

立法會
Legislative Council

LC Paper No. LS45/99-00

**Paper for the House Committee Meeting
of the Legislative Council
on 17 December 1999**

**Legal Service Division Report on
Subsidiary Legislation Gazetted on 10 December 1999**

Date of Tabling in LegCo : 15 December 1999

Amendment to be made by : 12 January 2000 (or 19 January 2000 if extended
by resolution)

**Electoral Affairs Commission Ordinance (Cap. 541)
Electoral Affairs Commission (Printing of Name of Organization and Emblem on
Ballot Paper) (Legislative Council) Regulation (L.N. 306)**

This Regulation sets out the procedure to be followed for having the name, an abbreviation of the name or an emblem of an organisation or an emblem of a natural person printed on a ballot paper for use in an election (excluding an Election Committee subsector election) to elect a Member of the Legislative Council.

Members may refer to LegCo Brief: REO14/32/1 of December 1999 from Registration and Electoral Office for background information.

Part V (sections 18 to 20) relating to a request by a candidate to have the registered name (or abbreviation of name, but not both) and emblem of an organisation, or his own registered emblem printed on a ballot paper and two related sections (13 and 21 which relate to a request submitted under Part V) will come into operation on 1 July 2000. The remaining provisions will come into operation on 21 January 2000.

**Electoral Affairs Commission Ordinance (Cap. 541)
Electoral Affairs Commission (Registration) (Electors for Functional
Constituencies) (Voters for Subsectors) (Members of Election Committee)
(Legislative Council) (Amendment) Regulation 1999 (L.N. 307)**

This amendment Regulation provides for-

- (a) the compilation of the provisional register (PR) and final register (FR) of voters for the Election Committee (EC) subsector elections to be held in 2000, the Electoral Registration Officer's (ERO) power to make corrections of particulars in the subsector PR and the publication of a subsector omissions list;
- (b) revised dates for the publication of the PR and FR of electors for functional constituencies (FC), and the PR and FR of voters for EC subsectors;
- (c) procedures for registration in the EC FR;
- (d) revised format of the registers of FCs and EC subsectors to show only the name and principal residential address of an elector or voter, as the case may be;
- (e) removal of the requirements that an application made to the ERO for registration in a PR and a notice given to that officer of an appointment of authorized representative has to be posted or delivered to him so that such an application or notice may be sent through facsimile transmission;
- (f) enabling a corporate elector or voter to appoint a substitute for its authorized representative that has been rejected by the ERO, even though the statutory deadline for appointing authorized representative has passed; and
- (g) making certain offences under the principal Regulation also prescribed offences under the District Councils Ordinance (Cap. 547) for the purposes of disqualifying a person from holding office as an elected, appointed or ex-officio member.

Members may refer to LegCo Brief: REO 14/30/2 (CR) IV of December 1999 from Registration and Electoral Office for background information.

A Subcommittee has been formed to study the subsidiary legislation relating to LegCo election in 2000. The next meeting will be held on 17 December 1999.

Clubs (Safety of Premises) Ordinance (Cap. 376)

Clubs (Safety of Premises) (Exclusion) (Amendment) (No. 2) Order 1999 (L.N. 308)

By this Order made under section 3(1) of the Club (Safety of Premises) Ordinance (Cap. 376) ("the Ordinance"), the Secretary for Home Affairs has amended the Schedule to the Club (Safety of Premises) (Exclusion) Order (Cap. 376 sub. leg.) by repealing the existing item 5 and substituting a new item 5. Item 5 sets out the club-houses situate in Government premises which are exempted from the application of the Ordinance. The new item adds 39 club-houses to the list and updates the names and locations of 3 club-houses. Most of these exempted club-houses are officers' messes of disciplined forces and staff clubs of civil servants.

Public Health and Municipal Services Ordinance (Cap. 132)

Designation of Libraries (Regional Council Area) Order 1999 (L.N. 309)

By this Order made under section 105K of the Public Health and Municipal Services Ordinance (Cap. 132) by the Provisional Regional Council, the part of the building described as Unit Nos. 10-14, Ground Floor, Hong Shing House, Cheung Hong Estate, Tsing Yi has ceased to be designated as a library. By the same Order, the First Floor, Regional Council Tsing Yi Complex, 38 Tsing Luk Street, Tsing Yi ("the new location") is designated as a library.

Consequentially, the Order amends the Schedule to the Designation of Libraries (Regional Council Area) Order (Cap.132 sub. leg.) by repealing item 17 and substituting, as item 17, the new location.

Road Traffic (Traffic Control) Regulations (Cap. 374 sub. leg.) and Airport Authority Bylaw (Cap. 483 sub. leg.)

Road Traffic (Traffic Control) (Designation of Prohibited and Restricted Zones) Notice (L.N. 310)

This Notice is made by the Airport Authority with the approval of the Commissioner of Transport under regulation 14(1) of the Road Traffic (Traffic Control) Regulations (Cap. 374 sub. leg.), as modified by section 1 of Part V of Schedule 2 of the Airport Authority Bylaw (Cap. 483 sub. leg.).

The Notice designates each of the areas specified in Schedule 1 as a prohibited zone in which the driving of the specified motor vehicles without a prohibited zone permit is prohibited absolutely. It also designates each of the areas specified in Schedule 2 as a restricted zone in which the driver of a motor vehicle without a restricted zone permit is prohibited from picking up or setting down passengers, or loading or unloading goods.

The Notice repeals the existing Road Traffic (Traffic Control) (Designation of Prohibited and Restricted Zones) Notice (Cap. 374 sub. leg.).

Social Workers Registration Ordinance (Cap. 505)

Social Workers Registration (Specification of Relevant Matter) Notice (L.N. 311)

By this Notice made under section 38(7) of the Social Workers Registration Ordinance (Cap. 505) ("the Ordinance"), the Secretary for Health and Welfare has specified the provision of a copy of any part of verbatim record of proceedings of an inquiry as relevant matter for the purposes of the definition of "relevant matter" under section 38(6) of the Ordinance. The aim of the specification is to allow the Social Worker Registration Board to determine a fee for that item under section 38(1) of the Ordinance.

The Notice shall come into operation on 12 January 2000.

Tate's Cairn Tunnel Ordinance (Cap. 393)

Tate's Cairn Tunnel Ordinance (Amendment of Schedule) Notice 1999 (L.N. 312)

By this Notice made under section 36(7) of the Tate's Cairn Tunnel Ordinance (Cap. 393) ("the Ordinance") by the Commissioner for Transport, the Schedule to the Ordinance is amended as follows:-

In category	Vehicles	Repealing	Substituting
1	Motorcycles, motor tricycles	\$8	\$10
2	Private cars, electrically powered passenger vehicles, taxis	\$8	\$10
3	Public and private light buses	\$13	\$17
4	Light goods vehicles and special purpose vehicles of a permitted gross vehicle weight not exceeding 5.5 tonnes	\$13	\$17
9	Each additional axle in excess of 2	\$7	\$13

This Notice shall come into operation on 2 January 2000.

Member may wish to refer to the LegCo Brief (File Ref: TBCR 1/4651/94(99) Pt. 14) issued by the Transport Bureau on 9 December 1999 for background information. The matter was also discussed at the meeting of the Transport Panel on 26 November 1999.

Midwives Registration Ordinance (Cap. 162)

Midwives Registration (Amendment) Ordinance 1997 (61 of 1997) (Commencement) (No. 2) Notice 1999 (L.N. 313)

By this Notice made under section 1(2) of the Midwives Registration (Amendment) Ordinance 1997 (61 of 1997) ("the Amendment Ordinance"), the Secretary for Health and Welfare has appointed 1 January 2000 as the day on which sections 11(a)(ii), (iii) and (iv), 22, 23 and 29 of the Amendment Ordinance shall come into operation.

The Amendment Ordinance was enacted on 4th June 1997. Section 11(a)(ii), (iii) and (iv) amends section 10 of the Midwives Registration Ordinance (Cap. 162) by adding a new paragraph (g) enabling the Midwives Council to discipline a midwife who has failed to comply with the requirement of holding a practising certificate. Section 22 of the Amendment Ordinance inaugurates the requirement of practising certificates for registered midwives. Section 23 empowers the Midwives Council to recover from a registered midwife the prescribed fees for practising certificate as a civil debt. Section 29 repeals the existing Midwives (Registration and Disciplinary Procedure) Regulations (Cap. 162 sub. leg.).

Midwives Registration Ordinance (Cap. 162)

Midwives Registration (Fees) Regulation (L.N. 281 of 1999) (Commencement) Notice 1999 (L.N. 314)

By this Notice made under section 1 of the Midwives Registration (Fees) Regulation (L.N. 281 of 1999) ("the Regulation"), the Secretary for Health and Welfare has appointed 1 January 2000 as the day on which the Regulation shall come into operation.

The Regulation prescribes the fees payable under the principal ordinance for examination and registration of midwives, issuance of certified certificates of registration, practising certificates, and verbatim record of proceedings of an inquiry.

**Midwives Registration Ordinance (Cap. 162)
Midwives (Registration and Disciplinary Procedure) Regulation (L.N. 300 of
1999) (Commencement) Notice 1999 (L.N. 315)**

By this Notice made under section 1 of the Midwives (Registration and Disciplinary Procedure) Regulation (L.N. 300 of 1999) ("the Regulation"), the Secretary for Health and Welfare has appointed 1 January 2000 as the day on which the Regulation shall come into operation.

The Regulation prescribes matters about:-

- (a) application for registration and forms of the register, certificate of registration and practising certificate;
- (b) the training of midwives;
- (c) the procedure to be followed by the Preliminary Investigation Committee in investigations carried out prior to an inquiry by the Midwives Council of Hong Kong ("the Council"); and
- (d) proceedings at an inquiry of the Council.

**Midwives Registration Ordinance (Cap. 162)
Midwives Registration (Miscellaneous Provisions) Regulation (L.N. 301 of 1999)
(Commencement) Notice 1999 (L.N. 316)**

By this Notice made under section 1 of the Midwives Registration (Miscellaneous Provisions) Regulation (L.N. 301 of 1999) ("the Regulation"), the Secretary for Health and Welfare has appointed 1 January 2000 as the day on which the Regulation shall come into operation.

The Regulation prescribes the functions of the legal adviser and the secretary of the Midwives Council of Hong Kong.

Prepared by

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