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Mr Luke Au Yeung
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(Commerce and Industry Special Duties)
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BY FAX

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Dear Mr Au Yeung,

Trade Descriptions (Amendment) Bill 2007

Thank you for your letter of 29 April 2008 to Ms Connie Szeto, Clerk to the Bills Committee, attaching the latest Committee Stage amendments to the proposed section 13A. Set out below are my comments on the proposed Committee Stage amendments:

- (a) While the English text of the proposed section 13A refers to “readily comprehensible”, the Chinese text proposed for the phrase is “可輕易閱覽”. Since the ordinary meaning of “comprehensible” is “that can be understood fully” (能充分理解), should the Chinese text for “readily comprehensible” be revised to “可容易理解”? This will make the Chinese text consistent with that for the same phrase used in section 19(3)(c)(ii) of the Personal Data (Privacy) Ordinance (Cap. 486). If, however, it is intended that the information on signs should be easily read, should the English text be revised to “readily legible” and the corresponding Chinese text to “清楚易讀” or “清晰可閱”? Please refer to paragraph 8 of the Smoking (Public Health) (Notices) Order (Cap. 371 sub. leg. B) and section 41(2) of the Merchant Shipping (Local Vessels) (Works) Regulation (Cap. 548 sub. leg. I) in which “readily legible” is used.
- (b) In the proposed section 13A(2)(b)(ii), should the Chinese text for “manner of presentation” be “顯示方式” to make the Chinese text for “manner” consistent with that for the same word in the proposed section 13A(1)(b)?

- (c) In the proposed section 13A(2)(b)(ii), instead of using “apprehend”, would it be better to use “comprehend” in order to achieve consistency with the phrase “readily comprehensible” in the proposed section 13A(1)?
- (d) Is it intended that the proposed section 13A(3) is to deal with the situation where a retailer displays a sign which only indicates the price of goods while another sign is displayed indicating that the price shown on the sign is a price set with reference to a specific unit of quantity? If so, should “set by reference to a unit of quantity” in the proposed section 13A(3)(a) be deleted and in the proposed section 13A(3)(b), “that unit” be replaced by “the unit”?

As the above Committee Stage amendments will be considered by the Bills Committee at its meeting on 6 May 2008, you may wish to inform the Bills Committee of the Administration’s response to the above matters at the said meeting.

Yours sincerely,

(Connie FUNG)
Assistant Legal Adviser

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