

立法會
Legislative Council

LC Paper No. LS45/03-04

**Paper for the House Committee Meeting
on 20 February 2004**

**Legal Service Division Report on
Subsidiary Legislation Gazetted on 13 February 2004**

Date of tabling in LegCo : 18 February 2004

Amendment to be made by : 17 March 2004 (or 21 April 2004 if extended by resolution)

PART I LEGAL NOTICES TABLED BEFORE LEGCO

**Interpretation and General Clauses Ordinance (Cap. 1)
Specification of Public Office (L.N. 21)**

By this Specification made by the Chief Executive in Council under section 43 of the Interpretation and General Clauses Ordinance (Cap. 1) (the Ordinance), the Collector of Stamp Duty is designated as specified public officer for the purpose of sections 6L(2), 6M(3), 6N(4), 6O(1), 6P, 6Q, 6R(1), 6S(4) and (7)(b), 6T(4)(a), 6V(2), (4) and (6)(b), 6ZL(1), 6ZM(1) and 7(3) of the Betting Duty Ordinance (Cap. 108) and regulation 3(4) of the Betting Duty Regulation (Cap. 108 sub. leg. A).

2. Section 43 of the Ordinance states, amongst others, that when any legislation confers powers or imposes duties on a specified public officer, such public officer may delegate the person for the time being holding any office designated by him to exercise such powers or perform such duties on his behalf. The Collector of Stamp Duty as specified public officer is therefore able to delegate the performance of his duties and the exercise of his powers under the specified provisions of the Betting Duty Ordinance and the Betting Duty Regulation. These duties and powers are mainly related to football betting duty assessment and collection. Members may refer to the LegCo Brief (Ref: CR5/536/02) dated 13 February 2004 and issued by the Financial Services and the Treasury Bureau for further and background information.

3. Neither the public nor any LegCo Panel has been consulted on the

Specification.

Public Health and Municipal Services Ordinance (Cap. 132)
Public Health and Municipal Services Ordinance (Public Pleasure Grounds)
(Amendment of Fourth Schedule) Order 2004 (L.N. 22)

4. By this Order made by the Director of Leisure and Cultural Services under section 106(1) and (6) of the Public Health and Municipal Services Ordinance (Cap. 132) (PHMSO), the following places are set aside for use as public pleasure grounds:-

<i>Location</i>	<i>Description of Place</i>
The Island of Hong Kong	Yee Tai Street Sitting-out Area
Kowloon	Kowloon Bay Park
	Sai Tso Wan Recreation Ground
The New Territories	A Kung Kok Street Garden
	Hing Fong Road Garden
	Ma On Shan Recreation Ground
	Ma On Shan Sports Centre
	Nga Ying Chau Garden
	Tai Po Hui Sports Centre

The Fourth Schedule to PHMSO is consequentially amended by adding the above places to the list of public pleasure grounds under the respective headings corresponding to their respective locations.

5. Neither the public nor any LegCo Panel has been consulted on the Order.

PART II LEGAL NOTICE NOT REQUIRED TO BE TABLED

United Nations Sanctions Ordinance (Cap. 537)
United Nations Sanctions (Libya) (Repeal) Regulation 2004 (L.N. 23)

6. This Regulation is made under section 3 of the United Nations Sanctions Ordinance (Cap. 537) by the Chief Executive on the instruction of the Ministry of Foreign Affairs of the People's Republic of China and after consultation with the Executive Council. It repeals the United Nations Sanctions (Libya) Regulation (Cap. 537 sub. leg. C), the United Nations Sanctions (Libya) (Prohibition of Flights) Regulation (Cap. 537 sub. leg. D), the United Nations Sanctions (Libya) (Suspension of Operation) Regulation 1999 (Cap. 537 sub. leg. I) and the United Nation Sanctions (Libya) (Prohibition of Flights) (Suspension of Operation) Regulation 1999 (Cap. 537 sub. leg. J).

7. The Regulation gives effect to the instruction of the Ministry of Foreign Affairs in relation to the United Nations Security Council Resolution (UNSCR) 1506. It repeals the measures contained in UNSCR 748 and 883 from which the first two Regulations originate. The last two Regulations result from UNSCR 1192, which took effect when the relevant conditions for the immediate suspension of the two first-mentioned UNSCR were fulfilled on 5 April 1999. Neither the public nor any LegCo Panel has been consulted on the Regulation.

8. No difficulties in the legal or drafting aspects of each of the above subsidiary legislation have been observed.

Prepared by

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