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**Paper for the House Committee Meeting
on 25 May 2007**

**Legal Service Division Report on
Subsidiary Legislation Gazetted on 18 May 2007**

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Amendment to be made by : 20 June 2007 (or 11 July 2007 if extended by resolution)

PART I FUGITIVE OFFENDERS ORDINANCE

Fugitive Offenders Ordinance (Cap. 503)

Fugitive Offenders (Malaysia) (Amendment) Order 2007 (L.N. 82)

Fugitive Offenders (Suppression of the Financing of Terrorism) Order (L.N. 83)

Fugitive Offenders (Malaysia) (Amendment) Order 2007

The Fugitive Offenders (Malaysia) Order (Cap. 503 sub. leg. D) (the Principal Order) was made under section 3 of the Fugitive Offenders Ordinance (Cap. 503) (the Ordinance), which came into operation on 25 April 1997. The Ordinance makes provision for the surrender to certain places outside Hong Kong of persons wanted for prosecution, or for the imposition or enforcement of a sentence, in respect of certain offences against the laws of those places; for the treatment of persons wanted for prosecution, or for the imposition or enforcement of a sentence, in respect of certain offences against the law of Hong Kong who are surrendered from such places; and for matters incidental thereto or connected therewith.

2. Section 3 of the Ordinance provides that the Chief Executive in Council may, in relation to any arrangements for the surrender of fugitive offenders, by order direct that the procedures in the Ordinance shall apply as between Hong Kong and the place outside Hong Kong to which the arrangements relate subject to the limitations, restrictions, exceptions and qualifications contained in the order. The purpose of the Principal Order was to bring into force the bilateral agreement which Hong Kong has signed with the Government of Malaysia on 11 January 1995 (the Bilateral Agreement). The Bilateral Agreement was set out as a Schedule to the Principal Order and provides that the procedures in the Ordinance shall apply as between Hong Kong and Malaysia.

3. The Fugitive Offenders (Malaysia) (Amendment) Order 2007 (the Amendment Order) is made by the Chief Executive in Council under section 3 of the Ordinance to amend the Principal Order in order to implement in Hong Kong the protocol entered into by the Government of Hong Kong and the Government of Malaysia on 17 October 2006 (the Protocol) which supplements the Bilateral Agreement. Section 4 of the Amendment Order adds a new Schedule to the Principal Order in order to set out the terms of the Protocol.

4. The Amendment Order is subject to a mechanism of scrutiny by LegCo provided in section 3(2) to (6) of the Ordinance. The mechanism is similar to that provided in section 34 of the Interpretation and General Clauses Ordinance (Cap. 1), except that section 3(3) of the Ordinance restricts LegCo's power to only repeal the Amendment Order.

5. Members may refer to the LegCo Brief issued by the Security Bureau on 16 May 2007 (File Ref: SBCR 3/5691/95 Pt.40 and SBCR 1/2716/89(98) Pt.23) for background information. According to the LegCo Brief, the Amendment Order will permit the Protocol to be brought into force in accordance with the existing legal framework. Public consultation is, therefore, considered not necessary by the Administration.

6. The Panel on Security (the Panel) has not been consulted on the Amendment Order.

7. The Amendment Order shall come into operation on a day to be appointed by the Secretary for Security by notice published in the Gazette.

8. The Legal Service Division is still scrutinizing the legal and drafting aspects of the Amendment Order. A further report on the Amendment Order will be submitted, if necessary.

Fugitive Offenders (Suppression of the Financing of Terrorism) Order

9. The International Convention for the Suppression of the Financing of Terrorism (the Convention) applies to the offences of wilful and unlawful provision or collection of funds, whether attempted or actual, with the intention or knowledge that the funds may be used to carry out the offences proscribed by anti-terrorism-related international conventions specified in the Convention, or an act intended to cause death or serious bodily injury to any person in order to intimidate a population, or to compel a government or an international organization to do or abstain from doing any act. It requires States Parties to establish the above offences as criminal offences, and to freeze, seize or forfeit any funds used or allocated for the purposes of committing the offences. Articles 9 and 11 of the Convention require States Parties to include the offences under the Convention as extraditable offences and to carry out extradition subject to the conditions provided by the law of the requested party. The Convention entered into force for China, including Hong Kong, in May 2006.

10. The Fugitive Offenders (Suppression of the Financing of Terrorism) Order (the Order) is made by the Chief Executive in Council under section 3 of the Ordinance. The Order is to apply as between Hong Kong and the places outside Hong Kong to which the Convention relates the procedures for the surrender of fugitive offenders set out in the Ordinance. Those procedures are subject to the limitations, restrictions, exceptions and qualifications contained in the terms of the Convention as recited in the Schedule to the Order.

11. The Order is subject to a mechanism of scrutiny by the LegCo provided in sections 3(2) to (6) of the Ordinance. The mechanism is similar to that provided in section 34 of the Interpretation and General Clauses Ordinance (Cap. 1), except that section 3(3) of the Ordinance restricts LegCo's power to only repeal the Order.

12. Members may refer to the LegCo Brief issued by the Security Bureau on 16 May 2007 (File Ref: SBCR 2/1476/02) for background information.

13. At its meeting on 6 February 2007, the Panel was consulted on the Administration's proposal to implement the extradition requirements under the Convention. Members had raised queries about the Administration's proposal. These included whether the provision or collection of funds for the financing of offences proscribed by the anti-terrorism-related international conventions specified in the Convention were criminal offences under local legislation; the reason for making an order under the Ordinance, given that offences under the conventions specified in the Convention were extraditable offences under existing legislation; whether offences under the Convention included the financing of terrorist activities outside Hong Kong; and whether an offence under the Convention was extraditable, if it was an offence under the legislation of the requesting party but not the legislation of the requested party.

14. The Order shall come into operation on a day to be appointed by the Secretary for Security by notice published in the Gazette.

15. The Legal Service Division is still scrutinizing the legal and drafting aspects of the Order. A further report on the Order will be submitted, if necessary.

PART II TELECOMMUNICATIONS

Telecommunications Ordinance (Cap. 106)

Telecommunications (Method for Determining Spectrum Utilization Fee) (Code Division Multiple Access Mobile Telecommunications Service) Regulation (L.N. 84)

Telecommunications (Designation of Frequency Bands Subject to Payment of Spectrum Utilization Fee) (Amendment) Order 2007 (L.N. 85)

Telecommunications (Method for Determining Spectrum Utilization Fee) (Code Division Multiple Access Mobile Telecommunications Service) Regulation

16. The Telecommunications (Method for Determining Spectrum Utilization Fee) (Code Division Multiple Access Mobile Telecommunications Service) Regulation is made by the Secretary for Commerce, Industry and Technology under section 32I of the Telecommunications Ordinance (Cap. 106) (the Ordinance) to:

- (a) specify the method for determining the spectrum utilization fee to be paid by the user of the spectrum which falls within the frequency bands set out in Part 3 of the Schedule to the Telecommunications (Designation of Frequency Bands subject to Payment of Spectrum Utilization Fee) Order (Cap. 106 sub. leg. Y) (the Principal Order);
- (b) empower the Secretary for Commerce, Industry and Technology to specify the minimum amount of the spectrum utilization fee to be paid by the user of the spectrum; and
- (c) empower the Telecommunications Authority to hold auctions and specify the terms and conditions of an auction.

17. At the Information Technology and Broadcasting Panel meeting on 12 March 2007, the Administration briefed members on the proposed legislative amendments to be made under Section 32I(1) of the Ordinance to enable the release of spectrum for the provision of Code Division Multiple Access (CDMA) 2000 services by auction, and to impose spectrum utilization fee on the relevant spectrum. In discussing the legislative proposals, members expressed concern on the following:

- (a) the licensing conditions, i.e. whether the Administration would consider stipulating in the licensing conditions or prescribing in the code of practice that the concerned network operator should not hire debt collection companies to recover outstanding payments, as those outstanding payments could be recovered through the Small Claims Tribunal and that some actions taken by debt collecting companies were disturbing to the public. In this connection, the Chairman remarked that there would be opportunities for members to further discuss the related issue during scrutiny of the subsidiary legislation if considered necessary; and

- (b) the auction arrangements, i.e. whether the concerned spectrum would be withdrawn from auction if no bid above the reserve price was received.

18. The Regulation shall come into operation on 13 July 2007. No difficulties in relation to the legal and drafting aspects of the Regulation have been identified.

Telecommunications (Designation of Frequency Bands Subject to Payment of Spectrum Utilization Fee) (Amendment) Order 2007

19. The Telecommunications (Designation of Frequency Bands Subject to Payment of Spectrum Utilization Fee) (Amendment) Order 2007 is made by the Telecommunications Authority under section 32I(1) of the Ordinance after carrying out the consultation required under section 32G(2) of the Ordinance to:

- (a) remove 2 sets of existing frequency bands from Part 2 of the Schedule to the Principal Order; and
- (b) add as part 3 of the Schedule to the Principal Order a set of frequency bands in which the use of spectrum is subject to the payment of spectrum utilization fee.

20. The provisions relating to the removal of the first set of existing frequency bands and the addition of the new set of frequency bands shall come into operation on 20 November 2008. The provision relating to the removal of the remaining set of frequency bands shall come into operation on 13 July 2007.

21. No difficulties in relation to the legal and drafting aspects of the Order have been identified.

PART III OTHER SUBSIDIARY LEGISLATION

Companies Ordinance (Cap. 32)

Companies Ordinance (Amendment of Eighth Schedule) Order 2007 (L.N. 86)

22. The Companies Ordinance (Amendment of Eighth Schedule) Order 2007 (the Amendment Order) is made by the Secretary for Financial Services and the Treasury under section 360(3A) of the Companies Ordinance (Cap. 32) to:

- (a) revise the fees payable to the Registrar of Companies by non-Hong Kong companies (formerly known as oversea companies) for filing certain documents, inter alia, the single filing fee and late filing fees;
- (b) introduce a new fee for the issue of a certificate of registration or a certificate of registration with a changed name in respect of a non-Hong Kong company; and

- (c) make several consequential amendments to Part V of the Eighth Schedule to the Companies Ordinance (Cap. 32) following the enactment of Schedule 2 to the Companies (Amendment) Order 2004 (30 of 2004) (in so far as it relates to non-Hong Kong companies).

23. Members may refer to the LegCo Brief issued by the Financial Services and the Treasury Bureau in May 2007 (File Ref: CBT7/1/17/5) (the LegCo Brief) for background information.

24. According to the LegCo Brief, the Companies Registry consulted its Customer Liaison Group (CLG) comprising representatives of the Hong Kong Association of Banks, the Hong Kong Institute of Chartered Secretaries (the then Hong Kong Institute of Company Secretaries), the Hong Kong Institute of Certified Public Accountants (the then Hong Kong Society of Accountants), the Law Society of Hong Kong and some principal customers in June 2004. Members of the CLG generally considered that the proposals were fair and reasonable and did not raise any objection. In January 2005, the Administration consulted the Legislative Council Panel on Financial Affairs (the Panel) on the proposals. Members of the Panel were supportive of the proposals in principle. According to the Administration's plan, the Amendment Order will come into effect in the fourth quarter of 2007 to tie in with the completion of the necessary modifications to the Companies Registry's information system. Relevant commencement notices will be tabled at the LegCo for negative vetting in due course. The Amendment Order has not been subsequently discussed by the Panel.

25. The Amendment Order shall come into operation on a day to be appointed by the Registrar of Companies by notice published in the Gazette.

26. No difficulties in relation to the legal and drafting aspects of the Amendment Order have been identified.

Registration of Persons Ordinance (Cap. 177)

Registration of Persons (Invalidation of Identity Cards) Order 2007 (L.N. 87)

27. The Registration of Persons (Invalidation of Identity Cards) Order 2007 (the Order) is made by the Secretary for Security under section 7C of the Registration of Persons Ordinance (Cap. 177). The Order is to invalidate identity cards issued before 23 June 2003, or issued on or after that date as a result of an application made before that date, bearing in both cases, a date of birth between and including 1970 and 1979.

28. Members may refer to the LegCo Brief issued by the Security Bureau on 16 May 2007 for background information.

29. The Panel on Security has not been consulted on the Order.

30. The Order shall come into operation on 12 July 2007.

31. No difficulties in relation to the legal and drafting aspects of the Order have been identified.

Road Traffic (Traffic Control) (Designation of Prohibited and Restricted Zones) Notice (Cap. 374 sub. leg. U)

Road Traffic (Traffic Control) (Designation of Prohibited and Restricted Zones) (Amendment) Notice 2007 (L.N. 88)

32. The Road Traffic (Traffic Control) (Designation of Prohibited and Restricted Zones) (Amendment) Notice 2007 (the Amendment Notice) is made by the Airport Authority with the approval of the Commissioner for Transport under regulation 14(1) of the Road Traffic (Traffic Control) Regulations (Cap. 374 sub. leg. G), as modified by section 1 of Part V of Schedule 2 to the Airport Authority Bylaw (Cap. 483 sub. leg. A).

33. The Road Traffic (Traffic Control) (Designation of Prohibited and Restricted Zones) Notice (Cap. 374 sub. leg. U) (the Principal Notice) sets out in Schedule 1 prohibited zones in which the driving of motor vehicles is prohibited. Schedule 2 of the Principal Notice (Schedule 2) sets out restricted zones in which drivers of motor vehicles are prohibited from picking up or setting down passengers or loading or unloading goods (prohibited acts). The Amendment Notice amends the Principal Notice to facilitate the operation of a new loading and unloading area for light goods vehicles (LGVs) at the Hong Kong International Airport (the airport). The Amendment Notice is introduced to designate the prohibited and restricted zones at the airport to segregate the loading and unloading activities of the LGVs and to deter illegal transport activities of LGVs and taxis at the airport area.

34. The Amendment Notice divides Schedule 2 into 2 parts. A new restricted zone (Light Goods Vehicles Access Area) is added to Part 1 of Schedule 2 in which drivers of all motor vehicles (except the driver of a motor vehicle in respect of which a restricted zone permit is in force) are absolutely prohibited from doing any of the prohibited acts. Two new restricted zones (Light Goods Vehicles Loading Area and Light Goods Vehicles Unloading Area) are added to Part 2 of Schedule 2 in which drivers of all motor vehicles except LGVs are absolutely prohibited from doing any of the prohibited acts. Drivers of LGVs are prohibited only from unloading goods in the loading area and loading goods in the unloading area.

35. The Amendment Notice also adds a definition of “overall length” as motor vehicles with overall length exceeding seven metres will be prohibited from using the access road linking Cheong Shun Road and the Light Goods Vehicle Access Area.

36. Members may refer to the LegCo Brief issued by the Environment, Transport and Works Bureau in May 2007 for background information. According to the LegCo Brief, the Transport Advisory Committee was consulted on 21 November 2006 and supported the scheme. Both the taxi and LGV trades were consulted on the details of the scheme at various meetings held in 2006. The

Administration has taken into account the trades' views when finalizing the scheme. Some members of the taxi trade have been urging for early implementation of the scheme.

37. The legislative proposal as set out in the Amendment Notice was discussed at two meetings of the Panel respectively held on 24 March 2006 and 24 November 2006. In response to claims by the taxi trade that individual LGVs might be engaged in illegal carriage of passengers for hire or reward, the Panel met with relevant trades at its meeting on 24 March 2006 to discuss the operation and roles of taxis and LGVs. Following up the Panel's call for measures to better confine the operation of van-type LGVs to carriage of goods for hire or reward, the Administration reported to the Panel at its meeting on 24 November 2006 measures in this regard, including the intention to designate prohibited and restricted zones at the airport (the intended arrangement) to segregate the loading and unloading activities of LGVs and to deter illegal transport activities of LGVs and taxis at the airport area. When discussing these measures, the Panel noted from the submissions it received the transport trades' divergent views on them. It also examined the effectiveness of the intended arrangement and the appropriateness of mainly targeting it at LGVs.

38. The Notice shall come into operation on 14 July 2007.

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

**Banking Ordinance (Cap. 155)
Specification of Factors (Financial Exposure of Authorized Institution) Notice
2007 (L.N. 89)**

40. The Specification of Factors (Financial Exposure of Authorized Institution) Notice 2007 (the Notice) is made by the Monetary Authority under section 81(3) of the Banking Ordinance (Cap. 155).

41. Section 81 of the Banking Ordinance (Cap. 155) provides that the financial exposure of an authorized institution to any person, company or combination thereof shall not exceed a certain amount and specifies how such financial exposure is to be calculated. The Notice specifies, in relation to the calculation of such financial exposure, the factors for certain off-balance sheet items that are off-balance sheet exposures specified in Table 14 under section 118 of the Banking (Capital) Rules (L.N. 228 of 2006) for the purpose of calculating an authorized institution's capital adequacy ratio.

42. Members may refer to the LegCo Brief issued by the Financial Services and the Treasury Bureau on 18 May 2007 (File Ref: B9/1/1/1C). According to the LegCo Brief, the Notice is made consequent upon the repeal of the Specification of Factors (Financial Exposure of Authorized Institution) Notice (Cap. 155 Sub. Leg. C) on 1 January 2007. It would be necessary for the Monetary Authority (MA) to prepare a new notice to specify the factors for the purposes of section 81(2)(c) of the

Ordinance. The Notice which was published in the Gazette on 18 May 2007, is intended to replace the repealed notice. The MA has informed the banking industry of the proposed factors applicable to the nine types of off-balance sheet items to be specified in the Notice. No specific comments have been received.

43. The Notice has not been submitted to the Financial Affairs Panel for discussion.

44. The Notice shall come into operation on 13 July 2007.

PART IV COMMENCEMENT NOTICES

Accreditation of Academic and Vocational Qualifications Ordinance (6 of 2007) Accreditation of Academic and Vocational Qualifications Ordinance (Commencement) Notice 2007 (L.N. 90)

45. The Accreditation of Academic and Vocational Qualifications Ordinance (6 of 2007) (the Ordinance) provides for accreditation of academic and vocational qualifications under the Qualifications Frameworks administered by the Hong Kong Council for Academic and Vocational Accreditation, and for related and consequential matters.

46. By the Accreditation of Academic and Vocational Qualifications Ordinance (Commencement) Notice 2007 (the Notice), the Secretary for Education and Manpower appoints:

- (a) 13 July 2007 as the day on which Part 1 (preliminary provisions) and sections 9, 10, 16 and 17 of the Ordinance (provisions relating to the establishment of the Appeal Board, protection of the Chairman, Deputy Chairman or Panel member and appeal rules of the Appeal Board) shall come into operation; and
- (b) 1 October 2007 as the day on which Part 6 and sections 50, 52 and 53 being the consequential and related amendments to the Hong Kong Council for Academic Accreditation Ordinance (Cap. 1150) shall come into operation.

47. The Panel on Manpower has not been consulted on the Notice. The Bills Committee on Accreditation of Academic and Vocational Qualifications Bill has not made any comments on the commencement of the Bill, as enacted.

Births, Deaths and Marriages (Digital Image) Ordinance (8 of 2006)
Births, Deaths and Marriages (Digital Image) Ordinance (Commencement)
Notice (L.N. 91)

48. The Births, Deaths and Marriages (Digital Image) Ordinance (8 of 2006) (the Ordinance) amends certain Ordinances to enable the Registrar of Births and Deaths and the Registrar of Marriages to maintain in the form of digital image certain registers and records that relate to births, deaths and marriages, and make related and consequential amendments. It also amends the Electronic Transactions (Exclusion) Order so that the information required to be given under section 8(1) of the Births and Deaths Registration Ordinance (Cap. 174) may be contained in an electronic record.

49. By the Births, Deaths and Marriages (Digital Image) Ordinance (Commencement) Notice, the Secretary for Security appoints 27 August 2007 as the day on which the Ordinance shall come into operation.

50. The Panel on Security has not been consulted on the Notice.

Building Management Ordinance (Cap. 344)
Building Management (Amendment) Ordinance 2007 (Commencement) Notice
2007 (L.N. 92)

51. The Building Management (Amendment) Ordinance 2007 (5 of 2007) (the Ordinance) aims to rationalise the appointment procedures of a management committee, assist owners' corporations in performing their duties and exercising their powers, and safeguard the interests of property owners.

52. By the Building Management (Amendment) Ordinance 2007 (Commencement) Notice 2007 (the Notice), the Secretary for Home Affairs appoints:

- (a) 25 May 2007 as the day on which Part 1 (preliminary provisions) and section 24 of the Ordinance (provisions relating to the power of the Chief Executive in Council to make regulations for effecting of policies of insurance in respect of third party risks and against fire and other risks by corporations with insurance companies) shall come into operation; and
- (b) 1 August 2007 as the day on which the remaining provisions other than obligations regarding the entering of particulars of the insurance company with the Land Registrar and the provisions relating to amendments to the Building Management (Amendment) Ordinance 2000 (69 of 2000) shall come into operation.

53. The Panel on Home Affairs has not discussed the Notice but the Bills Committee on Building Management (Amendment) Bill 2005 discussed the commencement dates of the relevant provisions of the Ordinance.

Construction Workers Registration Ordinance (Cap. 583)

Construction Workers Registration Ordinance (Commencement) (No. 2) Notice 2007 (L.N. 93)

54. By the Construction Workers Registration Ordinance (Commencement) (No. 2) Notice 2007 (the Notice), the Secretary for the Environment, Transport and Works appoints 1 September 2007 as the day on which the provisions of the Construction Workers Registration Ordinance (Cap. 583) (the Ordinance) relating to the Phase One Prohibition shall come into operation. According to the paper provided by the Administration (CB(1)1410/06-07(03)), 'Phase One Prohibition' means that with effect from the date appointed, unregistered construction workers will be prohibited from carrying out construction work on construction sites. Employers will also be prohibited against employing unregistered construction workers.

55. At the meeting of the Panel on Planning, Lands and Works on 24 April 2007 (the Panel), the Administration briefed members on the progress of implementation of provisions of the Ordinance, the latest position of registration of construction workers, the proposal to bring into effect Phase One Prohibition as set out in the Notice, and the way forward in the implementation of the remaining phase of prohibition. Members of the Panel on Manpower were invited to join the discussion.

56. After discussion, the Panel expressed support for the Administration's proposal to introduce into the Legislative Council the relevant legislation for implementing Phase One Prohibition of the Ordinance.

57. During the discussion, some Panel members raised concern about a possible surge of last-minute registration applications and relayed the concern of engineering professionals about the legal implications of their working on sites after the implementation of the Phase One Prohibition. The Administration and the Chairman of Construction Workers Registration Authority assured members that they would be able to handle a possible surge of last-minute registration applications.

Employment Ordinance (Cap. 57)

Employment (Amendment) Ordinance 2007 (Commencement) Notice (L.N. 94)

58. The Employment (Amendment) Ordinance 2007 (7 of 2007) (the Amendment Ordinance) amends the Employment Ordinance (Cap. 57) (the Ordinance) to revise the modes of calculating payment in lieu of notice, damages for wrongful termination of contract, end of year payment, maternity leave pay, damages for wrongful termination of an employee's contract during her pregnancy, sickness allowance, damages for wrongful termination of an employee's contract on a sickness day taken by him, holiday pay and annual leave pay so as to provide that these payments are to be calculated on the basis of the average of the wages earned by the employee during the period of 12 months immediately before the specified dates.

59. By the Employment (Amendment) Ordinance 2007 (Commencement) Notice (the Notice), the Secretary for Economic Development and Labour (the Secretary) appoints:

- (a) 13 July 2007 as the day on which the Amendment Ordinance (except section 16 relating to the employer's requirement to keep wage and employment record) shall come into operation; and
- (b) 13 January 2008 as the day on which section 16 of the Amendment Ordinance shall come into operation.

60. The Bills Committee on Employment (Amendment) Bill 2006 (the Bill) requested the Administration to implement the Amendment Bill as soon as possible after its enactment.

61. During the resumption of Second Reading debate on the Bill at the Council meeting on 2 May 2007, the Secretary indicated in his speech that the Administration intended to implement the Amendment Ordinance in July 2007, except for section 16 of the Amendment Ordinance (or amended section 49A of the Ordinance) concerning keeping of wage and employment records by employers which would come into operation six months after the implementation of the Amendment Ordinance.

62. The Panel on Manpower has not been consulted on the Notice.

Import and Export (Fees) Regulations (Cap. 60 sub. leg. B)
Import and Export (Fees) (Amendment) Regulation 2007 (Commencement)
Notice (L.N. 95)

63. The Import and Export (Fees) (Amendment) Regulation 2007 (L.N. 25 of 2007) (the Amendment Regulation) amends the Import and Export (Fees) Regulations (Cap. 60 sub. leg. B) to:

- (a) reduce the annual fee payable on or after the date of commencement of the Amendment Regulation by a person who is registered as a textiles trader under the Import and Export (General) Regulations (Cap. 60 sub. leg. A); and
- (b) provide for the fee that is payable where an import notification, an export notification or a transshipment notification is delivered on paper.

64. By the Import and Export (Fees) (Amendment) Regulation 2007 (Commencement) Notice, the Director-General of Trade and Industry appoints 25 June 2007 as the day on which the Amendment Regulation shall come into operation.

65. At the meeting of the Panel on Commerce and Industry held on 21 November 2006, the Administration briefed members on the proposed amendments to the Schedule to the Import and Export (Fees) Regulations (Cap. 60 sub. leg. B) which aimed to give effect to the proposed new fee structure for the Textiles Trader Registration Scheme (TTRS). Under the new fee structure, the annual registration fee payable by the textiles traders registered under TTRS will be reduced, and there will also be a price differential between lodging paper and electronic notifications under TTRS. The Panel was in principle supportive of the Administration's proposal.

Concluding Remarks

66. No difficulties relating to the legal and drafting aspects of L.N. 90 to L.N. 95 of 2007 have been identified.

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