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By Fax No. 2869 0720

Ms. Roxanna Cheng
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Legal Policy Division
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8/F High Block
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31 May 1999

Dear Ms. Cheng,

Adaptation of Laws (No. 12) Bill 1998

I refer to your letter to the Clerk to the Bills Committee dated 27 May 1999 which has been referred to me. I note that the Administration has agreed that the adaptation of the word "Crown" in section 56(2)(a) and some other sections of the Criminal Procedure Ordinance (Cap. 221) should be "HKSAR" and not "the Government" and the Administration has proposed Committee Stage amendments thereon.

However, in the proposed Chinese version of the Committee Stage amendments, I note that the term for "HKSAR" is "特區". This will be inconsistent with the proposed adaptation in this Bill, say, for sections 37, 40, 44 of Schedule 2, where the Chinese version of "HKSAR" is rendered as "香港特別行政區". It will also be inconsistent with the Form of Charge Sheet in the First Schedule of the District Court Ordinance (Cap. 336) (see enclosure). Is it that since 1 July 1997, the term "HKSAR" has been rendered as "香港特別行政區" in all documents for criminal matters? You will note that in Cap. 1, there is a defined term of "HKSAR" which has the Chinese equivalent of "特區". Should the Chinese version of "HKSAR" be provided in Cap. 1 as "特區" or "香港特別行政區"? Please clarify.

Looking forward to hearing from you soon.

Yours sincerely,

(Anita Ho)
Assistant Legal Adviser

Encl.

c.c. Dept. of Justice (Attn: Mrs. Dissanayake Nilmini, SALD)
Dept. of Justice (Attn: Mr. Lawrence Peng Si-un, SGC)
LA