

**立法會**  
**Legislative Council**

LC Paper No. LS23/06-07

**Paper for the House Committee Meeting  
on 5 January 2007**

**Legal Service Division Report on  
Subsidiary Legislation Gazetted on 15 December 2006**

**Date of tabling in LegCo** : 20 December 2006

**Amendment to be made by** : 17 January 2007 (or 7 February 2007 if extended by resolution)

**Public Health and Municipal Services Ordinance (Cap. 132)  
Designation of Libraries (No. 2) Order 2006 (L.N. 271)**

By this Order made under section 105K of the Public Health and Municipal Services Ordinance (Cap. 132) (the Ordinance) by the Director of Leisure and Cultural Services (the Director), Shop 313, Tin Chak Shopping Centre, Tin Shui Wai, New Territories (the Library) is designated as a library. The effect of this Order is that the management and control of the Library is vested in the Director and the provisions in the Ordinance relating to libraries are applicable to the Library. The Schedule to the Designation of Libraries Order (Cap. 132 sub. leg. O) is amended by adding the Library accordingly.

2. The Panel on Home Affairs has not discussed the Order. No difficulties relating to the legal and drafting aspects of the Order have been identified.

**Education Ordinance (Cap. 279)  
Education Ordinance (Amendment of Schedule 3) Notice 2006 (L.N. 272)**

3. The Education Ordinance (Cap. 279) (the Ordinance) requires all aided schools to set up an Incorporated Management Committee (IMC) while Direct Subsidy Scheme (DSS) schools and a list of specified schools in Schedule 3 to the Ordinance can decide whether to apply to the Permanent Secretary for Education and Manpower (the Secretary) for establishing an IMC under the Ordinance.

4. Section 40AC of the Ordinance sets out the requirements which a school has to meet before being specified in Schedule 3 and provides that the Secretary may by notice published in the Gazette amend Schedule 3.

5. The Education Ordinance (Amendment of Schedule 3) Notice 2006 is made by the Secretary under section 40AC(1) of the Ordinance to amend Schedule 3 to the Ordinance by-

- (a) deleting Tai Po Sam Yuk Secondary School which has joined the DSS, and Fung Kai No. 2 Secondary School and Phoenix International School which have been closed;
- (b) adding two new schools, namely, Renaissance College and Victoria Shanghai Academy; and
- (c) updating the information of three other schools due to change of school name or address.

The Notice shall come into operation on 8 February 2007.

6. Members may refer to the LegCo Brief issued by the Education and Manpower Bureau in December 2006 (File Ref: L/M (1) to EMB(SCR) 58/00 Pt.38) for background information.

7. The Panel on Education has not been consulted on the Notice. No difficulties relating to the legal and drafting aspects of the Notice have been identified.

**Mutual Legal Assistance in Criminal Matters (Israel) Order (L.N. 147 of 2006)**  
**Mutual Legal Assistance in Criminal Matters (Israel) Order (Commencement)**  
**Notice (L.N. 273)**

8. The Mutual Legal Assistance in Criminal Matters (Israel) Order (L.N. 147 of 2006) (the Order) has been made by the Chief Executive in Council under section 4 of the Mutual Legal Assistance in Criminal Matters Ordinance (Cap. 525). Pursuant to section 1 of the Order and by this Notice, the Secretary for Security appoints 28 December 2006 as the day on which the Order shall come into operation.

9. The Panel on Security has not been consulted on this Notice. The Subcommittee on Mutual Legal Assistance in Criminal Matters (Poland) Order and Mutual Legal Assistance in Criminal Matters (Israel) Order has studied the Order and supported it. Members may refer to the Report of the Subcommittee for detail (Ref: LC Paper No. CB(2)1947/05-06). The Subcommittee has not expressed any view on its commencement.

10. No difficulties in relation to the legal and drafting aspects of this Notice have been identified.

Prepared by

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