

**立法會**  
***Legislative Council***

LC Paper No. LS26/14-15

**Paper for the House Committee**

**Second Further Report by Legal Service Division on  
Legislation Publication (Revision) Order 2014 (L.N. 150)  
gazetted on 5 December 2014**

Members may recall that the Legal Service Division (LSD) has submitted a further report (LC Paper No. LS24/14-15) dated 24 December 2014 on the Legislation Publication (Revision) Order 2014 (L.N. 150) after we had made enquiries with the Administration as to whether certain provisions of L.N. 150 are within the scope of the empowering provision, i.e. section 17(a) of the Legislation Publication Ordinance (Cap. 614). L.N. 150 will come into operation on 6 February 2015. Any amendment to L.N. 150 may be made by the Council meeting of 7 January 2015 or that of 28 January 2015 if extended by resolution.

2. In our above report, we stated that section 34 of L.N. 150 relates more to rectifying inaccuracies in the cross references to the paragraphs in section 31(4) of the Import and Export Ordinance (Cap. 60) than securing uniformity in expression within Cap. 60, and as such, may not be within the scope of section 17(a) of Cap. 614. The Administration has since written to LSD providing further explanation on the amendment in section 34 of L.N. 150. In its letter dated 30 December 2014, the Administration further explained that in subsection (1A) of section 31 of Cap. 60, "subsection (1)(x) or (aa)" is used to refer to the paragraphs under subsection (1). In addition to securing uniformity in expression with other Ordinances (following the current legislative drafting practices), the Administration stated that they also intend to secure uniformity in expression between subsections (1A) and (4) of section 31. The amendment in section 34 of L.N. 150 to change "paragraph (aa), (ab), (ac), (ad) or (ae)" to "subsection (1)(aa), (ab), (ac), (ad) or (ae)" in subsection (4) is to ensure that the same form of expression is used to refer to the paragraphs under subsection (1). Therefore, the Administration is of the view that the proposed amendment comes squarely within the power under section 17(a) of Cap. 614. The Administration has further supplemented that a Revision Order is one of the means to help ensure that the statute book is accurate, up-to-date and accord with the current legislative drafting practices. The relevant powers will be exercised in appropriate scenarios and within the boundaries set in section 17 of Cap. 614.

3. In the light of the Administration's latest reply, we are satisfied that the amendment in section 34 of L.N. 150 could be said to have been made for the purpose of securing uniformity in expression within Cap. 60 and thus within the power under section 17(a) of Cap. 614. Subject to Members' views on this issue, we have no further comments relating to the legal or drafting aspect of L.N. 150.

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