

**Subcommittee to Study the Proposed
Accountability System for Principal Officials and Related Issues**

**Resolution Under Section 54A of the
Interpretation and General Clauses Ordinance (Cap. 1)**

**Transfer of Statutory Functions
from Secretary for Economic Services
to Secretary for Economic Development and Labour**

Introduction

This paper sets out the transfer of statutory functions currently exercisable by the Secretary for Economic Services to the Secretary for Economic Development and Labour with effect from 1 July 2002.

Background

2. In the light of the discussions at this Subcommittee and views expressed by members of the public, the Administration has decided to adjust the portfolios of the policy bureaux. The draft Resolution which was issued to Legislative Council on 17 April 2002 therefore needs to be revised. This paper seeks to explain the provisions of the revised Resolution in respect of the transfer of statutory functions from the Secretary for Economic Services to Secretary for Economic Development and Labour.

The Resolution

3. The introduction of the accountability system will be accompanied by the reorganization of a number of policy bureaux. As a result, the Secretary for Economic Development and Labour will be responsible for matters relating to economic services and labour. The relevant statutory functions currently vested in the Secretary for Economic Services and the Secretary for Education and Manpower will

be transferred to the Secretary for Economic Development and Labour.

4. Paragraph 3(a) of the revised Resolution provides that statutory functions currently exercisable by the Secretary for Economic Services by virtue of the ordinances specified in column 2 of Schedule 3 to the Resolution be transferred to the Secretary for Economic Development and Labour. To give full effect to the Resolution, incidental, consequential and supplemental amendments, as appropriate, are introduced. Such amendments are provided for in paragraph 3(b) and Schedule 3 of the revised Resolution. Most of the amendments are to replace references to “Secretary for Economic Services” in the relevant ordinances with references to “Secretary for Economic Development and Labour”. Paragraph 3 and Schedule 3 of the revised Resolution are attached at Annexes A and B respectively.

5. The opportunity is also taken to improve the definition clauses of some ordinances. In three ordinances (the Gas Safety Ordinance, the Consumer Safety Ordinance and the Freight Containers (Safety) Ordinance), the definition of “Secretary” is only provided for in the English text. A corresponding definition would be added to the Chinese text.

6. A summary of the major statutory functions of the Secretary for Economic Services under existing legislation and the textual amendments to the relevant ordinances are attached as Annex C.

Advice Sought

7. Members are invited to consider paragraph 3 and Schedule 3 of the revised Resolution.

(3) with effect from 1 July 2002 -

(a) the functions exercisable by the Secretary for Economic Services by virtue of the Ordinances specified in column 2 of Schedule 3 be transferred to the Secretary for Economic Development and Labour;

(b) for the purpose of giving full effect to subparagraph (a) -

(i) the provisions specified in Schedule 3 (other than items 2, 3, 4, 5, 6, 7, 24 and 26(b)) be amended by repealing "Secretary for Economic Services" wherever it appears and substituting "Secretary for Economic Development and Labour";

(ii) the Gas Safety Ordinance (Cap. 51) be amended -

(A) in section 2, by repealing the definition of "Secretary" and substituting -

"Secretary" (局長) means

the Secretary for
Economic Development
and Labour;" ;

(B) in the provisions specified in item 2 of Schedule 3, by repealing "經濟局局長" wherever

it appears and substituting "局長";

- (iii) the Gas Safety (Gas Supply) Regulations (Cap. 51 sub. leg.) be amended, in the provisions specified in item 3 of Schedule 3, by repealing "經濟局局長" wherever it appears and substituting "局長";
- (iv) the Gas Safety (Registration of Gas Installers and Gas Contractors) Regulations (Cap. 51 sub. leg.) be amended, in the provisions specified in item 4 of Schedule 3, by repealing "經濟局局長" wherever it appears and substituting "局長";
- (v) the Gas Safety (Registration of Gas Supply Companies) Regulations (Cap. 51 sub. leg.) be amended, in the provision specified in item 5 of Schedule 3, by repealing "經濟局局長" and substituting "局長";
- (vi) the Gas Safety (Miscellaneous) Regulations (Cap. 51 sub. leg.) be amended, in the provision specified in item 6 of Schedule 3, by

repealing "經濟局局長" and

substituting "局長";

(vii) the Gas Safety (Gasholders Examination) Regulation (Cap. 51 sub. leg.) be amended, in the provision specified in item 7 of Schedule 3, by repealing "經濟局局長" and substituting "局長";

(viii) the Consumer Goods Safety Ordinance (Cap. 456) be amended -

(A) in section 2, by repealing the definition of "Secretary" and substituting -

"Secretary" (局長) means

the Secretary for

Economic Development

and Labour;";

(B) in the provisions specified in item 24 of Schedule 3, by repealing "經濟局局長" wherever it appears and substituting "局長";

(ix) the Freight Containers (Safety) Ordinance (Cap. 506) be amended -

(A) in section 2(1), by repealing the definition of "Secretary" and substituting -

"Secretary" (局長) means
the Secretary for
Economic Development
and Labour;" ;

(B) in the provision specified in
item 26(b) of Schedule 3, by
repealing "經濟局局長" and
substituting "局長";

SCHEDULE 3

[para. (3)(a) & (b)]

AMENDMENTS RELATING TO TRANSFER OF FUNCTIONS OF SECRETARY FOR
ECONOMIC SERVICES TO SECRETARY FOR ECONOMIC DEVELOPMENT
AND LABOUR

Item	Ordinance	Provision
1.	Specification of Public Offices (Cap. 1 sub. leg.)	Schedule.
2.	Gas Safety Ordinance (Cap. 51)	Sections 8(3)(ia), 13(4)(d), 17(1) and (3) and 18(1).
3.	Gas Safety (Gas Supply) Regulations (Cap. 51 sub. leg.)	Regulations 44A and 45(2)(d).
4.	Gas Safety (Registration of Gas Installers and Gas Contractors) Regulations (Cap. 51 sub. leg.)	Regulations 28(2)(d) and 36.
5.	Gas Safety (Registration of Gas Supply Companies) Regulations (Cap. 51 sub. leg.)	Regulation 23(2)(d).
6.	Gas Safety (Miscellaneous) Regulations (Cap. 51 sub. leg.)	Regulation 3E(2)(d).
7.	Gas Safety (Gasholders Examination) Regulation (Cap. 51 sub. leg.)	Section 9.
8.	Port Control (Cargo Working Areas) Ordinance (Cap. 81)	Section 3(1).
9.	Travel Agents Ordinance (Cap. 218)	Section 50(1).
10.	Shipping and Port Control Ordinance (Cap. 313)	Section 56.
11.	Merchant Shipping (Safety) Ordinance (Cap. 369)	Sections 5(1), 8(1) and (2), 93(1), 94(1) and (2) and (2)(b), 95(1), 96(1) and (2), 97(1) and (2), 98(1), 99(1) and (2), 100(1), 101(1), 102(1) and (1)(f), 103(1), 104, 105(1) and

- (3), 106,
107(1), 108(1),
110(3C) and (4)
and 115(3).
12. Merchant Shipping (Safety)(Cargo Ship Safety Equipment Survey) Regulations (Cap. 369 sub. leg.) Regulation 2 (the definitions of "Certifying Authority" and "Government surveyor").
13. Merchant Shipping (Safety)(Musters and Training) Regulations (Cap. 369 sub. leg.) Regulation 6(4).
14. Merchant Shipping (Safety)(Passenger Ship Construction and Survey)(Ships Built On or After 1 September 1984) Regulations (Cap. 369 sub. leg.) Regulation 1(2) (the definition of "Government Surveyor").
15. Merchant Shipping (Safety)(Radio Installations Survey) Regulations (Cap. 369 sub. leg.) Regulation 2 (the definition of "Government surveyor").
16. Electricity Ordinance (Cap. 406) Sections 36(1)(a), 38(1), 39(1), 43(3), 44(1), 45(1) and (2) and 59(6).
17. Electricity Supply Lines (Protection) Regulation (Cap. 406 sub. leg.) Section 13(1)(b).
18. Merchant Shipping (Prevention and Control of Pollution) Ordinance (Cap. 413) Section 3(2) and (5)(vii).
19. Merchant Shipping (Prevention of Oil Pollution) Regulations (Cap. 413 sub. leg.) Regulations 1(2) (the definitions of "Certifying Authority" and "surveyor"), 35(1) and 36(1).
20. Merchant Shipping (Control of Pollution by Noxious Liquid Substances in Bulk) Regulations (Cap. 413 sub. leg.) Regulation 23(2).
21. Merchant Shipping (BCH Code) Regulations (Cap. 413 sub. leg.) Regulations 1(3)(d) and 4(2).
22. Merchant Shipping (IBC Code) Regulations (Cap. 413 sub. leg.) Regulations 1(3)(c) and

- 4(2).
23. Toys and Children's Products Safety Ordinance (Cap. 424) Sections 4, 6(1) and (2), 14(3), 15(1) and (3), 16(1) and 35(1).
24. Consumer Goods Safety Ordinance (Cap. 456) Sections 2 (the definition of "認可標準"), 5, 13(2), 14(1) and (3), 15(1) and 30(1) and (1)(a).
25. Merchant Shipping (Seafarers) Ordinance (Cap. 478) Sections 5(2), 6(4), (5) and (6), 17, 72(1), 73(1), 80(5), 81, 82(1), 86, 89(1), (2) and (3), 95(2), 96(1), 97(1), 100(1), 104(1), 107(1), 119(2), 120(e), 121(1) and 125(4).
26. Freight Containers (Safety) Ordinance (Cap. 506) (a) Section 1(2).
(b) Section 27(1).
27. Freight Containers (Safety) (Applications for Approval of Containers) Regulation (Cap. 506 sub. leg.) Section 1.
28. Freight Containers (Safety)(Fees) Regulation (Cap. 506 sub. leg.) Section 1.
29. Freight Containers (Safety) (Arrangements for Authorized Persons) Order (Cap. 506 sub. leg.) Section 1.
30. Freight Containers (Safety)(Examination Procedure) Order (Cap. 506 sub. leg.) Section 1.
31. Merchant Shipping (Local Vessels) Ordinance (Cap. 548) Sections 1(2), 17(3), 72(3)(c) and 89(1) and (2).
32. Shipping and Port Control (Amendment) Ordinance 1999 (70 of 1999) Section 1(2).

- 33. Travel Agents (Amendment) Ordinance 2002 (10 of 2002) Section 1(2).
- 34. Shipping and Port Control (Amendment)(No. 3) Regulation 2000 (L.N. 141 of 2000) Section 1.

**Statutory functions presently exercisable by Secretary for Economic Services (SES)
to be transferred to Secretary for Economic Development and Labour (SEDL)**

The Resolution	Cap	Description	Textual Amendments Provided for in the Resolution
Item 1 of Schedule 3	1C Specification of Public Offices	<p>Cap. 1C sets out the public officers who may delegate to another public officer the powers conferred or duties imposed on him/her by any particular ordinance.</p> <p>Major function to be transferred from SES to SEDL is:</p> <ul style="list-style-type: none"> • power to delegate to any public officer her/his functions provided for in section 5 of the Merchant Shipping (Safety) Ordinance (Cap. 369) 	<ul style="list-style-type: none"> • Provisions containing references to “Secretary for Economic Services/ 經濟局局長” and/or “the Secretary/局長” are reproduced at Appendix 1. • Provisions requiring amendments have been marked-up. The amendments are as follows: <ul style="list-style-type: none"> - <u>English text</u> The relevant provision is amended by repealing “Secretary for Economic Services” and substituting “Secretary for Economic Development and Labour”. - <u>Chinese text</u> The relevant provision is amended by repealing “經濟局局長” and substituting “經濟發展及勞工局局長”.

The Resolution	Cap	Description	Textual Amendments Provided for in the Resolution
Item 2 of Schedule 3	51 Gas Safety Ordinance	<p>This ordinance provides for the control over the safe importation, manufacture, storage, transport, supply and use of gas.</p> <p>Major functions to be transferred from SES to SEDL are:</p> <ul style="list-style-type: none"> • power to amend regulations • power and functions relating to appeals against the decision of the Gas Authority 	<ul style="list-style-type: none"> • Provisions containing references to “Secretary for Economic Services/ 經濟局局長” and/or “the Secretary/局長” are reproduced at Appendix 2. • Provisions requiring amendments have been marked-up. The amendments are as follows: <ul style="list-style-type: none"> - <u>English text</u> The definition of “Secretary” in section 2 is repealed and substituted by “ “Secretary” (局長) means the Secretary for Economic Development and Labour”. - <u>Chinese text</u> <ul style="list-style-type: none"> (a) “ “局長” (Secretary) 指經濟發展及勞工局局長” is added to section 2. (b) Other relevant provisions are amended by repealing “經濟局局長” and substituting “局長”.

The Resolution	Cap	Description	Textual Amendments Provided for in the Resolution
Item 3 of Schedule 3	51B Gas Safety (Gas Supply) Regulations	<p>These regulations provide for the control and safety precautions which should be taken in relation to the supply of gas.</p> <p>Major functions to be transferred from SES to SEDL are:</p> <ul style="list-style-type: none"> • power to amend Schedules • function relating to appeals against the decision of the Gas Authority made under the regulations 	<ul style="list-style-type: none"> • Provisions containing references to “Secretary for Economic Services/ 經濟局局長” and/or “the Secretary/局長” are reproduced at Appendix 3. • Provisions requiring amendments have been marked-up. The amendments are as follows: <ul style="list-style-type: none"> - The relevant provisions are amended by repealing “經濟局局長” and substituting “局長”.
Item 4 of Schedule 3	51D Gas Safety (Registration of Gas Installers and Gas Contractors) Regulations	<p>These regulations provide for the registration of gas installers and gas contractors.</p> <p>Major functions to be transferred from SES to SEDL are:</p> <ul style="list-style-type: none"> • power to amend Schedules • function relating to appeals against the decision of the Gas Authority made under the regulations 	<ul style="list-style-type: none"> • Provisions containing references to “Secretary for Economic Services/ 經濟局局長” and/or “the Secretary/局長” are reproduced at Appendix 4. • Provisions requiring amendments have been marked-up. The amendments are as follows: <ul style="list-style-type: none"> - The relevant provisions are amended by repealing “經濟局局長” and substituting “局長”.

The Resolution	Cap	Description	Textual Amendments Provided for in the Resolution
Item 5 of Schedule 3	51E Gas Safety (Registration of Gas Supply Companies) Regulations	<p>These regulations provide for the registration of gas supply companies.</p> <p>Major function to be transferred from SES to SEDL is:</p> <ul style="list-style-type: none"> • function relating to appeals against the decision of the Gas Authority made under the regulations 	<ul style="list-style-type: none"> • Provisions containing references to “Secretary for Economic Services/ 經濟局局長” and/or “the Secretary/局長” are reproduced at Appendix 5. • Provisions requiring amendments have been marked-up. The amendments are as follows: <ul style="list-style-type: none"> - The relevant provisions are amended by repealing “經濟局局長” and substituting “局長”.
Item 6 of Schedule 3	51F Gas Safety (Miscellaneous) Regulations	<p>These regulations provide for miscellaneous matters relating to gas safety.</p> <p>Major function to be transferred from SES to SEDL is:</p> <ul style="list-style-type: none"> • function relating to appeals against the decision of the Gas Authority made under the regulations 	<ul style="list-style-type: none"> • Provisions containing references to “Secretary for Economic Services/ 經濟局局長” and/or “the Secretary/局長” are reproduced at Appendix 6. • Provisions requiring amendments have been marked-up. The amendments are as follows: <ul style="list-style-type: none"> - The relevant provisions are amended by repealing “經濟局局長” and substituting “局長”.
Item 7 of Schedule 3	51G Gas Safety (Gasholders Examination) Regulation	<p>These regulations provide for the examinations to be carried out for the purposes of safety on gas holder.</p> <p>Major function to be transferred from SES to SEDL is:</p> <ul style="list-style-type: none"> • power to amend Schedules 	<ul style="list-style-type: none"> • Provisions containing references to “Secretary for Economic Services/ 經濟局局長” and/or “the Secretary/局長” are reproduced at Appendix 7. • Provisions requiring amendments have been marked-up. The amendments are as follows: <ul style="list-style-type: none"> - The relevant provisions are amended by repealing “經濟局局長” and substituting “局長”.

The Resolution	Cap	Description	Textual Amendments Provided for in the Resolution
Item 8 of Schedule 3	81 Port Control (Cargo Working Areas) Ordinance	<p>This ordinance provides for the control of the use of water-front areas by persons, vehicles and vessels and for the control of the handling of cargo in such areas.</p> <p>Major function to be transferred from SES to SEDL is:</p> <ul style="list-style-type: none"> • power to declare areas to be public cargo working areas, public water fronts and excluded water-fronts 	<ul style="list-style-type: none"> • Provisions containing references to “Secretary for Economic Services/ 經濟局局長” and/or “the Secretary/局長” are reproduced at Appendix 8. • Provisions requiring amendments have been marked-up. The amendments are as follows: <ul style="list-style-type: none"> - <u>English text</u> The relevant provision is amended by repealing “Secretary for Economic Services” and substituting “Secretary for Economic Development and Labour”. - <u>Chinese text</u> The relevant provision is amended by repealing “經濟局局長” and substituting “經濟發展及勞工局局長”.

The Resolution	Cap	Description	Textual Amendments Provided for in the Resolution
Item 9 of Schedule 3	218 Travel Agents Ordinance	<p>This ordinance provides for the control and regulation of travel agents.</p> <p>Major function to be transferred from SES to SEDL is:</p> <ul style="list-style-type: none"> • power to make regulations 	<ul style="list-style-type: none"> • Provisions containing references to “Secretary for Economic Services/ 經濟局局長” and/or “the Secretary/局長” are reproduced at Appendix 9. • Provisions requiring amendments have been marked-up. The amendments are as follows: <ul style="list-style-type: none"> - <u>English text</u> The relevant provision is amended by repealing “Secretary for Economic Services” and substituting “Secretary for Economic Development and Labour”. - <u>Chinese text</u> The relevant provision is amended by repealing “經濟局局長” and substituting “經濟發展及勞工局局長”.

The Resolution	Cap	Description	Textual Amendments Provided for in the Resolution
Item 10 of Schedule 3	313 Shipping and Port Control Ordinance	<p>This ordinance provides for the regulation and control of ports and of vessels in Hong Kong.</p> <p>Major function to be transferred from SES to SEDL is:</p> <ul style="list-style-type: none"> • power to declare any area of waters of Hong Kong to be a port 	<ul style="list-style-type: none"> • Provisions containing references to “Secretary for Economic Services/ 經濟局局長” and/or “the Secretary/局長” are reproduced at Appendix 10. • Provisions requiring amendments have been marked-up. The amendments are as follows: <ul style="list-style-type: none"> - <u>English text</u> The relevant provision is amended by repealing “Secretary for Economic Services” and substituting “Secretary for Economic Development and Labour”. - <u>Chinese text</u> The relevant provision is amended by repealing “經濟局局長” and substituting “經濟發展及勞工局局長”.

The Resolution	Cap	Description	Textual Amendments Provided for in the Resolution
Item 11 of Schedule 3	369 Merchant Shipping (Safety) Ordinance	<p>This ordinance provides for matters relating to the safety of merchant shipping.</p> <p>Major functions to be transferred from SES to SEDL are:</p> <ul style="list-style-type: none"> • power to appoint Government surveyors • power to issues certificates to approved organizations for surveying ships • power to make regulations on matters relating to safety of merchant shipping 	<ul style="list-style-type: none"> • Provisions containing references to “Secretary for Economic Services/ 經濟局局長” and/or “the Secretary/局長” are reproduced at Appendix 11. • Provisions requiring amendments have been marked-up. The amendments are as follows: <ul style="list-style-type: none"> - <u>English text</u> The relevant provisions are amended by repealing “Secretary for Economic Services” and substituting “Secretary for Economic Development and Labour”. - <u>Chinese text</u> The relevant provisions are amended by repealing “經濟局局長” and substituting “經濟發展及勞工局局長”.

The Resolution	Cap	Description	Textual Amendments Provided for in the Resolution
Item 12 of Schedule 3	369T Merchant Shipping (Safety) (Cargo Ship Safety Equipment Survey) Regulations	<p>These regulations provide for the equipment used in cargo ships and the survey of such ships.</p> <p>Major function to be transferred from SES to SEDL are:</p> <ul style="list-style-type: none"> • power to appoint Government surveyors • power to approve organization for the purposes of surveying ships and issuing certificates 	<ul style="list-style-type: none"> • Provisions containing references to “Secretary for Economic Services/ 經濟局局長” and/or “the Secretary/局長” are reproduced at Appendix 12. • Provisions requiring amendments have been marked-up. The amendments are as follows: <ul style="list-style-type: none"> - <u>English text</u> The relevant provisions are amended by repealing “Secretary for Economic Services” and substituting “Secretary for Economic Development and Labour”. - <u>Chinese text</u> The relevant provisions are amended by repealing “經濟局局長” and substituting “經濟發展及勞工局局長”.

The Resolution	Cap	Description	Textual Amendments Provided for in the Resolution
Item 13 of Schedule 3	369AI Merchant Shipping (Safety) (Musters and Training) Regulations	<p>These regulations provide for the requirements over musters and training at merchant ships.</p> <p>Major function to be transferred from SES to SEDL is:</p> <ul style="list-style-type: none"> • power to approve arrangements relating to the practice of musters and drills 	<ul style="list-style-type: none"> • Provisions containing references to “Secretary for Economic Services/ 經濟局局長” and/or “the Secretary/局長” are reproduced at Appendix 13. • Provisions requiring amendments have been marked-up. The amendments are as follows: <ul style="list-style-type: none"> - <u>English text</u> The relevant provision is amended by repealing “Secretary for Economic Services” and substituting “Secretary for Economic Development and Labour”. - <u>Chinese text</u> The relevant provision is amended by repealing “經濟局局長” and substituting “經濟發展及勞工局局長”.

The Resolution	Cap	Description	Textual Amendments Provided for in the Resolution
Item 14 of Schedule 3	369AM Merchant Shipping (Safety) (Passenger Ship Construction and Survey) (Ships Built On or After 1 September 1984) Regulations	<p>These regulations provide for the safety requirements over construction and survey of passenger ships.</p> <p>Major function to be transferred from SES to SEDL is:</p> <ul style="list-style-type: none"> power to appoint Government surveyors 	<ul style="list-style-type: none"> Provisions containing references to “Secretary for Economic Services/ 經濟局局長” and/or “the Secretary/局長” are reproduced at Appendix 14. Provisions requiring amendments have been marked-up. The amendments are as follows: <ul style="list-style-type: none"> <u>English text</u> The relevant provision is amended by repealing “Secretary for Economic Services” and substituting “Secretary for Economic Development and Labour”. <u>Chinese text</u> The relevant provision is amended by repealing “經濟局局長” and substituting “經濟發展及勞工局局長”.

The Resolution	Cap	Description	Textual Amendments Provided for in the Resolution
Item 15 of Schedule 3	369AQ Merchant Shipping (Safety) (Radio Installations Survey) Regulations	<p>These regulations provides for the requirements over radio equipment installed at merchant ship.</p> <p>Major function to be transferred from SES to SEDL is:</p> <ul style="list-style-type: none"> • power to appoint Government surveyors 	<ul style="list-style-type: none"> • Provisions containing references to “Secretary for Economic Services/ 經濟局局長” and/or “the Secretary/局長” are reproduced at Appendix 15. • Provisions requiring amendments have been marked-up. The amendments are as follows: <ul style="list-style-type: none"> - <u>English text</u> The relevant provision is amended by repealing “Secretary for Economic Services” and substituting “Secretary for Economic Development and Labour”. - <u>Chinese text</u> The relevant provision is amended by repealing “經濟局局長” and substituting “經濟發展及勞工局局長”.

The Resolution	Cap	Description	Textual Amendments Provided for in the Resolution
Item 16 of Schedule 3	406 Electricity Ordinance	<p>This ordinance provides for the registration of electrical workers, contractors and generating facilities; safety requirements for electricity supply, electrical wiring and products; measures designed to ensure that the safety of activities carried out in the vicinity of electricity supply lines.</p> <p>Major functions to be transferred from SES to SEDL are:</p> <ul style="list-style-type: none"> • power to appoint members to disciplinary tribunal panel and appeal board panel • power and functions on matters relating to the proceedings of disciplinary tribunal panel and appeal board panel • power to amend Schedules to regulations made under the ordinance 	<ul style="list-style-type: none"> • Provisions containing references to “Secretary for Economic Services/ 經濟局局長” and/or “the Secretary/局長” are reproduced at Appendix 16. • Provisions requiring amendments have been marked-up. The amendments are as follows: <ul style="list-style-type: none"> - <u>English text</u> The relevant provisions are amended by repealing “Secretary for Economic Services” and substituting “Secretary for Economic Development and Labour”. - <u>Chinese text</u> The relevant provisions are amended by repealing “經濟局局長” and substituting “經濟發展及勞工局局長”.

The Resolution	Cap	Description	Textual Amendments Provided for in the Resolution
Item 17 of Schedule 3	406H Electricity Supply Lines (Protection) Regulation	<p>This regulation provides for matters relating to the protection of electricity supply lines.</p> <p>Major function to be transferred from SES to SEDL is:</p> <ul style="list-style-type: none"> • power to appoint persons from organizations representative of the construction industry to the appeal board panel 	<ul style="list-style-type: none"> • Provisions containing references to “Secretary for Economic Services/ 經濟局局長” and/or “the Secretary/局長” are reproduced at Appendix 17. • Provisions requiring amendments have been marked-up. The amendments are as follows: <ul style="list-style-type: none"> - <u>English text</u> The relevant provision is amended by repealing “Secretary for Economic Services” and substituting “Secretary for Economic Development and Labour”. - <u>Chinese text</u> The relevant provision is amended by repealing “經濟局局長” and substituting “經濟發展及勞工局局長”.

The Resolution	Cap	Description	Textual Amendments Provided for in the Resolution
Item 18 of Schedule 3	413 Merchant Shipping (Prevention and Control of Pollution) Ordinance	<p>This ordinance provides for the prevention and control of pollution from ships.</p> <p>Major function to be transferred from SES to SEDL is:</p> <ul style="list-style-type: none"> • power to make regulations 	<ul style="list-style-type: none"> • Provisions containing references to “Secretary for Economic Services/ 經濟局局長” and/or “the Secretary/局長” are reproduced at Appendix 18. • Provisions requiring amendments have been marked-up. The amendments are as follows: <ul style="list-style-type: none"> - <u>English text</u> The relevant provision is amended by repealing “Secretary for Economic Services” and substituting “Secretary for Economic Development and Labour”. - <u>Chinese text</u> The relevant provision is amended by repealing “經濟局局長” and substituting “經濟發展及勞工局局長”.

The Resolution	Cap	Description	Textual Amendments Provided for in the Resolution
Item 19 of Schedule 3	413A Merchant Shipping (Prevention of Oil Pollution) Regulations	<p>These regulations provide for matters relating to the prevention and control of pollution of the sea so as to give effect to international agreement.</p> <p>Major function to be transferred from SES to SEDL is:</p> <ul style="list-style-type: none"> • power to appoint persons who may carry out inspection of ships to which these Regulations shall apply • power to approve the Director of Marine to deny a ship entering Hong Kong waters if it poses threat to Hong Kong marine environment 	<ul style="list-style-type: none"> • Provisions containing references to “Secretary for Economic Services/ 經濟局局長” and/or “the Secretary/局長” are reproduced at Appendix 19. • Provisions requiring amendments have been marked-up. The amendments are as follows: <ul style="list-style-type: none"> - <u>English text</u> The relevant provisions are amended by repealing “Secretary for Economic Services” and substituting “Secretary for Economic Development and Labour”. - <u>Chinese text</u> The relevant provisions are amended by repealing “經濟局局長” and substituting “經濟發展及勞工局局長”.

The Resolution	Cap	Description	Textual Amendments Provided for in the Resolution
Item 20 of Schedule 3	413B Merchant Shipping (Control of Pollution by Noxious Liquid Substances in Bulk) Regulations	<p>These regulations provide for preventive measures in relation to ships carrying in bulk noxious liquid substances or unassessed liquid substances.</p> <p>Major function to be transferred from SES to SEDL is:</p> <ul style="list-style-type: none"> • power to appoint surveyor 	<ul style="list-style-type: none"> • Provisions containing references to “Secretary for Economic Services/ 經濟局局長” and/or “the Secretary/局長” are reproduced at Appendix 20. • Provisions requiring amendments have been marked-up. The amendments are as follows: <ul style="list-style-type: none"> - <u>English text</u> The relevant provision is amended by repealing “Secretary for Economic Services” and substituting “Secretary for Economic Development and Labour”. - <u>Chinese text</u> The relevant provision is amended by repealing “經濟局局長” and substituting “經濟發展及勞工局局長”.

The Resolution	Cap	Description	Textual Amendments Provided for in the Resolution
Item 21 of Schedule 3	413D Merchant Shipping (BCH Code) Regulations	<p>These regulations provide for matters relating to the “Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk” published by the International Maritime Organization.</p> <p>Major function to be transferred from SES to SEDL is:</p> <ul style="list-style-type: none"> • power to appoint surveyor 	<ul style="list-style-type: none"> • Provisions containing references to “Secretary for Economic Services/ 經濟局局長” and/or “the Secretary/局長” are reproduced at Appendix 21. • Provisions requiring amendments have been marked-up. The amendments are as follows: <ul style="list-style-type: none"> - <u>English text</u> The relevant provisions are amended by repealing “Secretary for Economic Services” and substituting “Secretary for Economic Development and Labour”. - <u>Chinese text</u> The provision are amended by repealing “經濟局局長” and substituting “經濟發展及勞工局局長”.

The Resolution	Cap	Description	Textual Amendments Provided for in the Resolution
Item 22 of Schedule 3	413E Merchant Shipping (IBC Code) Regulations	<p>These regulations provide for matters relating to the “International Code for the Construction and Equipment of Ships Carrying Dangerous Chemical in Bulk” published by the International Maritime Organization.</p> <p>Major function to be transferred from SES to SEDL is:</p> <ul style="list-style-type: none"> • power to appoint surveyor 	<ul style="list-style-type: none"> • Provisions containing references to “Secretary for Economic Services/ 經濟局局長” and/or “the Secretary/局長” are reproduced at Appendix 22. • Provisions requiring amendments have been marked-up. The amendments are as follows: <ul style="list-style-type: none"> - <u>English text</u> The relevant provisions are amended by repealing “Secretary for Economic Services” and substituting “Secretary for Economic Development and Labour”. - <u>Chinese text</u> The provision are amended by repealing “經濟局局長” and substituting “經濟發展及勞工局局長”.

The Resolution	Cap	Description	Textual Amendments Provided for in the Resolution
Item 23 of Schedule 3	424 Toys and Children's Products Safety Ordinance	<p>This ordinance provides for safety standards for children's toys and safety standards for specified chattels used in association with children.</p> <p>Major functions to be transferred from SES to SEDL are:</p> <ul style="list-style-type: none"> • power relating to the amendment of safety standards for toys • power to amend Schedule to the ordinance • power to appoint members to appeal board panel • power to appoint an appeal board to hear appeal upon receipt of appeal notice • power to make regulations 	<ul style="list-style-type: none"> • Provisions containing references to “Secretary for Economic Services/ 經濟局局長” and/or “the Secretary/局長” are reproduced at Appendix 23. • Provisions requiring amendments have been marked-up. The amendments are as follows: <ul style="list-style-type: none"> - <u>English text</u> The provision are amended by repealing “Secretary for Economic Services” and substituting “Secretary for Economic Development and Labour”. - <u>Chinese text</u> The provision are amended by repealing “經濟局局長” and substituting “經濟發展及勞工局局長”.

The Resolution	Cap	Description	Textual Amendments Provided for in the Resolution
Item 24 of Schedule 3	456 Consumer Goods Safety Ordinance	<p>This ordinance is to impose a duty on manufacturers, importers and suppliers of certain consumer goods to ensure that the consumer goods they supply are safe.</p> <p>Major functions to be transferred from SES to SEDL are:</p> <ul style="list-style-type: none"> • power to approve safety standard or safety specification of consumer goods by way of regulation • power to appoint members to appeal board panel • power to appoint an appeal board to hear appeal upon receipt of appeal notice • power to make regulations 	<ul style="list-style-type: none"> • Provisions containing references to “Secretary for Economic Services/ 經濟局局長” and/or “the Secretary/局長” are reproduced at Appendix 24. • Provisions requiring amendments have been marked-up. The amendments are as follows: <ul style="list-style-type: none"> - <u>English text</u> The definition of “Secretary” in section 2 is repealed and substituted by “ “Secretary” (局長) means the Secretary for Economic Development and Labour”. - <u>Chinese text</u> <ul style="list-style-type: none"> (a) “ “局長” (Secretary) 指經濟發展及勞工局局長” is added to section 2. (b) Other relevant provisions are amended by repealing “經濟局局長” and substituting “局長”.

The Resolution	Cap	Description	Textual Amendments Provided for in the Resolution
Item 25 of Schedule 3	478 Merchant Shipping (Seafarers) Ordinance	<p>This ordinance is to consolidate and amend the law relating to seafarers, and to introduce new provisions relating to seafarers and to certain persons carried on but not employed in ships.</p> <p>Major functions to be transferred from SES to SEDL are:</p> <ul style="list-style-type: none"> • power to appoint a place to be the Mercantile Marine Office • powers to appoint non-official members of the Seafarers' Advisory Board • power to make regulations providing for such matters as the examination and certification of officers and other seafarers, repatriation of seafarers and disciplinary offences by seafarers. • Power to amend schedule 1 to the ordinance 	<ul style="list-style-type: none"> • Provisions containing references to “Secretary for Economic Services/ 經濟局局長” and/or “the Secretary/局長” are reproduced at Appendix 25. • Provisions requiring amendments have been marked-up. The amendments are as follows: <ul style="list-style-type: none"> - <u>English text</u> The relevant provisions are amended by repealing “Secretary for Economic Services” and substituting “Secretary for Economic Development and Labour”. - <u>Chinese text</u> The relevant provisions are amended by repealing “經濟局局長” and substituting “經濟發展及勞工局局長”.

The Resolution	Cap	Description	Textual Amendments Provided for in the Resolution
Item 26 of Schedule 3	506 Freight Containers (Safety) Ordinance	<p>This ordinance provides for matters relating to the safety of freight containers in use in Hong Kong.</p> <p>Major functions to be transferred from SES to SEDL are:</p> <ul style="list-style-type: none"> • power to appoint commencement date for the ordinance • power to make regulations for the purpose of the ordinance and for giving effect to provisions of the International Convention for Safe Containers applicable to Hong Kong 	<ul style="list-style-type: none"> • Provisions containing references to “Secretary for Economic Services/ 經濟局局長” and/or “the Secretary/局長” are reproduced at Appendix 26. • Provisions requiring amendments have been marked-up. The amendments are as follows: <ul style="list-style-type: none"> - <u>English text</u> <ul style="list-style-type: none"> (a) The definition of “Secretary” in section 2(1) is repealed and substituted by “ “Secretary” (局長) means the Secretary for Economic Development and Labour”. (b) Section 1(2) is amended by repealing “Secretary for Economic Services” and substituting “Secretary for Economic Development and Labour” - <u>Chinese text</u> <ul style="list-style-type: none"> (a) “ “局長” (Secretary) 指經濟發展及勞工局局長” is added to section 2(1). (b) Section 1(2) is amended by repealing “經濟局局長” and substituting “經濟發展及勞工局局長”. (c) Other relevant provision is amended by repealing “經濟局局長” and substituting “局長”.

The Resolution	Cap	Description	Textual Amendments Provided for in the Resolution
Item 27 of Schedule 3	506A Freight Containers (Safety) (Applications for Approval of Containers) Regulation	<p>This regulation is to specify the details on the application for approval of a container or container design type under the Freight Containers (Safety) Ordinance (Cap. 506).</p> <p>Major function to be transferred from SES to SEDL is:</p> <ul style="list-style-type: none"> power to appoint a commencement date for the regulation 	<ul style="list-style-type: none"> Provisions containing references to “Secretary for Economic Services/ 經濟局局長” and/or “the Secretary/局長” are reproduced at Appendix 27. Provisions requiring amendments have been marked-up. The amendments are as follows: <ul style="list-style-type: none"> <u>English text</u> The relevant provision is amended by repealing “Secretary for Economic Services” and substituting “Secretary for Economic Development and Labour”. <u>Chinese text</u> The relevant provision is amended by repealing “經濟局局長” and substituting “經濟發展及勞工局局長”.

The Resolution	Cap	Description	Textual Amendments Provided for in the Resolution
Item 28 of Schedule 3	506B Freight Containers (Safety) (Fees) Regulations	<p>This regulation specifies the fee payable for an application for approval of a proposed examination procedure in relation to a container.</p> <p>Major function to be transferred from SES to SEDL is:</p> <ul style="list-style-type: none"> • power to appoint a commencement date for the regulation 	<ul style="list-style-type: none"> • Provisions containing references to “Secretary for Economic Services/ 經濟局局長” and/or “the Secretary/局長” are reproduced at Appendix 28. • Provisions requiring amendments have been marked-up. The amendments are as follows: <ul style="list-style-type: none"> - <u>English text</u> The relevant provision is amended by repealing “Secretary for Economic Services” and substituting “Secretary for Economic Development and Labour”. - <u>Chinese text</u> The relevant provision is amended by repealing “經濟局局長” and substituting “經濟發展及勞工局局長”.

The Resolution	Cap	Description	Textual Amendments Provided for in the Resolution
Item 29 of Schedule 3	506C Freight Containers (Safety) (Arrangements for Authorized Persons) Order	<p>This order is to prescribe arrangements in relation to the appointment of authorized persons (who are authorized to issue approval for container and container design) and the performance of those persons' functions conferred under the Freight Containers (Safety) Ordinance (Cap. 506).</p> <p>Major function to be transferred from SES to SEDL is:</p> <ul style="list-style-type: none"> • power to appoint a commencement date for the order 	<ul style="list-style-type: none"> • Provisions containing references to “Secretary for Economic Services/ 經濟局局長” and/or “the Secretary/局長” are reproduced at Appendix 29. • Provisions requiring amendments have been marked-up. The amendments are as follows: <ul style="list-style-type: none"> - <u>English text</u> The relevant provision is amended by repealing “Secretary for Economic Services” and substituting “Secretary for Economic Development and Labour”. - <u>Chinese text</u> The relevant provision is amended by repealing “經濟局局長” and substituting “經濟發展及勞工局局長”.

The Resolution	Cap	Description	Textual Amendments Provided for in the Resolution
Item 30 of Schedule 3	506D Freight Containers (Safety) (Examination Procedure) Order	<p>This order provides for the details of the examination procedures for containers required by the Freight Containers (Safety) Ordinance (Cap. 506).</p> <p>Major function to be transferred from SES to SEDL is:</p> <ul style="list-style-type: none"> • power to appoint a commencement date for the order 	<ul style="list-style-type: none"> • Provisions containing references to “Secretary for Economic Services/ 經濟局局長” and/or “the Secretary/局長” are reproduced at Appendix 30. • Provisions requiring amendments have been marked-up. The amendments are as follows: <ul style="list-style-type: none"> - <u>English text</u> The relevant provision is amended by repealing “Secretary for Economic Services” and substituting “Secretary for Economic Development and Labour”. - <u>Chinese text</u> The relevant provision is amended by repealing “經濟局局長” and substituting “經濟發展及勞工局局長”.

The Resolution	Cap	Description	Textual Amendments Provided for in the Resolution
Item 31 of Schedule 3	548 Merchant Shipping (Local Vessels) Ordinance	<p>This ordinance provides for the regulation and control of local vessels in Hong Kong or in the waters of Hong Kong and for other matters affecting local vessels, including their navigation and safety at sea.</p> <p>Major function to be transferred from SES to SEDL are:</p> <ul style="list-style-type: none"> • power to appoint a commencement date for the ordinance • power to determine remuneration for the person holding inquiry into the fitness or conduct of holder of local certificate of competency as well as that for the assessors assisting such person • power to allow for the delegation of power by the Director of Marine in respect of the power to exempt persons or vessels from any requirement of the Ordinance • power to make regulations 	<ul style="list-style-type: none"> • Provisions containing references to “Secretary for Economic Services/ 經濟局局長” and/or “the Secretary/局長” are reproduced at Appendix 31. • Provisions requiring amendments have been marked-up. The amendments are as follows: <ul style="list-style-type: none"> - <u>English text</u> The relevant provisions are amended by repealing “Secretary for Economic Services” and substituting “Secretary for Economic Development and Labour”. - <u>Chinese text</u> The relevant provisions are amended by repealing “經濟局局長” and substituting “經濟發展及勞工局局長”.

The Resolution	Cap	Description	Textual Amendments Provided for in the Resolution
Item 32 of Schedule 3	70 of 1999 Shipping and Port Control (Amendment) Ordinance	<p>This ordinance is to amend the Shipping and Port Control Ordinance (Cap. 313).</p> <p>Major function to be transferred from SES to SEDL is:</p> <ul style="list-style-type: none"> • power to appoint a commencement date for the ordinance 	<ul style="list-style-type: none"> • Provisions containing references to “Secretary for Economic Services/ 經濟局局長” and/or “the Secretary/局長” are reproduced at Appendix 32. • Provisions requiring amendments have been marked-up. The amendments are as follows: <ul style="list-style-type: none"> - <u>English text</u> The relevant provision is amended by repealing “Secretary for Economic Services” and substituting “Secretary for Economic Development and Labour”. - <u>Chinese text</u> The relevant provision is amended by repealing “經濟局局長” and substituting “經濟發展及勞工局局長”.

The Resolution	Cap	Description	Textual Amendments Provided for in the Resolution
Item 33 of Schedule 3	10 of 2002 Travel Agents (Amendment) Ordinance	<p>This ordinance is to amend the Travel Agent Ordinance (Cap. 218).</p> <p>Major function to be transferred from SES to SEDL is:</p> <ul style="list-style-type: none"> • power to appoint a commencement date for the ordinance 	<ul style="list-style-type: none"> • Provisions containing references to “Secretary for Economic Services/ 經濟局局長” and/or “the Secretary/局長” are reproduced at Appendix 33. • Provisions requiring amendments have been marked-up. The amendments are as follows: <ul style="list-style-type: none"> - <u>English text</u> The relevant provision is amended by repealing “Secretary for Economic Services” and substituting “Secretary for Economic Development and Labour”. - <u>Chinese text</u> The relevant provision is amended by repealing “經濟局局長” and substituting “經濟發展及勞工局局長”.

The Resolution	Cap	Description	Textual Amendments Provided for in the Resolution
Item 34 of Schedule 3	L.N. 141 of 2000 Shipping and Port Control (Amendment) (No.3) Regulation 2000	<p>This regulation is to amend the Shipping and Port Control Regulations (Cap. 313, sub. leg.).</p> <p>Major function to be transferred from SES to SEDL is:</p> <ul style="list-style-type: none"> • power to appoint a commencement date for the regulation 	<ul style="list-style-type: none"> • Provisions containing references to “Secretary for Economic Services/ 經濟局局長” and/or “the Secretary/局長” are reproduced at Appendix 34. • Provisions requiring amendments have been marked-up. The amendments are as follows: <ul style="list-style-type: none"> - <u>English text</u> The relevant provision is amended by repealing “Secretary for Economic Services” and substituting “Secretary for Economic Development and Labour”. - <u>Chinese text</u> The relevant provision is amended by repealing “經濟局局長” and substituting “經濟發展及勞工局局長”.

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