

**立法會**  
**Legislative Council**

LC Paper No. LS23/02-03

**Paper for the House Committee Meeting  
on 29 November 2002**

**Legal Service Division Report on  
Subsidiary Legislation Gazetted on 22 November 2002**

**Date of Tabling in LegCo** : 27 November 2002

**Amendment to be made by** : 18 December 2002 (or 15 January 2003 if extended by resolution)

**Immigration Ordinance (Cap. 115)**  
**Immigration (Amendment) Ordinance 2002 (31 of 2002) (Commencement) Notice 2002 (L.N. 172)**

The Immigration (Amendment) Ordinance 2002 was passed on 6 November 2002 to exclude Mainland officials holding Chinese Travel Permits with a specific endorsement from being treated as ordinarily resident in Hong Kong during their stay as such holders for the purpose of fulfilling the 7 years' rule for acquiring permanent resident status under the Immigration Ordinance.

2. This Notice appoints 17 January 2003 as the day on which the Amendment Ordinance shall come into operation.

**Mandatory Provident Fund Schemes Ordinance (Cap. 485)**  
**Mandatory Provident Fund Schemes (Amendment) (No. 2) Ordinance 2002 (29 of 2002) (Commencement) Notice 2002 (L.N. 173)**

3. The Mandatory Provident Fund Schemes (Amendment) (No. 2) Ordinance 2002 was passed on 10 July 2002 to provide for a number of measures aimed at streamlining the operation of the MPF system and enhancing protection of scheme members. Some of the provisions relating to protection of scheme members first came into operation on 19 July 2002.

4. This Notice appoints 1 February 2003 as the day on which the remaining provisions of the Amendment Ordinance shall come into operation. These provisions include the adjustment of the minimum level of relevant income for Mandatory Provident Fund contributions from \$4,000 to \$5,000 and other administrative measures.

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

**Massage Establishments (Amendment) Ordinance 2001 (28 of 2001)  
(Commencement) Notice 2002 (L.N. 174)**

5. The Massage Establishments (Amendment) Ordinance 2001 was passed on 14 November 2001 to exempt massage establishments where only face, scalp, neck, hand, arm or foot massage and no full-body massage is administered to a customer by a person of the opposite sex from the licensing requirement under the Ordinance.

6. This Notice appoints 27 December 2002 as the day on which the Amendment Ordinance (other than section 4) shall come into operation.

7. Section 4 of the Amendment Ordinance enables the licensing authority to renew a licence for a period of 24 months (instead of 12 months) if the licensee has not been in breach of any condition of the licence. According to the Administration, it is in the course of preparing amendments to the subsidiary legislation for the implementation of section 4, which will come into operation when such amendments are ready.

**Places of Public Entertainment Ordinance (Cap. 172)**

**Places of Public Entertainment Ordinance (Amendment of Schedule 1)  
Regulation 2002 (L.N. 120 of 2002) (Commencement) Notice 2002 (L.N. 175)**

8. The Places of Public Entertainment Ordinance (Cap. 172) provides for the regulation of places of public entertainment in that no person shall keep or use any place of public entertainment without a licence granted under the Ordinance. Schedule 1 to the Ordinance specifies the events, activities or other things which are regarded as "entertainment" under the Ordinance.

9. L.N. 120 was gazetted on 5 July 2002 to amend Schedule 1 to include "dance party" as entertainment for the purpose of the Ordinance. Its object is to impose a licensing requirement on rave parties held at premises not licensed for dancing activities. A Subcommittee was formed on 4 October 2002 to examine L.N. 120. The Subcommittee reported to the House Committee on 1 November 2002 and supported the amendment.

10. This Notice appoints 15 January 2003 as the day on which L.N. 120 shall come into operation.

Prepared by

Kitty Cheng  
Assistant Legal Adviser  
Legislative Council Secretariat  
25 November 2002