

(譯文)

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關小姐：

《 建造業議會(第2號)條例草案 》

本人現正研究《 建造業議會(第2號)條例草案 》在草擬及法律方面的事宜。謹請閣下就下列問題提供進一步的資料。

(1) 條例草案第5(e)條 —— “stakeholder”的中文對應詞

在條例草案第5(e)條中，“stakeholder”一詞的中文對應詞為“業內人士”。

條例草案並無界定“stakeholders”及“業內人士”兩詞的定義。按照一般理解，“業內人士”一詞是指從事某個行業或與某個行業相關的人士。請閣下澄清當局是否擬把此類人士納入條例草案第5(e)條的涵蓋範圍內。

“Stakeholders”一詞的英文涵義，通常是指與某事物(例如一門生意)有利害關係或有所涉及(尤以財務方面為然)的人。隨函附上有關“stakeholders”一詞的字典涵義的例子，以及在其他香港法例中採用該詞的例子(見附件)。

本人希望知道政府當局會否檢討條例草案中“stakeholders”及“業內人士”兩詞的用法。

(2) 條例草案第5(f)條 —— “業內人士”與“從業員”的涵義

請澄清條例草案第5(f)條中“建造業從業員”一語的涵義。

(3) 條例草案第5及6條 —— 議會的職能及補充職能

條例草案第5條訂明建造業議會(下稱“議會”)的職能，而條例草案第6則訂明議會的補充職能。就條例草案的草擬方式及詮釋而言，請解釋上述兩項條文的關係，特別是條例草案第6條的施行是否擬從屬於條例草案第5條或受該條文規限。

(4) 條例草案第7(2)(t)條 —— 議會的宗旨

條例草案第7(2)(t)條是關於議會可為任何符合其法定宗旨的目的而收取合法地給予的任何資金、捐贈或饋贈的權力。由於條例草案並無訂明議會的法定宗旨，請檢討此條文的草擬方式。

(5) 條例草案第9條 —— 議會的組成

據知政府當局會因應法案委員會的意見到時檢討議會的組成。政府當局會否考慮清楚指明哪類人士符合獲委任為議會成員的資格，因為正如一些團體代表指出，現時有關“與建造業相關的專業人士或顧問的人士”(條例草案第9(3)(b)條)、“承建商”及“分包商”(條例草案第9(3)(c)條)和“與建造業相關的訓練機構或學術或研究機構”(條例草案第9(3)(d)條)的條文，可能會引起不同的詮釋？

(6) 條例草案第13條 —— 席位暫時出缺

條例草案第13(2)條訂明，只有符合適用於被替代成員的委任的相同“準則”的人可獲委任。請指明第13(2)條所述的準則及所指的條例草案條文。

(7) 條例草案第29條 —— 向局長呈交報告等

條例草案第29(1)(a)條訂明，在任何財政年度結束後的6個月內，議會須向局長呈交一份議會在該財政年度內的活動的報告，報告須包括“一項就議會職能範圍內的事宜在該年度的發展而作的綜覽”。

請述明就該發展綜覽須包括的內容所訂的具體規定。現時有否對其他法定機構訂定相若的規定？

請閣下盡早以中、英文回覆。

助理法律顧問

(鄭潔儀)

連附件

副本致：法律顧問
總議會秘書(1)4

2005年3月9日

英漢法律詞彙 第四版 一下冊

THE ENGLISH-CHINESE GLOSSARY OF LEGAL TERMS

Fourth Edition — Volume II



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stand	維持有效	542B	2(2)(d)	
meeting which has stood adjourned	延期舉行的會議	321	24(4)	
shall ~ and remain adjourned until . . .	須予暫停，並延期 至……為止	62	3(1)	
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VOLUME 2
N-Z

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STAIN n. +
station etc.:
resistant to

alloy, usu.
when used
rubbish under

side of this.

lessness n.

3, (M)Du.
c vbl base
also treated
A series of
to another;
a floor to
a ladder.
appearance
rare or
nk, power,
of rank or
in rank or
fixed steps
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ME. 3 In

stair. P.
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etc. moving
etc., pair of
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conveying
rod: for
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steps in a
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hell: see

I v.i.
circases.
i. Of a
mentally

staithe /steið/ n. & v. Now local. [OE *stap* = OS *stap*, OHG *stad*, Goth. *stapa*; in sense A.2 directly f. cogn. ON *stap*.] A n. †1 A bank, a shore. OE-ME. 2 A landing-stage, a wharf; esp. a waterside coal depot equipped for loading vessels. ME. 3 An embankment. LME. B v.i. Embank. M19.
stake /steik/ n.¹ [OE *staca* corresp. to OFris. (M)LG, MDu. *stake* (Du. *staaak*), f. Gmc. f. base of STICK n.¹ Cf. next.] 1 A stout stick or post, usu. of wood, sharpened at one end and driven into the ground as a support for a plant, boundary-marker, a part of the framework of a fence, etc. OE. 2 *Hist.* a A post to which a person was tied for execution, esp. by burning; the punishment of death by burning. ME. b A post to which a bull or bear was fastened to be baited. M16. 3 Chiefly *Hist.* A post sharpened at both ends for use in military defensive work. ME. 4 *schn.* a A small anvil used in metalworking, esp. one with a tang for fitting into a socket on a bench. M17. b Each of the posts fitted into sockets or staples on a wagon or boat to prevent a load from slipping off. *N. Amer. colloq.* L19. c *Basket-making.* Any of the rods forming the upright supports of the sides of a basket. E20. 5 In the Mormon Church: a territorial division; the jurisdiction of a Mormon bishop. Also *Stake of Zion*. M19.
Comb. & phrases: pick up, pull (up), stakes *N. Amer.* depart; go to live elsewhere; PUNY *stake*; stake and rice (fence) *Sc. & north.*: a fence made of stakes and brushwood; stake and rider (fence) (chiefly *N. Amer.*) a fence made of stakes with a top bar; stake-boat a boat anchored to mark the start or course for racing boats; stake-body *US* a body for a truck or lorry, having a flat open platform with removable posts along the sides; stake-driver *US* the American bittern, *Botaurus lentiginosus*, which has a call resembling a mallet striking a stake; stake-net a fishing net hung on stakes; *Stake of Zion*: see sense 5 above; stake-truck: with a stake-body;
stake /steik/ n.² LME. [Perh. specialized use of prec., from placing an object as a wager on a post or stake.] 1 A thing, esp. a sum of money, wagered on the outcome of a game, race, or contest. LME. b *fig.* An interest, a concern, esp. a financial one. L18. 2a In *pl.* Money offered as a prize in a race esp. for horses or dogs. L17. b *sing. & (usu.) in pl.* A race, esp. for horses or dogs, in which money is so offered. *Freq. w. specifying wds.* M18. c *fig. in pl.* With specifying wd: something involving competition in the activity or quality specified. *colloq.* L19. 3 A sum of money earned or saved; a store of provisions or money necessary to survive a certain period. *N. Amer. slang.* M18.
1 J. CHEEVER You can win . . . a hundred dollars on a game, but the stakes are usually . . . lower. b H. EVANS He . . . bought a 40% stake in London Weekend Television. P. ROAZEN Freud had . . . a . . . professional stake in their marriage. 2b P. LARKIN Faint afternoons Of Cups and Stakes and Handicaps. *Field* The Champion Stakes . . . for . . . all-aged greyhounds. c J. GALSWORTHY He was not going to enter for the slender stakes. *Spare Rib* Outdoing other girls in the beauty stakes.
Phrases: at stake (a) risked, to be won or lost; (b) at issue, in question. *nursery stakes:* see NURSERY 7.
Comb.: stakeholder (a) an independent party with whom each of those who make a wager deposits the money etc. wagered; (b) a person who has an interest or concern in something, esp. a business.
stake /steik/ v.^{1,2} ME. [f. STAKE n.¹] 1 Mark off (an area) with stakes (*freq. foll. by off, out*); *N. Amer.* claim (land) by marking with stakes. ME. b Protect or obstruct with stakes; keep in or out, shut off or up, with a barrier of stakes. L15. 2 Fasten or tie to a stake; support in this way. ME. b Fasten (a thing) down or on with a stake or stakes. Formerly also *fig.*, fasten down securely as with a stake. L16. 3 Impale or transfix on a stake. ME. 4 In leather-making, stretch and smooth (a skin) against a blunt edge. L17. 5 Place under surveillance; in *pass. set* (a person) to maintain surveillance. *Usu. foll. by out. colloq.* M20.
1 stake (out) a claim: see CLAIM n. 3. 2 N. GORDIMER A pet sheep staked to mow the grass within

the radius of its rope. *Amateur Gardening* Stake tall plants on exposed plots.
Comb.: stake-out *colloq.* a period of surveillance.
staker n.¹ (a) rare a person who uses a stake for some purpose; (b) *Canad.* a person who stakes a mining claim: L15.
stake /steik/ v.² M16. [Prob. f. STAKE n.²] 1 v.i. & i. Wager (esp. a sum of money) on the outcome of a game, race, or contest. Also *foll. by down.* M16. 2 v.i. *fig.* Risk the loss of. L17. 3 v.i. Give financial or other support to. Also *foll. by to, with. colloq.* (chiefly *US*). M19.
1 P. KAVANAGH Bashford staked his . . . estate and all his money on his . . . horse. 2 P. LIVELY Learned blokes stake their . . . reputation on this or that interpretation. 3 J. O'FAOLAIN Stay here and I'll stake you until you get another . . . post. N. SHERRY Mexico was ahead, but it was not certain that a publisher would stake him for the trip.
staker n.² a person who stakes money etc. M17.
stakey /'steiki/ a. *slang* (chiefly *Canad.*). E20. [f. STAKE n.² + -Y.] Well provided with money.
Stakhanovite /stə'kənovait/ n. & a. M20. [f. Aleksei Grigor'evich Stakhanov (1906-1977), *Russ.* coalminer whose exceptional output was publicized as a part of a campaign in 1935; see -ITE.] A n. A worker (esp. in the former USSR) whose productivity exceeds the norm and who thereby earns special rewards; *manf.* any exceptionally hard-working and productive person. M20. B *adj.* Designating, pertaining to, or characteristic of a Stakhanovite. M20.
Stakhanovism n. (*Hist.*) a movement or programme to encourage hard work and maximize productivity M20. Stakhanovist n. & a. = STAKHANOVITE n. & a. M20.
staktometer n. var. of STACTOMETER.
stalactic /stə'laktik/ a. *rare.* M18. [Gk *stalaktikos*, f. *stalak-*: see STALACTITES, -IC.] Deposited by dripping water; stalactitic.
Also *stalactical* a. (now rare or obs.) E18.
stalactitae n. pl. of STALACTITES.
stalactite /stə'laktait/ n. L17. [Anglicized f. next.] 1a A conical or tapering formation of dripstone that hangs from the roof of a cave, formed of calcite etc. deposited by water droplets that have percolated through the overlying limestone etc. L17. b A similar formation of other material, as of volcanic lava. E19. 2 Calcite deposited on the roofs or walls of caves etc. L18. 3 *Archit.* Esp. in Islamic architecture, an ornamental downward projection from a roof or arch. M19.
stalactiform /stə'lak-/ a. having the form of a stalactite M19. *stalactical* a. = STALACTITIC L18. *stalactited* a. (now chiefly *Archit.*) having stalactites L19. *stalactitic* /-ituk/ a. (a) having the form or structure of a stalactite, resembling or pertaining to stalactites; (b) covered with, containing, or consisting of stalactites: L18. *stalactical* a. (now rare) = STALACTITIC L18.
stalactites /stə'laktaitiz/ n. Now rare or obs. Pl. -tites /-taitiz/. L17. [mod.L. f. Gk *stalaktos* dropping, dripping, f. *stalak-* base of *stalassein* drip, let drip: see -ITE.] = STALACTITE.
Stalag /'stəlag, 'stalak/ n. M20. [G, contr. of *Stammliager* main camp. Cf. OFLAG.] *Hist.* In Nazi Germany: a prisoner-of-war camp, esp. for non-commissioned officers and privates.
Comb.: Stalag Luft /luft/ [= air] a Stalag for Air Force personnel.
stalagma /stə'lagmə/ n. *rare.* L17. [mod.L. f. Gk = drop, drip, f. *stalak-*: see STALACTITES.] 1 A distilled liquor. L17. 2 = STALAGMITE 2. E20.
stalagmite /stə'lagmaɪt/ n. L17. [mod.L. *stalagmites*, f. Gk *stalagma*: see prec., -ITE.] 1 A conical or columnar formation of dripstone that rises from the floor of a cave, formed of calcite etc. deposited by water droplets falling from the roof or from stalactites. L17. 2 Calcite deposited on the walls or floors of caves etc. E19.
stalagmatic /-mɪtik/ a. formed in the same way as a stalagmite; composed of stalagmites; having their form or character: L18. *stalagmatical* a. (*rare*) = STALAGMITIC E19.
stalagmometer /stə'lagməmɪtə/ n. M19. [f. Gk *stalagmos* a dropping, f. *stalak-*: see STALACTITES, -OMETER.] An apparatus for measuring the size, number, etc., of drops of liquid.

stalagm-
stal-
Mining.
around.

staldler /
of stellan
E17. 2 =
stale /steɪ/
Flem., Fr
STEAL n.¹)
Later, a r
shaft of a
shaft. Cf.
stale /steɪ/
applied to
net; of C
STALL n.¹
figure of
thing act
LME. b
thieves' c
or thing
action; a
ridiculed
stale /steɪ/
(now onl
†stale n.
astale be
stale /steɪ/
loaf of br
stale /steɪ/
adj. (mc
come to
alcoholic
strong. c
etc.: no
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