

立法會
Legislative Council

LC Paper No. LS 130/01-02

**Paper for the House Committee Meeting
on 4 October 2002**

**Legal Service Division Report on
Subsidiary Legislation tabled in the Legislative Council
on 3, 8 and 10 July 2002**

Purpose of Paper

This paper annexes three Legal Service Division's reports on items of subsidiary legislation tabled in the Legislative Council on 3, 8 and 10 July 2002. It explains the time frame for Members' scrutiny of these items, and highlights some of items in respect of which Members may consider setting up a subcommittee.

Background

2. All items of subsidiary legislation currently submitted to Members are subject to section 34 of the Interpretation and General Clauses Ordinance (Cap. 1) ("the Ordinance"). The section empowers the Council to amend an item of subsidiary legislation within a prescribed time frame. The items of subsidiary legislation included in this report submitted were tabled in the Legislative Council at its meetings on 3, 8 and 10 July 2002 but have not been considered by the House Committee as there has been no meeting of the House Committee since they were tabled.

3. Under the same section, the scrutiny period of these items is deemed to extend to and expire on the day after the second meeting of the Legislative Council (i.e. 16 October 2002). The scrutiny period could be further extended under the Ordinance by resolution of the Council to its meeting to be held on 6 November 2002.

4. Copies of the relevant Gazette have been sent to Members by normal despatch. Members may also obtain a soft copy through the Research & Library Information System ("RLIS").

Comments

5. Amongst the items covered by this report, Members may wish to consider if it is necessary to consider the following items in more detail:—

- (a) Places of Public Entertainment Ordinance (Amendment of Schedule 1) Regulation 2002 (L.N. 120 of 2002) and Places of Public Entertainment (Exemption) Order (L.N. 121 of 2002) (Annex II)

When the relevant proposals were discussed by the Panel on Security, concerns were expressed about the regulation of dance party activities by a statutory licensing regime. Members may wish to examine the subsidiary legislation in more detail.

- (b) Solicitors (Group Practice) Rules (L.N. 122 of 2002) (Annex II)

As the Rules will introduce a new mode of solicitors' practice, Members may wish to form a subcommittee to better assess its likely impact on legal practice and related issues.

6. Members may also wish to note that, in response to our query, the Administration has agreed to move a motion to amend the Airport Authority (Permitted Airport-Related Activities) Order (L.N. 127 of 2002) (Annex III) to better reflect the policy intent.

Conclusion

7. Members may consider whether it is necessary to set up a subcommittee to study the subsidiary legislation.

Encl

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