

**立法會**  
***Legislative Council***

LC Paper No. LS50/99-00

**Paper for the House Committee Meeting of the  
Legislative Council  
on 7 January 2000**

**Legal Service Division Report on  
Subsidiary Legislation Gazetted on 24 December 1999**

**Date of Tabling in LegCo** : 5 January 2000

**Amendment to be made by** : 26 January 2000 (or 16 February 2000 if extended by resolution)

**Interpretation and General Clauses Ordinance (Cap. 1)**  
**Specification of Public Office (L.N. 324)**

Under section 19(2) of the Hong Kong Tourist Association Ordinance (Cap. 302), the Chief Secretary for Administration is required to lay a copy of the annual report of the Hong Kong Tourist Association on the table of the Legislative Council.

This Notice is to enable the Chief Secretary for Administration to delegate her powers and duties under that provision to other public officers.

**Legal Practitioners Ordinance (Cap. 159)**  
**Overseas Lawyers (Qualification for Admission) (Amendment) Rules 1999 (L.N. 325)**

These Amendment Rules are made by the Council of the Law Society of Hong Kong under section 73 of the Legal Practitioners Ordinance (Cap. 159) with the prior approval of the Chief Justice. They amend the Overseas Lawyers (Qualification for Admission) Rules (Cap. 159 sub. leg.) ("the Rules") to -

- (a) provide that The Law Society of Hong Kong may refuse to issue a certificate under section 3(2) of the Rules if the overseas lawyer concerned is prohibited from attempting the Overseas Lawyers Qualification Examination or has previously been issued such a certificate and that certificate has been revoked;
- (b) amend section 4(2)(b)(ii) of the Rules so that for overseas lawyers from common law jurisdiction, the requirement of post-admission experience is restricted to experience in the practice of the law of the relevant jurisdiction;
- (c) add a new section 10(1A) to impose sanctions for misconduct committed by a person taking the Overseas Lawyers Qualification Examination,
- (d) add a new section 12 to the Rules to provide for transitional arrangement for those overseas lawyers who have been approved by The Law Society of Hong Kong under the Paralegal Scheme prior to 1 January 2000 and
- (e) make some other minor technical amendments.

These Rules have come into operation on 1 January 2000.

**Banking Ordinance (Cap. 155)**

**Banking Ordinance (Amendment of Third Schedule) Notice 1999 (L.N. 326)**

This Notice is made by the Financial Secretary. It came into operation on 24 December 1999. It amends various provisions for the calculation of the capital adequacy ratio of an authorized institution under the Third Schedule to the Banking Ordinance (Cap. 155). The main purposes of the amendments are to -

- (a) include revaluation reserves arising from securities not held for trading purposes as Supplementary Capital at an appropriate discount;
- (b) limit the revaluation reserves arising from land and interests in land that can be included in Supplementary Capital to the amount reported by the authorized institution as at 31 December 1998, and
- (c) make some other miscellaneous changes such as amending the definition of "public sector entities".

Members may refer to the LegCo brief (Ref. LM 71/99 to G4/16C(99) XIII) issued by the Financial Services Bureau in December 1999 for further details. In the brief, the Administration states that the Hong Kong Association of Banks and the DTC Association have been consulted.

**Merchant Shipping (Liability and Compensation for Oil Pollution) (Amendment) Ordinance 1997**

**Merchant Shipping (Liability and Compensation for Oil Pollution) (Amendment) Ordinance 1997 (46 of 1997) (Commencement) Notice 1999 (L.N. 327)**

By this Notice, the Secretary for Economic Services appoints 5 January 2000 as the day on which the Merchant Shipping (Liability and Compensation for Oil Pollution) (Amendment) Ordinance 1997 (46 of 1997) ("the Ordinance") (other than section 14) shall come into operation.

The Ordinance is to implement the 1992 Protocols which amended the International Convention on Civil Liability for Oil Pollution Damage, 1969 and the International Convention on the establishment of an International Fund for Compensation for Oil Pollution Damage 1971. Section 14 which relates to the limitation on enforcement of judgments from country that is not a Party to the Convention has already been put into operation on 21 July 1997 (see L.N. 396 of 1997).

Prepared by

Ho Ying-chu, Anita  
Assistant Legal Adviser  
Legislative Council Secretariat  
30 December 1999