

立法會
Legislative Council

LC Paper No. CB(3) 602/10-11

Ref : CB(3)/B/FH/1 (09-10)

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Date : 23 March 2011

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 30 March 2011

Food Safety Bill

Committee stage amendments

The Second Reading debate on the above Bill will be resumed at the Council meeting of 30 March 2011. Subject to the Bill receiving a Second Reading, the President has given permission for the Secretary for Food and Health to move amendments to the Bill at its Committee stage.

2. As directed by the President, the amendments are attached for Members' consideration.

(Desmond LAM)
for Clerk to the Legislative Council

Encl.

FOOD SAFETY BILL

COMMITTEE STAGE

Amendments to be moved by the Secretary for Food
and Health

<u>Clause</u>	<u>Amendment Proposed</u>
2	By deleting the definition of "drug".
2	In the definition of "food", by deleting paragraph (h) and substituting - "(h) medicine as defined by section 2(1) of the Pharmacy and Poisons Ordinance (Cap. 138) or Chinese herbal medicine or proprietary Chinese medicine as defined by section 2(1) of the Chinese Medicine Ordinance (Cap. 549);".
2	In the Chinese text, by deleting the definition of "批發" and substituting - ""批發"(wholesale)指向符合以下說明的人供應食物：該人取得該食物的目的，是在該人經營的業務的運作中，向第三者供應該食物，或是安排向第三者供應該食物；".

2 In the Chinese text, in the definition of “飲品”,
by deleting “不包括不屬下列類別的水” and substituting
“不包括水，但以下類別的水除外”.

2 In the Chinese text, in the definition of “職能”,
by deleting the semicolon and substituting a full
stop.

3 In the Chinese text, by deleting subclause (1)
and substituting -

“(1) 本條例就任何非擬供人食用的食物而言，並不
適用。”.

3 In the Chinese text, by deleting subclause (3)
and substituting -

“(3) 在不局限第(1)或(2)款的原則下，本條例就在
圈養狀態下繁殖或培育生長的活水產而言，並不適用。”.

30(2) In the Chinese text, by deleting paragraph (b)
and substituting -

“(b) 對公眾衛生所承受的危險的任何不良後果，予以緩
解，”.

- 54(1) In the Chinese text, by deleting “對其妨礙、抗拒，或對其使用粗言穢語” and substituting “妨礙、抗拒或辱罵該人”.
- 64(1)(a) By deleting “by repealing “不屬於” and substituting “不屬”” and substituting “by repealing “不包括不屬於下列類別的水” and substituting “不包括水，但以下類別的水除外””.
- 64(2) In the proposed definition of “food”, by deleting paragraph (h) and substituting -
- “(h) medicine as defined by section 2(1) of the Pharmacy and Poisons Ordinance (Cap. 138) or Chinese herbal medicine or proprietary Chinese medicine as defined by section 2(1) of the Chinese Medicine Ordinance (Cap. 549);”.
- 67 By adding -
- “(3) Section 67 is amended by adding -
- “(4) The presumptions in subsection (1) do not apply to live aquatic products that are in captivity for the purposes of propagation or promotion of growth.”.”.

New

By adding -

**"69A. Section 139 amended (Obstruction
of officers in the exercise
of their duty)**

Section 139 is amended, in the Chinese text, by repealing "對其妨礙、抗拒，或對其使用粗言穢語" and substituting "妨礙、抗拒或辱罵該人".