

政府總部  
香港下亞厘畢道



GOVERNMENT SECRETARIAT  
LOWER ALBERT ROAD  
HONG KONG

本函檔號 Our Ref.: CSO/ADM CR 14/3231/97  
來函檔號 Your Ref.:

Tel No. : 2810 3838  
Fax No. : 2804 6870

22 October 2008

The Hon Miriam LAU Kin-ye, GBS, JP  
Chairman  
House Committee  
Legislative Council  
8 Jackson Road, Central  
Hong Kong

*Dear Miriam,*

**Legislative Programme 2008-09**

Attached is a list of bills which the Administration intends to introduce into the Legislative Council in the current legislative session.

The Legislative Programme serves as an indication of the Administration's intention at this stage, and may be adjusted during the course of the legislative session. This notwithstanding, we hope that Members will find the Programme helpful in planning their work ahead.

*Yours sincerely,*  
*Jennifer Mak*  
( Miss Jennifer Mak )  
Director of Administration

Encl.

c.c. Clerk to the House Committee

## Legislative Programme 2008-09

This Programme sets out the main pieces of legislation which the Government plans to introduce into the Legislative Council in the 2008-09 legislative session. The bills to be introduced and the timing indicated below are subject to change in the light of the state of readiness of the bills and changing circumstances.

Title	Purpose of the Legislation	Responsible Bureau	Indicative Timing within 2008-09 Legislative Session
1. Competition Bill	<ul style="list-style-type: none"> <li>• To introduce a regulatory regime for the effective implementation of competition policy.</li> </ul>	CEDB	2nd half
2. Copyright (Amendment) Bill	<ul style="list-style-type: none"> <li>• To amend the enabling provisions in section 119B of the Copyright Ordinance (Cap. 528), thereby allowing CEDB to prescribe a “safe harbour” regulation (i.e. a set of numerical limits within which the copyright and distribution of infringing copies of printed works would not attract criminal liability) that meets the framework agreed with stakeholders.</li> </ul>	CEDB	2nd half
3. Adaptation of Laws Bill	<ul style="list-style-type: none"> <li>• To amend four ordinances, namely the Legislative Council Commission Ordinance (Cap. 443), Plant Varieties Protection Ordinance (Cap. 490), Patents Ordinance (Cap. 514), and Registered Designs Ordinance (Cap. 552), which currently bind</li> </ul>	CMAB	2nd half

Title	Purpose of the Legislation	Responsible Bureau	Indicative Timing within 2008-09 Legislative Session
4. Disciplined Services Legislation (Miscellaneous Amendments) Bill	<p>the HKSAR Government, to make them applicable to both the HKSAR Government and the three offices set up by the Central People's Government in HKSAR.</p> <ul style="list-style-type: none"><li>• To introduce removal punishments for civil servants whose retirement benefits are provided under the Civil Service Provident Fund Scheme, and other related proposals to the civil service disciplinary framework.</li></ul>	CSB	1st half
5. Arbitration Bill	<ul style="list-style-type: none"><li>• To make the law on arbitration more user-friendly through the creation of a unitary regime of arbitration on the basis of the UNICITRAL Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law (UNCITRAL) for all types of arbitration, thereby abolishing the distinction between domestic and international arbitrations under the current Arbitration Ordinance (Cap. 341).</li></ul>	DoJ	2nd half

Title	Purpose of the Legislation	Responsible Bureau	Indicative Timing within 2008-09 Legislative Session
6. Legal Practitioners (Amendment) Bill	• To implement the recommendations made in the Report of the Working Party on Solicitors' Rights of Audience.	DoJ	2nd half
7. Biosafety Bill	• To implement the Cartagena Protocol on Biosafety (Protocol) adopted under the Convention on Biological Diversity in Hong Kong. The Protocol mainly seeks to protect individual contracting parties from potentially adverse impacts of imported living modified organisms on their biological diversity through import and export control.	ENB	2nd half
8. Buildings Energy Efficiency Bill	• To promote the improvement of energy efficiency and conservation in certain buildings and premises.	ENB	2nd half
9. Fixed Penalty (Idling Vehicles) Bill	• To ban the running of the engine of a vehicle or other machinery attached to or forming part of the vehicle when the vehicle is stationary.	ENB	2nd half

Title	Purpose of the Legislation	Responsible Bureau	Indicative Timing within 2008-09 Legislative Session
10. Public Health and Municipal Services (Amendment) (No. 1) Bill	<ul style="list-style-type: none"><li>• To empower the authorities to issue orders where necessary to prohibit the import and sale of problem food and order a recall of problem food.</li></ul>	FHB	1st half
11. Food Safety Bill	<ul style="list-style-type: none"><li>• To provide for new food safety control tools to enhance the protection of public health and consumer interests.</li></ul>	FHB	2nd half
12. Public Health and Municipal Services (Amendment) (No. 2) Bill	<ul style="list-style-type: none"><li>• To enable the setting up of a legislative framework for the regulation and control of the slaughter of birds.</li></ul>	FHB	2nd half
13. Inland Revenue (Amendment) Bill	<ul style="list-style-type: none"><li>• To add/amend provisions related to hearing of appeals by the Board of Review;</li><li>• To expand the scope of deduction for interest expense incurred in purchasing “prescribed fixed asset”;</li><li>• To plug potential loopholes found under concessionary deductions for home loan interest;</li><li>• To expand the definition of “owner” for charging property tax on a person in respect of rental income received from letting common areas of a building;</li><li>• To extend the actionable</li></ul>	FSTB	2nd half

Title	Purpose of the Legislation	Responsible Bureau	Indicative Timing within 2008-09 Legislative Session
	<p>period for the breach of secrecy by Inland Revenue Department's staff;</p> <ul style="list-style-type: none"> <li>• To amend provisions to clear unclaimed moneys in Tax Reserve Certificate account; and</li> <li>• To make some textual amendments.</li> </ul>		
14. Mandatory Provident Fund Schemes (Amendment) Bill	<ul style="list-style-type: none"> <li>• To amend the Mandatory Provident Fund Schemes Ordinance to increase employees' control over their Mandatory Provident Fund investments by allowing them to transfer accrued benefits derived from their own mandatory contributions from the contribution accounts in the employer selected scheme to a scheme of the employee's choice.</li> </ul>	FSTB	2nd half
15. Building Management (Amendment) Bill	<ul style="list-style-type: none"> <li>• To simplify the procedure for members of the management committee to declare that they are not persons ineligible to be such members.</li> </ul>	HAB	1st half
16. Legal Aid (Amendment) Bill	<ul style="list-style-type: none"> <li>• To extend legal aid to cover mediation in legally aided matrimonial cases.</li> </ul>	HAB	2nd half

Title	Purpose of the Legislation	Responsible Bureau	Indicative Timing within 2008-09 Legislative Session
17. Village Representative Election (Amendment) Bill	<ul style="list-style-type: none"><li>To amend the Village Representative Election Ordinance (Cap. 576) to implement the recommendations drawn up by the Rural Elections Review Working Group set up by the Home Affairs Department and Heung Yee Kuk with a view to improving the arrangements for village representative election.</li></ul>	HAB	2nd half
18. Domestic Violence (Amendment) Bill	<ul style="list-style-type: none"><li>To amend the Domestic Violence Ordinance to extend its coverage to include same sex cohabitants.</li></ul>	LWB	1st half
19. A bill to enhance enforcement of Labour Tribunal awards	<ul style="list-style-type: none"><li>To make legislative amendments to enhance enforcement of Labour Tribunal awards.</li></ul>	LWB	2nd half
20. Employment (Amendment) Bill	<ul style="list-style-type: none"><li>To remove the requirement for an employer's agreement to the making of an order for reinstatement or re-engagement of an employee who has been dismissed unreasonably and unlawfully, and to require the employer to pay a further sum to the employee for failing to comply with such an order.</li></ul>	LWB	2nd half

Title	Purpose of the Legislation	Responsible Bureau	Indicative Timing within 2008-09 Legislative Session
21. Minimum Wage Bill	<ul style="list-style-type: none"> <li>To introduce legislation for a statutory minimum wage.</li> </ul>	LWB	2nd half
22. Occupational Deafness (Compensation) (Amendment) Bill	<ul style="list-style-type: none"> <li>To improve the compensation for persons with occupational deafness under the Occupational Deafness (Compensation) Ordinance (Cap. 469), and to adjust the rate and proportion of distribution of Employees' Compensation Insurance Levy payable under the Employees' Compensation Insurance Levies Ordinance (Cap. 411).</li> </ul>	LWB	2nd half
23. Residential Care Homes (Persons with Disabilities) Bill	<ul style="list-style-type: none"> <li>To regulate the operation of all residential care homes for persons with disabilities in the territory.</li> </ul>	LWB	2nd half
24. Import and Export (Amendment) Bill	<ul style="list-style-type: none"> <li>To strengthen control over smuggling activities at sea.</li> </ul>	SB	2nd half
25. Road Traffic (Driving-offence Points) (Amendment) Bill	<ul style="list-style-type: none"> <li>To introduce measure to improve the mechanism in the service of summons under the driving-offence points system.</li> </ul>	THB	1st half
26. Merchant Shipping (Liability and Compensation for Oil Pollution) (Amendment) Bill	<ul style="list-style-type: none"> <li>To amend the Merchant Shipping (Liability and Compensation for Oil Pollution) Ordinance (Cap. 414) to give effect to a marine</li> </ul>	THB	2nd half



Title	Purpose of the Legislation	Responsible Bureau	Indicative Timing within 2008-09 Legislative Session
27. Merchant Shipping (Safety) (Amendment) Bill	<p>environmental-related convention passed by the International Maritime Organization on the compensation regime for covering pollution damage caused by spills of bunker oil from seagoing non-tankers.</p> <p>• To enable the timely implementation of marine safety-related international conventions applicable to HKSAR through the use of direct reference approach in making subsidiary legislation under the Merchant Shipping (Safety) Ordinance (Cap. 369). The opportunity will be taken to make adaptation to the Ordinance and to update archaic references therein.</p>	THB	2nd half