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Legislation Publication (Revision) Order 2013

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Legislation Publication (Revision) Order 2013

(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 10 May 2013.

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

Division 1—Post Office Ordinance (Cap. 98)

3. **Section 2 amended (interpretation)**

Section 2(1), Chinese text, definition of 郵資印花—

Repeal

“名信片”

Substitute

“明信片”.

Division 2—Milk Regulation (Cap. 132 sub. leg. AQ)

4. **Section 21A amended (prohibition of use by licensee of milk other than from licensed dairies)**

(1) Section 21A, Chinese text, heading—

Repeal

“牛”.

(2) Section 21A, Chinese text—

Repeal

“《牛奶場規例》”

Substitute

“《奶場規例》”.

(3) Section 21A, Chinese text—

Repeal

“的牛奶場”

Substitute

“的奶場”.

Division 3—Education Ordinance (Cap. 279)

5. Section 67 amended (Permanent Secretary may require interview or further information)

(1) Section 67(c), English text, before “registration”—

Add

“the”.

(2) Section 67(d), English text—

Repeal

“to employ”

Substitute

“the employment of”.

Division 4—Merchant Shipping (Minimum Passenger Space) Regulations (Cap. 369 sub. leg. E)

6. Regulation 22 amended (ventilation, unberthed passenger accommodation)

Regulation 22(6)(a), Chinese text—

Repeal

“調較”

Substitute

“調校”.

Division 5—Crimes (Torture) Ordinance (Cap. 427)

7. Section 3 amended (torture)

Section 3(6), Chinese text—

Repeal

“終生”

Substitute

“終身”.

Division 6—Post-Release Supervision of Prisoners Ordinance (Cap. 475)

8. Section 22 amended (Chief Executive may give directions, etc.)

Section 22(1)(b), Chinese text—

Repeal

“終生”

Substitute

“終身”.

Division 7—United Nations Sanctions (Somalia) Regulation (Cap. 537 sub. leg. AN)

9. Section 25 amended (disclosure of information or documents)

Section 25(1)(c), Chinese text—

Repeal

“安理會”

Substitute

“安全理事會”.

Part 3

Amendments to Heading to Reflect Contents of Provision or Group of Provisions

Division 1—Sex Discrimination Ordinance (Cap. 480)

10. **Section 7 heading amended (discrimination against married, etc. persons in employment field)**

Section 7, heading—

Repeal

“in employment field”.

11. **Section 8 heading amended (discrimination against pregnant women in employment field)**

Section 8, heading—

Repeal

“in employment field”.

Division 2—District Councils Ordinance (Cap. 547)

12. **Part IX heading amended (Chief Executive in Council to make regulations and amend Schedule 4 or 5)**

Part IX, heading—

Repeal

“4 OR 5”

Substitute

“4, 5 OR 7”.

Part 4

Amendments to Secure Uniformity in Expression and Gender-neutral Amendments to Crimes (Torture) Ordinance (Cap. 427)

13. Section 2 amended (interpretation)

(1) Section 2(2), English text—

Repeal

“shall”

Substitute

“is to”.

(2) Section 2(2), English text—

Repeal

“he acts (be he)”

Substitute

“the person acts (whether”.

(3) Section 2(3), English text—

Repeal

“shall not”

Substitute

“is not to”.

14. Section 3 amended (torture)

(1) Section 3(1), English text—

Repeal

“his nationality”

Substitute

“the official’s or the person’s nationality”.

- (2) Section 3(1), English text—

Repeal

“he”

Substitute

“the official or the person”.

- (3) Section 3(1), English text—

Repeal

“his official duties”

Substitute

“his or her official duties”.

- (4) Section 3(2), Chinese text—

Repeal

“對他”.

- (5) Section 3(2), English text—

Repeal

“his nationality”

Substitute

“the person’s nationality”.

- (6) Section 3(2)(a), English text—

Repeal

“he”

Substitute

“the person”.

- (7) Section 3(2)(b), English text—

Repeal

“his official duties when he”

Substitute

“his or her official duties when he or she”.

- (8) Section 3(4), English text—

Repeal

“shall be”

Substitute

“is”.

- (9) Section 3(4)—

Repeal

“his to prove that he”

Substitute

“the person to prove that the person”.

- (10) Section 3(6), English text—

Repeal

“shall be”

Substitute

“is”.

15. Section 4 amended (Secretary for Justice’s consent required for prosecutions under section 3)

Section 4, English text—

Repeal

“shall”

Substitute

“must”.

Rimsky YUEN
Secretary for Justice

4 March 2013

Explanatory Note

The purpose of this Order is to make amendments to various Ordinances to ensure that the relevant provisions are accurate, up-to-date and accord with the current legislative drafting practices.

2. The Order is divided into 4 Parts. Part 1 provides for commencement.
3. Part 2 makes alterations to different Ordinances for the purpose of securing uniformity in expression.
4. Part 3 amends the headings of sections 7 and 8 of the Sex Discrimination Ordinance (Cap. 480) and the heading of Part IX of the District Councils Ordinance (Cap. 547) to reflect the contents of the provisions grouped under those headings.
5. Part 4 makes gender-neutral amendments to the Crimes (Torture) Ordinance (Cap. 427). It also amends that Ordinance to discontinue the use of “shall”, to accord with the current legislative drafting practices.