

立法會
Legislative Council

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Tel : 3919 3309

Date : 31 January 2018

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 7 February 2018

Amendments to Dutiable Commodities (Amendment) Bill 2017

The Second Reading debate on the above Bill will be resumed at the Council meeting of 7 February 2018. Subject to the Bill receiving Second Reading, the President has given permission for the Secretary for Food and Health to move amendments to the Bill.

2. As directed by the President, the amendments are attached for Members' consideration.

(Judy TING)
for Clerk to the Legislative Council

Encl.

Dutiable Commodities (Amendment) Bill 2017

Committee Stage

Amendments to be moved by the Secretary for Food and Health

<u>Clause</u>	<u>Amendment Proposed</u>
7	In the proposed regulation 35, by deleting the definition of <i>agent</i> .
7	In the proposed regulation 35, by adding in alphabetical order— “ <i>domestic premises</i> (住宅) means any premises that have been constructed to be used, and are used, as a private dwelling;”.
7	In the proposed regulation 37, by adding— “(1A) For the purpose of paragraph (1), a person is not regarded as selling or supplying intoxicating liquor only by delivering the liquor if the person— (a) delivers the liquor in the course of business for another person who— (i) sells or supplies the liquor; and (ii) is not the employer of the first-mentioned person; and (b) is not otherwise involved in the sale or supply of the liquor.”.
7	In the proposed regulation 44(1)(a), by deleting “public place” and substituting “distribution point”.
7	In the proposed regulation 44(2), by adding in alphabetical order— “ <i>distribution point</i> (分發地點) means a place (other than domestic premises) where intoxicating liquor is or has been sold or supplied in the course of business;”.
7	By adding— “ 44A. Warrant to search domestic premises etc.

- (1) A magistrate may issue a search warrant in respect of any domestic premises if the magistrate is satisfied by information on oath by an inspector that there are reasonable grounds for suspecting that there is in the premises anything that is, or is likely to be, evidence of an offence under this Part.
- (2) The search warrant may authorize the inspector to—
 - (a) enter and search the premises at any reasonable time; and
 - (b) exercise all or any of the powers under regulation 44(1)(b) to (i).
- (3) If the inspector seizes anything as authorized by the search warrant, the inspector must—
 - (a) if there is in the premises an adult who appears to the inspector to be a resident of the premises—leave a notice of the seizure with the adult; or
 - (b) if there is no such adult in the premises—leave in a prominent position at the premises a notice of the seizure.
- (4) A notice mentioned in paragraph (3) must contain sufficient particulars so as to identify the thing seized.”.