

LETTERHEAD OF Legislative Council Secretariat Legal Service Division

來函檔號 Your

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Ms Kitty Fung

10 November 1998

Government Counsel

Legal Policy Division

Department of Justice

4/F, High Block

Queen Government Office

URGENT BY FAX

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Dear Ms Fung,

Adaptation of Laws (No. 4) Bill 1998

Further to my yesterday's letter, we have the following additional points for your clarification:

Legal Services Legislation (Miscellaneous Amendments) Ordinance 1997

In new subsection (2A)(g) in item 28 of Schedule 1, the references to "section 98 of the Mental Health Act 1983 (1983 c.20 U.K.) (Emergency powers)" and "section 99 of that Act (Appointment of a receiver)" are repealed and substituted respectively with "section 10D of the Mental Health Ordinance (Cap. 136) (Court's powers in cases of emergency)" and "section 11 of that Ordinance (Appointment of committee). It is appreciated that section 98 of the Mental Health Act 1983 and section 10D of the Mental Health Ordinance are comparable. But could you explain the comparability between section 99 of the Mental Health Act 1983 and section 11 of the Mental Health Ordinance?

Official Solicitor Ordinance

What are the differences and similarities between "Colonial Regulations" (the reference is to be repealed) and "government regulations" (which is to be the substitution)?

It is appreciated that your reply in both languages could reach us by the close of play today.

Yours sincerely,

(Stephen Lam)
Assistant Legal Adviser