

**For information on
25 February 1999**

**Panel on Administration of Justice and Legal Services of
the Legislative Council**

**List of Miscellaneous Technical Amendments under
the Administration of Justice (Miscellaneous Provisions) Bill 1999**

1. Jury Ordinance (Cap. 3)
 - Repeal all references to “inquiry under the Coroners Ordinance (Cap. 14)” and replace with “inquest under the Coroners Ordinance (Cap. 504)”.
Most of the references have been amended as consequential amendments when Cap. 504 was enacted. These two references were missed.
 - Change the fine level for non-attendance of juror from \$3,000 to level 2 (\$5,000).
The proposed fine level is consistent with the Coroners Ordinance (Cap. 504) for a similar offence.

2. Official Languages Ordinance (Cap. 5)
 - Repeal the transitional clause which is spent.
Since English and Chinese can both be used in all courts and tribunals in Hong Kong now, there is no longer a need for the transitional arrangement which provides for the conditions on the use of Chinese in courts and tribunals.

3. Oaths and Declarations Ordinance (Cap. 11)
 - Add a missing comma between “notary” and “commissioner” in section 12 of the ordinance
This is a clerical error which needs to be corrected by way of a bill.
 - Repeal “the Schedule 1” and “the Schedule 3” and replace with “Schedule 1” and “Schedule 3” wherever they appear.
The “the” were inadvertently left in when the name of the schedule was changed from “the First Schedule” to “Schedule 1” and from “the Third Schedule” to “Schedule 3” in 1997.
 - Repeal “Administrative Secretary” and replace with “Chief Secretary for Administration”
This is to reflect the correct title for the Chief Secretary for Administration.

4. Births and Deaths Registration Ordinance (Cap. 174)
 - To provide that a medical practitioner should report a reportable death to the Coroner with a copy to the Commissioner of Police at the same time instead of *via* the Commissioner.
The current provision is inconsistent with the requirement under the Coroners Ordinance.

5. Magistrates Ordinance (Cap. 227)
 - Change the penalty for using insulting language from \$2,000 in fine and imprisonment for 2 months to level 3 fine (\$10,000) and imprisonment for 6 months
The proposed penalty level is consistent with the existing level for similar offence in the Minor Employment Claims Adjudication Board and proposed level for Small Claims Tribunal and Labour Tribunal.
 - Remove references to section 114(c) of the Ordinance which has been repealed in the Administration of Justice (Miscellaneous Provisions) Ordinance 1995.
 - Amend the Chinese translation of “publishing” from “出版” to “發布” .
The proposed translation is consistent with that used in other ordinances in similar context.
 - Repeal post titles in the Civil Aviation Department which are no longer in existence after the closure of Kai Tak Airport.
 - Repeal “Law Society Legal Advice and Duty Lawyer Schemes” and replace with “Duty Lawyer Service”.

6. Coroners Ordinance (Cap. 504)
 - Amend the Chinese translation of Victoria Public Mortuary from “維多利亞公眾殮房” to “域多利亞公眾殮房” .
 - Amend the Chinese translation of “Identifier(s)” from “特徵” to “認屍人” .
This reflects the original legislative intent.

7. Mutual Legal Assistance in Criminal Matters Regulation (Cap. 525A)
 - Provide that both the Chief Bailiff and his authorised agent (instead of only the Chief Bailiff as currently stated) can serve judicial documents.
This practice is consistent with the Rules of the High Court.