



立法會秘書處 法律事務部  
LEGAL SERVICE DIVISION  
LEGISLATIVE COUNCIL SECRETARIAT

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30 October 2015

Ms CHAN Shui Yu, Marion  
Asst Comr for Census and Statistics (Social)  
Census and Statistics Department  
21/F, Wanchai Tower  
12 Harbour Road  
Wan Chai, Hong Kong

Dear Ms CHAN,

**Census and Statistics (2016 Population  
Census) Order (L.N. 208 of 2015)**

Thank you for your two letters dated 28 and 29 October 2015.

Whilst we note that under section 3 of the Interpretation and General Clauses Ordinance (Cap. 1), "years of age" and words of like meaning, when used in reference to the age of any person, means years of age calculated from the date of birth, Cap. 1 applies "save where the contrary intention appears" as provided in section 2(1) of Cap. 1.

Section 6(1) of the Order, as presently drafted, seems to impose an obligation to an occupant to provide certain information. The meaning of "occupant" is hinged on a particular time on a particular date (i.e. 3 a.m. on 30 June 2016) as defined under "census reference moment" under section 2 of L.N. 208. In such circumstances, whether the meaning of "years of age" under section 3 of Cap. 1 is still applicable to section 6 of L.N. 208, or its application is displaced by section 2(1) of Cap. 1, is not clear.

Yours sincerely,

(Winnie LO)

Assistant Legal Adviser

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