

**立法會**  
**Legislative Council**

LC Paper No. LS39/07-08

**Paper for the House Committee Meeting  
On 25 January 2008**

**Legal Service Division Report on  
Subsidiary Legislation Gazetted on 18 January 2008**

**Date of tabling in LegCo** : 23 January 2008

**Amendment to be made by** : 20 February 2008 (or 12 March 2008 if extended by resolution)

**Business Registration Ordinance (Cap. 310)**

**Business Registration Ordinance (Amendment: Levy Reduction) Order 2008 (L.N. 4)**

The Business Registration Ordinance (Amendment: Levy Reduction) Order 2008 (the Amendment Order) is made by the Financial Secretary under section 18(2) of the Business Registration Ordinance (Cap. 310) (the Ordinance) to amend Schedule 2 to the Ordinance to reduce the levy payable on the registration of a business or a branch of a business, issue of a further business registration certificate or issue of a further branch registration certificate as follows:

<b>Item</b>	<b>Repealing</b>	<b>Substituting</b>
3(a) - For a Business Registration Certificate which is valid for 1 year	\$600	\$450
3(b) - For a Business Registration Certificate which is valid for 3 years	\$1,800	\$1,350

2. The Amendment Order shall come into operation on 14 March 2008.
3. It has not been discussed by the Financial Affairs Panel.

**Adoption Ordinance (Cap. 290)**

**Intercountry Adoption (Contracting States) Order 2008 (L.N. 5)**

4. The Intercountry Adoption (Contracting States) Order 2008 (the

Amendment Order) is made by the Secretary for Labour and Welfare under section 20D of the Adoption Ordinance (Cap. 290) (the Ordinance) to amend:

- (a) Section 2(2) of the Intercountry Adoption (Contracting States) Order (Cap. 290 sub. leg. C) (the Principal Order) to clarify the definition of the term "Convention" as that defined in section 20A(1) of the Ordinance; and
- (b) Part 1 of the Schedule to the Principal Order to declare the following states as Contracting States so that the Convention on Protection of Children and Co-operation in respect of Intercountry Adoption done at the Hague on 29 May 1993 or such Convention as may be amended from time to time and as applied to Hong Kong (the Convention) shall apply to an adoption between Hong Kong and the Contracting States in relation to an application made pursuant to the Convention and received on and after the following dates:

<b>Contracting States</b>	<b>Date of coming into effect of the Convention</b>
The United States of America	1 April 2008
The Republic of Armenia	1 June 2007
The Kingdom of Cambodia	1 August 2007
The Republic of Cuba	1 June 2007
The Republic of Kenya	1 June 2007

5. Member may refer to the LegCo Brief issued by the Labour and Welfare Bureau on 16 January 2008 (File Ref: LWB CR 1/5691/00(07)) for background information.

6. The Panel on Welfare Services has not been consulted on the Amendment Order.

7. The Amendment Order shall come into operation on 1 April 2008, which is after the respective dates of coming into effect of the Convention for the Republic of Armenia, the Kingdom of Cambodia, the Republic of Cuba and the Republic of Kenya (Effective Date). Upon the Amendment Order coming into effect, the Convention shall apply to intercountry adoptions concerning Hong Kong and any of these four Contracting States for which applications are made on or after the Effective Date.

**Legal Practitioners Ordinance (Cap. 159)  
Foreign Lawyers Practice (Amendment) Rules 2007 (L.N. 6)**

8. The Foreign Lawyers Practice (Amendment) Rules 2007 (the Amendment Rules) are made by the Council of The Law Society of Hong Kong under section 73 of the Legal Practitioners Ordinance (Cap. 159) with the prior approval of the Chief Justice to amend section 7(4)(a) of the Foreign Lawyers Practice Rules (Cap. 159 sub. leg. R) to require the principal of a foreign firm which shares a building or common areas with another business to ensure that signs which distinguish the premises of the firm from the premises occupied by others are displayed in a conspicuous position at the main entrance of the premises of the firm.

9. The Amendment Rules shall come into operation on a day to be appointed by the President of The Law Society of Hong Kong by notice published in the Gazette.

10. The Administration of Justice and Legal Services Panel has not discussed the Amendment Rules.

**Hazardous Chemicals Control Ordinance (19 of 2007)  
Hazardous Chemicals Control Ordinance (Commencement) Notice (L.N. 7)**

**Hazardous Chemicals Control (General) Regulation (L.N. 180 of 2007)  
Hazardous Chemicals Control (General) Regulation (Commencement) Notice (L.N. 8)**

**Hazardous Chemicals Control (Fees) Regulation (L.N. 181 of 2007)  
Hazardous Chemicals Control (Fees) Regulation (Commencement) Notice (L.N. 9)**

11. The Hazardous Chemicals Control Bill was passed by the Legislative Council on 11 July 2007, and gazetted as Ordinance No. 19 of 2007 (the Ordinance) on 20 July 2007. The Ordinance provides for the regulation of the import, export, manufacture and use of non-pesticide hazardous chemicals through an activity-based permit system.

12. The Hazardous Chemicals Control (General) Regulation (L.N. 180 of 2007) (the General Regulation) and the Hazardous Chemicals Control (Fees) Regulation (L.N. 181 of 2007) (the Fees Regulation) were made by the Secretary for the Environment (the Secretary) respectively under sections 45 and 46 of the Ordinance to set out the requirements relating to applications for or renewal of permit and other related matters made under the Ordinance and the fees payable in respect of these applications.

13. The Panel on Environmental Affairs has not been consulted on the commencement of the Ordinance, the General Regulation and the Fees Regulation.

Hazardous Chemicals Control Ordinance (Commencement) Notice

14. By the Hazardous Chemicals Control Ordinance (Commencement) Notice made by the Secretary under section 1(2) of the Ordinance -

- (a) 1 April 2008 is appointed as the day on which the Ordinance except the following provisions shall come into operation:
  - (i) sections 6(2) and (3), 7(2) and (3), 8(2) and (3), 9(2) and (3) (provisions related to penalty);
  - (ii) section 33 (exercise of power by an authorized officer to enter into premises);
  - (iii) section 34 (warrants to be obtained for exercising powers under section 33);
  - (iv) section 36 (search by same sex under section 33(1)(a)); and
  - (v) section 37 (forfeiture of things seized by authorized officers); and
- (b) 1 July 2008 is appointed as the day on which the sections not commenced on 1 April 2008 shall come into operation.

Hazardous Chemicals Control (General) Regulation (Commencement) Notice

15. By the Hazardous Chemicals Control (General) Regulation (Commencement) Notice made by the Secretary under section 1 of the General Regulation, 1 April 2008 is appointed as the day on which the General Regulation shall come into operation.

Hazardous Chemicals Control (Fees) Regulation (Commencement) Notice

16. By the Hazardous Chemicals Control (Fees) Regulation (Commencement) Notice made by the Secretary under section 1 of the Fees Regulation, 1 April 2008 is appointed as the day on which the Fees Regulation shall come into operation.

**Mutual Legal Assistance in Criminal Matters (Malaysia) Order (L.N. 206 of 2007)**

**Mutual Legal Assistance in Criminal Matters (Malaysia) Order (Commencement) Notice (L.N. 10)**

17. The Mutual Legal Assistance in Criminal Matters (Malaysia) Order (L.N. 206 of 2007) (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 1 February 2008 as the day on which the Order shall come into operation.

18. The Subcommittee on Mutual Legal Assistance in Criminal Matters (Malaysia) Order supported the Order, but did not discuss the date on which the Order should come into operation.

19. The Panel on Security has not been consulted on this Notice.

*Concluding Remarks*

20. No difficulties relating to the legal and drafting aspects of L.N. 4 to L.N. 10 of 2008 have been identified.

Prepared by

LAI Shun-wo, Monna  
Assistant Legal Adviser  
Legislative Council Secretariat  
22 January 2008