

HONG KONG SPECIAL ADMINISTRATIVE REGION

ORDINANCE NO. 9 OF 2005

L.S.

Henry TANG
Acting Chief Executive
16 June 2005

An Ordinance to amend certain expressions in the Trade Descriptions Ordinance that contain a reference to “country” or “countries” and to make consequential amendments to the Trade Descriptions (Country of Origin) (Watches) Order, the Trade Descriptions (Country of Manufacture) (Piece-Knitted Garments) Order and the Trade Descriptions (Country of Manufacture) (Textile Made-up Articles) Order.

[17 June 2005]

Enacted by the Legislative Council.

1. Short title

This Ordinance may be cited as the Trade Descriptions (Amendment) Ordinance 2005.

2. Interpretation

Section 2(2) of the Trade Descriptions Ordinance (Cap. 362) is amended—

- (a) in paragraph (a)(i) and (ii), by repealing “country” and substituting “place”;
- (b) in paragraph (b)(ii)—
 - (i) by repealing “countries” where it twice appears and substituting “places”;
 - (ii) by repealing “country” and substituting “place”.

3. Rule of evidence regarding imported goods

Section 24A is amended—

- (a) by renumbering it as section 24A(1);
- (b) in subsection (1), by repealing “or country” wherever it appears;
- (c) by adding—

“(2) Notwithstanding subsection (1), in any prosecution for an offence referred to in that subsection, a trade description which indicates that the goods were manufactured, produced, processed or reconditioned in a place shall not be regarded as false only because of the evidence that the goods were imported from another place, if—

- (a) that other place is located within the first-mentioned place; or
- (b) the first-mentioned place is located within that other place.”.

Consequential Amendments

Trade Descriptions (Country of Origin) (Watches) Order

4. Citation amended

Section 1(1) of the Trade Descriptions (Country of Origin) (Watches) Order (Cap. 362 sub. leg. D) is amended by repealing “Country” and substituting “Place”.

5. Specification of place of origin of watches

Section 2(1) is amended by repealing “country” where it twice appears and substituting “place”.

Trade Descriptions (Country of Manufacture) (Piece-Knitted Garments) Order

6. Title amended

The title to the Trade Descriptions (Country of Manufacture) (Piece-Knitted Garments) Order (Cap. 362 sub. leg. H) is amended by repealing “COUNTRY” and substituting “PLACE”.

7. Place of manufacture

Section 2 is amended by repealing “country” where it twice appears and substituting “place”.

**Trade Descriptions (Country of Manufacture)
(Textile Made-up Articles) Order**

8. Title amended

The title to the Trade Descriptions (Country of Manufacture) (Textile Made-up Articles) Order (L.N. 186 of 2004) is amended by repealing “**COUNTRY**” and substituting “**PLACE**”.

9. Place of manufacture or production

Section 4 is amended by repealing “country” where it twice appears and substituting “place”.