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By Fax (2899 2916)

19 October 2009

Mr TO Wing-hang, Edward
Prin AS (Planning & Lands)3
Development Bureau
9/F Murray Building
Garden Road
Central
Hong Kong

Dear Mr TO,

**Re: Prevention of Bribery Ordinance
(Amendment of Schedule 1) Order 2009 (L.N. 179)**

I have spoken with your Mr Daniel Fong, AS(Building) 1, on 16 October 2009 after the House Committee held on the same day, on the above Order, which was considered by Members at the said House Committee.

It is noted that the Minor Works Contractors Registration Committee (the Committee) to be appointed by the Building Authority under section 6 of the Building (Minor Works) Regulation 2009 (L.N. 51 of 2009) is not the registration authority for minor works contractors. Under section 8 of B(MW)R, the Committee's function is, among other things, to make recommendations to the Building Authority on applications for registration. The Committee is essentially an advisory committee in nature.

A Member wishes to know –

- (a) the relevant consideration or criteria of including a committee/body into Schedule 1 to the Prevention of Bribery Ordinance (Cap. 201) (POBO); and
- (b) whether the inclusion of the Committee into Schedule 1 to POBO is consistent with the consideration or criteria in (a), and the reason(s) thereof.

I would be most grateful if you may provide your response in both English and Chinese to me by the close of play on Tuesday (20 October 2009).

Yours faithfully,

(LEE Ka-yun, Kelvin)
Assistant Legal Adviser

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