

LEGISLATIVE COUNCIL BRIEF

**INTERPRETATION AND GENERAL CLAUSES ORDINANCE
(AMENDMENT OF SCHEDULE 6) ORDER 2015**

INTRODUCTION

A At the meeting of the Executive Council on 17 November 2015, the Council ADVISED and the Chief Executive ORDERED that the Interpretation and General Clauses Ordinance (Amendment of Schedule 6) Order 2015 (Amendment Order), at **Annex A**, should be made under section 62 of the Interpretation and General Clauses Ordinance (Cap. 1) (IGCO).

JUSTIFICATIONS

B 2. Section 62(1) of IGCO provides, inter alia, that where any Ordinance confers a power or imposes a duty on the Chief Executive (CE), the exercise of such power or the performance of such duty may be signified under the hand of any public officer specified in Schedule 6 to IGCO. A copy of the existing Schedule 6 is attached at **Annex B**. All Directors of Bureaux are, amongst others, specified in the existing Schedule.

3. Section 62(3) of IGCO provides that the CE in Council may, by order published in the Gazette, amend Schedule 6 to IGCO. Pursuant to the establishment of the Innovation and Technology Bureau (ITB), there is a need to add the new Secretary for Innovation and Technology (S for IT) to the list of public officers specified in the Schedule.

THE AMENDMENT ORDER

4. The Amendment Order amends the existing Schedule 6 to IGCO by adding the new S for IT to the list of specified public officers.

LEGISLATIVE TIMETABLE

5. The Amendment Order will be published in the Gazette and come into operation on 20 November 2015, on which date the Resolution to effect the transfer of statutory functions for the establishment of the ITB made by the Legislative Council (LegCo) on 3 June 2015 will also commence operation. It will be tabled at the LegCo on 25 November 2015 for negative vetting.

IMPLICATIONS OF THE PROPOSAL

6. The proposal is in conformity with the Basic Law, including the provisions concerning human rights. The Amendment Order has no civil service, economic, environmental, family, financial, gender, productivity, or sustainability implications. It does not affect the binding effect of IGCO.

PUBLIC CONSULTATION

7. To enable LegCo Members to have a complete picture of the requisite legal instruments in respect of the establishment of ITB, the draft form of the Amendment Order was presented to LegCo Members together with the Resolution to effect the transfer of relevant statutory functions through a LegCo brief issued on 20 May 2014.

ENQUIRIES

8. For enquiries, please contact Mr Ivanhoe Chang, Principal Assistant Secretary for Commerce and Economic Development (Communications and Technology) at 2810 2713.

Commerce and Economic Development Bureau
18 November 2015

**Interpretation and General Clauses Ordinance
(Amendment of Schedule 6) Order 2015**

(Made by the Chief Executive in Council under section 62(3) of the
Interpretation and General Clauses Ordinance (Cap. 1))

1. **Interpretation and General Clauses Ordinance amended**
The Interpretation and General Clauses Ordinance (Cap. 1) is amended as set out in section 2.
2. **Schedule 6 amended (public officers)**
Schedule 6, after item “Secretary for Home Affairs”—
Add
“Secretary for Innovation and Technology”.

Clerk to the Executive Council


COUNCIL CHAMBER

2015

Explanatory Note

Schedule 6 to the Interpretation and General Clauses Ordinance (Cap. 1) contains a list of public officers who are empowered to signify the exercise of statutory powers and the performance of statutory duties by the Chief Executive. This Order amends that Schedule to add the Secretary for Innovation and Technology to that list.

Contents of Section

Chapter:	1 	Title:	INTERPRETATION AND GENERAL CLAUSES ORDINANCE	Gazette Number:	E.R. 1 of 2012
Schedule:	6	Heading:	Public Officers	Version Date:	09/02/2012

[section 62]

Chief Secretary for Administration
 Financial Secretary
 Secretary for Justice
 Secretary for the Civil Service
 Secretary for Commerce and Economic Development
 Secretary for Constitutional and Mainland Affairs
 Secretary for Development
 Secretary for Education
 Secretary for the Environment
 Secretary for Financial Services and the Treasury
 Secretary for Food and Health
 Secretary for Home Affairs
 Secretary for Labour and Welfare
 Secretary for Security
 Secretary for Transport and Housing
 Under Secretary
 Permanent Secretary
 Director of Administration
 Director of Home Affairs
 Deputy Secretary
 Deputy Director of Administration
 Principal Assistant Secretary
 Assistant Director of Administration

(Schedule 6 replaced L.N. 134 of 2007. Amended L.N. 49 of 2008)
 (Format changes—E.R. 1 of 2012)