

L. N. 58 of 2000

ELECTRONIC TRANSACTIONS (EXCLUSION) ORDER

(Made under section 11(1) of the Electronic Transactions Ordinance (1 of 2000))

1. Commencement

This Order shall come into operation on the commencement of sections 5, 6, 7 and 8 of the Electronic Transactions Ordinance (1 of 2000).

2. Provisions excluded from application of section 5 of Ordinance

The provisions specified in Schedule 1 are excluded from the application of section 5 of the Ordinance.

3. Provisions excluded from application of section 6 of Ordinance

The provisions specified in Schedule 2 are excluded from the application of section 6 of the Ordinance.

4. Provisions excluded from application of section 7 of Ordinance

The provisions specified in Schedule 3 are excluded from the application of section 7 of the Ordinance.

5. Provisions excluded from application of section 8 of Ordinance

The provisions specified in Schedule 4 are excluded from the application of section 8 of the Ordinance.

SCHEDULE 1 [s. 2]

Provisions Excluded from Application of Section 5 of Ordinance

Item	Enactment	Provision
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| 1. | Landlord and Tenant (Consolidation) Ordinance (Cap. 7) | Section 116(4A) |
| 2. | Employment Ordinance (Cap. 57) | Section 72(1)(b) and (e) |
| 3. | Import and Export Ordinance (Cap. 60) | Sections 15(1) and 19(1) |
| 4. | Import and Export (Registration) Regulations (Cap. 60 sub. leg.) | Regulations 11(1) and 12(1) |
| 5. | Contracts for Employment Outside Hong Kong Ordinance (Cap. 78) | Sections 5(1), 6 and 8(a) and (b) |
| 6. | Dutiable Commodities Regulations (Cap. 109 sub. leg.) | Regulation 22(1) and (4) |
| 7. | Dutiable Commodities (Liquor) Regulations (Cap. 109 sub. leg.) | Regulations 15 and 26 |

8. Immigration Ordinance (Cap. 115) Sections 2AB(2)(a), 2AC(2)(a), 5(6) and (7), 6(1) and (2), 17L(1)(a) and (b) and 17LA(1)
9. Buildings Ordinance (Cap. 123) Sections 8B(1), 8C(2), 8D(2), 17(1) (Column B), 19(1) and (4), 20(2), 21(2), 25(1) and 42(2)
10. Building (Administration) Regulations (Cap. 123 sub. leg.) Regulations 6(1), 11, 18(1), 18A, 23(1A) and (2), 29(1), 31(1), 33(1), 38 and 47
11. Building (Planning) Regulations (Cap. 123 sub. leg.) Regulations 51(1), 53(1) and 64(1) and (2)
12. Building (Private Streets and Access Roads) Regulations (Cap. 123 sub. leg.) Regulation 28
13. Building (Standards of Sanitary Fittings, Plumbing, Drainage Works and Latrines) Regulations (Cap. 123 sub. leg.) Regulations 62(1) and 73(1)
14. Building (Oil Storage Installations) Regulations (Cap. 123 sub. leg.) Regulations 6(1) and 10(2)
15. Lands Resumption Ordinance (Cap. 124) Sections 6(2) and 8(1)
16. Foreshore and Sea-bed (Reclamations) Ordinance (Cap. 127) Sections 6(1) and 12(1)
17. Land Acquisition (Possessory Title) Ordinance (Cap. 130) Section 6(1)
18. Town Planning Ordinance (Cap. 131) Sections 16(2), 17(1) and 24(1)
19. Commercial Bathhouses Regulation (Cap. 132 sub. leg.) Section 5(1)
20. Food Business Regulation (Cap. 132 sub. leg.) Section 32(1)
21. Frozen Confections Regulation (Cap. 132 sub. leg.) Section 18(1)
22. Milk Regulation (Cap. 132 sub. leg.) Section 15(1)
23. Offensive Trades Regulation (Cap. 132 sub. leg.) Section 9(2)
24. Places of Amusement Regulation (Cap. 132 sub. leg.) Section 5(1)
25. Public Cemeteries Regulation (Cap. 132 sub. leg.) Section 5(a)
26. Slaughterhouses Regulation (Cap. 132 sub. leg.) Section 10(1)
27. Swimming Pools Regulation (Cap. 132 sub. leg.) Section 5(1)
28. Places of Public Entertainment Regulations (Cap. 172 sub. leg.) Regulations 3(1), 5(1) and (2) and 162(1), (3), (4) and (5)
29. Births and Deaths Registration Ordinance (Cap. 174) Sections 8(1), 12(2)(b)(i) and (c)(i) and 12A(b)(i) and (c)(i)
30. Registration of Persons Regulations (Cap. 177 sub. leg.) Regulation 4(1) and (1B)(a)
31. Marriage Reform Ordinance (Cap. 178) Section 9(4)(a)
32. Marriage Ordinance (Cap. 181) Section 14(1)
33. Aerial Ropeways (Safety) Ordinance (Cap. 211) Section 7
34. Aerial Ropeways (Operation and Maintenance) Regulations (Cap. 211 sub. leg.)

- Regulations 6(1) and 20(5)
35. Peak Tramway (Safety) Regulations (Cap. 265 sub. leg.) Regulation 30
 36. Mass Transit Railway (Land Resumption and Related Provisions) Ordinance (Cap. 276) Section 21(1)
 37. Employees' Compensation Ordinance (Cap. 282) Sections 45(1)(b) and (c), 45A(b) and 45C(1) and (3)
 38. Reserved Commodities (Control of Imports, Exports and Reserve Stocks) Regulations (Cap. 296 sub. leg.) Regulations 11(2) and 12(2)
 39. Reserved Commodities (Control of Sales by Wholesale) Regulations (Cap. 296 sub. leg.) Regulation 3(2)
 40. Lifts and Escalators (Safety) Ordinance (Cap. 327) Section 6(1)
 41. Hotel and Guesthouse Accommodation Ordinance (Cap. 349) Sections 6(1) and (4), 7(2), 8(1), 9(2) and 12(2)
 42. Water Pollution Control (Sewerage) Regulation (Cap. 358 sub. leg.) Sections 14(1) and 16(1)
 43. Roads (Works, Use and Compensation) Ordinance (Cap. 370 Sections 10(1) and (3) and 29(1) and (4)
 44. Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap. 374 sub. leg.) Regulations 5(1), 17(2) and 20(1) and (3)
 45. Dangerous Goods (Consignment by Air) (Safety) Regulations (Cap. 384 sub. leg.) Regulation 6(1)(b)
 46. Land Drainage (Consent and Approval) Regulation (Cap. 446 sub. leg.) Sections 3(1) and (2) and 4
 47. Amusement Rides (Safety) Ordinance (Cap. 449) Sections 5 and 39
 48. Amusement Rides (Safety) (Operation and Maintenance) Regulation (Cap. 449 sub. leg.) Section 6(1)
 49. Builders' Lifts and Tower Working Platforms (Safety) Ordinance (Cap. 470) Sections 12(3) and 15(a)
 50. Land Survey Ordinance (Cap. 473) Section 30(4) and (6)
 51. New Territories Land Exchange Entitlements (Redemption) Ordinance (Cap. 495) Section 5(1), (2), (4) and (5)
 52. Environmental Impact Assessment Ordinance (Cap. 499) Sections 4(5), 5(1), (2) and (4), 6(2), 7(1)(a), 8(1), 10(1)(a), 12(1) and (2) and 13(1)
 53. Railways Ordinance (Cap. 519) Sections 10(1) and (4) and 34(1)
 54. Electoral Affairs Commission (Registration of Electors) (Legislative Council Geographical Constituencies) (District Council Constituencies) Regulation (Cap. 541 sub. leg.) Sections 5(2), 11(1) and 17(1)
 55. Electoral Affairs Commission (Registration) (Electors for Functional

- Constituencies) (Voters for Subsectors) (Members of Election Committee) (Legislative Council) Regulation (Cap. 541 sub. leg.) Sections 21(2), 26(1) and 33(1)
56. Electoral Affairs Commission (Nominations Advisory Committees (Legislative Council)) Regulation (Cap. 541 sub. leg.) Sections 5(13) and 8(2)
57. Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation (Cap. 541 sub. leg.) Sections 23(8) and (12), 25(6) and (15), 42(11) and (13) and 66(7) and (10) and Schedule 1, sections 19(5) and (9), 21(3), (9) and (12), 38(8) and (10) and 59(7) and (10)
58. Electoral Affairs Commission (Nominations Advisory Committees (District Councils)) Regulation (Cap. 541 sub. leg.) Sections 5(8) and 8(2)
59. Electoral Affairs Commission (Electoral Procedure) (District Councils) Regulation (Cap. 541 sub. leg.) Sections 26(5) and (9), 28(3), (9) and (12), 45(8) and (10), 66(6) and (9) and 102(4)
60. Legislative Council Ordinance (Cap. 542) Sections 13(1), 14(1), 26(6), 38(3), 40(1)(b) and 42(2) and Schedule 2, sections 9(6) and 17(2)
61. Registration of Electors (Appeals) Regulation (Cap. 542 sub. leg.) Section 2(1) and (2)(c)
62. Legislative Council (Formation of Election Committee) (Appeals) Regulation (Cap. 542 sub. leg.) Sections 2(1) and (2), 3(1), 4(1) and 5(1) and (2)(c)
63. District Councils Ordinance (Cap. 547) Sections 15(1), 23(1), 25(1), 34(1)(b), 35(2) and 63(1) and Schedule 5, section 2

SCHEDULE 2 [s. 3]

Provisions Excluded from Application of
Section 6 of Ordinance

Item	Enactment	Provision
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| 1. | Contracts for Employment Outside Hong Kong Ordinance (Cap. 78) | Sections 5(1) and 8(a) and (b) |
| 2. | Dutiable Commodities Regulations (Cap. 109 sub. leg.) | Regulation 22(1) and (6) |
| 3. | Immigration Ordinance (Cap. 115) | Section 5(4)(b) and (5)(a)(ii) and (b)(ii) |
| 4. | Buildings Ordinance (Cap. 123) | Section 8B(4) |
| 5. | Building (Administration) Regulations (Cap. 123 sub. leg.) | Regulations 12(1), (2) and (3), 18(2), 20(1), 25(2), (3) and (4), 26(2) and 28 |
| 6. | Registration of Persons Regulations (Cap. 177 sub. leg.) | Regulation 4(1) |
| 7. | Marriage Ordinance (Cap. 181) | Section 6 |
| 8. | Legitimacy Ordinance (Cap. 184) | Schedule, paragraph 1 |
| 9. | Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap. 374 sub. | |

- leg.) Regulations 5(3), 17(2) and 20(3)
10. Dangerous Goods (Consignment by Air) (Safety) Regulations (Cap. 384 sub. leg.) Regulation 6(3)
11. Land Drainage (Consent and Approval) Regulation (Cap. 446 sub. leg.)
Section 6
12. Land Survey Ordinance (Cap. 473) Section 30(4)
13. Electoral Affairs Commission (Registration of Electors) (Legislative Council Geographical Constituencies) (District Council Constituencies) Regulation (Cap. 541 sub. leg.) Sections 4(1), 14(2) and 15(6)
14. Electoral Affairs Commission (Registration) (Electors for Functional Constituencies) (Voters for Subsectors) (Members of Election Committee) (Legislative Council) Regulation (Cap. 541 sub. leg.) Sections 19(1), 20(2), (3), (5), (7) and (8), 26(6), 30(2), 31(7) and 33(9)
15. Electoral Affairs Commission (Nominations Advisory Committees (Legislative Council)) Regulation (Cap. 541 sub. leg.) Section 5(4)
16. Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation (Cap. 541 sub. leg.) Sections 10(7) and (8), 11(7) and (8), 12(7) and (8), 20(2) (b), 23(9) and (12), 25(8) and (15), 42(11) and (13), 66(7) and (10) and 102(4) and Schedule 1, sections 6(4), 7(6) and (7), 16(2), 19(6) and (9), 21(5) and (12), 38(8) and (10), 59(7) and (10) and 92(4)
17. Electoral Affairs Commission (Nominations Advisory Committees (District Councils)) Regulation (Cap. 541 sub. leg.) Section 5(2)
18. Electoral Affairs Commission (Electoral Procedure) (District Councils) Regulation (Cap. 541 sub. leg.) Sections 12(7) and (8), 20(2), 26(6) and (9), 28(5) and (12), 45(8), 66(6) and (9), 102(4) and 103(4)
19. Legislative Council Ordinance (Cap. 542) Sections 13(2), 14(2), 40(2) and 42(2) and Schedule 2, section 17(2)
20. District Councils Ordinance (Cap. 547) Sections 15(2), 23(2), 25(2), 35(2) and 63(2)
21. Air Navigation (Hong Kong) Order 1995 (L.N. 561 of 1995) Articles 10(2) and 28(4) and Schedule 15, Regulation 1(1)

SCHEDULE 3 [s. 4]

Provisions Excluded from Application
of Section 7 of Ordinance

Item	Enactment	Provision
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SCHEDULE 4 [s. 5]

Provisions Excluded from Application
of Section 8 of Ordinance

Item	Enactment	Provision
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| 1. | Immigration Ordinance (Cap. 115) | Section 17K(3) |
| 2. | Air Navigation (Hong Kong) Order 1995 (L.N. 561 of 1995) | Articles 22(1),
25(2)(a)(iii) and 57 and Schedule 12 and Schedule 16, Regulation 4 |

K. C. KWONG

Secretary for Information Technology and Broadcasting

1 March 2000

Explanatory Note

This Order sets out the specific provisions which are respectively excluded from the application of electronic records and digital signatures under sections 5, 6, 7 and 8 of the Electronic Transactions Ordinance (1 of 2000).