

## Adaptation of Laws (No. 22) Bill 1999

### Summary of the proposed technical changes additions and repeals

#### I. Proposed Technical Changes

Original Terms	Proposed Amendments
Governor 總督	Chief Executive 行政長官
Crown <sup>1</sup> 官方	State 國家
Crown <sup>2</sup> 官方	Government 政府
Governor in Council 總督會同行政局	Chief Executive in Council 行政長官會同行政會議
English language	English or Chinese languages 或中文
Hong Kong permanent resident status	Status of permanent resident of the Hong Kong Special Administrative Region

<sup>1</sup> The adaptation occurs in the following contexts:

- (a) in section 21(1)(c) of the Pawnbrokers Ordinance (Cap. 166); a provision prohibiting the receiving in pawn of goods having upon them any mark or sign indicating them to be or to have been the property of the Crown; and
- (b) in the proviso (b) to section 3 of the Dangerous Goods Ordinance (Cap. 295) excepting dangerous goods in the possession of the Crown from the Ordinance.

The adaptation of "Crown" to "State" in the aforesaid contexts does not appear to depart from the principles accepted by previous bills committees on adaptation bills.

<sup>2</sup> The four instances of adapting "Crown" to "Government" are the following :-

- (i) in section 23(2)(c) and (7) of the Pawnbrokers Ordinance (Cap. 166), the provisions relating to forfeiture order by magistrate of unclaimed goods to the Crown and the bona vacantia of unclaimed proceeds of sale of unclaimed goods sold upon a magistrate's order respectively;
- (ii) in section 18 of Dangerous Goods Ordinance (Cap. 295), a provision relating to forfeiture of dangerous goods to the Crown;
- (iii) in regulation 68(2) of the Dangerous Goods (General) Regulations (Cap. 295 sub. leg.), a provision empowering the recovery of expenses incurred as a civil debt due to the Crown.

<b>Original Terms</b>	<b>Proposed Amendments</b>
立法局	立法會
該局	該會
外地	其他地方
its territorial waters 其領海	Hong Kong waters 香港水域
所界定的香港	下的香港特別行政區
總督會同行政局	行政長官會同行政會議
territorial waters of the Colony 領海	waters of Hong Kong 香港水域
the Colony	Hong Kong
香港皇家警隊	香港警務處
香港皇家警察隊	香港警務處
Ministry 運輸部	Authority 主管當局
Colonial Regulations, the Regulations of the Hong Kong Government <sup>3</sup> 《殖民地規例》、《香港政府規例》	Public Service (Administration) Order, government regulations 《公務人員（管理）命令》、政府規例
Colonial Regulations and the Regulations of the Hong Kong Government <sup>3</sup> except where 《殖民地規例》及《香港政府規例》	Public Service (Administration) Order and government regulations except where that Order or 《公務人員（管理）命令》及政府規例
those Regulations	that Order and those regulations 該命令及
Colonial Regulations and the Regulations of the Hong Kong Government <sup>3</sup> 《殖民地規例》及《香港政府規例》	Public Service (Administration) Order and government regulations 《公務人員（管理）命令》及政府規例

<sup>3</sup> The adaptation of the expression follows the adaptation accepted by the Bills Committee on the Adaptation of Laws Bill 1998.

<b>Original Terms</b>	<b>Proposed Amendments</b>
Her Majesty 女皇陛下	the People's Republic of China 中華人民共和國
銓敘司	公務員事務局局長
Her Majesty the Queen, Her Heirs or Successors <sup>4</sup> 女皇陛下、其世襲繼承人 或其他繼承人	the Central Authorities or the Government of the Hong Kong Special Administrative Region under the Basic Law and other Laws 中央或香港特別行政區政府根據 《基本法》及其他法律規定所享有
country or territory 國家或地區	country, territory or place 國家、地區或地方
People's Republic of China or any part thereof (中華人民共和國或 其任何部分除外) 的政府	Central People's Government or the government of any other part of the People's Republic of China 的政府(中央人民政府或中華人民 共和國的任何其他部分的政府除外)
the People's Republic of China or any part thereof 或其任何部分	any other part of the People's Republic of China 的任何其他部分
United Kingdom 聯合王國	People's Republic of China 中華人民共和國
大法官	法官
High Court's directions	directions of the Court of First Instance
<b>Supreme Court</b> 最高法院	<b>High Court</b> 高等法院

<sup>4</sup> The adaptation of the provision follows the adaptation accepted by the Bills Committee on the Adaptation of Laws Bill 1998.

## II. Proposed Additions

Ordinance/ Subsidiary Legislation	Section/Regulation	Provisions Added
Registration of Persons Regulations (Cap. 177 sub. leg.)	Regulation 4(1)(b)(vii)	"or place" after "country" 在"國家"之後加入"或地方"
	Regulation 4 (1A)(e)	"as a Chinese national" after "Hong Kong" 廢除"歸化英籍"而代以"加入中國國籍"
Government Flying Service Ordinance (Cap. 322)	Section 2(1)	<p>"government regulations" (政府規例) means the administrative rules known as the Government Regulations and any other administrative rules or instruments regulating the public service;</p> <p>"Public Service (Administration) Order" (《公務人員(管理)命令》) means—</p> <ul style="list-style-type: none"> <li>(a) the Public Service (Administration) Order 1997 (Executive Order No. 1 of 1997);</li> <li>(b) the Public Service (Disciplinary) Regulation made under section 21 of that Order (and together with that Order published as S.S. No. 5 to Gazette No. 2/1997); and</li> <li>(c) any other regulation made or any direction given under that Order,</li> </ul> <p>as amended from time to time;<sup>5</sup></p> <p>"《公務人員(管理)命令》"(Public Service (Administration) Order)指經不時修訂的下列文書—</p> <ul style="list-style-type: none"> <li>(a) 《1997年公務人員(管理)命令》(1997年第1號行政命令);</li> </ul>

<sup>5</sup> These addition form part of the adaptation of "Colonial Regulations and the Regulations of the Hong Kong Government" accepted by the Bills Committee on the Adaptation of Laws Bill 1998.

<b>Ordinance/ Subsidiary Legislation</b>	<b>Section/Regulation</b>	<b>Provisions Added</b>
		<p>(b) 根據該命令第 21 條訂立的《公務人員（紀律）規例》（該命令及規例均刊登於 1997 年第 2 期憲報第 5 號特別副刊）；及</p> <p>(c) 根據該命令訂立的任何規例或作出的任何指示；</p> <p>"政府規例"(government regulations)指稱為《政府規例》的行政規則及規管公務人員的任何其他行政規則或其他文書；</p>

### III. Proposed Repeals

<b>Ordinance/ Subsidiary Legislation</b>	<b>Section/ Regulation</b>	<b>Provisions Repealed</b>
Trading with the Enemy Ordinance (Cap. 346)	2(1) definition of "enemy subject"	"not being either a Commonwealth citizen or a British protected person" "既非英聯邦公民亦非受英國保護人士的"
Fugitive Offenders Ordinance (Cap. 503)	2(1)	the definition of "Secretary of State"
Mutual Legal Assistance in Criminal Matters Ordinance (Cap. 525)	2(1)	the definition of "Secretary of State"
Pay Classification (Royal Hong Kong Auxiliary Police Force) Assignment Notice (Cap. 254 sub. leg.)	Paragraph 1	"Royal" "皇家"
Dangerous Goods (General) Regulations (Cap. 295 sub. leg.)	84 92 99 153 182(1)	"the Minister or" "運輸部部長或" "the Ministry or by" "運輸部或" "the Ministry or"

		"運輸部或"
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