

INTERPRETATION AND GENERAL CLAUSES ORDINANCE

RESOLUTION

(Under section 54A of the Interpretation and General Clauses Ordinance (Cap. 1))

RESOLVED that with effect from 1 July 2007 –

- (1) the functions exercisable by the Secretary for Commerce, Industry and Technology by virtue of –
 - (a) the Import and Export (Amendment) Ordinance 2007 (8 of 2007) be transferred to the Secretary for Commerce and Economic Development and, for the purpose of giving full effect to such transfer, that Ordinance be amended in section 2 by repealing “Secretary for Commerce, Industry and Technology” and substituting “Secretary for Commerce and Economic Development”;
 - (b) the Unsolicited Electronic Messages Ordinance (9 of 2007) be transferred to the Secretary for Commerce and Economic Development and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the following provisions by repealing “Secretary for Commerce, Industry and Technology” wherever

it appears and substituting “Secretary for
Commerce and Economic Development” –

- (i) section 1(3);
 - (ii) the definition of “Secretary” in section
2(1);
- (2) in addition to and without derogating from section 23
of the Interpretation and General Clauses Ordinance
(Cap. 1) –
- (a) anything lawfully done before 1 July 2007 by or
in relation to the Secretary for Commerce,
Industry and Technology (“former Secretary”)
pursuant to or in connection with any function
transferred under this Resolution shall on and
from that date be regarded, in so far as necessary
for the purpose or in consequence of that
transfer, as done by or in relation to, as the case
may be, the Secretary for Commerce and
Economic Development (“new Secretary”);
 - (b) anything that, immediately before 1 July 2007,
may be done and is in the process of being done
by or in relation to the former Secretary pursuant
to or in connection with any function transferred
under this Resolution may on and from that date
be continued by or in relation to, as the case may
be, the new Secretary;
 - (c) anything that, immediately before 1 July 2007, is
required to be done and is in the process of being
done by or in relation to the former Secretary
pursuant to or in connection with any function

transferred under this Resolution shall on and from that date be continued by or in relation to, as the case may be, the new Secretary;

- (d) without limiting subparagraphs (a), (b) and (c) –
- (i) any document, agreement or arrangement creating or giving rise to legal rights or obligations that –
 - (A) refers to the former Secretary, or was prepared, made or entered into by the former Secretary on behalf of the Government; and
 - (B) is in force immediately before, or is to come into force on or after, 1 July 2007,shall on and from that date be construed, in so far as necessary for the purpose or in consequence of the transfer of functions under this Resolution from the former Secretary to the new Secretary, as if the references to the former Secretary included references to the new Secretary;
 - (ii) any form that is specified or prescribed before 1 July 2007 for use in connection with any function of the former Secretary that is transferred under this Resolution may on and from that date be used despite the fact that it contains references to the former Secretary, and

those references shall be construed as references to the new Secretary.