

# A BILL

## To

Amend the application provisions of The Legislative Council Commission Ordinance, the Plant Varieties Protection Ordinance, the Patents Ordinance and the Registered Designs Ordinance to make the provisions of those 4 Ordinances applicable to the 3 offices set up by the Central People's Government in the Hong Kong Special Administrative Region and to amend section 3 of the Interpretation and General Clauses Ordinance to introduce a single definition for those 3 offices.

Enacted by the Legislative Council.

### 1. Short title

This Ordinance may be cited as the Adaptation of Laws Ordinance 2009.

### *Amendment to the Interpretation and General Clauses Ordinance*

### 2. Interpretation of words and expressions

Section 3 of the Interpretation and General Clauses Ordinance (Cap. 1) is amended by adding—

““Offices set up by the Central People's Government in the Hong Kong Special Administrative Region” (中央人民政府在香港特別行政區設立的機構) means—

- (a) the Liaison Office of the Central People's Government in the Hong Kong Special Administrative Region;
- (b) the Office of the Commissioner of the Ministry of Foreign Affairs of the People's Republic of China in the Hong Kong Special Administrative Region; and
- (c) the Hong Kong Garrison of the Chinese People's Liberation Army;”.

*Amendments to The Legislative Council Commission Ordinance***3. Application to the Government**

(1) Section 23 of The Legislative Council Commission Ordinance (Cap. 443) is amended, in the heading, by repealing “**to the Government**”.

(2) Section 23 is amended by repealing “binds the Government” and substituting “applies to the Government and the Offices set up by the Central People’s Government in the Hong Kong Special Administrative Region”.

*Amendments to the Plant Varieties Protection Ordinance***4. Binding effect of Ordinance**

(1) Section 3 of the Plant Varieties Protection Ordinance (Cap. 490) is amended, in the heading, by repealing “**Binding effect of Ordinance**” and substituting “**Application**”.

(2) Section 3 is amended by repealing “binds the Government” and substituting “applies to the Government and the Offices set up by the Central People’s Government in the Hong Kong Special Administrative Region”.

**5. Application**

Section 4 is amended, in the heading, by repealing “**Application**” and substituting “**Plants to which Ordinance applies**”.

*Amendments to the Patents Ordinance***6. Ordinance binding on Government**

(1) Section 151 of the Patents Ordinance (Cap. 514) is amended, in the heading, by repealing “**Ordinance binding on Government**” and substituting “**Application**”.

(2) Section 151 is amended by repealing “binds the Government” and substituting “applies to the Government and the Offices set up by the Central People’s Government in the Hong Kong Special Administrative Region”.

*Amendments to the Registered Designs Ordinance***7. Ordinance binds Government**

(1) Section 4 of the Registered Designs Ordinance (Cap. 522) is amended, in the heading, by repealing “**Ordinance binds Government**” and substituting “**Application**”.

(2) Section 4 is amended by repealing “binds the Government” and substituting “applies to the Government and the Offices set up by the Central People’s Government in the Hong Kong Special Administrative Region”.

**Explanatory Memorandum**

The objects of this Bill are to amend the application provisions of The Legislative Council Commission Ordinance (Cap. 443) (see clause 3), the Plant Varieties Protection Ordinance (Cap. 490) (see clause 4), the Patents Ordinance (Cap. 514) (see clause 6) and the Registered Designs Ordinance (Cap. 522) (see clause 7) to make the provisions of those 4 Ordinances applicable to the 3 offices set up by the Central People’s Government in the Hong Kong Special Administrative Region and to amend section 3 of the Interpretation and General Clauses Ordinance (Cap. 1) to introduce a single definition for those 3 offices (see clause 2).

2. A consequential amendment is made to section 4 of the Plant Varieties Protection Ordinance (Cap. 490) (see clause 5).

3. If enacted, the Ordinance will come into operation on the date on which it is published in the Gazette.