

**立法會**  
***Legislative Council***

LC Paper No. LS158/99-00

**Paper for the House Committee Meeting  
of the Legislative Council  
on 16 June 2000**

**Legal Service Division Further Report on  
Adaptation of Laws (No. 13) Bill 1999**

In section 17 of the Consumer Council Ordinance (i.e. section 8 of Schedule 3 of the Bill), the Administration proposes to adapt the word "Crown" therein to "State". After adaptation, the provision will read as : "the Consumer Council is not a servant or agent of the State and does not enjoy any status, immunity or privilege of the State".

2. At the House Committee meeting on 21 May 1999, Members agreed to defer consideration on this Bill until the issue of whether the word "Crown" should be adapted to the "State" or the "Government" had been resolved by the Bills Committee on Adaptation of Laws (No. 16) Bill 1999. Members of that Committee disagreed with the Administration on that adaptation. The Administration proposed to take out the adaptation proposal and the proposed approach was accepted by that Bills Committee. In order not to delay the enactment of this Bill within this legislative session, the Trade and Industry Bureau proposes the same.

3. The Trade and Industry Bureau also takes the opportunity to delete section 37 of Schedule 2 of the Bill. Under section 37, references to "總監" in section 6 of the Import and Export (Registration) Regulations (Cap. 60 sub. leg.) are being replaced by "關長". However, the said section 6 has already been repealed by the Import and Export (Registration) (Amendment) Regulation 1999 (L.N. 322 of 1999). It is therefore unnecessary to have section 37 of Schedule 2 of the Bill. A copy of the proposed CSAs is attached.

4. Annexes A and B of our main report (LC Paper No. LS 175/98-99) are reproduced for ease of reference. Subject to Members' views, the Bill is ready for resumption of Second Reading debate.

Encls.

Prepared by  
HO Ying-chu, Anita  
Assistant Legal Adviser  
Legislative Council Secretariat  
13 June 2000

ADAPTATION OF LAWS (NO. 13) BILL 1999

**COMMITTEE STAGE**

Amendments to be moved by the Secretary for Trade and Industry

<u>Clause</u>	<u>Amendment Proposed</u>
Schedule 2	By deleting section 37.
Schedule 3	By deleting section 8.

## Annex A

### **List of Ordinances affected by the Adaptation of Laws (No. 13) Bill 1999**

1. Sale of Goods Ordinance (Cap. 26)
2. Import and Export Ordinance and its subsidiary legislation (Cap. 60)
3. Consumer Council Ordinance (Cap. 216)
4. Travel Agents Ordinance (Cap. 218)
5. Protection of Trading Interests Ordinance (Cap. 471)
6. Hong Kong Trade Development Council Ordinance (Cap. 1114)
7. Hong Kong Export Credit Insurance Corporation Ordinance (Cap. 1115)

**Adaptation of Laws (No. 13) Bill 1999**  
**Summary of the proposed amendments**

<b>Original Terms</b>	<b>Proposed Amendments</b>
Governor	Chief Executive
the Colony	Hong Kong
總監	關長
立法局	立法會
Crown <sup>1</sup>	Government
Governor in Council	Chief Executive in Council
往外地	往香港以外地方
Crown <sup>2</sup>	State
法院	法庭
countries	places
an overseas country	a place outside Hong Kong
overseas trade	trade with places outside Hong Kong
Hong Kong and overseas	and outside Hong Kong
與香港以外國家	與香港以外地方

**Footnotes:**

<sup>1</sup> The adaptation of the word “Crown” in sections 13(3) and section 27(6) of the Import and Export Ordinance (i.e. items 12, 20 of Schedule 2 respectively) relate mainly to forfeiture to the “Crown” whilst in Regulation 10 of Import and Export (Registration) Regulations (i.e. item 41 of Schedule 2), the word “Crown” relates to a civil debt to the Crown. The adaptation of “the Crown” to “the Government” in these contexts has been approved by the previous Bills Committees on the Adaptation of Laws.

<sup>2</sup> In section 17 of the Consumer Council Ordinance (i.e. item 8 of Schedule 3), it states that the Consumer Council is not a servant or agent of the Crown and does not enjoy any status, immunity or privilege of the Crown. The Administration proposes to adapt the word “Crown” to “State”. The Legal Service Division has requested the Administration to explain the reason for such adaptation.