

立法會

Legislative Council

LC Paper No. LS82/05-06

Paper for the Bills Committee on Interception of Communications and Surveillance Bill

Definition of “Surveillance Device”

At the meeting of the Bills Committee on 1 June 2006, members considered the definition of “surveillance device” in Clause 2 of the Bill. A member expressed concern that the classes of surveillance device could be expanded by regulation by the Chief Executive in Council under Clause 62. The member expressed doubt if the regulation to be made by the Chief Executive in Council would extend the scope of the Bill, and instructed the Legal Service Division to find examples of similar existing legislative provisions.

2. A summary of the delegated powers, the delegated authorities and the manner in which the powers are to be exercised in existing legislation is at **Annex A**. The relevant provisions are at **Annex B**. We have categorized them into two types based on the nature of the delegated powers.

Encl

Prepared by

Legal Service Division
Legislative Council Secretariat
10 June 2006

SUMMARY OF RELEVANT PROVISIONS IN EXISTING LEGISLATION**A. By amending definition**

Ordinance	Delegated Authority and Method	Delegated Power
1. Weapons Ordinance (Cap. 217) sections 2, 17 and Schedule	Legislative Council by resolution	Power to amend the Schedule which contains a list of prohibited weapons.
2. Firearms and Ammunition Ordinance (Cap. 238) sections 2 and 52(1)(e)	Chief Executive in Council by regulation	Power to declare any thing which is not a weapon to which the Weapons Ordinance (Cap. 217) applies to be ammunition or arms.
3. Dangerous Goods Ordinance (Cap. 295) sections 3 and 5(1)(a)	Chief Executive in Council by regulation	Power to provide for the application of the Ordinance to any substances and articles whatsoever.
4. Air Pollution Control Ordinance (Cap. 311) sections 2 and 43(1)(a)	Secretary for the Environment, Transport and Works by regulation	Power to designate noxious or offensive emission.
5. Waste Disposal Ordinance (Cap. 354) Sections 2 and 33(1)(eaa)	Chief Executive in Council by regulation	Power to define any substance, matter or thing as chemical waste or construction waste.
6. Toys and Children's Products Safety Ordinance (Cap. 424) sections 2 and 35(1)(a)	Secretary for Economic Development and Labour by regulation	Power to designate a product as a children's product.

B. By excluding or exempting application of legislation

Ordinance	Delegated Authority and Method	Delegated Power
7. Motor Vehicles (First Registration Tax) Ordinance (Cap. 330) section 2	Commissioner for Transport by notice in the Gazette	Power to declare an accessory, or a class of accessories, not to be an accessory or a class of accessories for the purposes of the Ordinance.
8. Occupational Safety and Health Ordinance (Cap. 509) sections 3 and 42(1)(c)	Commissioner for Labour by regulation subject to the approval of the Legislative Council	Power to prescribe any place of a kind not to be a workplace.
9. Public Health and Municipal Services Ordinance (Cap. 132) section 92AA	Secretary for Home Affairs by regulation	Power to exempt any class or description of billiard establishment from the operation of section 92A.
10. Dogs and Cats Ordinance (Cap. 167) section 17	Director of Agriculture, Fisheries and Conservation by notice published in the Gazette	Power to exempt any person or class of persons or any dog or class of dogs from the provisions of any regulation under the Ordinance where he is satisfied that public and animal safety will not be endangered by such exemption.
11. Dangerous Goods Ordinance (Cap. 295) section 5(1)(b)	Chief Executive in Council by regulation	Power to exempt any substance or article to which the Ordinance applies or any quantity thereof from the operation of the Ordinance.

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—

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

Chapter:	217	Title:	WEAPONS ORDINANCE	Gazette	Number:
Section:	2	Heading:	Interpretation	Version Date:	30/06/1997

In this Ordinance, unless the context otherwise requires-

" 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 ORDINANCE	Gazette	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：	
附表：		條文標題：	附表	版本日期：	30/06/1997

[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 ORDINANCE	Gazette
		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—

“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為施行本條例而在根據第 52 條所訂規例中宣布為屬“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 AMMUNITION ORDINANCE	Gazette Number:	L.N. 193 of 2000
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)適用的武器的東西為—

- (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 AMMUNITION ORDINANCE	Gazette Number:	L.N. 193 of 2000
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為危險的物質、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—

- (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 ORDINANCE	Gazette Number:	23 of 1998; 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)

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

(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 ORDINANCE	Gazette Number:	71 of 1999
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—

“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 CONTROL ORDINANCE	Gazette Number:	L.N. 106 of 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) 為施行本條例，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—
“化學廢物”(chemical waste) 指根據第 33 條所訂規例被界定為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 條訂立的規例界定為建築廢物的物質、物體或東西，但不包括化學廢物；

Chapter:	354	Title:	WASTE DISPOSAL ORDINANCE	Gazette Number:	L.N. 143 of 2005
Section:	2	Heading:	Interpretation	Version Date:	01/12/2005

(1) In this Ordinance, unless the context otherwise requires-
"chemical waste" (化學廢物) means any substance, matter or thing defined as chemical waste by regulations made under section 33;
"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) 界定為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 ORDINANCE	Gazette Number:	L.N. 143 of 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 條例	憲報編號：	14 of 2003
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—

“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” 亦包括由規例指定為兒童產品的產品；

Chapter:	424	Title:	TOYS AND CHILDREN'S PRODUCTS SAFETY ORDINANCE	Gazette Number:	65 of 2000
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 條例	憲報編號：	L.N. 106 of 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) 指定任何產品為兒童產品；

Chapter:	424	Title:	TOYS AND CHILDREN'S PRODUCTS SAFETY ORDINANCE	Gazette Number:	L.N. 106 of 2002
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)條例	憲報編號：	19 of 2004
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—
- 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
 - 不包括在根據第(2)款作出的公告內宣布為本條例不適用的配件，亦不包括屬在該公告內宣布為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 (FIRST REGISTRATION TAX) ORDINANCE	Gazette Number:	19 of 2004
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-
- without prejudice to the generality of subsection (2), any process involving the painting or rust-proofing or like treatment of the vehicle; or
 - 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—

“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) 當經設計為運載人、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 SAFETY AND HEALTH ORDINANCE	Gazette Number:	54 of 2000
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) 處長可為或就以下的所有或任何事宜訂立規例—

(c) 訂明任何規例規定訂明或准許訂明的事情；

Chapter:	509	Title:	OCCUPATIONAL SAFETY AND HEALTH ORDINANCE	Gazette Number:
Section:	42	Heading:	Commissioner may make regulations	Version Date: 30/06/1997

(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： 公眾衛生及市政條例 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 ORDINANCE	Gazette Number:	L.N. 153 of 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 ORDINANCE	Gazette Number:	71 of 1999
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;