

立法會
Legislative Council

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**Paper for the House Committee Meeting
of the Legislative Council
on 21 January 2000**

**Legal Service Division Report on
Subsidiary Legislation Gazetted on 14 January 2000**

Date of Tabling in LegCo : 19 January 2000

Amendment to be made by : 16 February 2000 (or 23 February 2000 if extended by resolution)

Electronic Transactions Ordinance (1 of 2000)

Electronic Transactions (Fees) Regulation (L.N. 6)

This Regulation prescribes the fees payable in respect of applications for the recognition of certification authorities, for the renewal of such recognition and for the recognition of certificates. Under Part VII of the Electronic Transactions Ordinance (1 of 2000), a certification authority may apply to the Director of Information Technology Services to become a recognized certification authority and to have its certificates recognized. The Regulation would come into operation on the commencement of Part VII of the Ordinance, i.e. 18 February 2000 (please refer to report on L.N. 7 below).

Members may refer to LegCo Brief File Ref. ITBB/IT 107/4/1 (99) XVI issued by the Information Technology and Broadcasting Bureau in January 2000. According to the LegCo Brief, the fees are set on a full cost recovery basis. The basis for calculation has been mentioned to the Bills Committee on the Electronic Transactions Bill and contained in the LegCo Brief for that Bill.

The Regulation provides that the fees paid are not refundable. The Administration intends that the recognition of certification authority would be valid for a period of two years. No provision has been made for the renewal of recognition of certificates. The Administration considers that the recognition would be valid as long as the certification authority concerned remains as a recognized certification authority and there are no material changes affecting the certificates. According to paragraph 11 of the LegCo Brief, the Director will set out in the code of practice what constitutes material changes and requires that the Director be consulted as to whether a separate recognition of certificates has to be applied for if there are material changes.

Electronic Transactions Ordinance

Electronic Transactions Ordinance (1 of 2000) (Commencement) Notice 2000 (L.N. 7)

By this Notice, the Secretary for Information Technology and Broadcasting appoints 18 February 2000 as the day on which section 32 and Part VII of the Electronic Transactions Ordinance (1 of 2000) shall come into operation.

Section 32 of the Ordinance deals with notices to be given by the Director of Information Technology Services in the case of revocations, suspensions and non-renewals of recognition. Part VII provides for the recognition of certification authorities and certificates by the Director.

Industrial Training (Clothing Industry) (Amendment) Ordinance 1999

Industrial Training (Clothing Industry) (Amendment) Ordinance 1999 (82 of 1999) (Commencement) Notice 2000 (L.N. 8)

Import and Export (Registration) (Amendment) Regulation 1999

Import and Export (Registration) (Amendment) Regulation 1999 (L.N. 322 of 1999) (Commencement) Notice 2000 (L.N. 9)

By these two Notices, the Secretary for Trade and Industry appoints 1 April 2000 as the day on which the Amendment Ordinance and the Amendment Regulation shall come into operation.

The purpose of the Amendment Ordinance is to remove lodgement in person as a method of lodging export declarations for clothing items. The purpose of the Amendment Regulation is to remove lodgement in person as a method of lodging import and export declarations. On and after 1 April 2000, the only method would be lodgement by electronic data interchange.

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