

立法會
Legislative Council

LC Paper No. LS16/03-04

**Paper for the House Committee Meeting
on 21 November 2003**

**Legal Service Division Report on
Subsidiary Legislation Gazetted on 14 November 2003**

Date of tabling in LegCo : 19 November 2003

Amendment to be made by : 17 December 2003 (or 7 January 2004 if extended by resolution)

PART I IMPORT AND EXPORT ORDINANCE

Import and Export Ordinance (Cap. 60)

Import and Export (Fees) (Amendment) Regulation 2003 (L.N. 247)

Textiles Controls Registration ("TCR") is required for traders receiving quota allocations or using quotas for export of textiles products to countries with quantitative restrictions on imports from Hong Kong. Under the Import and Export (Fees) Regulations (Cap. 60 sub. leg. B), an annual fee is charged for TCR. Pursuant to the World Trade Organisation Agreement on Textiles and Clothing, from 1 January 2005, all textiles exports from Hong Kong and all other members of the WTO will no longer be subject to quota restraint.

2. This amendment Regulation provides for the collection of the registration fee on an amount pro rata to the annual fee (instead of a fixed annual fee) for a period of less than 12 months ending on 31 December 2004.

3. For more background information about this Regulation, members may refer to the LegCo Brief issued by the Trade and Industry Department on 12 November 2003 (TID SR 86/16 revised edition). The Administration considers that the amendment Regulation is straightforward and involves mainly administrative changes in the calculation of registration fees payable for those TCRs for less than 12 months, so public consultation is not necessary (para. 7 of the LegCo Brief). The matter has not been referred to any LegCo Panel for discussion.

4. This amendment Regulation shall come into operation on a day to be appointed by the Director-General of Trade and Industry by notice published in the Gazette.

PART II COMMENCEMENT NOTICES

Import and Export (Facilitation) Ordinance 2003 (33 of 2003)

Import and Export (Facilitation) Ordinance 2003 (33 of 2003) (Commencement) Notice 2003 (L.N. 248)

5. This Notice appoints 8 January 2004 as the day on which the Import and Export (Facilitation) Ordinance 2003 (33 of 2003) shall come into operation.

6. The said Ordinance, which was passed on 29 October 2003, amends 3 ordinances and 7 regulations to provide for the relaxation of import, export and transportation control on certain articles including television sets, video cassette recorders, video cassette players, air conditioners and refrigerators, poultry carcasses and poultry products, left hand drive vehicles and outboard engines exceeding 11.9 kilowatts, marine fish, ozone depleting substances, optical disc mastering and replication equipment and radiocommunications transmitting apparatus.

Mutual Legal Assistance in Criminal Matters Ordinance (Cap. 525)

Mutual Legal Assistance in Criminal Matters (Netherlands) Order (L.N. 243 of 2003) (Commencement) Notice 2003 (L.N. 249)

7. This Notice appoints 1 December 2003 as the day on which the Mutual Legal Assistance in Criminal Matters (Netherlands) Order (L.N. 243 of 2003) shall come into operation.

8. The said Order directs that the Mutual Legal Assistance in Criminal Matters Ordinance (Cap. 535), subject to specified modifications, shall apply as between Hong Kong and the Kingdom of the Netherlands (including the Netherlands Antilles and Aruba). A Subcommittee was set up to scrutinize the Order in its original form earlier this year and the final version of the Order was approved by the Legislative Council on 29 October 2003.

Prepared by

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