立法會 Legislative Council

立法會LS82/05-06號文件

《截取通訊及監察條例草案》委員會文件

"監察器材"的定義

在法案委員會2006年6月1日會議上,委員審議條例草案第2條所訂"監察器材"的定義。一名委員關注到行政長官會同行政會議可根據條例草案第62條訂定規例,擴大監察器材類別的範圍。對於行政長官會同行政會議訂立的規例會否擴大條例草案的涵蓋範圍,該名委員表示懷疑,並指示法律事務部找出現行法例中類似條文的例子。

2. 現行法例所訂關於既授權力、獲轉授權力的當局及行使有關權力的方式的條文摘要載於**附件A**,有關的法例條文則載於**附件B**。本部已根據既授權力的性質,將有關條文分為兩個類別。

連附件

立法會秘書處 法律事務部 2006年6月10日

現行法例中有關條文的摘要

A. 藉修訂有關定義

	條例	獲轉授權力的當局及 行使有關權力的方法	既授權力
1.	《 武器條例 》(第217章) 第2、17條及附表	立法會藉決議	對載有違禁武器名單的附表作出修訂的權力。
2.	《火器及彈藥條例》(第238章) 第2及52(1)(e)條	行政長官會同行政會議 藉規例	宣布任何不屬《武器條例》(第217章)適用的武器的東西為彈藥或槍械的權力。
3.	《危險品條例》(第295章) 第3及5(1)(a)條	行政長官會同行政會議 藉規例	就該條例對任何物質及物品的適用範圍訂定條文的權力。
4.	《空氣污染管制條例》(第311章) 第2及43(1)(a)條	環境運輸及工務局局長 藉規例	指定有害或厭惡性排放物的權力。
5.	《 廢物處置條例 》(第354章) 第2及33(1)(eaa)條	行政長官會同行政會議 藉規例	把任何物質、物體或東西界定為化學廢物或建築 廢物的權力。
6.	《玩具及兒童產品安全條例》(第424章) 第2及35(1)(a)條	經濟發展及勞工局局長 藉規例	指定任何產品為兒童產品的權力。

B. 藉豁除或豁免法例的適用

	條例	獲轉授權力的當局及 行使有關權力的方法	既授權力
7.	《汽車(首次登記稅)條例》(第330章) 第2條	運輸署署長 藉憲報公告	宣布任何配件或任何配件類別不屬該條例所指的配件或配件類別的權力。
8.	《職業安全及健康條例》(第509章) 第3及42(1)(c)條	勞工處處長 藉獲得立法會批准的規例	訂明任何種類的地方不屬工作地點的權力。
9.	《公眾衞生及市政條例》(第132章) 第92AA條	民政事務局局長 藉規例	豁免任何類別或種類的桌球場所使其免受第92A 條規管的權力。
10.	《 貓狗條例 》(第167章) 第17條	漁農自然護理署署長 藉刊登於憲報的公告	如信納公眾或動物的安全不會因有關豁免而受 到危害,可豁免任何人或任何類別的人或任何狗 隻或任何類別的狗隻,使其不受根據該條例訂立 的任何規例的條文管限的權力。
11.	《 危險品條例 》(第295章) 第5(1)(b)條	行政長官會同行政會議 藉規例	豁免該條例適用的任何物質或物品或其中任何分量,使之不受該條例的施行所規限的權力。

附件 B Annex B

章: 217 標題: 武器條例 憲報編號:

條: **2** 條文標題:**釋義** 版本日期: 30/06/1997

在本條例中,除文意另有所指外一

"違禁武器"(prohibited weapon) 指附表內指明的任何武器;

Chapter: 217 Title: WEAPONS ORDINANCEGazette

Number:

Section: 2 Heading: Interpretation Version Date: 30/06/1997

In this Ordinance, unless the context otherwise requires-

[&]quot; prohibited weapon" (違禁武器) means any weapon specified in the Schedule;

章: 217 標題: 武器條例 憲報編號: 13 of 1999 條: **17** 條文標題: **修訂附表** 版本日期: 01/07/1997

附註:

具追溯力的修訂一見 1999 年第 13 號第 3 條

立法會可藉決議修訂附表。

Chapter: 217 Title: WEAPONS ORDINANCEGazette

Number:

Section: **17** Heading: **Amendment of Schedule** Version Date: 30/06/1997

The Legislative Council may by resolution amend the Schedule.

章: 217 標題: 武器條例 憲報編號:

[第2及17條]

違禁武器

中國式飛鏢

重力刀

重力操作鋼棒

指節套,不論是否有尖釘及是否有刀刃

附有手柄的鐵鏈

彈簧鋼棒

任何以彈簧或其他機械或電動裝置露出刀刃的刀 (由 1990 年第 394 號法律公告增補)

任何有刀刃或尖端的武器,其設計是在使用時以拳頭緊握手柄,而刀刃或尖端則從拳頭指縫間突出 (由 1990 年第 394 號法律公告增補)

Chapter: 217 Title: WEAPONS ORDINANCEGazette

Number:

Schedule: Heading: SCHEDULE Version Date: 30/06/1997

[sections 2 & 17]

PROHIBITED WEAPON

Chinese-style throwing dart

Gravity knife

Gravity-operated steel baton

Knuckleduster whether spiked or not and with or without blade

Chinese-style fighting iron

Spring-loaded steel baton

Any knife the blade of which is exposed by a spring or other mechanical or electric device (Added L.N. 394 of 1990)

Any bladed or pointed weapon designed to be used in a fashion whereby the handle is held in a clenched fist and the blade or point protrudes between the fingers of the fist (Added L.N. 394 of 1990)

章: 238 標題: 火器及彈藥條例 憲報編號: L.N. 193 of

2000

條: **2** 條文標題:**釋義** 版本日期: 26/05/2000

(1) 在本條例中,除文意另有所指外一

"彈藥" (ammunition) 指—

- (a) 供"槍械"定義(a)、(b)、(c)、(d)及(g)段範圍內的槍械使用的彈藥;
- (b) 容載或經設計或改裝以容載任何 "槍械" 定義(e)段範 圍內的有害液體、氣體、粉末或其他類似東西的彈藥;
- (c) 榴彈、炸彈或其他相類的投射物(不論是否可與槍械配合使用),以及此等物體的信管、雷管及引爆管;
- (d) 根據《工廠及工業經營條例》(第59章)所訂有關槍彈推動打釘工具規例所界定的"槍彈";
- (e) 行政長官會同行政會議為施行本條例而在根據第 52 條 所訂規例中宣布為彈藥的任何東西; (由 1999 年第 13 號第 3 條修訂)
- (ea) 射彈、子彈或投射物,或構成(a)、(b)、(c)、(d)或(e)段 所指的彈藥的某件物品的並非屬射彈、子彈或投射物的部 分; (由 2000 年第 14 號第 2 條增補)
- (f) 任何炮彈殼或槍彈殼,

但不包括-

- (i) 只能作滅火用的手榴彈;
- (ii) 只用作私人、住戶或辦公室裝飾用品的射彈、子彈或投射物、已使用的或空的炮彈殼或槍彈殼,或只作此用的構成(a)、(b)、(c)、(d)或(e)段所指的彈藥的某件物品的並非屬射彈、子彈或投射物的部分; (由 2000 年第 14 號第 2 條代替)

除非此等物件已憑藉(e)段所提述的規例得以包括在內,則屬例外;

"槍械" (arms) 指—

- (a) 任何火器;
- (b) 可發射任何射彈、子彈或投射物,而槍口能量超過2焦 耳的長槍型氣槍、氣槍或手槍型氣槍;
- (c) 經設計或改裝以藉在有或沒有直接接觸人體的情況下施加的電擊以使人昏暈或不能動彈的任何便攜式器件;

- (d) 任何槍、手槍或其他推動器或投彈器,可從其中發射或 藉以發射容載氣體或化學品的投射彈者;
- (e) 發射有害液體、氣體、粉末或其他類似東西的任何武器 (包括容載任何有害液體、氣體、粉末或其他類似東西的煙 霧劑,而該等有害液體、氣體、粉末或其他類似東西在一 般行業或家居使用時並非煙霧劑形式的);
- (f) 無論以何種動力驅動的任何魚叉或魚槍;
- (g) 行政長官會同行政會議爲施行本條例而在根據第 52 條 所訂規例中宣布爲屬"槍械"定義所指的任何其他東西; (由 1999 年第 13 號第 3 條修訂)
- (h) 用作或擬用作供以上各段範圍內任何槍械發射投射物的元件,以及經設計或改裝用作減低該等槍械鳴響時發出的聲音或火光的該等槍械的配件, (由 2000 年第 14 號第 2 條修訂)

但不包括—

- (i) 任何"槍彈推動打釘工具",而該工具是在根據《工廠 及工業經營條例》(第 59 章)所訂的有關該工具的規例中經 界定者;
- (ii) 任何彈弓、彈叉、弓或其他類似武器,

除非此等物件已憑藉(g)段所提述的規例得以包括在內,則屬例外;

Chapter:	238	Title:	FIREARMS AND	Gazette	L.N. 193 of	
			AMMUNITION	Number:	2000	
			ORDINANCE			
Section:	2	Heading:	Interpretation	Version Date:	26/05/2000	

(1) In this Ordinance, unless the context otherwise requires-"ammunition" (彈藥) means-

- (a) ammunition for the arms coming within paragraphs (a), (b), (c), (d) and (g) of the definition of "arms";
- (b) ammunition containing, or designed or adapted to contain, any noxious liquid, gas, powder or other similar thing coming within paragraph (e) of the definition of "arms";
- (c) grenades, bombs and other like missiles (whether capable of use with arms or not), and fuses, percussion caps and priming caps therefor;
- (d) a "cartridge" as defined in regulations relating to cartridge-operated fixing tools made under the Factories and Industrial Undertakings Ordinance (Cap 59);
- (e) any thing declared by the Chief Executive in Council in regulations made under section 52 to be ammunition for the purposes of this Ordinance; (Amended 13 of 1999 s. 3)
- (ea) a shot, bullet, missile or any other part of an article which constitutes ammunition under paragraph (a), (b), (c), (d) or (e); (Added 14 of 2000 s. 2)
- (f) any shell case or cartridge case,

but does not include-

- (i) a hand-grenade which can be used only for fire-fighting purposes;
- (ii) a shot, bullet, missile, used or empty shell case or cartridge case, or any other part of an article which constitutes ammunition under paragraph (a), (b), (c), (d) or (e), which is used only as an article of personal, household, or office adornment, (Replaced 14 of 2000 s. 2)

unless the same is included by virtue of regulations referred to in paragraph (e);

arms" (槍械) means-

- (a) any firearm;
- (b) an air rifle, air gun or air pistol from which any shot, bullet or missile can be discharged with a muzzle energy greater than 2 joules;

- (c) any portable device which is designed or adapted to stun or disable a person by means of an electric shock applied either with or without direct contact with that person;
- (d) any gun, pistol or other propelling or releasing instrument from or by which a projectile containing any gas or chemical could be discharged;
- (e) any weapon for the discharge of any noxious liquid, gas, powder or other similar thing (including an aerosol containing any noxious liquid, gas, powder or other similar thing which is not in general trade or domestic use in aerosol form);
- (f) any harpoon or spear gun, however powered;
- (g) any other thing declared by the Chief Executive in Council in regulations made under section 52 to be within the definition of "arms" for the purpose of this Ordinance; (Amended 13 of 1999 s. 3)
- (h) a component part used or intended to be used for the discharge of a missile from any of the arms coming within the foregoing paragraphs, and any accessory to such arms designed or adapted to diminish the noise or flash caused by firing the same,

but does not include-

- (i) any "cartridge-operated fixing tool" as defined in regulations relating thereto made under the Factories and Industrial Undertakings Ordinance (Cap 59);
- (ii) any slingshot, catapult, bow or other similar weapon, unless the same is included by virtue of regulations referred to in paragraph (g);

章: 238 標題: 火器及彈藥條例 憲報編號: L.N. 193 of

2000

條: **52** 條文標題:**規例** 版本日期: 26/05/2000

(1) 行政長官會同行政會議可就下列任何一項或全部事宜訂立規例—(由 1999年第 13 號第 3 條修訂)

- (e) 宣布任何不屬《武器條例》(第 217 章)適用的武器的東西爲—
 - (i) 第 2(1)條"彈藥"定義(e)段所指的彈藥;或
 - (ii) 該條內"槍械"定義(g)段所指的槍械;

Chapter:	238	Title:	FIREARMS AND	Gazette	L.N. 193 of	
			AMMUNITION	Number:	2000	
			ORDINANCE			
Section:	52	Heading:	Regulations	Version Date:	26/05/2000	

- (1) The Chief Executive in Council may make regulations for all or any of the following matters- (Amended 13 of 1999 s. 3)
 - (e) declaring any thing which is not a weapon to which the Weapons Ordinance (Cap 217) applies to be-
 - (i) ammunition in terms of paragraph (e) of the definition of "ammunition" in section 2(1); or
 - (ii) arms in terms of paragraph (g) of the definition of "arms" in that section;

章: 295 標題: 危險品條例 憲報編號: 23 of 1998;

71 of 1999

條: **3** 條文標題:**適用範圍** 版本日期: 01/07/1997

本條例適用於所有爆炸品、壓縮氣體、石油及其他發出易着火蒸氣的物質、 發出有毒氣體或蒸氣的物質、腐蝕性物質、與水或空氣相互影響時會變爲危 險的物質、可自燃或隨時可能燃燒的物質、放射性物料,以及根據第5條由 行政長官會同行政會議規定本條例須適用的物質: 但本條例並不適用於一

- (a) 任何由英國軍用船艦或任何外國的軍用船艦運載的危險品;或(由1998年第23號第2條修訂)
- (b) 在符合第 III 部的規定下,任何由國家管有和管制的危險品。(由 1971 年第 9 號第 4 條修訂)

Chapter: 295 Title: DANGEROUS GOODS Gazette 23 of 1998;

ORDINANCE Number: 71 of 1999

Section: **3** Heading: **Application** Version Date: 01/07/1997

This Ordinance shall apply to all explosives, compressed gases, petroleum and other substances giving off inflammable vapours, substances giving off poisonous gas or vapour, corrosive substances, substances which become dangerous by interaction with water or air, substances liable to spontaneous combustion or of a readily combustible nature, radioactive material and to such substances to which it is applied by the Chief Executive in Council under section 5:

Provided that this Ordinance shall not apply-

(a) to any dangerous goods carried in Her Majesty's ships of war, or in the ships of war of any foreign state; or (Amended 23 of 1998 s. 2)

(b) subject to Part III, to any dangerous goods in the possession and control of the State. (Amended 9 of 1971 s. 4)

(1) 行政長官會同行政會議可訂立規例,就下列事項訂定條文—(由 1999 年第71 號第3條修訂)

(a) 本條例對任何物質及物品的適用範圍;

Chapter: 295 Title: DANGEROUS GOODS Gazette 71 of 1999

ORDINANCE Number:

Section: 5 Heading: **Regulations** Version Date: 01/07/1997

(1) The Chief Executive in Council may by regulation provide for- (Amended 71 of 1999 s. 3)

(a) the application of this Ordinance to any substances and articles whatsoever;

章: 311 標題: 空氣污染管制條例 憲報編號: L.N. 106 of

2002

條: **2** 條文標題:**釋義** 版本日期: 01/07/2002

在本條例中,除文意另有所指外一

"有害或厭惡性排放物"(noxious or offensive emission) 指根據第 43(1)(a)條訂立的規例所指定的有害或厭惡性排放物;

Chapter: 311 Title: AIR POLLUTION Gazette L.N. 106 of

CONTROL ORDINANCE Number: 2002

Section: 2 Heading: Interpretation Version Date: 01/07/2002

In this Ordinance, unless the context otherwise requires-"noxious or offensive emission" (有害或厭惡性排放物) means a noxious or offensive emission designated by regulations made under section 43(1)(a); 章: 311 標題: 空氣污染管制條例 憲報編號: L.N. 320 of

1999

條: **43** 條文標題: **規例** 版本日期: 01/01/2000

(1) 爲施行本條例,局長在向環境諮詢委員會作出諮詢後,可藉規例就以下事項作出規定—(由 1984 年第 165 號法律公告修訂;由 1994 年第 57 號法律公告修訂;由 1997 年第 362 號法律公告修訂;由 1997 年第 631 號法律公告修訂;由 1999 年第 78 號第 7 條修訂)

(a) 有害或厭惡性排放物的指定;

Chapter: 311 Title: AIR POLLUTION Gazette

CONTROL ORDINANCE Number:

Section: 43 Heading: Regulations Version Date: 30/06/1997

(1) For the purposes of this Ordinance, the Secretary may, after consultation with the Advisory Council on the Environment, by regulation provide for- (Amended L.N. 165 of 1984; 13 of 1993 s. 28; L.N. 57 of 1994)

(a) the designation of noxious or offensive emissions;

章: 354 標題: 廢物處置條例 憲報編號: L.N. 143 of

2005

條: **2** 條文標題:**釋義** 版本日期: 01/12/2005

(1) 在本條例中,除文意另有所指外一

"化學廢物"(chemical waste) 指根據第 33 條所訂規例被界定爲化學廢物的任何物質、物體或東西;

"建築廢物"(construction waste) 指由根據第 33 條訂立的規例界定爲建築廢物的物質、物體或東西,但不包括化學廢物;

Chapter: 354 Title: WASTE DISPOSAL Gazette L.N. 143 of

ORDINANCE Number: 2005

Section: 2 Heading: Interpretation Version Date: 01/12/2005

(1) In this Ordinance, unless the context otherwise requires-

[&]quot;chemical waste" (化學廢物) means any substance, matter or thing defined as chemical waste by regulations made under section 33;

[&]quot;construction waste" (建築廢物) means any substance, matter or thing defined as construction waste by regulations made under section 33, but does not include chemical waste;

章: 354 標題: 廢物處置條例 憲報編號: L.N. 143 of

2005

條: **33** 條文標題: **規例** 版本日期: 01/12/2005

(1) 總督會同行政局可在諮詢環境諮詢委員會後,對以下事項訂定規例—(由 1984年第 165號法律公告修訂;由 1986年第 8號第 8條修訂;由 1994年第 57號法律公告修訂;由 1997年第 631號法律公告修訂;由 1999年第 78號第 7條修訂)

(eaa) 界定爲建築廢物的任何物質、物體或東西; (由 2004 年第 17 號第 8 條增補)

Chapter: 354 Title: WASTE DISPOSAL Gazette L.N. 143 of

ORDINANCE Number: 2005

Section: **33** Heading: **Regulations** Version Date: 01/12/2005

(1) The Governor in Council may after consultation with the Advisory Council on the Environment by regulation provide for- (Amended L.N. 165 of 1984; 8 of 1986 s. 8; L.N. 57 of 1994; 78 of 1999 s. 7)

(eaa) any substance, matter or thing to be defined as construction waste; (Added 17 of 2004 s. 8)

章: 424 標題: 玩具及兒童產品安全 憲報編號: 14 of 2003

條例

條: **2** 條文標題:**釋義** 版本日期: 09/05/2003

在本條例中,除文意另有所指外一

"兒童產品" (children's product) 指列於附表內的產品,而在第 IV 至 IX 部中,

"兒童產品"亦包括由規例指定爲兒童產品的產品;

Chapter: 424 Title: TOYS AND Gazette 65 of 2000

CHILDREN'S Number:

PRODUCTS SAFETY

ORDINANCE

Section: 2 Heading: Interpretation Version Date: 01/07/1997

In this Ordinance, unless the context otherwise requires-

"children's product" (兒童產品) means a product listed in the Schedule and, for the purposes of Parts IV to IX, includes a product designated by regulation to be a children's product;

章: 424 標題: 玩具及兒童產品安全 憲報編號: L.N. 106 of

條例 2002

條: **35** 條文標題: **規例** 版本日期: 01/07/2002

(1) 經濟發展及勞工局局長可藉規例就以下所有或其中任何事宜訂定條文— (由 1997 年第 362 號法律公告修訂;由 2000 年第 218 號法律公告修訂;由 2002 年第 106 號法律公告修訂)

(a) 指定任何產品爲兒童產品;

Chapter: 424 Title: TOYS AND Gazette L.N. 106 of

CHILDREN'S Number: 2002

PRODUCTS SAFETY

ORDINANCE

Section: **35** Heading: **Regulations** Version Date: 01/07/2002

(1) The Secretary for Economic Development and Labour may by regulation provide for all or any of the following matters- (Amended L.N. 218 of 2000; L.N. 106 of 2002)

(a) designating a product as a children's product;

章: 330 標題: 汽車(首次登記稅)條 憲報編號: 19 of 2004

例

條: **2** 條文標題:**釋義** 版本日期: 01/08/2004

(1) 在本條例中,除文意另有所指外— (由 1997 年第 11 號第 2 條修訂) "配件" (accessory) 就任何汽車而言—

- (a) 在不損害第(2)款的一般性原則下,不包括任何涉及該輛 汽車的油漆或防銹或同類處理的工序;或
- (b) 不包括在根據第(2)款作出的公告內宣布爲本條例不適 用的配件,亦不包括屬在該公告內宣布爲本條例不適用的 配件類別的配件; (由 1997 年第 11 號第 2 條增補)
- (2) 署長可藉憲報公告並在該公告所指明的條件(如有的話)的規限下,宣布任何配件或任何配件類別(包括關乎任何汽車的工序或改裝)不屬本條例所指的配件或配件類別(視屬何情況而定)。 (由 1997 年第 11 號第 2 條增補)

(3) 現宣布:根據第(2)款作出的公告是附屬法例。

Chapter: 330 Title: MOTOR VEHICLES Gazette 19 of 2004

(FIRST REGISTRATION Number:

TAX) ORDINANCE

Section: 2 Heading: Interpretation Version Date: 01/08/2004

(1) In this Ordinance unless the context otherwise requires- (Amended 11 of 1997 s. 2) "accessory" (配件), in relation to a motor vehicle, does not include-

- (a) without prejudice to the generality of subsection (2), any process involving the painting or rust-proofing or like treatment of the vehicle; or
- (b) any accessory, or any accessory belonging to a class of accessories, declared in a notice under subsection (2) to be an accessory, or a class of accessories, as the case may be, to which this Ordinance shall not apply; (Added 11 of 1997 s. 2)
- (2) The Commissioner may, by notice in the Gazette, and subject to such conditions, if any, as are specified in the notice, declare an accessory, or a class of accessories, including any process or modification relating to a motor vehicle, not to be an accessory, or a class of accessories, as the case may be, for the purposes of this Ordinance. (Added 11 of 1997 s. 2)
- (3) It is hereby declared that a notice under subsection (2) is subsidiary legislation.

章: 509 標題: 職業安全及健康條例 憲報編號: 54 of 2000 條: **3** 條文標題: **釋義** 版本日期: 01/07/1997

(1) 在本條例中,除文意另有所指外一

"工作地點" (workplace) 指有僱員工作的任何地方,但不包括以下任何一項

(a) 位於公眾地方的飛機或船隻;

- (b) 當經設計爲運載人、動物或貨物的載具或使用作如此運 載用途的載具位於任何公眾地方時,通常由該載具的司機 佔用的座位或位置;
- (c) 在其內的僱員均屬家庭傭工的住宅處所;
- (d) 只有自僱人士工作的地方;
- (e) 屬規例為施行本段而訂明的種類的任何其他地方;

Chapter: 509 Title: OCCUPATIONAL Gazette 54 of 2000

SAFETY AND HEALTH Number:

ORDINANCE

Section: **3** Heading: **Interpretation** Version Date: 01/07/1997

(1) In this Ordinance, unless the context otherwise requires-

"workplace" (工作地點) means any place where employees work, but does not include any of the following-

- (a) an aircraft or vessel when located in a public place;
- (b) when a vehicle that is designed or used for the carriage of people, animals or goods is located in a public place, the seat or position normally occupied by the driver of the vehicle;
- (c) domestic premises at which the only employees are domestic servants:
- (d) a place at which only self-employed persons work;
- (e) any other place of a kind prescribed by a regulation for the purposes of this paragraph;

章: 509 標題: 職業安全及健康條例 憲報編號: 54 of 2000 條: **42** 條文標題: **處長可訂立規例** 版本日期: 01/07/1997

附註:

具追溯力的適應化修訂一見 2000 年第 54 號第 3 條

(1) 處長可爲或就以下的所有或任何事宜訂立規例一

(c) 訂明任何規例規定訂明或准許訂明的事情;

Chapter: 509 Title: OCCUPATIONAL Gazette

SAFETY AND HEALTH Number:

ORDINANCE

Section: **42** Heading: **Commissioner may make** Version Date: 30/06/1997

regulations

(1) The Commissioner may make regulations for or with respect to all or any of the following-

(c) prescribing anything required or permitted to be prescribed by a regulation;

章: 132 標題: 公眾衞生及市政條例 憲報編號:

條: **92AA** 條文標題:**就豁免第92A條規定而**版本日期: 30/06/1997

訂立的規例

主管當局可藉規例豁免任何類別或種類的桌球場所使其免受第92A條的規管。

Chapter: 132 Title: PUBLIC HEALTH AND Gazette

MUNICIPAL SERVICES Number:

ORDINANCE

Section: **92AA** Heading: **Regulations providing for**Version Date: 30/06/1997

exemption from section

92A

The Authority may by regulation exempt any class or description of billiard establishment from the operation of section 92A.

章: 167 標題: 貓狗條例 憲報編號: L.N. 331 of

1999

條: **17** 條文標題:**豁免** 版本日期: 01/01/2000

第VII部

雜項條文

- (1) 署長如信納公眾或動物的安全不會因有關豁免而受到危害,可藉刊登於憲報的公告,一般地或就任何個別情況(不論是否提述任何目的或情況)而豁免任何人或任何類別的人或任何狗隻或任何類別的狗隻,使其不受根據本條例訂立的任何規例的條文管限。
- (2) 根據第(1)款作出的任何豁免,須受署長依據第(1)款在憲報刊登的公告中就該項豁免而指明的條件(如有的話)所規限。
- (3) 任何人違反規限根據第(1)款作出的豁免的任何條件,即屬犯罪,一經定罪,可處第3級罰款及監禁3個月。

Chapter: 167 Title: DOGS AND CATS Gazette L.N. 153 of

ORDINANCE Number: 1999

Section: **17** Heading: **Exemption** Version Date: 11/06/1999

PART VII

MISCELLANEOUS

- (1) The Director may, by notice published in the Gazette, exempt any person or class of persons or any dog or class of dogs from the provisions of any regulation made under this Ordinance, whether generally or in a particular case (whether or not by reference to any purpose or any circumstances), where he is satisfied that public and animal safety will not be endangered by such exemption.
- (2) An exemption under subsection (1) shall be subject to such conditions, if any, as the Director may specify in the notice published in the Gazette in respect of the exemption pursuant to subsection (1).
- (3) A person who contravenes a condition to which an exemption under subsection (1) is subject commits an offence and is liable on conviction to a fine at level 3 and to imprisonment for 3 months.

章: 295 標題: 危險品條例 憲報編號: 71 of 1999 條: **5** 條文標題: **規例** 版本日期: 01/07/1997

附註:

具追溯力的適應化修訂一見 1999 年第71 號第3條

(1) 行政長官會同行政會議可訂立規例,就下列事項訂定條文—(由 1999 年第71 號第3條修訂)

(b) 使本條例適用的任何物質或物品或其中任何分量獲得 豁免,不受本條例或其任何部分的施行所規限;

Chapter: 295 Title: DANGEROUS GOODS Gazette 71 of 1999

ORDINANCE Number:

Section: 5 Heading: **Regulations** Version Date: 01/07/1997

Remarks:

Adaptation amendments retroactively made - see 71 of 1999 s. 3

(1) The Chief Executive in Council may by regulation provide for- (Amended 71 of 1999 s. 3)

(b) the exemption of any substance or article to which this Ordinance applies or any quantity thereof from the operation of this Ordinance or any part thereof;