

政府總部
經濟發展及勞工局
香港下亞厘畢道
中區政府合署



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**ECONOMIC DEVELOPMENT AND
LABOUR BUREAU
GOVERNMENT SECRETARIAT**

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本函檔號 Our Ref: MA 70/20 Pt.7

來函檔號 Your Ref:

16 September 2005

Miss Anita Ho
Assistant Legal Adviser
Legislative Council Building
8 Jackson Road, Central
Hong Kong

By Fax: 2877 5029(Total 3 Pages)

Dear Miss Ho,

**Merchant Shipping
(Local Vessels and Miscellaneous Amendments) Bill 2005**

Thank you for your letter of 12 August 2005. Our responses to your comments are set out below.

Clause 2(c) - Chinese version of the definition of "protection and indemnity association"

2. We agree to add a comma after “成立”.

Clause 2(c) – Chinese version of the definition of “crane”

3. We agree to amend the Chinese text of the definition of “crane” as follows:

“起重機”(crane)指備有提升和降下負荷物與用以運輸懸吊中的負荷物的機械設備並用以運輸懸吊中的負荷物的任何裝置；亦指在該裝置操作中使用的**所有鏈條、纜索、轉環或其他滑車(計至並包括吊-)**，但不包括—

(a) 在固定軌道或繩纜上行走的吊重滑車；

- (b) 藉著引帶或平台藉以移動負荷物的堆疊機或輸送機；或
- (c) 移動或挖掘泥土或礦物而沒有裝置抓斗的裝置；”

Clause 5

4. We agree that the word “of” should be added after the word “purposes” in line 3 of new section 7A(1) so that that part of the sentence reads as “for the purposes of this Ordinance”

Clause 9

New section 23E(2)

5. We consider that there is no need to add “等” after “該”. Section 7(2) of the Interpretation and General Clauses Ordinance, Cap. 1 stipulates that words and expressions in singular include the plural. In any case, “any provisions” in the English version may also refer to a provision.

New section 23F(4)

6. We agree that the reference in line 2 of new section 23F(4) should be subsection (1) instead of subsection (3).

New section 23G(3)

7. As the reference to section 23F in the new section 23G(3) already includes section 23F(1), we consider there is no need to amend the reference.

New section 23I(5)(a)

8. We consider it necessary for “or” to be used twice in new section 23I(5)(a). The first “or” is used to link two alternative scenarios, that is, “a person uses” and “a person causes or permits any person to use”. The second “or” is used to link another two alternatives, that is, “causes... any person to use” and “permits any person to use”. A similar presentation is used in section 107C(1) of the Merchant Shipping Ordinance (Cap.281) and section 4(1) of the Motor Vehicles Insurance (Third Party Risks) Ordinance (Cap. 272).

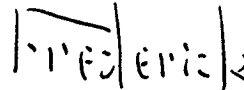
New section 23J(1)(a)(ii)

9. It does not seem necessary for a comma to be added after “的話”.

Clause 31(c)

10. We agree to add “specifying the” before “general and specific requirements” in the new section 94(1)(k) to be consistent with new section 89(1)(i).

Yours sincerely,



(Frederick YU)

for Secretary for Economic Development and Labour

c.c.

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