

立法會
Legislative Council

LC Paper No. LS49/05-06

**Paper for the House Committee Meeting
on 24 March 2006**

**Legal Service Division Report on
Subsidiary Legislation Gazetted on 17 March 2006**

Date of Tabling in LegCo : 22 March 2006

Amendment to be made by : 29 March 2006 (or 10 May 2006 if extended by resolution)

PART I PUBLIC PLEASURE GROUNDS

Public Health and Municipal Services Ordinance (Cap. 132)

Public Health and Municipal Services (Setting Aside Places for Use as Public Pleasure Grounds) Order 2006 (L.N. 56)

Public Health and Municipal Services Ordinance (Amendment of Fourth Schedule) Order 2006 (L.N. 57)

L.N. 56 sets aside certain places for use as public pleasure grounds. L.N. 57 amends the Fourth Schedule to the Public Health and Municipal Services Ordinance (Cap. 132) in order to update the list of public pleasure grounds. Under the Ordinance, the general management and control of public pleasure grounds, including the exclusive right to provide amenities of any kind, are vested in the Director of Leisure and Cultural Services.

2. The Panel on Home Affairs has not been consulted. No difficulties relating to the legal and drafting aspects of both items of subsidiary legislation have been identified.

PART II LEGAL NOTICES NOT REQUIRED TO BE TABLED

United Nations Sanctions Ordinance (Cap. 537)

United Nations Sanctions (Liberia) Regulation 2005 (Amendment) Regulation 2006 (L.N. 58)

United Nations Sanctions (Côte d'Ivoire) Regulation 2006 (L.N. 59)

3. The two Regulations are made by the Chief Executive under the United Nations Sanctions Ordinance (Cap. 537) on the instruction of the Ministry of Foreign Affairs of the People's Republic of China and after consultation with the Executive Council. L.N. 58 amends the United Nations Sanctions (Liberia) Regulation 2005 (Cap. 537 sub. leg. X) to give effect to a decision of the Security Council of the United Nations in Resolution 1647 of 20 December 2005 by providing for the following sanctions —

- (a) prohibition against the sale or supply of arms and related material (“prohibited goods”) to Liberia;
- (b) prohibition against the provision to Liberia of technical assistance or training related to provision, manufacture, maintenance or use of the prohibited goods;
- (c) prohibition against the direct or indirect import of rough diamonds from Liberia;
- (d) prohibition against the import of round logs and timber products originating in Liberia; and
- (e) prohibition against the entry into or transit through Hong Kong of certain specified persons.

4. The purpose of L.N. 59 is to give effect to a decision of the Security Council of the United Nations in Resolution 1643(2005) of 15 December 2005 by providing for the following sanctions —

- (a) prohibition against the direct or indirect sale, supply or transfer of arms or related materials to Côte d’Ivoire;
- (b) prohibition against the provision of advice, assistance or training related to military activities in certain circumstances;
- (c) prohibition against making available to or for the benefits of certain persons or entities any funds or other financial assets or economic resources;
- (d) prohibition against entry into or transit through Hong Kong of certain persons; and
- (e) prohibition against importation of rough diamonds from Côte d’Ivoire.

5. Although L.Ns. 58 and 59 are not subject to scrutiny of the Legislative Council under section 34 of the Interpretation and General Clauses Ordinance (Cap. 1),

they come within the terms of reference of the Subcommittee to Examine the Implementation in Hong Kong of Resolutions of the United Nations Security Council in relations to Sanctions. It is recommended that both Regulations be referred to the Subcommittee for further study. The Panel on Commerce and Industry has not been consulted on the two Regulations.

Prepared by

Wong Sze-man, Bernice
Assistant Legal Adviser
Legislative Council Secretariat
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