

立法會
Legislative Council

LC Paper No. LS 38/98-99

**Legal Service Division Report on
Subsidiary Legislation Gazetted on 25 September 1998**

Date of Tabling in LegCo : 30 September 1998

Amendment to be made by : 21 October 1998 (or 4 November 1998 if extended by resolution)

**Immigration Ordinance (Cap. 115)
Immigration (Amendment) Regulation 1998 (L.N. 318)**

This Regulation amends the Immigration Regulations (Cap. 115 sub. leg.) to prescribe an additional fee payable by an applicant for the issue or renewal of a seaman's identity book or a document of identity for delivering the same to a place outside Hong Kong and provide for the remission or refund of such fee.

The amount of fee varies according to the applicant's choice of mode of delivery. A fee of \$45 is payable for delivering a seaman's identity book or a document of identity by double registered airmail. For delivery by express despatch service, the fee ranges from \$115 to \$335 depending on the destination.

This Regulation will come into operation on a day to be appointed by the Secretary for Security by notice in the Gazette.

Members may refer to LegCo Brief Reference : SBCR 1/9/2091/56 (98) dated 23 September 1998 issued by the Security Bureau for background information.

**Aviation Security Ordinance (Cap. 494)
Aviation Security Ordinance (Amendment of Schedule 1) Order 1998 (L.N. 319)**

This Order amends Schedule 1 to the Aviation Security Ordinance (Cap. 494) in order to update the list of countries or territories to which the Tokyo Convention applies.

The effect of this Order is that a commander of aircraft may deliver any person on board the aircraft to relevant authorities of the countries or territories as set out in the Schedule if the commander has reasonable grounds to believe that such person has done on the aircraft while in flight any act which in the opinion of the commander is a serious offence under any law in force in the country or territory in which the aircraft is registered, not being a law of a political nature or based on any form of discrimination as to race, sex, political opinion, etc.

This Order will come into operation on 11 November 1998.

For background information. Members may refer to LegCo Brief Reference : SBCR 7/1476/90(97) Pt. 11 dated 23 September 1998 issued by the Security Bureau.

Interpretation and General Clauses Ordinance (Cap. 1)
Specification of Public Office (L.N. 320)

The effect of this Notice is to enable the Secretary for Security to delegate to other public officers his power under section 35(2) of the Immigration Ordinance (Cap. 115) to direct the transfer of detained persons to such other places as he may specify.

Members may refer to LegCo Brief Reference : L/M to SBCR 10/2091/94 Pt. 3 dated 22 September 1998 for background information.

Legal Practitioners Ordinance (Cap. 159)
Admission and Registration (Amendment) Rules 1998 (L.N. 321)

These Rules amend Form 1B and Form 4 of the Schedule to the Admission and Registration Rules (Cap. 159 sub. leg.).

The amendments to Form 1B of the Schedule are consequent upon an earlier amendment to rule 20 of the Trainee Solicitors Rules (Cap. 159 sub. leg) (L.N. 100 of 1995 refers). Prior to these amendments, barristers admitted in Hong Kong or the United Kingdom with over 5 years of practising experience were eligible for exemption from the requirement to serve a trainee solicitor contract if they apply to be admitted as solicitors. The effect of these amendments is to remove the exemption for United Kingdom barristers.

The amendments to Form 4 of the Schedule increase the areas of practice in which trainee solicitors could be trained. These amendments will apply to trainee solicitors whose most recent trainee solicitor contracts are entered into on or after 1 September 1998.

**High Court Ordinance (Cap. 4)
Rules of the High Court (Amendment) (No. 3) Rules 1998
(L.N. 322)**

These Rules amend Order 70, rule 3 of the Rules of the High Court (Cap. 4 sub. leg.) to designate the Law Officer (International Law) in place of the Law Officer (Civil Law) as the officer to exercise the power to make applications for orders under the Evidence Ordinance (Cap. 8) and to take such other necessary steps to give effect to requests issued by courts of justice outside Hong Kong for the obtaining of evidence in Hong Kong.

Prepared by

Fung Sau-kuen, Connie
Assistant Legal Adviser
Legislative Council Secretariat
9 October 1998