

**Bills Committee on
Marriage (Introduction of Civil Celebrants of Marriages and
General Amendments) Bill**

**List of outstanding issues raised at previous meetings
(position as at 29 September 2005)**

Date of meeting	Administration's response [LC Paper No.]
21 June 2005	
(a) criteria for counting the years of post-qualification experience of a solicitor, e.g. the experience of in-house lawyers; and	CB(2) 2655/04-05(02)
(b) to provide the draft Code of Practice for civil celebrants of marriages, when available.	
4 July 2005	
<u>Drafting issues</u>	
(a) to review the drafting of new section 5C to better reflect the legislative intent that the code of practice for civil celebrants was not subsidiary legislation;	
(b) to replace “a written notice” with “written notice” or “notice in writing” in new sections 5D and 5E and any other relevant sections;	
(c) to improve/simplify the drafting of new sections 5D(3)(a), 5E(5) and 5E(6); and	
(d) to consider grouping all relevant provisions on refund of fees under one section.	

21 July 2005	
(a) Hon Andrew CHENG's suggestion of providing flexibility for civil celebrants to celebrate marriages inside licensed places of worship, and whether they would be allowed to do so under the proposed new section 21(3A) or by obtaining special licences under section 11 of the Marriage Ordinance;	CB(2) 2655/04-05(02)
(b) in relation to section 27(2)(a)(i)(C), the legal effect of the word "and" linking (a) and (b) under the new section 21(3A) in clause 12; and	CB(2) 2655/04-05(02)
(c) circumstances under which a marriage would be regarded as invalid, and whether marriages celebrated by civil celebrants would be affected by defects in the appointment process under the amended section 27(2) in clause 13.	CB(2) 2655/04-05(02)
7 September 2005	
(a) the Administration to review/revise the penalty in the proposed section 30 in clause 14 of the Bill to achieve overall consistency with that for other offences in the Bill, having regard to the severity of the offences; and	CB(2) 2655/04-05(03)
(b) the Administration to review/revise the penalties for offences in other provisions in the Marriage Ordinance which are not amended by the Bill, to maintain overall consistency with those proposed in the Bill.	CB(2) 2655/04-05(03)