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LC Paper No. CB(2)1254/07-08(01)

本司檔號 Our Ref.: LP 3/00/10C Pt. 27
來函檔號 Your Ref.: CB2/BC/8/06
電話號碼 Tel. No.: 2867 4900

By fax: 2185 7845

3 March 2008

Miss Betty Ma
Clerk to Bills Committee
Legislative Council
3/F, Citibank Tower
3 Garden Road
Central

via Mr Michael Scott, SASG/GLP *ms 3/3*

Dear Miss Ma,

Bills Committee on Statute Law (Miscellaneous Provisions) Bill 2007

Thank you for your fax of 31 January 2008. Our response to the issues raised in your letter is out below.

Response to amendments proposed by Hong Kong Bar Association to Part 7 of the Bill

Please see the Information paper attached. The bilingual versions of the Information paper have been copied to the Hong Kong Bar Association and the Law Society of Hong Kong.

Committee Stage Amendments to Clause 64 of the Bill

The amendments effect a technical renumbering of a section in the Pneumoconiosis (Compensation) Ordinance (Cap. 360) ("PCO") referred to in clause 64 of the Bill.

Section 13 (copy attached below) of Schedule 6 to the Construction Industry Council Ordinance (Ord. No. 12 of 2006) ("CICO") added a new section 50 to the PCO ("the 1st new section 50").

Section 31 of Part 4 of the Certification for Employee Benefits (Chinese Medicine) (Miscellaneous Amendments) Ordinance (Ord. No. 16 of 2006) ("CEBO") also added a new section 50 to the PCO ("the 2nd new section 50"). Clause 64 of the Bill contains amendments to the 2nd new section 50.

The two "new section 50's" are unrelated in content. Both the CICO and CEBO were scrutinized by the Legislative Council in about the same period, and inadvertently each of them added a new section 50 to the PCO.

Since the whole of the CICO (including the 1st new section 50) has commenced from 1 January 2008 (see the Construction Industry Council ordinance (Commencement) Notice (L.N. 183 of 2007) attached below), the 2nd new section 50 (not yet commenced) of the PCO added by the CEBO should be renumbered and deferred to a later number as the new section 51 of the PCO. This is only a technical exercise to tidy up the statute book.

A full set of the draft Committee Stage Amendments is enclosed.

Attendance

The following officers will attend the Bills Committee meeting to be held on 18 March 2008 at 0830 hours.

Mr Ian Wingfield
溫法德先生

Solicitor General
法律政策專員

Mr Michael Scott
單格全先生

Senior Assistant Solicitor General
高級助理法律政策專員

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Ms Stella Chan
陳美芬女士

Senior Government Counsel (Ag.)
Legal Policy Division
處理高級政府律師
法律政策科

With best regards,

Yours sincerely,



(Ms Stella Chan)
Senior Government Counsel (Ag.)
General Legal Policy/Legal Policy Division

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