerial Ropeways (Operation and Maintenance) Regulations (Cap. 211 sub. leg.) is amended by repealing "皇家" and substituting "香港".

SCHEDULE 5 [s. 3]

Weapons Ordinance

1. Section 13(2) of the Weapons Ordinance (Cap. 217) is amended by repealing "官方" and substituting "政府".

SCHEDULE 6 [s. 3]

Police Force Ordinance

1. Section 3 of the Police Force Ordinance (Cap. 232) is amended, in the definition of "auxiliary force", by repealing "Royal".
2. Section 39C(a) is amended by repealing "Royal".
3. Section 67(7) is amended by repealing "總監" and substituting "關長".

SCHEDULE 7 [s. 3]

Hong Kong Auxiliary Police Force Ordinance

1. Section 2 of the Hong Kong Auxiliary Police Force Ordinance (Cap. 233) is amended, in the definition of "警隊", by repealing "皇家香港警隊" and substituting "香港警務處".

SCHEDULE 8 [s. 3]

Customs and Excise Service Ordinance

1. Section 19(1), (3), (4) and (6) of the Customs and Excise Service Ordinance (Cap. 342) is amended by repealing "總監" wherever it appears and substituting "關長".
2. Section 19B(e) is amended by repealing "總監" and substituting "關長".
3. Section 19D(4) is amended by repealing "總監" wherever it appears and substituting "關長".

SCHEDULE 9 [s. 3]

Kowloon-Canton Railway Corporation Ordinance

1. Section 8(5) of the Kowloon-Canton Railway Corporation Ordinance (Cap. 372) is amended by adding "司長" before "法".

SCHEDULE 10 [s. 3]

Administrative Appeals Board Ordinance

1. The Schedule to the Administrative Appeals Board Ordinance (Cap. 442) is amended---
 - (a) in item 7, by repealing "總監" and substituting "關長";
 - (b) in item 9, by repealing "總監" and substituting "關長".

SCHEDULE 11 [s. 3]

Nuclear Material (Liability for Carriage) Ordinance

1. Section 10(5) of the Nuclear Material (Liability for Carriage) Ordinance (Cap. 479) is amended by repealing "country or territory" where it twice appears and substituting "country, territory or place".
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SCHEDULE 12 [s. 3]

Mutual Legal Assistance in Criminal Matters Ordinance

1. Section 12(12)(b) of the Mutual Legal Assistance in Criminal Matters Ordinance (Cap. 525) is amended by repealing "總監" and substituting "關長".

SCHEDULE 13 [s. 3]

Copyright Ordinance

1. Section 198(1) of the Copyright Ordinance (Cap. 528) is amended, in the definition of "獲授權人員", by repealing "總監" and substituting "關長".

SCHEDULE 14 [s. 3]

Land (Compulsory Sale for Redevelopment) Ordinance

1. Section 2(1) of the Land (Compulsory Sale for Redevelopment) Ordinance (Cap. 545) is amended, in the definition of "lot", in paragraph (a)(ii), by repealing "Crown" and substituting "Government".

Explanatory Memorandum

The purpose of this Bill is to adapt certain provisions of various Ordinances to bring them into conformity with the Basic Law and with Hong Kong's status as a Special Administrative Region of the People's Republic of China (clause 3, Schedules 1 to 14).

2. The Bill provides that, subject to Article 12 of the Hong Kong Bill of Rights, the proposed adaptations (except those referred to in clause 2(2) to (6)) shall, when passed into law, take effect retrospectively as from the date of the establishment of the Hong Kong Special Administrative Region (clause 2).