

立法會
Legislative Council

LC Paper No. LS81/05-06

**Paper for the House Committee Meeting
on 9 June 2006**

**Legal Service Division Report on
Subsidiary Legislation Gazetted on 2 June 2006**

Date of Tabling in LegCo : 7 June 2006

Amendment to be made by : 5 July 2006 (or the 1st meeting of LegCo in the next session if extended by resolution)

**Import and Export Ordinance (Cap. 60)
Import and Export (Strategic Commodities) Regulations (Amendment of
Schedule 1) Order 2006 (Amendment) Order 2006 (L.N. 131)**

The Import and Export (Strategic Commodities) Regulations (Amendment of Schedule 1) Order 2006 (L.N. 95 of 2006) (“the Amendment of Schedule 1 Order 2006”) was published in the Gazette on 4 May 2006. Its purpose is to amend Schedule 1 to the Import and Export (Strategic Commodities) Regulations (Cap. 60 sub. leg. G) in order to reflect the latest changes adopted by various international non-proliferation regimes in their control lists of strategic commodities. Members may recall that in the further report issued by the Legal Service Division on 24 May 2006 on the said Order (LC Paper No. LS77/05-06), we informed Members that the Administration had identified a number of printing errors concerning the Chinese names of certain chemicals and it had indicated that such errors would be removed in the next legislative exercise.

2. This Order amends the Chinese names of certain chemicals in the Amendment of Schedule 1 Order 2006 to rectify the printing errors. It will come into operation on a day to be appointed by the Director-General of Trade and Industry by notice published in the Gazette.

3. Members may refer to the LegCo Brief (File Ref: TRA CR 1506/2) issued by the Trade and Industry Department on 1 June 2006 for background information.

Pensions (Increase) Ordinance (Cap. 305)

Declaration of Increase in Pensions Notice 2006

(L.N. 132)

Widows and Orphans Pension (Increase) Ordinance (Cap. 205)

Widows and Orphans Pension (Increase) Notice 2006

(L.N. 133)

4. Under section 4 of the Pensions (Increase) Ordinance (Cap. 305), if the average monthly Consumer Price Index (A) (“the Index”) of a period of 12 months ending on 31 March of a year exceeds the Index of the immediately preceding 12 months by a percentage that is more than 0.1%, the Chief Executive shall declare a percentage of increase in basic pension equal to the excess expressed as a percentage as soon as practicable by notice in the Gazette, and to specify in the notice the effective date for such increase.

5. Under section 3(2) of the Widows and Orphans Pension (Increase) Ordinance (Cap. 205), if the Index of a period of 12 months ending on 31 March of a year exceeds the Index of the immediately preceding 12 months by a percentage that is more than 0.1%, the pensions described in that Ordinance payable to a widow or orphan of an officer who made a contribution to the widows and orphans pension scheme under the Widows and Orphans Pension Ordinance (Cap. 94) shall be increased by a percentage equal to the excess expressed as a percentage. Section 3(3) of Cap. 205 provides that where any pension is subject to an increase, the Chief Executive shall, as soon as practicable, by notice published in the Gazette specify the date from which such increase shall be effective and the percentage of the increase as determined in accordance with section 3(2).

6. L.N. 132 and L.N. 133 are made by the Chief Executive after consultation with the Executive Council to respectively increase the pensions to which the Pensions (Increase) Ordinance and the Widows and Orphans Pension (Increase) Ordinance apply by 1.4% with effect from 1 April 2006.

7. Members may refer to the LegCo Brief (File Ref: CSBCR/AP/4-075-005/5 Pt.9) issued by the Civil Service Bureau on these two Notices on 1 June 2006 for background information.

8. No difficulties relating to the legal and drafting aspects of the subsidiary legislation reported above have been identified.

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