

立法會
Legislative Council

LC Paper No. LS81/02-03

**Paper for the House Committee Meeting
on 11 April 2003**

**Legal Service Division Report on
Daughters of Mary Help of Christians Incorporation (Amendment) Bill 2002
(Private Member's Bill)**

I. SUMMARY

1. **Object of the Bill** To empower the corporation established under the Daughters of Mary Help of Christians Incorporation Ordinance (Cap. 1070) to deal with or otherwise dispose of landed and house properties owned by the corporation.
2. **Comments**
 - (a) This is a Member's Bill introduced by Hon Andrew WONG Wang-fat, JP.
 - (b) The Bill seeks to empower the Mother Provincial in Hong Kong of the Institute of the Daughters of Mary Help of Christians, a corporation established under Cap. 1070, to dispose of any lands, buildings, messuages, tenements or mortgages vested in or belonging to the corporation.
 - (c) The Bill does not raise any matter of public policy.
3. **Public Consultation** There has not been any public consultation on the Bill.
4. **Consultation with LegCo Panel** No LegCo Panel has been consulted.
5. **Conclusion**
 - (a) The legal and drafting aspects of the Bill are in order.
 - (b) Subject to Members' views, the Bill is ready for resumption of Second Reading debate.

II. REPORT

Object of the Bill

To empower the corporation established under the Daughters of Mary Help of Christians Incorporation Ordinance (Cap. 1070) to deal with or otherwise dispose of landed and house properties owned by the corporation.

LegCo Brief Reference

2. No LegCo Brief on the Bill has been provided.

Date of First Reading

3. 9 April 2003.

Comments

4. This is a Member's Bill introduced by Hon Andrew WONG Wang-fat, JP.

5. The Mother Provincial in Hong Kong of the Institute of the Daughters of Mary Help of Christians is a corporation established under the Daughters of Mary Help of Christians Incorporation Ordinance (Cap. 1070) (the Ordinance). Under the Ordinance, the corporation has the power to acquire, accept leases of, purchase, take, hold and enjoy any lands, buildings, messuages or tenements, and also to invest moneys upon mortgage of any lands, buildings, messuages or tenements. However, there is no provision empowering the corporation to deal with or otherwise dispose of lands, buildings, messuages, tenements or mortgages owned by the corporation.

6. The Bill seeks to confer on the corporation concerned the power to deal with or otherwise dispose of, by deed under its seal, any lands, buildings, messuages, tenements or mortgages which are for the time being vested in or belonging to the corporation. According to the Explanatory Memorandum of the Bill, such power was intended to be conferred on the corporation but was accidentally omitted when the Ordinance was enacted in 1954.

Public Consultation

7. There has not been any public consultation on the Bill.

Consultation with LegCo Panel

8. No LegCo Panel has been consulted.

Conclusion

9. This is a private bill which does not raise any matter of public policy. The legal and drafting aspects of the Bill are in order. Subject to Members' views, the Bill is ready for resumption of Second Reading debate.

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