

立法會
Legislative Council

LC Paper No. LS18/03-04

**Paper for the House Committee Meeting
on 5 December 2003**

**Legal Service Division Report on
Subsidiary Legislation Gazetted on 28 November 2003**

Date of Tabling in LegCo : 3 December 2003

Amendment to be made by : 17 December 2003 (or 4 February 2004 if extended by resolution)

PART I AMENDMENTS TO SUBSIDIARY LEGISLATION

Import and Export Ordinance (Cap. 60)
Import and Export (General) Regulations (Amendment of Seventh Schedule) (No. 9)
Notice 2003 (L.N. 254)

Under section 7(2) of the Import and Export (General) Regulations (Cap. 60 sub. leg. A) ("the principal Regulations"), the Director-General of Trade and Industry may, by notice published in the Gazette, add to the Seventh Schedule to the principal Regulations (i) the name of a country or place for which the Kimberley 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 Kimberley Process.

2. This Notice adds four countries or places, namely, Brazil, Ghana, Romania and Togo to the Seventh Schedule to the principal Regulations. The effect of this Notice is that trade in rough diamonds may be carried on with the countries or places added by this Notice under the KPCS.
3. No difficulties relating to the legal and drafting aspects of the Notice have been identified.

PART II COMMENCEMENT NOTICES

Registration of Persons Ordinance (Cap. 177)

Registration of Persons (Amendment) Regulation 2003 (L.N. 165 of 2003) (Commencement) Notice 2003 (L.N. 255)

4. This Notice appoints 2 January 2004 as the day on which the Registration of Persons (Amendment) Regulation 2003 (L.N. 165 of 2003) will come into operation.

5. The Amendment Regulation amends the Registration of Persons Regulation (Cap. 177 sub. leg. A) to enable Consular Corps Identity Cards ("CCICs") to be issued to the Head and members of the Office of the Commission of the European Communities in Hong Kong, and members of their families in the same manner as CCICs are issued to consuls and consular members.

Matrimonial Causes Ordinance (Cap. 179)

Matrimonial Causes (Amendment) Rules 2003 (L.N. 209 of 2003) (Commencement) Notice 2003 (L.N. 256)

6. This Notice appoints 29 December 2003 as the day on which the Matrimonial Causes (Amendment) Rules 2003 (L.N. 209 of 2003) will come into operation.

7. The Amendment Rules were considered by the House Committee at its meeting on 10 October 2003 (LC Paper No. LS2/03-04 refers). Members may recall that the Amendment Rules amend the Matrimonial Causes Rules (Cap. 179 sub. leg. A) ("the principal Rules") to disapply certain provisions relating to procedures under the principal Rules in respect of an application by the respondent to a petition for divorce for the court to consider his financial position after the divorce, and an application for ancillary relief where the petition for divorce is presented to the court on or after the commencement of the Amendment Rules.

8. Members may also recall that the Amendment Rules were made to facilitate the implementation of a pilot scheme to introduce a new and less complex procedural framework for the resolution of ancillary relief disputes at the Family Court and that the implementation of the pilot scheme will be governed by a Practice Direction to be issued by the Chief Justice. According to the Judiciary, the relevant Practice Direction was signed by the Chief Justice on 27 November 2003 and will be issued to the legal profession on 1 December 2003.

Prepared by
FUNG Sau-kuen, Connie
Assistant Legal Adviser
Legislative Council Secretariat
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