

HONG KONG SPORTS DEVELOPMENT BOARD (REPEAL) BILL

COMMITTEE STAGE

Amendments to be moved by the Secretary for Home Affairs

<u>Clause</u>	<u>Amendment Proposed</u>
9	By deleting subclause (2).
New	By adding - "9A. Continuous employment (1) This section applies to any employment by the Government that was employment by the Board or the Committee immediately before the commencement and has become employment by the Government by virtue of this Ordinance. (2) Notwithstanding section 66 of the Interpretation and General Clauses Ordinance (Cap. 1), the Employment Ordinance (Cap. 57) applies to any employment to which this section applies. (3) For the purposes of the Employment Ordinance (Cap. 57), nothing in this Ordinance

breaks the continuity of any employment to which this section applies.

(4) For the purposes of the Employment Ordinance (Cap. 57), any employment to which this section applies is to be taken as employment by the same employer."

12 By adding -

"(7A) Where the former Chairman is not available for the purposes of any subsection of this section due to sickness, absence from Hong Kong or any other reason, a reference to the former Chairman in that subsection shall be taken as a reference to the former Vice Chairman."

12(8) By adding -

"“former Vice Chairman” (前副主席) means the person who held the office of the Vice Chairman of the Board by virtue of section 3 of the repealed Ordinance immediately before the commencement;"

Hong Kong Sports Development Board (Repeal) Bill

Committee Stage Amendments

9. Effects of agreements, etc.

(1) Any agreement made or transaction effected or other thing done by, to or in relation to the Board or the Committee which was in force or effective immediately before the commencement has effect as from the commencement as if made, effected or done by, to or in relation to the Government to the extent that it is consistent with this Ordinance.

~~(2) For the avoidance of doubt, any employment with the Board or the Committee under a contract of employment in force immediately before the commencement which becomes an employment with the Government by virtue of subsection (1) is to be taken as a continuous employment for the purposes of the Employment Ordinance (Cap. 57).~~

9A. Continuous employment

(1) This section applies to any employment by the Government that was employment by the Board or the Committee immediately before the Commencement and has become employment by the Government by virtue of this Ordinance.

(2) Notwithstanding section 66 of the Interpretation and General Clauses Ordinance (Cap. 1), the Employment Ordinance (Cap. 57) applies to any employment to which this section applies.

(3) For the purposes of the Employment Ordinance (Cap. 57), nothing in this Ordinance breaks the continuity of any employment to which this section applies.

(4) For the purposes of the Employment Ordinance (Cap. 57), any employment to which this section applies is to be taken as employment by the same employer.

12. Final statement of accounts and reports

(1) The former Chairman is to prepare, in respect of the specified period –

- (a) a statement of accounts of the Board;
- (b) a statement of accounts of the Fund;
- (c) a report on the activities of the Board; and
- (d) a report on the administration of the Fund.

(2) A statement of accounts prepared under subsection (1) is to include an income and expenditure account and a balance sheet and be signed by the former Chairman.

(3) A statement of accounts prepared under subsection (1) is to be audited by an auditor (being a certified public accountant within the meaning of section 2 of the Professional Accountants Ordinance (Cap. 50)) appointed by the former Chairman and be certified by the auditor.

(4) The auditor may at any reasonable time, if he considers it necessary for the purpose of carrying out his duties under this section –

- (a) have access to the books of account, vouchers and other financial records of the Board or of the Fund (which, by virtue of section 7, are vested in the Government on the commencement); and
- (b) require any information or explanation from the former Chairman.

(5) The auditor is to audit a statement of accounts prepared under subsection (1) and to deliver a report on the audit to the Secretary for Home Affairs as soon as is practicable.

(6) The former Chairman is to deliver the reports referred to in subsection (1)(c) and (d) to the Secretary for Home Affairs as soon as is practicable.

(7) The Secretary for Home Affairs is to lay on the table of the Legislative Council as soon as is practicable a copy of each of the reports delivered to him under subsections (5) and (6).

(7A) Where the former Chairman is not available for the purposes of any subsection of this section due to sickness, absence from Hong Kong or any

other reason, a reference to the former Chairman in that subsection shall be taken as a reference to the former Vice Chairman.

(8) In this section –

“former Chairman” (前主席) means the person who held the office of the Chairman of the Board by virtue of section 3 of the repealed Ordinance immediately before the commencement;

“former Vice Chairman”() means the person who held the office of the Vice Chairman of the Board by virtue of section 3 of the repealed Ordinance immediately before the commencement;

“specified period” (指明期間) means the period starting on 1 April 2003 and ending immediately before the commencement.