

立法會
Legislative Council

LC Paper No. LS68/18-19

**Paper for the House Committee Meeting
on 26 April 2019**

**Legal Service Division Report on
Subsidiary Legislation Gazetted on 12 April 2019**

Tabling in LegCo : Council meeting of 17 April 2019

Amendment to be made by : Council meeting of 15 May 2019 (or that of 5 June 2019 if extended by resolution)

**Entertainment Special Effects (Fees) (Amendment)
Regulation 2019**

(L.N. 58)

L.N. 58 is made by the Entertainment Special Effects Licensing Authority under section 26 of the Entertainment Special Effects Ordinance (Cap. 560) with the approval of the Secretary for Commerce and Economic Development ("SCED"). It amends the Schedule to the Entertainment Special Effects (Fees) Regulation (Cap. 560B) to increase by 11.1% to 14.4% 26 items of fees payable in respect of:

- (a) the issue, renewal, replacement, alteration or certification of various licences or permits under Cap. 560 or the Entertainment Special Effects (General) Regulation (Cap. 560A); and
- (b) the assessment required for the issue or alteration of various licences under Cap. 560 or Cap. 560A.

2. According to paragraph 4 of the Legislative Council ("LegCo") Brief (no file reference) issued by the Communications and Creative Industries Branch of the Commerce and Economic Development Bureau ("CEDB") on 10 April 2019, the fees (in force since May 2013) are increased with a view to recovering the full cost of the services provided. Members may refer to Annex B to the LegCo Brief for details of the fees revision.

3. As advised by the Clerk to the Panel on Information Technology and Broadcasting, the Panel was consulted on the revision of the 26 items of fees at the Panel meeting on 14 January 2019. Panel members did not raise any objection to the

proposed fees revision, but expressed concerns on the level of fees adjustments proposed and the cost recovery rate that could be achieved with the proposed adjustments.

4. L.N. 58 comes into operation on 1 July 2019.

**Trade Descriptions Ordinance (Amendment of Schedule 1)
Notice 2019**

(L.N. 59)

5. Under section 2A(3) of the Trade Descriptions Ordinance (Cap. 362), the rules of origin for the goods qualified for preferential tariff treatment under a trade arrangement specified in Schedule 1 to Cap. 362 apply for the purpose of determining the place of manufacture or production of those goods.

6. L.N. 59 is made by SCED under section 2A(4) of Cap. 362 to amend Schedule 1 to Cap. 362 by adding the Free Trade Agreement ("FTA") between Hong Kong, China and Australia signed on 26 March 2019 ("HKC-Australia FTA") so that section 2A(3) of Cap. 362 applies.

7. According to paragraph 4 of the LegCo Brief (File Ref.: TRA CR 1327/1/14) issued by CEDB and the Trade and Industry Department in April 2019, under the HKC-Australia FTA, a set of preferential rules of origin has been formulated under which preferential tariff treatment is accorded to goods of Hong Kong origin. L.N. 59 is made to enable Hong Kong traders to apply the preferential rules of origin under the HKC-Australia FTA.

8. As advised by the Clerk to the Panel on Commerce and Industry, the Panel was consulted at the Panel meeting on 16 April 2019. Members raised no objection to adding the HKC-Australia FTA to Schedule 1 to Cap. 362 to enable Hong Kong exporters to apply the rules of origin agreed in the FTA. Some members sought details of the implementation progress of FTAs with other economies and the Administration's plan to expand Hong Kong's FTA network, and urged the Administration to enhance existing FTAs and to sign new FTAs of comparable high standards to the HKC-Australia FTA.

9. L.N. 59 comes into operation on 1 July 2019.

10. No difficulties have been identified in the legal and drafting aspects of the above items of subsidiary legislation.

Prepared by
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