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GOVERNMENT SECRETARIAT

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26 February 2009

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

Dear *Miriam*,

Updated 2008-09 Legislative Programme

In line with established practice, I attach at **Annex** the updated 2008-09 Legislative Programme for Members' reference.

The Building Management (Amendment) Bill was originally scheduled for introduction in the first half of the current legislative session. In the light of Members' comments at the Home Affairs Panel, the Administration will first explore administrative measures to assist members of management committee to observe the existing statutory declaration requirement. For bills intended for introduction in the second half of the 2008-09 legislative session (i.e. between March to July 2009), a new item, the Voting by Imprisoned Persons Bill, is now added. At the same time, the timing for seven bills, viz. Competition Bill, Buildings Energy Efficiency Bill, Employment (Amendment) Bill, Import and Export (Amendment) Bill, Food Safety Bill, Public Health and Municipal Services (Amendment) (No. 2) Bill and Residential Care Homes (Persons with Disabilities) Bill, have to be adjusted. Relevant bureaux will introduce these bills to LegCo upon completion of relevant preparatory work.

The updated programme serves as an indication of the Administration's latest legislative proposals, and is subject to change in light of development in the remaining months of the legislative session.

*Yours Sincerely,
Jennifer Mak*

(Miss Jennifer Mak)
Director of Administration

Encl.

c.c. Clerk to the House Committee

**Updated Legislative Programme 2008-09
(March to July 2009)**

This updated programme sets out the bills which the Government plans to introduce into the Legislative Council in the remainder of the 2008-09 legislative session. The bills to be introduced 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
1. Copyright (Amendment) Bill	<ul style="list-style-type: none"> • 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. 	CEDB
2. Voting by Imprisoned Persons Bill	<ul style="list-style-type: none"> • To amend the provisions which disqualify prisoners from registering as electors and from voting in the Legislative Council (LegCo) elections and other elections in the light of the judgment on three judicial review cases which ruled such provisions in the LegCo Ordinance unconstitutional. 	CMAB
3. Arbitration Bill	<ul style="list-style-type: none"> • 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 	DoJ

Title	Purpose of the Legislation	Responsible Bureau
	International Trade Law (UNICITRAL) for all types of arbitration, thereby abolishing the distinction between domestic and international arbitrations under the current Arbitration Ordinance (Cap. 341).	
4. Legal Practitioners (Amendment) Bill	<ul style="list-style-type: none"> • To implement the recommendations made in the Report of the Working Party on Solicitors' Rights of Audience. 	DoJ
5. Biosafety Bill	<ul style="list-style-type: none"> • 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
6. Fixed Penalty (Idling Vehicles) Bill	<ul style="list-style-type: none"> • 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
7. Inland Revenue (Amendment) Bill	<ul style="list-style-type: none"> • To add/amend provisions related to hearing of appeals by the Board of Review; • To expand the scope of deduction for interest expense incurred in purchasing "prescribed fixed asset"; • To plug potential loopholes found under concessionary 	FSTB

Title	Purpose of the Legislation	Responsible Bureau
	<p>deductions for home loan interest;</p> <ul style="list-style-type: none"> • 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; • To extend the actionable period for the breach of secrecy by Inland Revenue Department’s staff; • To amend provisions to clear unclaimed moneys in Tax Reserve Certificate account; and • To make some textual amendments. 	
8. Mandatory Provident Fund Schemes (Amendment) Bill	<ul style="list-style-type: none"> • 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. 	FSTB
9. Legal Aid (Amendment) Bill	<ul style="list-style-type: none"> • To extend legal aid to cover mediation in legally aided matrimonial cases. 	HAB
10. Village Representative Election (Amendment) Bill	<ul style="list-style-type: none"> • 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 	HAB

Title	Purpose of the Legislation	Responsible Bureau
	Department and Heung Yee Kuk with a view to improving the arrangements for village representative election.	
11. Domestic Violence (Amendment) Bill	• To amend the Domestic Violence Ordinance to extend its coverage to include same sex cohabitants.	LWB
12. A bill to enhance enforcement of Labour Tribunal awards	• To make legislative amendments to enhance enforcement of Labour Tribunal awards.	LWB
13. Minimum Wage Bill	• To introduce legislation for a statutory minimum wage.	LWB
14. Occupational Deafness (Compensation) (Amendment) Bill	• 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).	LWB
15. International Convention on Civil Liability to Bunker Oil Pollution Damage	• To give effect to a marine 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.	THB
16. Merchant Shipping (Safety) (Amendment) Bill	• To enable the timely implementation of marine safety-related international	THB

Title	Purpose of the Legislation	Responsible Bureau
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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.

Administration Wing
Chief Secretary for Administration's Office
February 2009