

LEGISLATIVE COUNCIL BRIEF

Adaptation of Laws (No. 21) Bill 1999

Ferry Services Ordinance (Cap. 104)
Tramway Ordinance (Cap. 107)
Public Bus Services Ordinance (Cap. 230)
Peak Tramway Ordinance (Cap. 265)
Mass Transit Railway Corporation Ordinance (Cap. 270)
Kowloon-Canton Railway Corporation Ordinance (Cap. 372)
Railways Ordinance (Cap. 519)

INTRODUCTION

At the meeting of the Executive Council on 29 June 1999, the Council ADVISED and the Chief Executive ORDERED that the Adaptation of Laws (No. 21) Bill 1999, at the Annex, should be introduced into the Legislative Council.

BACKGROUND AND ARGUMENT

2. The existing laws of Hong Kong which contain references inconsistent with the Basic Law or with Hong Kong's status as a Special Administrative Region of the People's Republic of China need to be adapted.
3. The Adaptation of Laws (No. 21) Bill 1999 will be introduced to the Legislative Council to effect necessary adaptations to 7 transport-related ordinances and their subsidiary legislation.

THE BILL

4. Most of the proposed amendments are merely terminological changes, e.g. references to "the Colony" and "lifaju" are replaced by "Hong Kong" and "lifahui" respectively. References to "Her Majesty the Queen, Her Heirs or Successors" will be replaced by "the Central Authorities or the Government of the Hong Kong Special Administrative Region under the Basic Law and other laws". Similarly, a reference to the "Governor" will be replaced by the "Chief Executive". Where a provision previously conferred power on the

"Governor" to make subsidiary legislation, the reference to the "Governor" will still be adapted to the "Chief Executive". Although the requirement under Article 56 of the Basic Law that the Chief Executive shall consult the Executive Council before making subordinate legislation is then not expressly set out, the Council will still have to be consulted if the Chief Executive is to exercise this legislative function.

5. Other minor amendments include repealing the definition of "Government" in section 2 of the Tramway Ordinance and the reference to the Institution of Mechanical Engineers, the Institution of Marine Engineers and the Institution of Electrical Engineers of the United Kingdom in Regulation 3(3)(a)(i) of the Peak Tramway (Safety) Regulations as they are redundant and do not conform with the status of Hong Kong as a Special Administrative Region of the People's Republic of China.

COMMENCEMENT

6. The Bill provides that, subject to Article 12 of the Hong Kong Bill of Rights, the adaptations when passed into law shall take effect retrospectively, as from the date of the establishment of the Hong Kong Special Administrative Region.

LEGISLATIVE TIMETABLE

7. The legislative timetable will be -

Publication in the Gazette	2 July 1999
First Reading and commencement of Second Reading debate	14 July 1999
Resumption of Second Reading debate, committee stage and Third Reading	to be notified

HUMAN RIGHTS IMPLICATIONS

8. The Department of Justice advises that the proposed Bill is consistent with the human rights provisions of the Basic Law.

BINDING EFFECT

9. The amendments do not affect the current binding effect of the existing provisions of various Ordinances covered by the Bill.

FINANCIAL AND STAFFING IMPLICATIONS

10. There are no financial or staffing implications arising from the Bill.

PUBLIC CONSULTATION

11. Since the amendments are essentially straightforward adaptations, consultation with the public is not considered necessary.

PUBLICITY

12. A press release will be issued on 30 June 1999. A spokesman will be available to handle media enquiries.

ENQUIRIES

13. Any enquiries can be directed to the following officer in the Transport Bureau -

Mr Brian Lo
Principal Assistant Secretary for Transport
(Telephone No.: 2810 2082)

Transport Bureau
Government Secretariat
30 June 1999

ADAPTATION OF LAWS (NO. 21) BILL 1999

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A BILL

To

Adapt certain Ordinances to bring them into conformity with the Basic Law and with the status of Hong Kong as a Special Administrative Region of the People's Republic of China.

Enacted by the Legislative Council.

1. Short title

This Ordinance may be cited as the Adaptation of Laws (No. 21) Ordinance 1999.

2. Commencement

(1) This Ordinance shall be deemed to have come into operation on 1 July 1997.

(2) Subsection (1) shall be subject to Article 12 of the Hong Kong Bill of Rights set out in Part II of the Hong Kong Bill of Rights Ordinance (Cap. 383).

3. Amendment of Ordinances

The Ordinances specified in the Schedules are amended in the manner indicated in those Schedules.

SCHEDULE 1

FERRY SERVICES ORDINANCE

[s. 3]

1. Section 2(2) of the Ferry Services Ordinance (Cap. 104) is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".
2. Section 3 is amended by repealing "Governor" where it twice appears and substituting "Chief Executive".
3. Section 6(1), (3) and (4) is amended by repealing "Governor in Council" wherever it appears and substituting "Chief Executive in Council".
4. Section 7(2) is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".
5. Section 8 is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".
6. Section 9 is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".
7. Section 10(1) is amended by repealing "Governor" where it twice appears and substituting "Chief Executive".
8. Section 11 is amended by repealing "Governor" and substituting "Chief Executive".
9. Section 13(1), (2), (5), (6), (7) and (8) is amended by

repealing "Governor in Council" and substituting "Chief Executive in Council".

10. Section 16(3) and (4) is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".

11. Section 19(1), (4) and (5) is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".

12. Section 22(3) is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".

13. Section 23(1) and (4) is amended by repealing "Governor in Council" where it twice appears and substituting "Chief Executive in Council".

14. Section 24(1) is amended by repealing "Governor in Council" where it twice appears and substituting "Chief Executive in Council".

15. Section 25(1), (3) and (4) is amended by repealing "Governor in Council" where it twice appears and substituting "Chief Executive in Council".

16. Section 26 is amended -

(a) in subsection (2) -

(i) by repealing "Governor in Council" and substituting "Chief Executive in Council";

- (ii) by repealing "立法局" and substituting "立法會";
 - (b) in subsection (3), by repealing "Governor in Council" and substituting "Chief Executive in Council".
- 17. Section 28(7) (b) is amended by repealing "Governor in Council" where it twice appears and substituting "Chief Executive in Council".
- 18. Section 36 is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".
- 19. Section 37(1) and (5) is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".
- 20. Section 41 is amended by repealing "Governor in Council" wherever it appears and substituting "Chief Executive in Council".
- 21. Section 44(1) is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".
- 22. Section 45(2) is amended by repealing "立法局" and substituting "立法會".

SCHEDULE 2
TRAMWAY ORDINANCE AND ITS SUBSIDIARY LEGISLATION

[s. 3]

Tramway Ordinance.

1. Section 2 of the Tramway Ordinance (Cap. 107) is amended -
 - (a) in the definition of "court", by repealing "High Court" and substituting "Court of First Instance";
 - (b) by repealing the definition of "Government".

2. Section 3 is amended -
 - (a) in subsections (2) and (3), by repealing "Governor in Council" wherever it appears and substituting "Chief Executive in Council";
 - (b) in subsection (4) -
 - (i) by repealing "Governor in Council" and substituting "Chief Executive in Council";
 - (ii) in paragraph (c), by repealing "立法局" and substituting "立法會".

3. Section 4 is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".

4. Section 5 is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".

5. Section 6(4) is amended by repealing "Governor in Council" where it twice appears and substituting "Chief Executive in Council".

6. Section 15(1), (4), (5) and (6) is amended by repealing

"Governor in Council" wherever it appears and substituting "Chief Executive in Council".

7. Section 16(1) is amended by repealing "the Colony" and substituting "Hong Kong".

8. Section 17 is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".

9. Section 19(c) is amended by repealing "Governor" and substituting "Chief Executive".

10. Section 20 is amended by repealing "the Colony" and substituting "Hong Kong".

11. Section 21 is amended by repealing "the Colony" and substituting "Hong Kong".

12. Section 23 is amended by repealing "the Colony" and substituting "Hong Kong".

13. Section 25 is amended by repealing "Governor in Council" where it twice appears and substituting "Chief Executive in Council".

14. Section 26 is amended by repealing "Governor in Council" wherever it appears and substituting "Chief Executive in Council".

15. Section 28 is amended by repealing "Governor in Council"

wherever it appears and substituting "Chief Executive in Council".

16. Section 29 is amended by repealing "Governor in Council" where it twice appears and substituting "Chief Executive in Council".

17. Section 30 is amended by repealing "Governor in Council" where it twice appears and substituting "Chief Executive in Council".

18. Section 31 is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".

19. Section 33 is amended by repealing "Governor" where it twice appears and substituting "Chief Executive".

20. Section 38(1) is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".

21. Section 39(1) is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".

22. Section 41 is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".

23. Section 42 is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".

24. Section 43 is amended by repealing "Governor in Council" and

substituting "Chief Executive in Council".

25. Section 44 is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".

26. Section 45 is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".

27. Section 51 is amended by repealing "Governor in Council" where it twice appears and substituting "Chief Executive in Council".

28. Section 60 is amended by repealing "the Colony" and substituting "Hong Kong".

29. Section 63(1) is amended by repealing "地方法院" and substituting "區域法院".

30. Section 70 is amended by repealing "Her Majesty the Queen, Her Heirs or Successors" and substituting "the Central Authorities or the Government of the Hong Kong Special Administrative Region under the Basic Law and other laws".

Use of Electric Power on the Tramway Rules

31. Rule 14 of the Use of Electric Power on the Tramway Rules (Cap. 107 sub. leg.) is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".

32. Rule 20 is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".

SCHEDULE 3 [s. 3]
PUBLIC BUS SERVICES ORDINANCE AND ITS SUBSIDIARY LEGISLATION

Public Bus Services Ordinance

1. Section 3 of the Public Bus Services Ordinance (Cap. 230) is amended by repealing "Governor" where it twice appears and substituting "Chief Executive".
2. Section 5 is amended -
 - (a) in subsection (1), by repealing "Governor in Council" and substituting "Chief Executive in Council";
 - (b) in subsection (3) -
 - (i) in paragraph (a), by repealing "Governor in Council" and substituting "Chief Executive in Council";
 - (ii) in paragraph (b), by repealing "立法局" and substituting "立法會";
 - (iii) in paragraph (c), by repealing "Governor in Council" and substituting "Chief Executive in Council";
 - (c) in subsections (4) and (5), by repealing "Governor in Council" and substituting "Chief Executive in Council";

(d) in subsection (9) -

- (i) by repealing "Governor in Council" and substituting "Chief Executive in Council";
- (ii) by repealing "立法局" and substituting "立法會".

3. Section 6(2), (2A) and (3) is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".

4. Section 7 is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".

5. Section 8(1) is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".

6. Section 9(1) is amended by repealing "Governor" where it twice appears and substituting "Chief Executive".

7. Section 10 is amended by repealing "Governor" and substituting "Chief Executive".

8. Section 12B(1) is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".

9. Section 13(1) is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".

10. Section 14(1), (2) and (5) is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".
11. Section 22(1) is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".
12. Section 23(1), (3) (a) and (9) is amended by repealing "Governor in Council" wherever it appears and substituting "Chief Executive in Council".
13. Section 24(1), (2) and (3) is amended by repealing "Governor in Council" where it twice appears and substituting "Chief Executive in Council".
14. Section 25(3) (a) is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".
15. Section 31 is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".
16. Section 33 is amended by repealing "Governor in Council" wherever it appears and substituting "Chief Executive in Council".
17. Section 34(a) and (c) is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".
18. Section 35(2) is amended by repealing "Governor in Council" and

substituting "Chief Executive in Council".

19. Section 36(2) is amended by repealing "立法局" and substituting "立法會".

20. Section 37 is amended by repealing "Governor" and substituting "Chief Executive".

Resolution of the Legislative Council

21. Resolution of the Legislative Council made and passed on 5 June 1996 (L.N. 249 of 1996) is amended -

- (a) by repealing "by the Governor in Council" and substituting "under section 5(1) of the Public Bus Services Ordinance";
- (b) by repealing "the Public Bus Services Ordinance." and substituting "that Ordinance.".

Resolution of the Legislative Council

22. Resolution of the Legislative Council made and passed on 26 February 1997 (L.N. 70 of 1997) is amended -

- (a) by repealing "by the Governor in Council" and substituting "under section 5(1) of the Public Bus Services Ordinance";
- (b) by repealing "the Public Bus Services Ordinance." and substituting "that Ordinance.".

Resolution of the Legislative Council

23. Resolution of the Legislative Council made and passed on 26 February 1997 (L.N. 71 of 1997) is amended -

- (a) by repealing "by the Governor in Council" and substituting "under section 5(1) of the Public Bus Services Ordinance";
- (b) by repealing "the Public Bus Services Ordinance." and substituting "that Ordinance."

Resolution of the Legislative Council

24. Resolution of the Legislative Council made and passed on 26 February 1997 (L.N. 72 of 1997) is amended -

- (a) by repealing "by the Governor in Council" and substituting "under section 5(1) of the Public Bus Services Ordinance";
- (b) by repealing "the Public Bus Services Ordinance." and substituting "that Ordinance."

SCHEDULE 4

[s. 3]

PEAK TRAMWAY ORDINANCE AND ITS SUBSIDIARY LEGISLATION

Peak Tramway Ordinance

1. Section 2A(6) of the Peak Tramway Ordinance (Cap. 265) is

amended by repealing "Governor in Council" and substituting "Chief Executive in Council".

2. Section 8 is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".

3. Section 9(1) is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".

4. Section 10 is amended by repealing "Governor in Council" where it twice appears and substituting "Chief Executive in Council".

5. Section 11 is amended by repealing "Governor in Council" wherever it appears and substituting "Chief Executive in Council".

6. Section 15(1) is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".

7. Section 15A(1) is amended by repealing "立法局" and substituting "立法會"

8. Section 16(1) and (3) is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".

9. Section 17 is amended by repealing "Governor in Council" where it twice appears and substituting "Chief Executive in Council".

10. Section 19 is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".

11. Section 36 is amended by repealing "Her Majesty the Queen, Her Heirs or Successors" and substituting "the Central Authorities or the Government of the Hong Kong Special Administrative Region under the Basic Law and other laws".

Peak Tramway (Safety) Regulations

12. Regulation 3(3) (a) (i) of the Peak Tramway (Safety) Regulations (Cap. 265 sub. leg.) is amended by repealing", or of the Institution of Mechanical Engineers, Institution of Marine Engineers, Institution of Electrical Engineers of the United Kingdom".

SCHEDULE 5

[s. 3]

MASS TRANSIT RAILWAY CORPORATION ORDINANCE

1. Section 3(2) (b) of the Mass Transit Railway Corporation Ordinance (Cap. 270) is amended by repealing "Governor" and substituting "Chief Executive".

2. Section 4 is amended -

(a) in subsections (1) (a) and (c) and (3), by repealing "Governor" and substituting "Chief Executive";

(b) in subsection (4) -

(i) in paragraph (a), by repealing "Governor" and substituting "Chief Executive";

- (ii) in paragraph (b) -
 - (A) by repealing "Governor" and substituting "Chief Executive";
 - (B) by repealing "Governor's" and substituting "Chief Executive's";
 - (c) in subsection (5) -
 - (i) by repealing "pleasure of the Governor" and substituting "discretion of the Chief Executive";
 - (ii) in paragraph (a), by repealing "Governor" and substituting "Chief Executive";
 - (d) in subsection (6) -
 - (i) by repealing "Governor's" and substituting "Chief Executive's";
 - (ii) by repealing "Governor" and substituting "Chief Executive".
- 3. Section 7(1) and (2) is amended by repealing "Governor" and substituting "Chief Executive".
- 4. Section 10(2) is amended by repealing "Governor" and substituting "Chief Executive".
- 5. Section 12(1) is amended by repealing "立法局" and substituting "立法會".

6. Section 16 is amended -
 - (a) in subsection (3), by repealing "Governor" and substituting "Chief Executive";
 - (b) in subsection (4), by repealing "立法局" and substituting "立法會".
7. Section 19 is amended by repealing "Governor" where it twice appears and substituting "Chief Executive".
8. Section 20 is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".
9. Section 23A is amended -
 - (a) in subsection (1), by repealing "Governor" and substituting "Chief Executive";
 - (b) in subsection (2), by repealing "立法局" and substituting "立法會".
10. Section 24(1) is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".
11. Section 25(2) is amended by repealing "立法局" and substituting "立法會".

SCHEDULE 6
KOWLOON-CANTON RAILWAY CORPORATION ORDINANCE AND

[s. 3]

ITS SUBSIDIARY LEGISLATION

Kowloon-Canton Railway Corporation Ordinance

1. Section 2(2) and (3) of the Kowloon-Canton Railway Corporation Ordinance (Cap. 372) is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".
2. Section 3(2) is amended by repealing "Governor" where it twice appears and substituting "Chief Executive".
3. Section 4(1) (e) is amended by repealing "Governor" and substituting "Chief Executive".
4. Section 6 is amended -
 - (a) in subsection (1), by repealing "Governor in Council" and substituting "Chief Executive in Council".
 - (b) in subsection (2), by repealing "Governor" where it twice appears and substituting "Chief Executive".
5. Section 15 is amended -
 - (a) in subsection (1), by repealing "Governor" and substituting "Chief Executive";
 - (b) in subsection (2), by repealing "立法局" and substituting "立法會".
6. Section 20 is amended by repealing "Governor in Council" and

substituting "Chief Executive in Council".

7. Section 25 is amended -

- (a) in subsection (1), by repealing "Governor" and substituting "Chief Executive";
- (b) in subsection (2) -
 - (i) by repealing "Governor" and substituting "Chief Executive";
 - (ii) by repealing "立法局" and substituting "立法會".

8. Section 26 is amended by repealing "Governor" wherever it appears and substituting "Chief Executive".

9. Section 31 is amended -

- (a) in subsection (1) (b), by adding "another part of" before "China";
- (b) in subsection (2), by repealing "立法局" and substituting "立法會".

10. Section 34 is amended by repealing "Governor in Council" where it twice appears and substituting "Chief Executive in Council".

11. The First Schedule is amended -

- (a) in paragraph 3, by repealing "Governor" and substituting "Chief Executive";

- (b) in paragraph 5(2), by repealing "Governor" and substituting "Chief Executive";
 - (c) in paragraph 8, by repealing "Governor" wherever it appears and substituting "Chief Executive".
12. The Second Schedule is amended -
- (a) in paragraph 15(a) (ii) of Part II, by repealing "Governor" and substituting "Chief Executive";
 - (b) in paragraph 22 of Part III, by repealing "Governor" and substituting "Chief Executive".
13. The Third Schedule is amended -
- (a) in paragraph 1(2), by repealing "Governor in Council" wherever it appears and substituting "Chief Executive in Council";
 - (b) in paragraph 2, by repealing "Governor in Council" and substituting "Chief Executive in Council".
14. Part III of the Fifth Schedule is amended -
- (a) in paragraph 16, by repealing "Governor" and substituting "Chief Executive";
 - (b) in paragraph 17, by repealing "Governor" and substituting "Chief Executive".

Kowloon-Canton Railway Corporation By-laws

15. By-law 90(c) of the Kowloon-Canton Railway Corporation By-laws

(Cap. 372 sub. leg.) is amended by adding "other places in" before "the People's Republic of China".

SCHEDULE 7
RAILWAYS ORDINANCE

[s. 3]

1. Section 10(4) (b) and (5) of the Railways Ordinance (Cap. 519) is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".
2. Section 11 is amended -
 - (a) in subsection (2) -
 - (i) in paragraph (c), by repealing "Governor" and substituting "Chief Executive";
 - (ii) by repealing "Governor in Council" and substituting "Chief Executive in Council";
 - (b) in subsections (3) and (4), by repealing "Governor in Council" wherever it appears and substituting "Chief Executive in Council".
3. Section 12 is amended by repealing "Governor in Council" wherever it appears and substituting "Chief Executive in Council".
4. Section 13(1), (2) and (4) is amended by repealing "Governor in Council" wherever it appears and substituting "Chief Executive in Council".

5. Section 14 is amended by repealing "Governor in Council" wherever it appears and substituting "Chief Executive in Council".
6. Section 16 is amended by repealing "Governor" and substituting "Chief Executive".
7. Section 18(2) is amended by repealing "Governor" and substituting "Chief Executive".
8. Section 19(2) (d) is amended by repealing "Governor" and substituting "Chief Executive".
9. Section 20(1), (3) and (4) is amended by repealing "Governor" and substituting "Chief Executive".
10. Section 21(2) (d) is amended by repealing "Governor" and substituting "Chief Executive".
11. Section 27 is amended -
 - (a) in subsection (4), by repealing "Governor in Council" and substituting "Chief Executive in Council";
 - (b) in subsection (8), by repealing "Governor" and substituting "Chief Executive";
 - (c) in subsection (9), by repealing "Governor in Council" where it twice appears and substituting "Chief Executive in Council";
 - (d) in subsection (10) -

- (i) by repealing "Governor in Council" and substituting "Chief Executive in Council";
- (ii) by repealing "Governor" and substituting "Chief Executive".

12. Section 26(1) and (2) is amended by repealing "Governor" wherever it appears and substituting "Chief Executive".

13. Section 32(3) is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".

14. Section 45(2) (a) is amended by repealing "Governor in Council" and substituting "Chief Executive in Council".

Explanatory Memorandum

The purpose of this Bill is to adapt certain Ordinances and their subsidiary legislation to bring them into conformity with the Basic Law and with Hong Kong's status as a Special Administrative Region of the People's Republic of China (clause 3, Schedules 1 to 7).

2. The Ordinances adapted and their respective Schedule numbers under the Bill are -
- | | |
|---|------------|
| Ferry Services Ordinance (Cap. 104) | Schedule 1 |
| Kowloon-Canton Railway Corporation Ordinance (Cap. 372) | Schedule 6 |
| Mass Transit Railway Corporation Ordinance (Cap. 270) | Schedule 5 |
| Peak Tramway Ordinance (Cap. 265) | Schedule 4 |

Public Bus Services Ordinance (Cap. 230)

Schedule 3

Railways Ordinance (Cap. 519)

Schedule 7

Tramway Ordinance (Cap. 107)

Schedule 2

3. The Bill also provides that the adaptations when passed into law shall take effect retrospectively, as from the date of the establishment of the Hong Kong Special Administrative Region (clause 2).