

立法會
Legislative Council

LC Paper No. LS13/99-00

**Paper for the House Committee Meeting
of the Legislative Council
on 15 October 1999**

**Legal Service Division Further Report on
Adaptation of Laws (No. 22) Bill 1999**

At the House Committee Meeting held on 24 September 1999, the Legal Advisor reported that the Administration's response to certain drafting issues raised by this Division was being studied. Since the meeting, further clarification has been sought from the Administration.

2. The Administration has confirmed that references to "Her Majesty's service", "Her Majesty's regular naval, military or air forces", "Her Majesty's armed forces", "Ministry of Defence", "the Royal Navy", "the Royal Air Force", "Crown", "British Forces" and similar expressions would be dealt with under the Adaptation of Laws (the Garrison) Bill, which will be introduced in due course.

3. We now set out in the Annex I for Members' reference the provisions queried by this Division (except those covered in paragraph 2 above) and the corresponding response of the Administration. The Administration intends to move the draft CSAs set out in Annex II. Subject to Members' views, the Bill is ready for resumption of the Second Reading debate.

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12 October 1999

Encl

Ordinance/Sub. Leg.	Section/ Regulation	Summary of Provision	Administration's Response
Registration of Persons Regulations (Cap. 177 sub. leg.)	25(a)	The Governor and his household members are not required to register or apply for identity cards.	The provision will be repealed. See attached draft CSA at Annex II.
	25(b)(ii)	Employees of Her Majesty's Government, unless they are locally domiciled, their wives and sons and daughters under the age of 18 are not required to register or apply for identity cards.	The Administration needs more time for further consideration. The provision may be dealt with in due course in another Adaptation of Laws Bill.
Marriage Ordinance (Cap. 181)	27	No Marriage shall be valid which would be null and void on ground of kindred or affinity in England or Wales.	The Administration is still considering whether these provisions should be adapted. It would take some time before a decision could be made.
	39(c)	No such Marriage shall be valid which would be null and void, on ground of kindred or affinity, in England or Wales.	

<p>Pay Classification (Auxiliary Fire Service Unit) Assignment Notice (Cap. 254 sub. leg. D)</p>	<p>-</p>	<p>references to "Governor" remains</p>	<p>The Auxiliary Fire Service Unit was dissolved in 1975. The Notice will be repealed in due course via a Statute Law (Miscellaneous Amendment) Bill.</p>
<p>Pay Classification (Essential Services Corps) Assignment Notice (Cap. 254 sub. leg. G)</p>	<p>-</p>		<p>The person responsible is now the Secretary for Security. The necessary amendment will be made in due course in a Statute Law (Miscellaneous Amendment) Bill.</p>

Dangerous Goods (General) Regulations (Cap. 295 sub. leg.)	61A	In granting or renewing a licence to manufacture, store or convey any gas, the Authority may have regard to any relevant standard or code set by the British Standards Institution or any other reputable body or organization	The Administration is currently conducting an overall review of the Dangerous Goods Ordinance (Cap. 295) and its subsidiary legislation. A comprehensive legislative proposal will be introduced to the Legislative Council during the current session. These provisions would be dealt with in this overall review.
	65 the cylinder is painted in accordance with the colours recommended by the British Standards Institution and promulgated in that Institution's publication entitled British Standards Specification No. 349	
	177A	in the definition of "Blue Book", "Report of the Standing Advisory Committee on the Carriage of Dangerous Goods in Ships dated the 27 th January 1966 from time to time in use in the United Kingdom, as amended from time to time and published by Her Majesty's Stationery Office in London"	

<p>Government Flying Service (Discipline) Regulation (Cap. 322 sub. leg.)</p>	<p>21(2)</p>	<p>"secretary" of Government Secretariat is adapted to "director" of Government Secretariat.</p>	<p>The Administration will move a CSA to adapt "secretary" to "director of Bureau". See draft CSA at Annex II.</p>
<p>Fugitive Offenders Ordinance (Cap. 503)</p>	<p>3(16)</p>	<p>in the definition of "relevant enactment", "any imperial enactment".</p>	<p>The Administration is of the view that the reference to "imperial enactment" be retained as it is presently difficult to ascertain the effect of its deletion on the other provisions of the Ordinance.</p>

ADAPTATION OF LAWS (NO. 22) BILL 1999

COMMITTEE STAGE

Amendments to be moved by the Secretary for Security

<u>Clause</u>	<u>Amendment Proposed</u>
Schedule 5	By adding - “8. Regulation 25(a) is repealed.”.
Schedule 15, section 12 (a)	By deleting “Director of the Government Secretariat” and substituting “Director of Bureau”.