

C031E

A

Bill to

Amend various Ordinances to provide for the use of electronic means in carrying out certain transactions under those Ordinances; and for connected purposes.

Enacted by the Legislative Council.

1. Short title and commencement

(1) This Ordinance may be cited as the Import and Export (Electronic Transactions) Ordinance 2001.

(2) This Ordinance shall come into operation on a day to be appointed by the Secretary for Commerce and Industry by notice published in the Gazette.

2. Amendment of Import and Export

Ordinance---(Schedule 1)

The Import and Export Ordinance (Cap. 60) is amended as specified in Schedule

1.

3. Amendment of Reserved Commodities

Ordinance---(Schedule 2)

The Reserved Commodities Ordinance (Cap. 296) is amended as specified in Schedule

2.

4. Amendment of Industrial Training

(Clothing Industry) Ordinance---

(Schedule 3)

The Industrial Training (Clothing Industry) Ordinance (Cap. 318) is amended as specified in Schedule 3.

5. Amendment of Protection of Non-Government

Certificates of Origin Ordinance---

(Schedule 4)

The Protection of Non-Government Certificates of Origin Ordinance (Cap. 324) is amended as specified in Schedule 4.

SCHEDULE 1 [s. 2]

Amendment of Import and Export Ordinance

1. Interpretation

Section 2 of the Import and Export Ordinance (Cap. 60) is amended---

(a) in the definition of "manifest", by repealing "document" where it twice appears and substituting "record";

(b) in the definition of "security device", by repealing everything after "person" and substituting "to be used for authenticating that person as the sender of information using services provided by a specified body;"

(c) by adding---

"electronic record" (電子紀錄) has the meaning given to that term by section 2(1) of the Electronic Transactions Ordinance (Cap. 553);

"information" (資料) has the meaning given to that term by section 2(1) of the Electronic Transactions Ordinance (Cap. 553);".

2. Section substituted

Section 2B is repealed and the following substituted---

"2B. Presumption regarding information sent using services provided by specified body

(1) Where information received by the Commissioner or the Director was sent using services provided by a specified body, evidence which shows that the identity of the sender of the information was authenticated by the use of a security device is, in the absence of evidence to the contrary---

(a) proof that the person issued with the security device furnished the information; and

(b) proof that the person issued with the security device made a statement or declaration contained in the information.

(2) Where information received by the Commissioner or the Director and sent using services provided by a specified body was sent by a specified agent who has obtained an authorization in accordance with section 2D---

(a) a person named in the information as the person who furnished the information is, in the absence of evidence to the contrary, regarded for the purposes of this Ordinance as the person who furnished the information; and

(b) a person named in the information as the person who made a statement or declaration contained in the information is, in the absence of evidence to the contrary, regarded for the purposes of this Ordinance as the person who made the statement or declaration."

3. Safekeeping of security device

Section 2C is amended by repealing everything after "device---" and substituting---

"(a) shall not authorize or allow any other person to use the device in connection with the sending of information to the Commissioner or the Director under this Ordinance using services provided by a specified body;

(b) shall take all reasonable steps and exercise due diligence to prevent any other person from using the device in connection with the sending of information to the Commissioner or the Director under this Ordinance using services provided by a specified body."

4. Delivery of import licence and manifest to the Director

(1) Section 8(2)(b) is repealed and the following substituted---

"(b) shall, within 7 days after receiving the import licence---

(i) deliver the import licence to the Director; and

(ii) deliver to the Director, using services provided by a specified body, a copy or extract of the manifest of the vessel, aircraft or vehicle in or on which the article was imported."

(2) Section 8 is amended by adding---

"(2A) The requirement under subsection (2)(b)(ii) does not apply where at the time of delivering the import licence under subsection (2)(b)(i) the Director has been furnished with the manifest under section 19A(1)."

5. Delivery of import licence and manifest

in the case of part shipments

(1) Section 9(2)(b) is amended by repealing everything after "declaration---" and substituting---

"(i) endorse the licence and return it to the person to whom it was issued;

(ii) deliver the declaration to the Director; and

(iii) deliver to the Director, using services provided by a specified body, a copy or extract of the manifest of the vessel, aircraft or vehicle in or on which the article was imported."

(2) Section 9 is amended by adding---

"(2A) The requirement under subsection (2)(b)(iii) does not apply where at the time of delivering the declaration under subsection (2)(b)(ii) the Director has been furnished with the manifest under section 19A(1)."

6. Delivery of export licence and

manifest to the Director

(1) Section 11(2) is amended by repealing everything after "shall" and substituting---

"---

(a) where he has obtained a notification sent by the Director under section 10(1)(b) that is still in force, within 14 days after the day on which the article is exported---

(i) inform the Director of the export licence number; and

(ii) deliver to the Director, using services provided by a specified body, a copy or extract of the manifest of the vessel, aircraft or vehicle in or on which the article has been exported; or

(b) in any other case, within 14 days after the day on which the article is exported---

(i) deliver the export licence to the Director; and

(ii) deliver to the Director, using services provided by a specified body,

a copy or extract of the manifest of the vessel, aircraft or vehicle in or on which the article has been exported."

(2) Section 11 is amended by adding---

"(2A) The requirements under subsection (2)(a)(ii) and (b)(ii) do not apply where at the time of informing the Director of the export licence number under subsection (2)(a)(i) or delivering the export licence under subsection (2)(b)(i), as the case may be, the Director has been furnished with the manifest under section 19A(2)."

7. Duty to provide particulars of all cargo

(1) Section 15(1) is amended by repealing everything from "The master" to "shall, on" and substituting "A person specified in subsection (1A) in relation to a vessel, aircraft or vehicle shall, on any occasion that the vessel, aircraft or vehicle is".

(2) Section 15 is amended by adding---

"(1A) The following persons are specified for the purposes of subsection (1)---

- (a) in the case of a vessel, the master or agent of the vessel;
- (b) in the case of an aircraft, the commander or the owner of the aircraft;
- (c) in the case of a vehicle other than a train, the person in charge of the vehicle;
- (d) in the case of a train, the handling agent in Hong Kong for the cargo carried by the train.

(1B) Where a manifest is required to be furnished following a request under subsection (1)(a)---

- (a) except as provided in paragraph (b), it shall be furnished in paper form; or
- (b) if the member of the Customs and Excise Service making the request so permits, it may be furnished in the form of an electronic record."

8. List showing ports of call to be furnished to the Commissioner

Section 19(1) is amended by repealing ", a written" and substituting "in paper form, a".

9. Part added

The following is added---

"PART IVA

Manifest

19A. Manifest to be provided

(1) Within 14 days after the arrival in Hong Kong of any vessel, aircraft or vehicle, the owner of the vessel, aircraft or vehicle shall furnish the Director with the manifest of the cargo imported in or on the vessel, aircraft or vehicle.

(2) Within 14 days after the departure from Hong Kong of any vessel, aircraft or vehicle, the owner of the vessel, aircraft or vehicle shall furnish the Director with the manifest of the cargo exported in or on the vessel, aircraft or vehicle.

(3) A manifest furnished under subsection (1) or (2) shall be furnished using services provided by a specified body.

(4) Any person who, without reasonable excuse, furnishes the Director under subsection (1) or (2) with a manifest that, in contravention of section 17, does not give all the particulars required by that section in respect of any cargo specified in the manifest, commits an offence and is liable on summary conviction to a fine at level 3.

(5) Any person who, being required to furnish the Director with a manifest under subsection (1) or (2)---

(a) without reasonable excuse, fails or neglects to do so within the period specified in that subsection; or

(b) where he has a reasonable excuse for the purposes of paragraph (a), fails or neglects to do so as soon as practicable after the cessation of the excuse, commits an offence and is liable---

(i) on summary conviction to a fine at level 1; and

(ii) commencing on the day following the date of conviction under paragraph (i), to a fine of \$100 in respect of every day during which his failure or neglect to furnish the Director with the manifest continues."

10. Requirement that articles may be removed from vessel etc. for examination

Section 20B(6) is repealed and the following substituted---

"(6) Any notice, notification or information of any kind under this section or section 20A shall contain or include such information and be given in such manner as may be prescribed."

11. Power to make regulations

(1) Section 31(1)(ia) is amended by repealing "Commissioner to specify any form or requirement for giving information required to be given" and substituting "Commissioner or the Director to specify any form or requirement for giving information required to be given to the Commissioner or the Director respectively".

(2) Section 31 is amended by adding---

"(1A) Regulations made for the purposes of subsection (1)(x) or (aa) may provide that any fee or charge payable in connection with information that is sent using services provided by a specified body shall be paid in such manner as may be agreed between the Government and the specified body."

12. Section added

The following is added immediately before section 33---

"32A. Exemption from requirement to use services provided by specified body

(1) Where a provision of this Ordinance requires that any information to be given under this Ordinance shall be given using services provided by a specified body, the Commissioner may, by notice published in the Gazette, specify that the information may be given in paper form and, where a notice under this subsection has effect in relation to any information, the information shall, in accordance with the provision of this Ordinance as read together with the notice, be given either in paper form or using services provided by a specified body.

(2) Where a provision of this Ordinance requires that any information to be given under this Ordinance shall be given using services provided by a specified body, the Commissioner may, by notice published in the Gazette, specify that the information shall be given in paper form and, where a notice under this subsection has effect in relation to any information, the information shall, in accordance with the provision of this Ordinance as read together with the notice, be given in paper form only.

(3) A notice under subsection (1) or (2) providing for the giving of information in paper form may require that the information shall be certified as correct or that the document containing the information be certified as a true copy, as may be appropriate, by the person giving the information or by some other person.

(4) A notice under subsection (1) or (2) may make different provision in relation to different classes of persons or information.

(5) A notice under subsection (1) or (2) is not subsidiary legislation."

13. Section added

The following is added---

"42. Transitional

(1) A requirement under section 8, 9, 11 or 19A that information shall be given using services provided by a specified body shall, during the period specified in subsection (2), be construed as requiring that the information shall be given either in paper form or using services provided by a specified body.

(2) The period specified for the purposes of subsection (1) is the period beginning with the commencement of the Import and Export (Electronic Transactions) Ordinance 2001

(of 2001) and ending at midnight on a date to be specified by the Commissioner for the purposes of this subsection by notice published in the Gazette.

(3) A notice under subsection (2) may specify different dates in relation to different classes of persons or information.

(4) A notice published under subsection (2) is subsidiary legislation."

Consequential Amendments

Import and Export (Amendment) Ordinance 1995

14. Power to make regulations

Section 11(c) of the Import and Export (Amendment) Ordinance 1995 (30 of 1995) is repealed.

SCHEDULE 2 [s. 3]

Amendment of Reserved Commodities Ordinance

1. Interpretation

Section 2(1) of the Reserved Commodities Ordinance (Cap. 296) is amended by adding---

"electronic record" (電子紀錄) has the meaning given to that term in section 2(1) of the Electronic Transactions Ordinance (Cap. 553);

"information" (資料) has the meaning given to that term in section 2(1) of the Electronic Transactions Ordinance (Cap. 553);

"information system" (資訊系統) has the meaning given to that term in section 2(1) of the Electronic Transactions Ordinance (Cap. 553);

"recognized electronic service" (認可電子服務) means a service for the interchange of electronic records that is provided by a specified electronic services provider;

"security device" (保安裝置) means a device issued to a person to be used for authenticating that person as the sender of information using a recognized electronic service;

"specified electronic services agent" (指明電子服務代理人) means a person specified under section 2A(2);

"specified electronic services provider" (指明電子服務提供者) means a person specified under section 2A(1);".

2. Sections added

The following are added---

"2A. Specified electronic services providers and electronic services agents

(1) The Secretary for Commerce and Industry may, by notice published in the Gazette, specify a person to be a provider of a recognized electronic service under this Ordinance.

(2) The Secretary for Commerce and Industry may, by notice published in the Gazette, specify the persons who may act as agent for any person---

(a) in sending information to the Director under this Ordinance using a recognized electronic service; or

(b) in receiving information that has been sent by the Director under this Ordinance using a recognized electronic service.

(3) A notice under subsection (1) or (2) is not subsidiary legislation.

2B. Presumption regarding information sent using recognized electronic service

(1) Where information received by the Director was sent using a recognized electronic service, evidence which shows that the identity of the sender of the information was authenticated by the use of a security device is, in the absence of evidence to the contrary---

(a) proof that the person issued with the security device furnished the information; and

(b) proof that the person issued with the security device made a statement or declaration contained in the information.

(2) Where information received by the Director and sent using a recognized electronic service was sent by a specified electronic services agent who has obtained an authorization in accordance with section 2D---

(a) a person named in the information as the person who furnished the information is, in the absence of evidence to the contrary, regarded for the purposes of this Ordinance as the person who furnished the information; and

(b) a person named in the information as the person who made a statement or declaration contained in the information is, in the absence of evidence to the contrary, regarded for the purposes of this Ordinance as the person who made the statement or declaration.

2C. Safekeeping of security device

(1) A person who has been issued with a security device shall not authorize or allow any other person to use the device in connection with the sending of information to the Director under this Ordinance using a recognized electronic service.

(2) A person who has been issued with a security device shall take all reasonable steps and exercise due diligence to prevent any other person from using the device in connection with the sending of information to the Director under this Ordinance using a recognized electronic service.

(3) A person who contravenes subsection (1) or (2) commits an offence and is liable to a fine at level 5 and to imprisonment for 6 months.

2D. Duty of specified electronic services agent

(1) A specified electronic services agent shall not send on behalf of any person information using a recognized electronic service unless the agent has obtained from the person an authorization in writing to do so.

(2) A person who contravenes subsection (1) commits an offence and is liable to a fine at level 3."

3. Regulations

Section 3(1) is amended by adding---

"(1a) empowering the Director to specify any form or requirement for giving

information required to be given in respect of any reserved commodity;".

4. Section added

The following is added---

"6A. Proof of contents of electronic record

(1) A document purporting---

(a) to be a reproduction of any information sent in the form of an electronic record and retrieved from an information system operated by the Government or by a person on behalf of the Government; and

(b) to be certified by the Director as to the matters mentioned in paragraph (a), shall be admitted in any proceedings under this Ordinance before a court or magistrate on its production without further proof.

(2) Where a document is produced and admitted as evidence under subsection (1)---

(a) the court or magistrate before which it is produced shall, until the contrary is proved, presume---

(i) that the document was certified by the Director as provided in subsection (1)(b);

(ii) that the document is a true reproduction of the information sent in the form of an electronic record; and

(iii) that the reproduction was duly made on the date and at the time referred to in the document; and

(b) the document is evidence of the contents of the information sent by the sender in the form of an electronic record.

(3) Where a document is produced and admitted as evidence under subsection (1), the court or magistrate may, if it or he thinks fit, on its or his own motion or on the application of any party to the proceedings, summon the person who certified the document and examine him as to its subject-matter."

5. Section added

The following is added---

"10A. Powers in relation to information in electronic form

(1) A power conferred under section 10(1)(c)(ii) to seize, remove and detain anything that is suspected to be or to contain evidence of an offence includes, where the evidence consists of information that is stored or capable of being retrieved in the form of an electronic record, the power to require that the information be produced in a form in which it can be removed and in which it is either legible or capable of being retrieved on a computer, and to seize, remove and detain the material so produced.

(2) A power conferred under section 10(1)(e) to require the production of and

examine any document includes the power to require the production in a legible form of information that is stored or capable of being retrieved in the form of an electronic record and to examine the information or material so produced.

(3) A power conferred by this Ordinance to seize, remove and detain anything found in any premises or place entered under section 10(1)(a) shall be construed as including the power---

(a) to require that any information stored in the form of an electronic record and accessible from the premises or place be produced in a form in which it is either legible or capable of being retrieved on a computer and in which it can be removed; and

(b) to remove anything produced pursuant to a requirement made under paragraph (a).".

6. Section added

The following is added---

"14. Exemption from requirement to use recognized electronic service

(1) Where a provision of this Ordinance requires that any information to be given under the Ordinance shall be given using a recognized electronic service, the Commissioner may, by notice published in the Gazette, specify that the information may be given in paper form, and where a notice under this subsection has effect in relation to any information, the information shall, in accordance with the provision of this Ordinance as read together with the notice, be given either in paper form or using a recognized electronic service.

(2) Where a provision of this Ordinance requires that any information to be given under the Ordinance shall be given using a recognized electronic service, the Commissioner may, by notice published in the Gazette, specify that the information shall be given in paper form and, where a notice under this subsection has effect in relation to any information, the information shall, in accordance with the provision of this Ordinance as read together with the notice, be given in paper form only.

(3) A notice under subsection (1) or (2) providing for the giving of information in paper form may require that the information shall be certified as correct or that the document containing the information be certified as a true copy, as may be appropriate, by the person giving the information or by some other person.

(4) A notice under subsection (1) or (2) may make different provision in relation to different classes of persons or information.

(5) A notice under subsection (1) or (2) is not subsidiary legislation.".

SCHEDULE 3 [s. 4]

Amendment of Industrial Training (Clothing Industry) Ordinance

1. Interpretation

Section 2 of the Industrial Training (Clothing Industry) Ordinance (Cap. 318) is amended---

(a) in the definition of "security device", by repealing everything after "person" and substituting "to be used for authenticating that person as the sender of information using services provided by a specified body;"

(b) by adding---

""information" (資料) has the meaning given to that term by section 2(1) of the Electronic Transactions Ordinance (Cap. 553);".

2. Section substituted

Section 30A is repealed and the following substituted---

"30A. Presumption regarding information sent using services provided by specified body

(1) Where information received by the Commissioner was sent using services provided by a specified body, evidence which shows that the identity of the sender of the information was authenticated by the use of a security device is, in the absence of evidence to the contrary---

(a) proof that the person issued with the security device furnished the information; and

(b) proof that the person issued with the security device made a statement or declaration contained in the information.

(2) Where information received by the Commissioner and sent using services provided by a specified body was sent by a specified agent who has obtained an authorization in accordance with section 30C---

(a) a person named in the information as the person who furnished the information is, in the absence of evidence to the contrary, regarded for the purposes of this Ordinance as the person who furnished the information; and

(b) a person named in the information as the person who made a statement or declaration contained in the information is, in the absence of evidence to the contrary, regarded for the purposes of this Ordinance as the person who made the statement or declaration."

3. Safekeeping of security device

Section 30B is amended by repealing everything after "device---" and substituting---

"(a) shall not authorize or allow any other person to use the device in connection

with the sending of information to the Commissioner under this Ordinance using services provided by a specified body;

(b) shall take all reasonable steps and exercise due diligence to prevent any other person from using the device in connection with the sending of information to the Commissioner under this Ordinance using services provided by a specified body.".

SCHEDULE 4 [s. 5]

Amendment of Protection of Non-Government Certificates of Origin Ordinance

1. Interpretation

Section 2 of the Protection of Non-Government Certificates of Origin Ordinance (Cap. 324) is amended---

(a) in the definition of "security device", by repealing everything after "person" and substituting "to be used for authenticating that person as the sender of information using services provided by a specified body;"

(b) by adding---

""information" (資料) has the meaning given to that term by section 2(1) of the Electronic Transactions Ordinance (Cap. 553);".

2. Section substituted

Section 2A is repealed and the following substituted---

"2A. Presumption regarding information sent using services provided by specified body

(1) Where information received by an approved body was sent using services provided by a specified body, evidence which shows that the identity of the sender of the information was authenticated by the use of a security device is, in the absence of evidence to the contrary---

(a) proof that the person issued with the security device furnished the information; and

(b) proof that the person issued with the security device made a statement or declaration contained in the information.

(2) Where information received by an approved body and sent using services provided by a specified body was sent by a specified agent who has obtained an authorization in accordance with section 2C---

(a) a person named in the information as the person who furnished the information is, in the absence of evidence to the contrary, regarded for the purposes of this Ordinance as the person who furnished the information; and

(b) a person named in the information as the person who made a statement or declaration contained in the information is, in the absence of evidence to the contrary, regarded for the purposes of this Ordinance as the person who made the statement or declaration."

3. Safekeeping of security device

Section 2B is amended by repealing everything after "device---" and substituting---

"(a) shall not authorize or allow any other person to use the device in connection with the sending of information to an approved body under this Ordinance using services provided by a specified body;

(b) shall take all reasonable steps and exercise due diligence to prevent any other person from using the device in connection with the sending of information to an approved body under this Ordinance using services provided by a specified body."

Explanatory Memorandum

The object of this Bill is to amend various Ordinances, being Ordinances under the purview of the Secretary for Commerce and Industry, to provide for the use of electronic means or for the use of electronic services provided by a particular electronic services provider in carrying out certain transactions under those Ordinances.

Amendment of Import and Export Ordinance

2. Clause 2 and Schedule 1 amend the Import and Export Ordinance

(Cap. 60) ("the Ordinance") to require the use of electronic services provided by a particular electronic services provider in sending certain information under the Ordinance and to require that the manifest of any cargo imported into or exported from Hong Kong shall be furnished to the Director-General of Trade and Industry ("the Director").

3. Section 1 of Schedule 1 amends section 2 of the Ordinance ("Interpretation"). The definition of "manifest" is amended to reflect the fact that manifests may be prepared in electronic form, and the definition of "security device" is amended to make a drafting improvement. Definitions of newly introduced terms are added.

4. Sections 2 and 3 of Schedule 1 amend sections 2B and 2C of the Ordinance in relation to security devices to make drafting improvements.

5. Sections 4, 5 and 6 of Schedule 1 amend sections 8, 9 and 11 of the Ordinance respectively consequent on the introduction of new section 19A of the Ordinance (see paragraph 8 below), and also to require the use of electronic services provided by a particular electronic services provider (referred to in the Ordinance as "services provided by a specified body") in delivering a copy or extract of a manifest to the Director under those sections. The existing requirement for certification of the copy

or extract of the manifest is removed.

6. Section 7 of Schedule 1 amends section 15 of the Ordinance to extend its application to the owner of an aircraft, and to specify the manner of production of a manifest under the section of the Ordinance.

7. Section 8 of Schedule 1 amends section 19(1) of the Ordinance so as to give effect within the Ordinance to an exclusion order made under section 11(1) of the Electronic Transactions Ordinance (Cap. 553) in relation to the section of the Ordinance.

8. Section 9 of Schedule 1 adds a new requirement (as section 19A of the Ordinance) that the Director shall be furnished with the manifest of the cargo imported or exported in every vessel, aircraft or vehicle arriving in or leaving Hong Kong, and shall be so furnished using services provided by a specified body.

9. Section 10 of Schedule 1 amends section 20B(6) of the Ordinance to provide for regulations to be made prescribing the information to be contained in any notice, notification or information given under section 20A or 20B of the Ordinance.

10. Section 11(1) of Schedule 1 amends the regulation-making power in section 31(1)(ia) of the Ordinance to allow regulations to be made providing for the Director to specify any form or requirement for giving information required to be given to the Director under the Ordinance.

11. Section 11(2) of Schedule 1 amends the regulation-making power under section 31 of the Ordinance to allow regulations to be made providing for the payment of fees and charges under the Ordinance in the case where information is sent using electronic services provided by a particular electronic services provider.

12. Section 12 of Schedule 1 adds a new section to the Ordinance empowering the Commissioner to specify the use of paper form in addition to or instead of the use of services provided by a specified body when furnishing information under the Ordinance.

13. Section 13 of Schedule 1 adds a transitional provision to the Ordinance in relation to the amendments effected by sections 4, 5, 6 and 9 of that Schedule requiring the use of services provided by a specified body. This transitional provision will allow information to be given in paper form, as an alternative to using services provided by a specified body, until a date to be specified by the Commissioner.

14. Section 14 of Schedule 1 repeals an earlier amendment to section 31(1)(aa) of the Ordinance. That amendment, which has not yet been brought into operation, is subsumed by the amendment effected by section 11(2) of Schedule 1 (see paragraph 11 above).

Amendment of Reserved Commodities Ordinance

15. Clause 3 and Schedule 2 amend the Reserved Commodities Ordinance (Cap. 296) ("the

Ordinance") to provide for the use of electronic services provided by a particular electronic services provider in sending information, or receiving of information sent, under the Ordinance and to make other miscellaneous amendments relating to the use of electronic records generally under the Ordinance.

16. Section 1 of Schedule 2 amends section 2(1) of the Ordinance to introduce and define certain terms relevant to the use of a "recognized electronic service" under the Ordinance.

17. Section 2 of Schedule 2 adds new sections 2A to 2D to the Ordinance. Those sections provide for the specification of persons to be providers of recognized electronic services under the Ordinance (new section 2A(1)), for the use of agents in sending information using a recognized electronic service (new sections 2A(2) and 2D), for aids to proof in relation to information received by the Director-General of Trade and Industry ("the Director") that has been sent using a recognized electronic service (new section 2B) and for the use of security devices in connection with recognized electronic services (new section 2C).

18. Section 3 of Schedule 2 amends the regulation-making power (section 3) under the Ordinance. This amendment will allow regulations to be made in relation to the use of recognized electronic services for giving information in respect of goods to which the Ordinance applies.

19. Section 4 of Schedule 2 adds new section 6A to the Ordinance to facilitate the admission and proof of electronic records in court proceedings.

20. Section 5 of Schedule 2 adds new section 10A to the Ordinance to provide for the application of powers of seizure and examination of documents conferred under section 10 of the Ordinance in relation to information in electronic form.

21. Section 6 of Schedule 2 adds a new section to the Ordinance empowering the Commissioner to specify the use of paper form in addition to or instead of the use of a recognized electronic service when furnishing information under the Ordinance.

Amendment of Industrial Training

(Clothing Industry) Ordinance

22. Clause 4 and Schedule 3 amend the Industrial Training (Clothing Industry) Ordinance (Cap. 318) ("the Ordinance") to make drafting improvements to the definition of "security device" in section 2 of the Ordinance (section 1 of Schedule 3) and to the provisions relating to security devices in sections 30A and 30B of the Ordinance (sections 2 and 3 of Schedule 3).

Amendment of Protection of Non-Government

Certificates of Origin Ordinance

23. Clause 5 and Schedule 4 amend the Protection of Non-Government Certificates of Origin Ordinance (Cap. 324) ("the Ordinance") to make drafting improvements to the

definition of "security device" in section 2 of the Ordinance (section 1 of Schedule 4) and to the provisions relating to security devices in sections 2A and 2B of the Ordinance (sections 2 and 3 of Schedule 4).