

立法會
Legislative Council

LC Paper No. LS67/09-10

**Paper for the House Committee Meeting
on 28 May 2010**

**Legal Service Division Report on
Subsidiary Legislation Gazetted on 14 May 2010**

Date of tabling in LegCo : 19 May 2010

Amendment to be made by : 9 June 2010 (or 7 July 2010 if extended by resolution)

Electronic Transactions Ordinance (Cap. 553)

Electronic Transactions (Exclusion) Order (Cap. 553 sub. leg. B)

Electronic Transactions (Exclusion) (Amendment) Order 2010 (L.N. 54)

Section 5 of the Electronic Transactions Ordinance (Cap. 553) (the Ordinance) provides that if a rule of law requires or permits information to be or given in writing, an electronic record satisfies that rule of law if the information contained in the electronic record is accessible so as to be usable for subsequent reference. The statutory provisions excluded from the application of section 5 of the Ordinance are listed in Schedule 1 to the Electronic Transactions (Exclusion) Order (Cap. 553 sub. leg. B) (the principal Order).

2. This Order, made by the Permanent Secretary for Commerce and Economic Development (Communications and Technology) under section 11(1) of the Ordinance, deletes regulations 15 and 26 of the Dutiable Commodities (Liquor) Regulations (Cap. 109 sub. leg. B) (relating to applications for liquor licences and club liquor licences respectively) from Schedule 1 to the principal Order. Those provisions will no longer be excluded from the application of section 5 of the Ordinance and, as a result, electronic records can be used in liquor licence and club liquor licence applications.

3. This Order will come into operation on 1 August 2010.

4. Members may refer to the LegCo Brief (File Ref: GCIO/A 107/4/3 Pt. 23) issued by the Office of the Government Chief Information Officer, Commerce and Economic Development Bureau in May 2010 for background information.

5. The Panel on Commerce and Industry and the Panel on Information Technology and Broadcasting have not been consulted on the Order.

6. No difficulties have been observed in the legal and drafting aspects of the Order.

Prepared by

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24 May 2010

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