

立法會
Legislative Council

LC Paper No. LS74/04-05

**Paper for the House Committee Meeting
on 3 June 2005**

**Legal Service Division Report on
The Methodist Church, Hong Kong,
Incorporation (Amendment) Bill 2005**

(Private Member's Bill)

I. SUMMARY

1. **Objects of the Bill** To amend The Methodist Church, Hong Kong, Incorporation Ordinance (Cap. 1133) to expand the power of investment of The Methodist Church, Hong Kong to enable it to make investments outside Hong Kong and to make miscellaneous textual amendments.
2. **Comments**
 - (a) This is a Member's Bill introduced by Hon Lau Chin Shek.
 - (b) The Bill seeks to expand the power of investment of The Methodist Church, Hong Kong to enable it to make investment outside Hong Kong. Simultaneously, the opportunity is taken to rectify an omission in the English version of section 4(b) and a typographical error in the Chinese version of section 4(e).
 - (c) As a result of the reunification, section 11 is repealed and substituted by a new saving section in the standard form used for private ordinances after June 1997. This particular amendment shall be deemed to have effect from 1 July 1997.
3. **Public Consultation** No public consultation has been conducted on the Bill.
4. **Consultation with LegCo Panel** No LegCo panel has been consulted on the Bill.
5. **Conclusion** No difficulties have been observed in the legal or drafting aspects of the Bill. Subject to Members' views, the Bill is ready for resumption of the Second Reading debate.

II. REPORT

Objects of the Bill

To amend The Methodist Church, Hong Kong, Incorporation Ordinance (Cap. 1133) (the Ordinance) to expand the power of investment of The Methodist Church, Hong Kong (the Corporation) to enable it to make investments outside Hong Kong and to make miscellaneous textual amendments.

Date of First Reading

2. 1 June 2005.

Comment

3. According to the honorary legal adviser of the Corporation, the substance of the amendment proposed in the Bill has been approved by the Representative Session of the Corporation established under section 3 of the Ordinance and known as “The Methodist Church, Hong Kong” at a duly convened meeting held on 29 May 2004. A certified copy of the extracts of the minutes and resolution of the meeting (Chinese version only) has been supplied by the honorary legal adviser and is attached to this report as the Annex.

4. The Bill seeks to amend section 4(d) of the Ordinance to expand the power of investment of the Corporation to enable it to invest outside Hong Kong. Also the English version of section 4(b) is amended to rectify an omission and the Chinese version of section 4(e) is amended to rectify a typographical error.

5. As a result of the reunification of Hong Kong with China, the standard saving section has been revised. Hence, section 11 is repealed and substituted by a new saving section which is in the standard form used for private ordinances after June 1997. This new section would be deemed to have come into effect from 1 July 1997.

Public Consultation

6. No public consultation on the Bill has been conducted.

Consultation with LegCo Panel

7. No LegCo Panel has been consulted on the Bill.

Conclusion

8. No difficulties have been observed in the legal or drafting aspects of the Bill. Subject to Members' views, the Bill is ready for resumption of Second Reading debate.

Prepared by
KAU Kin-wah
Assistant Legal Adviser
Legislative Council Secretariat
28 May 2005

節錄自二〇〇四年總議會紀錄

代表部會議紀錄

會長：李鼎新牧師
書記：袁天佑牧師

副會長：吳思源先生
司庫：陳崇一醫生

二〇〇四年五月廿九日（禮拜六）

時間：下午二時三十分

地點：香港北角長康街十一號本會北角衛理堂

（柒）常務委員會提案

袁天佑牧師（總議會書記）

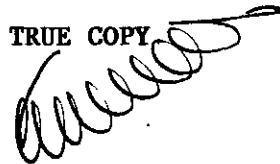
（八）接納本會義務法律顧問歐訓權先生就擴闊本會法團條例（香港法例 1133 章）內投資權限之條文所作提議，英文及中文版分別修改如下（以粗體及加線表示）——

「(d) . . . or tenements in Hong Kong of whatsoever nature or kind and wheresoever, or in or on debentures, debenture-stocks, funds, shares or securities of any corporation or company carrying on business in Hong Kong or outside Hong Kong;」

「(d) . . . 或投資於香港任何性質或種類以及位於任何地方的土地、建築物、宅地或物業單位的按揭，或投資於在香港經營業務或香港以外的任何法團或公司的債權證、債權股證、資金、股份或證券、保證；」

（簡祺標牧師提，余瑞秉先生和，通過。）

CERTIFIED TRUE COPY



FUN KUEN AU
Member of Standing Committee and
Honorary Legal Adviser of
The Methodist Church, Hong Kong

Date : 26/5/2005