

Extract from the minutes of the House Committee meeting on 12 November 2004

Action

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III. Business arising from previous Council meetings

(a) Legal Service Division report on bills referred to the House Committee in accordance with Rule 54(4)

Trade Descriptions (Amendment) Bill 2004

(LC Paper No. LS 10/04-05)

8. The Legal Adviser explained that the Bill sought to amend some provisions of the Trade Descriptions Ordinance (Cap. 362) so that the origin of goods was expressed by reference to a place, instead of to a country.

9. The Legal Adviser said that members of a subcommittee formed to study two pieces of subsidiary legislation made under the Ordinance last year raised doubt whether Hong Kong could be deemed under the Ordinance as a “country” of manufacture of goods. The Administration had agreed to introduce this Bill to replace the reference to “country” with “place” in the Ordinance.

10. The Legal Adviser further said that the Legal Service Division was seeking clarification with the Administration on some technical aspects and was awaiting its reply. The Legal Adviser added that Members might wish to defer decision on the setting up of a Bills Committee, pending the Division’s further report.

11. Ms Margaret NG said that under the adaptation of laws exercise, references to “country” in some Ordinances had been replaced with “place”. Ms NG asked whether the proposal to replace the reference to “country” with “place” in the Bill was part of the adaptation of laws exercise. The Legal Adviser responded that the proposal in the Bill was not within the scope of the adaptation of laws exercise.

12. The Chairman proposed that a decision on the Bill be deferred. Members agreed.

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