

**立法會**  
**Legislative Council**

LC Paper No. LS95/02-03

**Paper for the House Committee Meeting  
on 25 April 2003**

**Legal Service Division Report on  
Subsidiary Legislation Gazetted on 11 April 2003**

**Date of Tabling in LegCo** : 30 April 2003

**Amendment to be made by** : 28 May 2003 (or 18 June 2003 if extended by resolution)

**PART I DECLARATION NOTICE**

**Antiquities and Monuments Ordinance (Cap. 53)  
Antiquities and Monuments (Declaration of Proposed Monument) Notice 2003  
(L.N. 100)**

The Notice is made by the Secretary for Home Affairs ("the Authority") under section 2A(1) of the Antiquities and Monuments Ordinance (Cap. 53) ("the Ordinance") after consultation with the Antiquities Advisory Board to declare the building known as "馬禮遜樓" and its adjoining land within the Hoh Fuk Tong Centre (also known as Ho Fuk Tong Centre), the boundary of which is more particularly described in the Notice, to be a proposed monument for a period of 12 months from 11 April 2003. Under section 6(1)(b) of the Ordinance, a proposed monument shall not be demolished, removed, obstructed, defaced or interfered with except in accordance with a permit granted by the Authority.

2. Members may refer to the LegCo Brief issued by the Home Affairs Bureau on 10 April 2003 (File Ref: HAB/CS/CR 4/1/49) for background information.

3. The Panel on Home Affairs has not discussed the Notice.

**PART II AMENDMENT TO SUBSIDIARY LEGISLATION**

**Import and Export (General) Regulations (Cap. 60 sub. leg. A)  
Import and Export (General) Regulations (Amendment of Seventh Schedule) (No. 4) Notice 2003 (L.N. 101)**

4. Under section 7(2) of the Import and Export (General) Regulations (Cap. 60 sub. leg. A) ("the Regulations"), the Director-General of Trade and Industry may,

by notice published in the Gazette, add to the Seventh Schedule to the Regulations :-

- (i) the name of a country or place for which the Kimberly Process Certification Scheme (KPCS) is effective; or
- (ii) the name of any other country or place from which the import of rough diamonds into, and to which the export of diamonds from, a country or place for which the KPCS is effective is permitted by the Kimberly Process.

5. This Notice adds three countries or places, namely, Cameroon, Mali and Turkey, to the Seventh Schedule to the Regulations.

### **PART III COMMENCEMENT NOTICE**

#### **Massage Establishments Ordinance (Cap. 266)**

**Massage Establishments (Amendment) Ordinance 2001 (28 of 2001)**  
**(Commencement) Notice 2003 (L.N. 102)**

**Massage Establishments (Amendment) Regulation 2003 (L.N. 51 of 2003)**  
**(Commencement) Notice 2003 (L.N. 103)**

6. Under the Massage Establishments Ordinance (Cap. 266), a massage establishment licence ("licence") may be renewed for a period of 12 months.

7. Section 4 of Massage Establishments (Amendment) Ordinance 2001 (28 of 2001) ("the Section") was passed to enable the licensing authority to renew a licence for a period of 24 months if the licensee has not been in breach of any conditions of the licence. The Bills Committee formed to study the Massage Establishments (Amendment) Bill 2001 welcomed the Administration's proposal to provide for the renewal of a licence for a period of 24 months.

8. The Massage Establishments (Amendment) Regulation 2003 (L.N. 51 of 2003) ("the Amendment Regulation") amends the Schedules to the Massage Establishments Regulations (Cap. 266 sub. leg. A) to facilitate the operation of the Section so that a licence may be renewed for either a period of 12 months or 24 months at the fee of \$2,850.00. The Panel on Security was consulted, by circulation of paper on 26 March 2002, on the Administration's proposals to reduce the fee payable for renewal of a licence for one year or two years from \$6,410 to \$2,850, and that the fee for issue of a new licence should remain at the existing level of \$6,410. Panel members had not raised any queries on the proposals.

9. By these Notices, the Secretary for Security appoints 16 May 2003 as the day on which the Section and the Amendment Regulation come into operation.

**Fugitive Offenders Ordinance (Cap. 503)**

**Fugitive Offenders (Sri Lanka) Order (L.N. 28 of 2003) (Commencement) Notice 2003 (L.N. 104)**

10. The Fugitive Offenders (Sri Lanka) Order ("the Order") is made by the Chief Executive in Council under section 3 of the Fugitive Offenders Ordinance (Cap. 503) ("the Ordinance") to implement the bilateral agreement signed between the Hong Kong Special Administrative Region ("HKSAR") and the Democratic Socialist Republic of Sri Lanka ("Sri Lanka") in relation to the arrangements for the surrender of fugitives offenders. Its content is the same as the Order previously gazetted as L.N. 203 of 2001 on 21 October 2001 ("the previous Order").

11. The previous Order was tabled in LegCo on 17 October 2001 and considered by the then Subcommittee on Fugitive Offenders (Sri Lanka) Order and the Fugitive Offenders (Portugal) Order. The Subcommittee reported on 16 November 2001 and recommended that the previous Order be repealed as there were issues which needed to be further discussed. The previous Order was duly repealed by a LegCo resolution on 21 November 2001. Another Subcommittee comprising the same members was formed to study the outstanding issues. The Subcommittee reported to the House Committee on 18 October 2002 that it had no objection to the re-gazettal of the previous Order.

12. The Order was gazetted on 7 February 2003 and tabled on 17 February 2003. No amendment has been made to the Order.

13. Members may wish to refer to the LegCo Brief (Ref: SBCR 1/2716/89 (98) Pt. 19) issued by the Security Bureau in January 2003 in which the report of the latter Subcommittee (Ref: LC Paper No. CB(2)78/02-03) is attached as Annex B for further information.

14. By this Notice, the Secretary for Security appoints 19 April 2003 as the date on which the Order comes into operation.

Prepared by

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