

立法會 *Legislative Council*

LC Paper No. CB(2)189/15-16

Ref. : CB2/H/13/1

Report No. 3/15-16 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments

Purpose

This report gives the outcome of the consideration of the House Committee on subsidiary legislation the period for amendment of which will expire at the Council meeting of 11 November 2015.

Subsidiary legislation considered

2. The House Committee has considered the following items of subsidiary legislation -

<u>Item Number</u>	<u>Title of Subsidiary Legislation</u>	<u>Date of House Committee meeting(s)</u>
(1)	Competition (Fees) Regulation (L.N. 155/2015)	9 October 2015 30 October 2015
(2)	Competition Ordinance (Commencement) (No. 2) Notice 2015 (L.N. 156/2015)	9 October 2015 30 October 2015
(3)	Competition Tribunal Rules (Commencement) Notice (L.N. 157/2015)	9 October 2015 30 October 2015
(4)	Competition Tribunal Fees Rules (Commencement) Notice (L.N. 158/2015)	9 October 2015 30 October 2015
(5)	Competition Tribunal Suitors' Funds Rules (Commencement) Notice (L.N. 159/2015)	9 October 2015 30 October 2015
(6)	Rules of the High Court (Amendment) Rules 2015 (Commencement) Notice (L.N. 160/2015)	9 October 2015 30 October 2015

<u>Item Number</u>	<u>Title of Subsidiary Legislation</u>	<u>Date of House Committee meeting(s)</u>
(7)	Administration of Estates by Consular Officers Ordinance (Amendment of Schedule: Cambodia) Order 2015 (L.N. 178/2015)	9 October 2015
(8)	Consular Conventions (Application of Section 3) (Amendment of Schedule: Cambodia) Order 2015 (L.N. 179/2015)	9 October 2015
(9)	Administration of Estates by Consular Officers Ordinance (Amendment of Schedule: Philippines) Order 2015 (L.N. 181/2015)	9 October 2015
(10)	Consular Conventions (Application of Section 3) (Amendment of Schedule: Philippines) Order 2015 (L.N. 182/2015)	9 October 2015
(11)	Specification of Arrangements (The Mainland of China) (Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income) (Fourth Protocol) Order (L.N. 189/2015)	9 October 2015 30 October 2015
(12)	Port Control (Public Cargo Working Area) Order 2015 (Commencement) Notice (L.N. 190/2015)	9 October 2015
(13)	Pharmacy and Poisons (Amendment) (No. 5) Regulation 2015 (L.N. 193/2015)	16 October 2015
(14)	Electronic Transactions (Exclusion) (Amendment) Order 2015 (L.N. 194/2015)	16 October 2015
(15)	Road Traffic Ordinance (Amendment of Schedule 3) (No. 2) Order 2015 (L.N. 195/2015)	16 October 2015
(16)	Road Traffic Ordinance (Amendment of Schedule 8) Order 2015 (L.N. 196/2015)	16 October 2015

<u>Item Number</u>	<u>Title of Subsidiary Legislation</u>	<u>Date of House Committee meeting(s)</u>
(17)	Electronic Health Record Sharing System Ordinance (Commencement) Notice 2015 (L.N. 197/2015)	16 October 2015
(18)	Insurance Companies (Amendment) Ordinance 2015 (Commencement) Notice 2015 (L.N. 198/2015)	16 October 2015
(19)	Mandatory Provident Fund Schemes (Amendment) Ordinance 2015 (Commencement) (No. 2) Notice 2015 (L.N. 199/2015)	16 October 2015

3. The House Committee formed two subcommittees to study items (1) to (6), as well as item (11) respectively in detail at its meeting on 9 October 2015. The two Subcommittees reported their deliberations at the House Committee meeting on 30 October 2015 vide LC Paper Nos. CB(4)124/15-16 and CB(1)70/15-16 respectively.

4. In respect of items (7) to (10) and (12) to (19), the House Committee considered it not necessary to form any subcommittee to study these 12 items of subsidiary legislation.

Note: (a) The House Committee formed five subcommittees to study the following 16 items of subsidiary legislation at its meeting on 9 October 2015. The Council passed at its meeting of 4 November 2015 five resolutions moved respectively by the Chairmen of the relevant Subcommittees to extend the period for amending these 16 items of subsidiary legislation to the Council meeting of 2 December 2015. Details are as follows –

(i) Resolution moved by Dr Hon Priscilla LEUNG to extend the period for amending the following five items of subsidiary legislation :

- 1. Solicitors' Accounts (Amendment) Rules 2012 (Commencement) Notice (L.N. 161/2015)*
- 2. Accountant's Report (Amendment) Rules 2012 (Commencement) Notice (L.N. 162/2015)*

3. *Solicitors (Professional Indemnity) (Amendment) Rules 2012 (Commencement) Notice (L.N. 163/2015)*
 4. *Solicitors' Practice (Amendment) Rules 2012 (Commencement) Notice (L.N. 164/2015)*
 5. *Foreign Lawyers Practice (Amendment) Rules 2012 (Commencement) Notice (L.N. 165/2015)*
- (ii) Resolution moved by Hon Dennis KWOK to extend the period for amending the following item of subsidiary legislation :
6. *Trainee Solicitors (Amendment) Rules 2015 (L.N. 174/2015)*
- (iii) Resolution moved by Hon Dennis KWOK to extend the period for amending the following two items of subsidiary legislation :
7. *Rules of the High Court (Amendment) (No. 3) Rules 2015 (L.N. 175/2015)*
 8. *Rules of the District Court (Amendment) Rules 2015 (L.N. 176/2015)*
- (iv) Resolution moved by Hon James TO to extend the period for amending the following two items of subsidiary legislation :
9. *Consular Relations (Additional Privileges and Immunities) (Cambodia) Order (L.N. 177/2015)*
 10. *Consular Relations (Additional Privileges and Immunities) (Philippines) Order (L.N. 180/2015)*
- (v) Resolution moved by Hon Kenneth LEUNG to extend the period for amending the following six items of subsidiary legislation :

11. *Inland Revenue (Exchange of Information relating to Taxes) (Kingdom of Denmark) Order (L.N. 183/2015)*
12. *Inland Revenue (Exchange of Information relating to Taxes) (Faroës) Order (L.N. 184/2015)*
13. *Inland Revenue (Exchange of Information relating to Taxes) (Greenland) Order Inland Revenue (Exchange of Information relating to Taxes) (Greenland) Order (L.N. 185/2015)*
14. *Inland Revenue (Exchange of Information relating to Taxes) (Iceland) Order (L.N. 186/2015)*
15. *Inland Revenue (Exchange of Information relating to Taxes) (Kingdom of Norway) Order (L.N. 187/2015)*
16. *Inland Revenue (Exchange of Information relating to Taxes) (Kingdom of Sweden) Order (L.N. 188/2015)*

(b) *The House Committee formed a subcommittee to study the following two items of subsidiary legislation at its meeting on 16 October 2015. The Council passed at its meeting of 4 November 2015 a resolution moved by Hon Alice MAK, Chairman of the Subcommittee, to extend the period for amending these two items of subsidiary legislation to the Council meeting of 2 December 2015. Details are as follows –*

1. *Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) (Amendment) Regulation 2015 (L.N. 191/2015)*
2. *Building (Administration) (Amendment) (No. 2) Regulation 2015 (L.N. 192/2015)*