
L.N. 80 of 2012

Legislation Publication (Revision) Order 2012

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Legislation Publication (Revision) Order 2012

(Made by the Secretary for Justice under section 17 of the Legislation Publication Ordinance (Cap. 614))

Part 1

Preliminary

1. Commencement

This Order comes into operation on 29 June 2012.

2. Enactments amended

The enactments specified in Parts 2, 3 and 4 are amended as set out in those Parts.

Part 2

Amendments to Secure Uniformity in Expression and Relevant Consequential Amendment

Division 1—Pilotage Ordinance (Cap. 84)

3. Section 10F amended (powers of the Authority)

Section 10F(d)—

Repeal

“hoisting”

Substitute

“issue”.

Division 2—Suppression of Piracy Regulations (Cap. 200 sub. leg. A)

4. Regulation 10 amended

(1) Regulation 10(b), English text—

Repeal

“province of Kwangtung”

Substitute

“Guangdong Province”.

(2) Regulation 10(b)—

Repeal

“the province of Kwangsi”

Substitute

“Guangxi Zhuang Autonomous Region”.

(3) Regulation 10(c)—

Repeal

“of the said provinces”

Substitute

“the Guangdong Province or Guangxi Zhuang Autonomous Region”.

Division 3—Merchant Shipping Ordinance (Cap. 281)

5. Section 2 amended (interpretation)

Section 2, definition of *river trade limits*, paragraph (b)—

Repeal

“provinces of Kwangtung and Kwangsi on the mainland of China”

Substitute

“Guangdong Province and Guangxi Zhuang Autonomous Region”.

Division 4—Shipping and Port Control Ordinance (Cap. 313)

6. Section 2 amended (interpretation)

Section 2, definition of *river trade limits*, paragraph (b)—

Repeal

“provinces of Kwangtung and Kwangsi on the mainland of China”

Substitute

“Guangdong Province and Guangxi Zhuang Autonomous Region”.

Division 5—Merchant Shipping (Minimum Passenger Space) Regulations (Cap. 369 sub. leg. E)

7. Regulation 2 amended (interpretation)

- (1) Regulation 2(1), English text, definition of *river trade area*, paragraph (b)—

Repeal

“province of Kwangtung”

Substitute

“Guangdong Province”.

- (2) Regulation 2(1), definition of *river trade area*, paragraph (b)—

Repeal

“the province of Kwangsi”

Substitute

“Guangxi Zhuang Autonomous Region”.

Division 6—Merchant Shipping (Safety) (Arrangements for Embarkation and Disembarkation of Pilots) Regulation (Cap. 369 sub. leg. AU)

8. Section 1 amended (interpretation)

Section 1, definition of *river trade limits*, paragraph (b)—

Repeal

“Guangxi Autonomous Region on the mainland of China”

Substitute

“Guangxi Zhuang Autonomous Region”.

Division 7—Smoking (Public Health) Ordinance (Cap. 371)

9. Schedule 2 amended (designated no smoking areas and exempt areas)

Schedule 2, Chinese text, Part 1, item 13—

Repeal

“留產室”

Substitute

“留產院”.

Division 8—Merchant Shipping (Seafarers) Ordinance (Cap. 478)

10. Section 2 amended (interpretation)

Section 2(1), definition of *river trade limits*, paragraph (b)—

Repeal

“Guangxi Autonomous Region on the mainland of China”

Substitute

“Guangxi Zhuang Autonomous Region”.

Division 9—Laws (Loose-leaf Publication) Ordinance 1990 (51 of 1990)

11. Section 2 amended (publication of Ordinances, etc. in a loose-leaf edition)

Section 2(5), English text—

Repeal

“shall”

Substitute

“must”.

12. Section 3 amended (status of loose-leaf and booklets)

(1) Section 3(a)—

Repeal

“shall be deemed”

Substitute

“is deemed”.

(2) Section 3(b)—

Repeal

“shall be deemed”

Substitute

“is deemed”.

Part 3

Rearrangement of Items

Division 1—Import and Export (General) Regulations (Cap. 60 sub. leg. A)

13. Schedule 7 amended (specified countries or places)

(1) Schedule 7, English text—

Repeal

“Republic of Armenia”

Substitute

“Armenia, Republic of”.

(2) Schedule 7, English text—

Repeal

“People’s Republic of China

Democratic Republic of the Congo

Republic of the Congo”

Substitute

“China, People’s Republic of

Congo, Democratic Republic of the

Congo, Republic of the”.

(3) Schedule 7, English text—

Repeal

“Republic of Korea”

Substitute

“Korea, Republic of”.

(4) Schedule 7, English text—

Repeal

“The Netherlands”

Substitute

“Netherlands, The”.

**Division 2—Intercountry Adoption (Contracting States)
Order (Cap. 290 sub. leg. C)**

14. Schedule substituted

The Schedule, English text—

Repeal the Schedule

Substitute

“Schedule

[s. 2]

List of Contracting States

Part 1

Column 1	Column 2
Contracting States	Date of coming into effect of the Convention
Albania, The Republic of	25 January 2006
Andorra, The Principality of	25 January 2006
Armenia, The Republic of	1 June 2007
Austria, The Republic of	25 January 2006
Azerbaijani Republic, The	25 January 2006

Column 1	Column 2
Contracting States	Date of coming into effect of the Convention
Belarus, The Republic of	25 January 2006
Belgium, The Kingdom of	25 January 2006
Bolivia, The Republic of	25 January 2006
Brazil, The Federative Republic of	25 January 2006
Bulgaria, The Republic of	25 January 2006
Burkina Faso, The	25 January 2006
Burundi, The Republic of	25 January 2006
Cambodia, The Kingdom of	1 August 2007
Cape Verde, The Republic of	1 January 2010
Chile, The Republic of	25 January 2006
Colombia, The Republic of	25 January 2006
Costa Rica, The Republic of	25 January 2006
Cuba, The Republic of	1 June 2007
Cyprus, The Republic of	25 January 2006
Czech Republic, The	25 January 2006
Denmark, The Kingdom of	25 January 2006
Ecuador, The Republic of	25 January 2006
El Salvador, The Republic of	25 January 2006
Estonia, The Republic of	25 January 2006
Finland, The Republic of	25 January 2006
Georgia	25 January 2006
Germany, The Federal Republic of	25 January 2006

Column 1	Column 2
Contracting States	Date of coming into effect of the Convention
Guatemala, The Republic of	25 January 2006
Guinea, The Republic of	25 January 2006
Hungary, The Republic of	25 January 2006
Iceland, The Republic of	25 January 2006
India, The Republic of	25 January 2006
Israel, The State of	25 January 2006
Italy, The Republic of	25 January 2006
Kenya, The Republic of	1 June 2007
Latvia, The Republic of	25 January 2006
Lithuania, The Republic of	25 January 2006
Luxembourg, The Grand Duchy of	25 January 2006
Madagascar, The Republic of	25 January 2006
Malta, The Republic of	25 January 2006
Mauritius, The Republic of	25 January 2006
Mexico, The United States of	25 January 2006
Moldova, The Republic of	25 January 2006
Monaco, The Principality of	25 January 2006
Mongolia	25 January 2006
Netherlands, The Kingdom of the	25 January 2006
New Zealand	25 January 2006
Norway, The Kingdom of	25 January 2006
Panama, The Republic of	25 January 2006

Column 1	Column 2
Contracting States	Date of coming into effect of the Convention
Paraguay, The Republic of	25 January 2006
Peru, The Republic of	25 January 2006
Philippines, The Republic of the	25 January 2006
Poland, The Republic of	25 January 2006
Portuguese Republic, The	25 January 2006
Romania	25 January 2006
San Marino, The Republic of	25 January 2006
Slovak Republic, The	25 January 2006
Slovenia, The Republic of	25 January 2006
South Africa, The Republic of	25 January 2006
Spain, The Kingdom of	25 January 2006
Sri Lanka, The Democratic Socialist Republic of	25 January 2006
Sweden, The Kingdom of	25 January 2006
Swiss Confederation, The	25 January 2006
Thailand, The Kingdom of	25 January 2006
Togolese Republic, The	1 February 2010
Turkey, The Republic of	25 January 2006
United States of America, The	1 April 2008
Uruguay, The Oriental Republic of	25 January 2006
Venezuela, The Republic of	25 January 2006

Part 2

Column 1	Column 2	Column 3
Contracting States	Territorial unit or units in respect of which a declaration has been made under Article 45 of the Convention	Date of coming into effect of the Convention
Australia, The Commonwealth of	All the territorial units of Australia	25 January 2006
Canada	Alberta	25 January 2006
	British Columbia	25 January 2006
	Manitoba	25 January 2006
	New Brunswick	25 January 2006
	Newfoundland and Labrador	25 January 2006
	Northwest Territories	25 January 2006
	Nova Scotia	25 January 2006
	Nunavut	25 January 2006
	Ontario	25 January 2006
	Prince Edward Island	25 January 2006
	Quebec	1 February 2006
	Saskatchewan	25 January 2006
	Yukon Territory	25 January 2006

Column 1	Column 2	Column 3
Contracting States	Territorial unit or units in respect of which a declaration has been made under Article 45 of the Convention	Date of coming into effect of the Convention
French Republic, The	The whole of the territory of the French Republic, with the exception of its overseas territories	25 January 2006
United Kingdom of Great Britain and Northern Ireland, The	England	25 January 2006
	Wales	25 January 2006
	Scotland	25 January 2006
	Northern Ireland	25 January 2006
	Isle of Man	25 January 2006”.

Division 3—Child Abduction and Custody (Parties to Convention) Order (Cap. 512 sub. leg. A)

15. Schedule amended

The Schedule, English text—

Repeal column 1

Substitute

“Column 1

Contracting States to the
Convention

Albania, Republic of
Argentina, Republic of
Armenia, Republic of
Australia, Commonwealth of
Austria, Republic of
Bahamas, Commonwealth of the
Belarus, Republic of
Belgium, Kingdom of
Belize
Bosnia and Herzegovina,
Republic of
Brazil, Federative Republic of
Bulgaria, Republic of
Burkina Faso, Democratic
Republic of
Canada
Chile, Republic of
Colombia, Republic of
Costa Rica, Republic of
Croatia, Republic of
Cyprus, Republic of
Czech Republic

Column 1

Contracting States to the
Convention

Denmark, Kingdom of (except
the Faroe Islands and
Greenland)

Ecuador, Republic of

Estonia, Republic of

Fiji Islands, Republic of the

Finland, Republic of

France, Republic of (for the
whole of the territory of the
Republic of France)

Georgia, Republic of

Germany, Federal Republic of

Greece (Hellenic Republic)

Honduras, Republic of

Hungary, Republic of

Iceland, Republic of

Ireland, Republic of

Israel, State of

Italy, Republic of

Latvia, Republic of

Lithuania, Republic of

Luxembourg, Grand-Duchy of

Macedonia, Republic of

Malta, Republic of

Column 1

Contracting States to the
Convention

Mauritius, Republic of
Mexico, United States of
Moldova, Republic of
Monaco, Principauté de
Montenegro
Netherlands, Kingdom of the (for
the Kingdom in Europe)
New Zealand
Norway, Kingdom of
Panama, Republic of
Peru, Republic of
Poland (Polish Republic)
Portugal, Republic of
Romania
Saint Kitts and Nevis, Federation
of
San Marino, Republic of
Serbia, Republic of
Seychelles, Republic of
Singapore, Republic of
Slovak Republic
Slovenia, Republic of
South Africa, Republic of

Column 1

Contracting States to the
Convention

Spain, Kingdom of
Sri Lanka, Democratic Socialist
Republic of
Sweden, Kingdom of
Switzerland (Confédération
Suisse)
Thailand, Kingdom of
Trinidad and Tobago, Republic of
Turkey, Republic of
Turkmenistan, Republic of
Ukraine
United Kingdom of Great Britain
and Northern Ireland
United States of America
Uruguay, Oriental Republic of
Uzbekistan, Republic of
Venezuela, Republic of
Zimbabwe, Republic of”.

Part 4

Gender-neutral Amendments and Relevant Consequential Amendment

Division 1—Laws (Loose-leaf Publication) Ordinance 1990 (51 of 1990)

16. Section 2 amended (publication of Ordinances, etc. in a loose-leaf edition)

Section 2(4)—

Repeal

“he”

Substitute

“the Secretary for Justice”.

Division 2—Guardianship of Minors Ordinance (Cap. 13)

17. Section 4 amended (unenforceability of agreements to give up parental rights)

(1) Section 4(2), English text—

Repeal

“his”

Substitute

“the minor’s”.

(2) Section 4(3), English text—

Repeal

“him of his”

Substitute

“the minor of his or her”.

18. Section 10 amended (orders for custody and maintenance on application of either parent)

Section 10(1)(b), English text—

Repeal

“his”

Substitute

“his or her”.

19. Section 12A amended (provisions as to powers of court to make orders in favour of children and duration of such orders)

Section 12A(3)(a), English text—

Repeal

“he”

Substitute

“that child”.

20. Section 13 amended (jurisdiction and orders on application under s. 10)

(1) Section 13(2)(a), English text—

Repeal

“he”

Substitute

“the Director”.

(2) Section 13(2)(b), English text—

Repeal

“he”

Substitute

“the Director”.

(3) Section 13(3)(b), English text—

Repeal

“his”

Substitute

“his or her”.

21. Section 14 amended (additional provisions as to supervision orders)

Section 14(2), English text—

Repeal

“he”

Substitute

“the Director”.

22. Section 15 amended (additional provisions as to order committing care of minor to Director of Social Welfare)

Section 15(2), English text—

Repeal

“him”

Substitute

“the Director”.

23. Section 17 amended (evidence on applications under s. 10 or 14(2))

Section 17(1), English text—

Repeal

“his department”

Substitute

“the Social Welfare Department”.

24. Section 18 amended (powers of guardians)

Section 18(1), English text—

Repeal

“his own name”

Substitute

“the name of the guardian”.

25. Section 19 amended (person subject to maintenance order to notify change of address)

(1) Section 19(1), English text—

Repeal

“his”

Substitute

“his or her”.

(2) Section 19(1), English text—

Repeal

“him”

Substitute

“him or her”.

26. Section 20 amended (attachment of income to satisfy order)

- (1) Section 20(1)(a)(i), English text—

Repeal

“he”

Substitute

“the payer”.

- (2) Section 20(1A)(a), English text—

Repeal

“his”

Substitute

“his or her”.

- (3) Section 20(1A)(c), English text—

Repeal

“his”

Substitute

“his or her”.

- (4) Section 20(5)(a), English text—

Repeal

“his employee”

Substitute

“an employee”.

- (5) Section 20(6), English text—

Repeal

“he”

Substitute

“the Chief Justice”.

27. Section 20A amended (interest on arrears of maintenance)

(1) Section 20A(6)—

Repeal

“he”

Substitute

“he or she”.

(2) Section 20A(7)(a), English text—

Repeal

“his”

Substitute

“his or her”.

(3) Section 20A(7)(d), English text—

Repeal

“his”

Substitute

“his or her”.

28. Section 20B amended (surcharge on arrears of maintenance)

Section 20B(6)(b)(ii)—

Repeal

“him or his”

Substitute

“that judgment debtor or that judgment debtor’s”.

**Division 3—Attachment of Income Order Rules
(Cap. 13 sub. leg. A)**

29. Rule 3 amended (requirements relating to application made by designated payee)

Rule 3(2)(a)—

Repeal

“his”

Substitute

“the designated payee’s”.

30. Rule 3C amended (making of attachment order by court on its own motion)

Rule 3C(1)(a)—

Repeal

“him”

Substitute

“the maintenance payer”.

31. Rule 4 amended (signed statement to be filed by maintenance payer)

Rule 4(1)—

Repeal

“him” (wherever appearing)

Substitute

“him or her”.

32. Rule 5 amended (verification of signed statement)

Rule 5(2)(b)—

Repeal

“he”

Substitute

“the named income source”.

33. Rule 5A amended (making of attachment order in the same hearing in which related maintenance order is made)

Rule 5A(1)(c), English text—

Repeal

“he”

Substitute

“that party”.

34. Rule 7 amended (compliance with order by income source)

(1) Rule 7(1)—

Repeal

“if he has been”

Substitute

“on being”.

(2) Rule 7(1)—

Repeal

“but he”

Substitute

“but the income source”.

- (3) Rule 7(2)(a)—
Repeal
“he”
Substitute
“the income source”.
- (4) Rule 7(2)(c)—
Repeal
“him”
Substitute
“the income source”.
- (5) Rule 7(3)(ii)(A)—
Repeal
“his”.
- (6) Rule 7(4)—
Repeal
“he”
Substitute
“the income source”.

35. Rule 8 amended (obligations of maintenance payer)

- (1) Rule 8(3), English text—
Repeal
“his”
Substitute
“the maintenance payer’s”.

- (2) Rule 8(4), English text—

Repeal

“, he”

Substitute

“, the maintenance payer”.

- (3) Rule 8(4)(a)—

Repeal

“he has a new income source, within 21 days after he”

Substitute

“the maintenance payer has a new income source, within 21 days after he or she”.

- (4) Rule 8(4)(b)—

Repeal

“he has no new income source, within 21 days after he”

Substitute

“the maintenance payer has no new income source, within 21 days after he or she”.

- (5) Rule 8(4)(b)—

Repeal

“he does not”

Substitute

“he or she does not”.

(6) Rule 8(5)—

Repeal

“he shall, within 21 days after he”

Substitute

“the maintenance payer shall, within 21 days after he or she”.

(7) Rule 8(6)—

Repeal

“he”

Substitute

“he or she”.

36. Rule 9 amended (variation of attachment order)

Rule 9(3)(a)—

Repeal

“his”

Substitute

“the person’s”.

37. Rule 10 amended (discharge of attachment order)

Rule 10(3)(a)—

Repeal

“his”

Substitute

“the person’s”.

38. Rule 11 amended (offences and penalty)

Rule 11(1)(d)—

Repeal

“he”

Substitute

“the maintenance payer”.

39. Rule 12 amended (service of documents)

Rule 12(b)(ii)—

Repeal

“him or his”

Substitute

“that person or that person’s”.

40. Schedule amended

(1) The Schedule, English text, Form 2—

Repeal

“HIS HONOUR”

Substitute

“HIS/HER HONOUR”.

(2) The Schedule, English text, Form 2—

Repeal

“MR. JUSTICE”

Substitute

“MR./MADAM JUSTICE”.

- (3) The Schedule, English text, Form 2A—

Repeal

“HIS HONOUR”

Substitute

“HIS/HER HONOUR”.

- (4) The Schedule, English text, Form 2A—

Repeal

“MR. JUSTICE”

Substitute

“MR./MADAM JUSTICE”.

- (5) The Schedule, English text, Form 3—

Repeal

“HIS HONOUR”

Substitute

“HIS/HER HONOUR”.

- (6) The Schedule, English text, Form 3—

Repeal

“MR. JUSTICE”

Substitute

“MR./MADAM JUSTICE”.

- (7) The Schedule, English text, Form 4—

Repeal

“HIS HONOUR”

Substitute

“HIS/HER HONOUR”.

- (8) The Schedule, English text, Form 4—
Repeal
“MR. JUSTICE”
Substitute
“MR./MADAM JUSTICE”.
- (9) The Schedule, English text, Form 4—
Repeal
“him”
Substitute
“the Maintenance Payer”.
- (10) The Schedule, English text, Form 6—
Repeal
“HIS HONOUR”
Substitute
“HIS/HER HONOUR”.
- (11) The Schedule, English text, Form 6—
Repeal
“MR. JUSTICE”
Substitute
“MR./MADAM JUSTICE”.
- (12) The Schedule, Form 6—
Repeal
“he”
Substitute
“the Income Source”.

Legislation Publication (Revision) Order 2012

L.N. 80 of 2012
B5375

WONG Yan Lung
Secretary for Justice

27 April 2012

Explanatory Note

The purpose of this Order is to make amendments to various Ordinances to ensure that the statute book is accurate, up-to-date and accords with the current legislative drafting practices.

2. This Order is divided into 4 Parts.

Part 1

3. Section 1 provides for commencement.

Part 2

4. Part 2 makes alterations to different Ordinances for the purpose of securing uniformity in expression.
5. Section 3 amends section 10F(d) of the Pilotage Ordinance (Cap. 84) by changing the word “hoisting” to “issue” so as to be consistent with other similar provisions.
6. Sections 4, 5, 6, 7, 8 and 10 revise “province of Kwangtung” to “Guangdong Province”, and “province of Kwangsi” and “Guangxi Autonomous Region” to “Guangxi Zhuang Autonomous Region” for consistency.
7. Section 9 adopts “留產院” as the Chinese equivalent for “maternity home” in item 13 of Schedule 2 to the Smoking (Public Health) Ordinance (Cap. 371) so as to be in line with section 2 of that Ordinance.

8. Sections 11 and 12 amend the Laws (Loose-leaf Publication) Ordinance 1990 (51 of 1990) (*Loose-leaf Ordinance*) by changing “shall” to “must”, and “shall be deemed” to “is deemed”. This is to accord with the current legislative drafting practices and to secure uniformity in expressing an obligation by using “must” and expressing a deeming provision by using “is deemed”.

Part 3

9. Part 3 rearranges a few lists of countries to facilitate searching.
10. Sections 13 to 15 adopt the same principle in arranging the English names of countries for ease of reference. For example, “Republic of Korea” is rearranged as “Korea, Republic of” and grouped under “K” as a reader usually goes to “K” rather than “R” to locate “Korea”. The rearrangement is also in line with the practices adopted in some other common law jurisdictions.

Part 4

11. Part 4 makes gender-neutral amendments to the Loose-leaf Ordinance, the Guardianship of Minors Ordinance (Cap. 13) and the Attachment of Income Order Rules (Cap. 13 sub. leg. A).