

L.N. 215 of 2007

**ELECTRONIC TRANSACTIONS (EXCLUSION)
(AMENDMENT OF SCHEDULES) ORDER 2007**

(Made by the Permanent Secretary for Commerce and Economic
Development (Communications and Technology) under
section 11(1) of the Electronic Transactions
Ordinance (Cap. 553))

1. Commencement

This Order shall come into operation on 11 January 2008.

**2. Provisions excluded from application of
section 5 of Ordinance**

Schedule 1 to the Electronic Transactions (Exclusion) Order (Cap. 553
sub. leg. B) is amended by repealing items 40, 47, 48 and 71.

**3. Provisions excluded from application of
section 6 of Ordinance**

Schedule 2 is amended—

- (a) in item 21, by repealing “Articles 10(2) and 28(4) and Schedule 15, Regulation 1(1)” and substituting “Article 28(4)”;
- (b) by repealing item 27.

Mrs. Rita LAU
Permanent Secretary for
Commerce and Economic
Development (Communications
and Technology)

26 October 2007

Explanatory Note

The statutory provisions excluded from the application of sections 5 and 6 of the Electronic Transactions Ordinance (Cap. 553) (“the Ordinance”) are listed in Schedules 1 and 2 to the Electronic Transactions (Exclusion) Order (Cap. 553 sub. leg. B) respectively. Section 5 of the Ordinance provides that if a rule of law requires or permits information to be or given in writing, the use of electronic records satisfies the requirement. Section 6 of the Ordinance provides that if a rule of law requires a signature of a person on a document, the use of electronic signature by that person or (if that person is acting on behalf of a government entity) the use of digital signature satisfies the requirement. This Order deletes a number of statutory provisions from the Schedules so that these provisions will no longer be so excluded and electronic records and electronic or digital signatures can be used for the purposes of sections 5 and 6 of the Ordinance respectively.