

**Subcommittee on Legislative Amendments Relating to the Proposed  
Re-organisation of Policy Bureaux of the Government Secretariat**

**Resolution under Section 54A of the  
Interpretation and General Clauses Ordinance (Cap. 1)**

**Transfer of Statutory Functions Currently Exercisable by the  
Secretary for Economic Development and Labour**

**Introduction**

This paper sets out the transfer of statutory functions currently exercisable by the Secretary for Economic Development and Labour (SEDL) to the Secretary for Commerce and Economic Development, the Secretary for the Environment, the Secretary for Labour and Welfare or the Secretary for Transport and Housing with effect from 1 July 2007.

**Background**

2. Pursuant to the re-organisation plan announced by the Chief Executive on 3 May 2007 and set out in the Legislative Council brief issued to Members on the same day, the following policy portfolios currently under the SEDL will be taken up by four Directors of Bureau with effect from 1 July 2007 :

- (a) matters relating to tourism, consumer protection and competition policy will be transferred to the Secretary for Commerce and Economic Development;
- (b) matters relating to labour will be transferred to the Secretary for Labour and Welfare;
- (c) matters relating to energy will be transferred to the Secretary for the Environment; and

- (d) matters relating to air services, maritime transport and logistics will be transferred to the Secretary for Transport and Housing.

The relevant statutory functions currently vested in SEDL will be transferred to these four Directors of Bureau accordingly.

3. The transfer of statutory functions is to be effected by way of a resolution made under section 54A of the Interpretation and General Clauses Ordinance (Cap. 1). The Administration gave notice on 23 May 2007 in accordance with Rule 29(1) of the Rules of Procedure of the intention to move the Resolution at the Legislative Council meeting of 13 June 2007, and the notice was attached with the latest version of the Resolution. Paragraph (4) of the Resolution, at **Annex A**, provides that statutory functions currently exercisable by the SEDL by virtue of the specified ordinances be transferred to the Secretary for Commerce and Economic Development, the Secretary for the Environment, the Secretary for Labour and Welfare or the Secretary for Transport and Housing respectively.

4. The Resolution will not involve substantive amendments to the statutory functions (including powers and duties) provided for in the relevant ordinances. The Resolution will provide for the simple substitution of the current title of the SEDL by the new title of the relevant Directors of Bureau in whom policy responsibility for the provisions in question is to be vested with effect from 1 July 2007.

5. A summary of the major statutory functions of the SEDL under existing legislation to be transferred to the relevant Directors of Bureau and the textual amendments to the relevant ordinances is at **Annex B**.

### **Advice Sought**

- 6. Members are invited to consider paragraph (4) of the Resolution.

Constitutional Affairs Bureau  
Economic Development and Labour Bureau  
May 2007

- (4) the functions exercisable by the Secretary for Economic Development and Labour by virtue of -
- (a) the Gas Safety Ordinance (Cap. 51) be transferred to the Secretary for the Environment and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the definition of "Secretary" in section 2 by repealing "Secretary for Economic Development and Labour" and substituting "Secretary for the Environment";
  - (b) the Factories and Industrial Undertakings Ordinance (Cap. 59) be transferred to the Secretary for Labour and Welfare and, for the purpose of giving full effect to such transfer, that Ordinance be amended in section 7(1)(od) by repealing "Secretary for Economic Development and Labour" and substituting "Secretary for Labour and Welfare";
  - (c) the Factories and Industrial Undertakings (Safety Management) Regulation (Cap. 59 sub. leg. AF) be transferred to the Secretary for Labour and Welfare and, for the purpose of giving full effect to such transfer, that Regulation be amended in the following provisions by repealing "Secretary for Economic Development and Labour" wherever it appears and

substituting "Secretary for Labour and Welfare" -

(i) section 26(1);

(ii) section 27(1);

- (d) the Contracts for Employment Outside Hong Kong Ordinance (Cap. 78) be transferred to the Secretary for Labour and Welfare and, for the purpose of giving full effect to such transfer, that Ordinance be amended in section 4(2)(d) by repealing "Secretary for Economic Development and Labour" and substituting "Secretary for Labour and Welfare";
- (e) the Port Control (Cargo Working Areas) Ordinance (Cap. 81) be transferred to the Secretary for Transport and Housing and, for the purpose of giving full effect to such transfer, that Ordinance be amended in section 3(1) by repealing "Secretary for Economic Development and Labour" and substituting "Secretary for Transport and Housing";
- (f) the Specification of Arrangements (Swiss Federal Council)(Avoidance of Double Taxation on Income from Aircraft Operation) Order (Cap. 112 sub. leg. AQ) be transferred to the Secretary for Transport and Housing and, for the purpose of giving full effect to such transfer, that Order be amended in

the note to section 2 by repealing "Economic Development and Labour Bureau" and substituting "Transport and Housing Bureau";

- (g) the Specification of Arrangements (Government of the Republic of Iceland)(Avoidance of Double Taxation on Income from Aircraft Operation) Order (Cap. 112 sub. leg. AU) be transferred to the Secretary for Transport and Housing and, for the purpose of giving full effect to such transfer, that Order be amended in the note to section 2 by repealing "Economic Development and Labour Bureau" and substituting "Transport and Housing Bureau";

- (h) the Specification of Arrangements (Government of the Hashemite Kingdom of Jordan)(Avoidance of Double Taxation on Income from Aircraft Operation) Order (Cap. 112 sub. leg. AV) be transferred to the Secretary for Transport and Housing and, for the purpose of giving full effect to such transfer, that Order be amended in the note to section 2 by repealing "Economic Development and Labour Bureau" and substituting "Transport and Housing Bureau";

(i) the Consumer Council Ordinance (Cap. 216) be transferred to the Secretary for Commerce and Economic Development and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the following provisions by repealing "Secretary for Economic Development and Labour" wherever it appears and substituting "Secretary for Commerce and Economic Development" -

(i) section 15;

(ii) section 16(1);

(iii) section 16(3);

(iv) section 16(5);

(j) the Travel Agents Ordinance (Cap. 218) be transferred to the Secretary for Commerce and Economic Development and, for the purpose of giving full effect to such transfer, that Ordinance be amended -

(i) in the following provisions by repealing "Secretary for Economic Development and Labour" wherever it appears and substituting "Secretary for Commerce and Economic Development" -

(A) section 32G(2);

(B) section 32H(2)(c)(ii);

(C) section 32I(1)(b);

- (D) section 32K(1);
- (E) section 32K(2)(b);
- (F) section 32L(5);
- (G) section 32M(1);
- (H) section 32M(3);
- (I) section 32M(5);
- (J) section 32N(2);
- (K) the definition of  
"specified" in section  
32N(4);
- (L) section 32O(1);
- (M) section 32P(1);
- (N) section 32P(2);
- (O) section 32Q;
- (P) section 50(1);
- (Q) section 53;

(ii) in the heading of the following provisions by repealing  
**"Secretary for Economic Development and Labour"**  
wherever it appears and substituting **"Secretary for Commerce and Economic Development"** -

- (A) section 32O;
- (B) section 53;

(k) the Merchant Shipping Ordinance (Cap. 281) be transferred to the Secretary for Transport and Housing and, for the purpose

of giving full effect to such transfer, that Ordinance be amended in the proviso of section 118(1) by repealing "Secretary for Economic Development and Labour" and substituting "Secretary for Transport and Housing";

(l) the Hong Kong Tourism Board Ordinance (Cap. 302) be transferred to the Secretary for Commerce and Economic Development and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the following provisions by repealing "Secretary for Economic Development and Labour" wherever it appears and substituting "Secretary for Commerce and Economic Development" -

(i) section 17B(1);

(ii) section 17B(2)(b);

(iii) section 17B(8);

(iv) section 19(2);

(m) the Shipping and Port Control Ordinance (Cap. 313) be transferred to the Secretary for Transport and Housing and, for the purpose of giving full effect to such transfer, that Ordinance be amended in section 56 by repealing "Secretary for Economic Development and Labour" and substituting "Secretary for Transport and Housing";

- (n) the Employees Compensation Assistance Ordinance (Cap. 365) be transferred to the Secretary for Labour and Welfare and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the definition of "Secretary" in section 2(1) by repealing "Secretary for Economic Development and Labour" and substituting "Secretary for Labour and Welfare";
- (o) the Merchant Shipping (Safety) Ordinance (Cap. 369) be transferred to the Secretary for Transport and Housing and, for the purpose of giving full effect to such transfer -
  - (i) the Merchant Shipping (Safety) Ordinance (Cap. 369) be amended in the following provisions by repealing "Secretary for Economic Development and Labour" wherever it appears and substituting "Secretary for Transport and Housing" -
    - (A) section 5(1);
    - (B) section 8(1);
    - (C) section 8(2);
    - (D) section 93(1);
    - (E) section 94(1);
    - (F) section 94(2);
    - (G) section 94(2)(b);

- (H) section 95(1);
- (I) section 96(1);
- (J) section 96(2);
- (K) section 97(1);
- (L) section 97(2);
- (M) section 98(1);
- (N) section 99(1);
- (O) section 99(2);
- (P) section 100(1);
- (Q) section 101(1);
- (R) section 102(1);
- (S) section 102(1)(f);
- (T) section 103(1);
- (U) section 104;
- (V) section 105(1);
- (W) section 105(3);
- (X) section 106;
- (Y) section 107(1);
- (Z) section 108(1);
- (AA) section 110(3C);
- (AB) section 110(4);
- (AC) section 115(3);

(ii) the Specification of Public Offices (Cap. 1 sub. leg. C) be amended in column 1 of the Schedule by repealing "Secretary for Economic Development and Labour" where it appears opposite to "Merchant

Shipping (Safety) Ordinance  
(Chapter 369), section 5." in  
column 2 and substituting  
"Secretary for Transport and  
Housing";

- (p) the Merchant Shipping (Safety) (Cargo Ship Safety Equipment Survey) Regulations (Cap. 369 sub. leg. T) be transferred to the Secretary for Transport and Housing and, for the purpose of giving full effect to such transfer, those Regulations be amended in the following provisions by repealing "Secretary for Economic Development and Labour" wherever it appears and substituting "Secretary for Transport and Housing" -
- (i) the definition of "Certifying Authority" in regulation 2;
  - (ii) the definition of "Government surveyor" in regulation 2;
- (q) the Merchant Shipping (Safety) (Musters and Training) Regulations (Cap. 369 sub. leg. AI) be transferred to the Secretary for Transport and Housing and, for the purpose of giving full effect to such transfer, those Regulations be amended in regulation 6(4) by repealing "Secretary for Economic Development and Labour" and substituting "Secretary for Transport and Housing";

- (r) the Merchant Shipping (Safety) (Passenger Ship Construction and Survey) (Ships Built On or After 1 September 1984) Regulations (Cap. 369 sub. leg. AM) be transferred to the Secretary for Transport and Housing and, for the purpose of giving full effect to such transfer, those Regulations be amended in the definition of "Government Surveyor" in regulation 1(2) by repealing "Secretary for Economic Development and Labour" and substituting "Secretary for Transport and Housing";
- (s) the Merchant Shipping (Safety) (Radio Installations Survey) Regulations (Cap. 369 sub. leg. AQ) be transferred to the Secretary for Transport and Housing and, for the purpose of giving full effect to such transfer, those Regulations be amended in the definition of "Government surveyor" in regulation 2 by repealing "Secretary for Economic Development and Labour" and substituting "Secretary for Transport and Housing";
- (t) the Occupational Safety and Health Council Ordinance (Cap. 398) be transferred to the Secretary for Labour and Welfare and, for the purpose of giving full effect to such transfer, that Ordinance be amended in section 22(5) by repealing "Secretary for

Economic Development and Labour" and substituting "Secretary for Labour and Welfare";

(u) the Electricity Ordinance (Cap. 406) be transferred to the Secretary for the Environment and, for the purpose of giving full effect to such transfer, that Ordinance be amended -

(i) in the following provisions by repealing "Secretary for Economic Development and Labour" wherever it appears and substituting "Secretary for the Environment" -

(A) section 36(1)(a);

(B) section 38(1);

(C) section 39(1);

(D) section 39(3);

(E) section 43(3);

(F) section 44(1);

(G) section 45(1);

(H) section 45(2);

(I) section 45(5);

(J) section 59(6);

(ii) in the following provisions, in the Chinese text, by repealing "經濟發展及勞工局局長" wherever it appears and substituting "環境局局長" -

- (A) section 38(1)(c);
  - (B) section 38(1)(d);
  - (C) section 38(1)(e);
  - (D) section 44(1)(d);
  - (E) section 44(1)(e);
  - (F) section 44(1)(f);
  - (G) section 44(1)(g);
- (v) the Electricity Supply Lines (Protection) Regulation (Cap. 406 sub. leg. H) be transferred to the Secretary for the Environment and, for the purpose of giving full effect to such transfer, that Regulation be amended in section 13(1)(b) by repealing "Secretary for Economic Development and Labour" and substituting "Secretary for the Environment";
- (w) the Employees' Compensation Insurance Levies Ordinance (Cap. 411) be transferred to the Secretary for Labour and Welfare and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the definition of "Secretary" in section 2 by repealing "Secretary for Economic Development and Labour" and substituting "Secretary for Labour and Welfare";
- (x) the Merchant Shipping (Prevention and Control of Pollution) Ordinance (Cap. 413) be transferred to the Secretary for Transport and Housing and, for the purpose

of giving full effect to such transfer, that Ordinance be amended in the following provisions by repealing "Secretary for Economic Development and Labour" wherever it appears and substituting "Secretary for Transport and Housing" -

(i) section 3(2);

(ii) section 3(5)(vii);

(y) the Merchant Shipping (Prevention of Oil Pollution) Regulations (Cap. 413 sub. leg. A) be transferred to the Secretary for Transport and Housing and, for the purpose of giving full effect to such transfer, those Regulations be amended in the following provisions by repealing "Secretary for Economic Development and Labour" wherever it appears and substituting "Secretary for Transport and Housing" -

(i) the definition of "Certifying Authority" in regulation 1(2);

(ii) the definition of "surveyor" in regulation 1(2);

(iii) regulation 35(1);

(iv) regulation 36(1);

(z) the Merchant Shipping (Control of Pollution by Noxious Liquid Substances in Bulk) Regulations (Cap. 413 sub. leg. B) be transferred to the Secretary for Transport

and Housing and, for the purpose of giving full effect to such transfer, those Regulations be amended in regulation 23(2) by repealing "Secretary for Economic Development and Labour" and substituting "Secretary for Transport and Housing";

(aa) the Merchant Shipping (BCH Code)

Regulations (Cap. 413 sub. leg. D) be transferred to the Secretary for Transport and Housing and, for the purpose of giving full effect to such transfer, those Regulations be amended in the following provisions by repealing "Secretary for Economic Development and Labour" wherever it appears and substituting "Secretary for Transport and Housing" -

(i) regulation 1(3)(d);

(ii) regulation 4(2);

(ab) the Merchant Shipping (IBC Code)

Regulations (Cap. 413 sub. leg. E) be transferred to the Secretary for Transport and Housing and, for the purpose of giving full effect to such transfer, those Regulations be amended in the following provisions by repealing "Secretary for Economic Development and Labour" wherever it appears and substituting "Secretary for Transport and Housing" -

(i) regulation 1(3)(c);

(ii) regulation 4(2);

(ac) the Toys and Children's Products Safety Ordinance (Cap. 424) be transferred to the Secretary for Commerce and Economic Development and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the following provisions by repealing "Secretary for Economic Development and Labour" wherever it appears and substituting "Secretary for Commerce and Economic Development" -

(i) section 4;

(ii) section 6(1);

(iii) section 6(2);

(iv) section 14(3);

(v) section 15(1);

(vi) section 15(3);

(vii) section 16(1);

(viii) section 16(3);

(ix) section 35(1);

(ad) the Hong Kong Civil Aviation (Investigation of Accidents) Regulations (Cap. 448 sub. leg. B) be transferred to the Secretary for Transport and Housing and, for the purpose of giving full effect to such transfer, those Regulations be amended in the following provisions by repealing "Secretary for Economic Development and Labour" wherever it appears and

substituting "Secretary for Transport and Housing" -

(i) regulation 10(4);

(ii) regulation 14(6);

(ae) the Consumer Goods Safety Ordinance (Cap. 456) be transferred to the Secretary for Commerce and Economic Development and, for the purpose of giving full effect to such transfer, that Ordinance be amended -

(i) in the definition of "Secretary" in section 2 by repealing "Secretary for Economic Development and Labour" and substituting "Secretary for Commerce and Economic Development";

(ii) in section 15(3) by repealing "Secretary for Economic Development and Labour" and substituting "Secretary";

(af) the Occupational Deafness (Compensation) Ordinance (Cap. 469) be transferred to the Secretary for Labour and Welfare and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the definition of "Secretary" in section 2 by repealing "Secretary for Economic Development and Labour" and substituting "Secretary for Labour and Welfare";

(ag) the Merchant Shipping (Seafarers) Ordinance (Cap. 478) be transferred to the Secretary for Transport and Housing and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the following provisions by repealing "Secretary for Economic Development and Labour" wherever it appears and substituting "Secretary for Transport and Housing" -

- (i) section 5(2);
- (ii) section 6(4);
- (iii) section 6(5);
- (iv) section 6(6);
- (v) section 17;
- (vi) section 18(3);
- (vii) section 19(1)(c);
- (viii) section 72(1);
- (ix) section 73(1);
- (x) section 80(5);
- (xi) section 81;
- (xii) section 82(1);
- (xiii) section 86;
- (xiv) section 89(1);
- (xv) section 89(2);
- (xvi) section 89(3);
- (xvii) section 95(2);
- (xviii) section 96(1);
- (xix) section 97(1);

- (xx) section 100(1);
- (xxi) section 104(1);
- (xxii) section 107(1);
- (xxiii) section 119(2);
- (xxiv) section 120(e);
- (xxv) section 121(1);
- (xxvi) section 125(4);

(ah) the Freight Containers (Safety) Ordinance (Cap. 506) be transferred to the Secretary for Transport and Housing and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the definition of "Secretary" in section 2(1) by repealing "Secretary for Economic Development and Labour" and substituting "Secretary for Transport and Housing";

(ai) the Merchant Shipping (Local Vessels) Ordinance (Cap. 548) be transferred to the Secretary for Transport and Housing and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the following provisions by repealing "Secretary for Economic Development and Labour" wherever it appears and substituting "Secretary for Transport and Housing" -

- (i) section 17(3);
- (ii) section 72(3)(c);
- (iii) section 72(3)(d);

(iv) section 89(1);

(v) section 89(2);

(aj) the Tung Chung Cable Car Ordinance (Cap. 577) be transferred to the Secretary for Commerce and Economic Development and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the definition of "Secretary" in section 2(1) by repealing "Secretary for Economic Development and Labour" and substituting "Secretary for Commerce and Economic Development";

(ak) the Merchant Shipping (Security of Ships and Port Facilities) Ordinance (Cap. 582) be transferred to the Secretary for Transport and Housing and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the definition of "Secretary" in section 3(1) by repealing "Secretary for Economic Development and Labour" and substituting "Secretary for Transport and Housing";

(al) the Sailors Home and Missions to Seamen Incorporation Ordinance (Cap. 1042) be transferred to the Secretary for Transport and Housing and, for the purpose of giving full effect to such transfer, that Ordinance be amended in section 3(2) by repealing "Secretary for Economic

Development and Labour" and substituting  
"Secretary for Transport and Housing";

(am) the Merchant Shipping (Limitation of  
Shipowners Liability)(Amendment)  
Ordinance 2005 (1 of 2005) be transferred  
to the Secretary for Transport and Housing  
and, for the purpose of giving full effect  
to such transfer, that Ordinance be amended  
in section 1(3) by repealing "Secretary for  
Economic Development and Labour" and  
substituting "Secretary for Transport and  
Housing";

(an) the Certification for Employee Benefits  
(Chinese Medicine)(Miscellaneous  
Amendments) Ordinance 2006 (16 of 2006) be  
transferred to the Secretary for Labour and  
Welfare and, for the purpose of giving full  
effect to such transfer, that Ordinance be  
amended in section 1(2) by repealing  
"Secretary for Economic Development and  
Labour" and substituting "Secretary for  
Labour and Welfare";

**Statutory functions presently exercisable by the Secretary for Economic Development and Labour (SEDL) which will be transferred to the Secretary for Commerce and Economic Development (SCED), the Secretary for the Environment (SEN), the Secretary for Labour and Welfare (SLW) or the Secretary for Transport and Housing (STH)**

**(I) Statutory functions transferred to SCED**

<b>The Resolution</b>	<b>Cap</b>	<b>Description</b>	<b>Textual amendments provided for in the Resolution</b>
Paragraph (4)(i)	216 Consumer Council Ordinance	<p>This ordinance is to incorporate the Consumer Council, to define its functions and powers, to negative personal liability of members and employees for the Council's or its committees' acts or omissions, and for connected purposes.</p> <p>Major functions to be transferred from SEDL to SCED are :</p> <ul style="list-style-type: none"><li>■ to appoint a date before which the Consumer Council shall send the estimates of income and expenditure for the ensuing financial year to the Chief Executive for his approval together with a programme of its proposed activities for the ensuing financial year;</li><li>■ to allow a further period for the Consumer Council to prepare a statement of the accounts of the Council;</li><li>■ to give approval to the appointment of an auditor; and</li></ul>	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Economic Development and Labour” / “經濟發展及勞工局局長” and substituting “Secretary for Commerce and Economic Development” / “商務及經濟發展局局長”:</p> <ul style="list-style-type: none"><li>■ section 15;</li><li>■ section 16(1);</li><li>■ section 16(3); and</li><li>■ section 16(5).</li></ul>

<b>The Resolution</b>	<b>Cap</b>	<b>Description</b>	<b>Textual amendments provided for in the Resolution</b>
		<ul style="list-style-type: none"><li>■ to allow a further period for the Consumer Council to furnish-<ul style="list-style-type: none"><li>(a) a report on the affairs of the Council for that year;</li><li>(b) a copy of its accounts therefor; and</li><li>(c) the auditor's report on the accounts.</li></ul></li></ul>	

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (4)(j)	218 Travel Agents Ordinance	<p>The ordinance provides for the control and regulation of travel agents.</p> <p>Major functions to be transferred from SEDL to SCED are :</p> <ul style="list-style-type: none"> <li>■ to be consulted by the Travel Industry Compensation Fund Management Board (TICFMB) before making rules under section 32G(2);</li> <li>■ to specify a percentage of the levy for purposes of payment into the Travel Industry Compensation Fund to which a travel agent shall be liable to contribute;</li> <li>■ to specify a percentage of the levy for purposes of payment to the Travel Industry Council to which a travel agent shall be liable to pay;</li> <li>■ to receive in each financial year the Travel Industry Council's estimates of income and expenditure in respect of the next financial year;</li> <li>■ to appoint a date before which the Travel Industry Council shall forward its estimates of income and expenditure to him;</li> <li>■ to notify the Travel Industry Council in writing (either generally or as regards a particular financial year) that such reserves of the Travel Industry Council as specified by him (and which he may specify generally or with reference to a particular case, class or description) shall be excluded from the application of section 32L(1), and any such reserves shall be so</li> </ul>	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Economic Development and Labour” / “經濟發展及勞工局局長” and substituting “Secretary for Commerce and Economic Development” / “商務及經濟發展局局長”:</p> <ul style="list-style-type: none"> <li>■ section 32G(2);</li> <li>■ section 32H(2)(c)(ii);</li> <li>■ section 32I (1)(b);</li> <li>■ section 32K(1);</li> <li>■ section 32 K(2)(b);</li> <li>■ section 32L(5);</li> <li>■ section 32M(1);</li> <li>■ section 32M(3);</li> <li>■ section 32M(5);</li> <li>■ section 32N(2);</li> <li>■ the definition of “specified” in section 32N(4);</li> <li>■ the heading of section 32O;</li> </ul>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
		<p>excluded;</p> <ul style="list-style-type: none"> <li>■ to require the TICFMB to arrange for such examination as he specifies to be carried out as regards the economy, efficiency and effectiveness with which the Travel Industry Council has used its resources;</li> <li>■ to approve the appointment of an auditor by the TICFMB to carry out the examinations of efficiency etc. with which the Travel Industry Council has used its resources;</li> <li>■ to receive from the TICFMB a copy of a written report by an auditor appointed by the TICFMB on the results of the examinations of efficiency etc. with which the Travel Industry Council has used its resource;</li> <li>■ to specify in writing a percentage at which the Travel Industry Council shall ensure that its recurrent expenditure is met out of its relevant income in any financial year;</li> <li>■ to give directions to the TICFMB relating to the performance of its functions or exercise of its powers;</li> <li>■ to allow the TICFMB to prepare in respect of a financial year, a statement of accounts of the TICFMB in a period longer than 4 months after the expiry of that financial year;</li> <li>■ to approve the appointment of an auditor by the TICFMB;</li> </ul>	<ul style="list-style-type: none"> <li>■ section 32O(1);</li> <li>■ section 32P(1);</li> <li>■ section 32P(2);</li> <li>■ section 32Q;</li> <li>■ section 50(1);</li> <li>■ the heading of section 53; and</li> <li>■ section 53.</li> </ul>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
		<ul style="list-style-type: none"> <li>■ to allow the TICFMB to submit to him its annual report in a period longer than two months after receipt of the auditor’s report in respect of its accounts for a particular financial year;</li> <li>■ to make regulations; and</li> <li>■ to amend Schedule 1 to the ordinance.</li> </ul>	
Paragraph (4)(1)	302 Hong Kong Tourism Board Ordinance	<p>This ordinance is to establish the Hong Kong Tourism Board as a body corporate and to provide for its objects and powers; and for related matters.</p> <p>Major functions to be transferred from SEDL to SCED are :</p> <ul style="list-style-type: none"> <li>■ to appoint a date that the Board shall forward to the Secretary, for the approval of the Chief Executive, a programme of its proposed activities and estimates of its income and expenditure for the next financial year;</li> <li>■ to approve major heads of the Board’s estimates; and</li> <li>■ to lay each year a copy of the report on the Board’s activities on the table of the Legislative Council.</li> </ul>	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Economic Development and Labour” / “經濟發展及勞工局局長” and substituting “Secretary for Commerce and Economic Development” / “商務及經濟發展局局長”:</p> <ul style="list-style-type: none"> <li>■ section 17B(1);</li> <li>■ section 17B(2)(b);</li> <li>■ section 17B(8); and</li> <li>■ section 19(2).</li> </ul>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (4)(ac)	424 Toys and Children's Products Safety Ordinance	<p>This ordinance is to provide safety standards for children's toys and safety standards for specified chattels used in association with children, and to provide for other powers to enhance the safety of children.</p> <p>Major functions to be transferred from SEDL to SCED are :</p> <ul style="list-style-type: none"> <li>■ to exercise power relating to the amendment of safety standards for toys by way of Gazette notice;</li> <li>■ to exercise power relating to the amendment of safety standards for children's products by way of amending the Schedule to the ordinance;</li> <li>■ to appoint members to Appeal Board panel;</li> <li>■ to appoint an Appeal Board to hear appeal upon receipt of appeal notice;</li> <li>■ to determine the rate of remuneration for Appeal Board panel members; and</li> <li>■ to make regulations.</li> </ul>	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Economic Development and Labour” / “經濟發展及勞工局局長” and substituting “Secretary for Commerce and Economic Development” / “商務及經濟發展局局長”:</p> <ul style="list-style-type: none"> <li>■ section 4;</li> <li>■ section 6(1);</li> <li>■ section 6(2);</li> <li>■ section 14(3);</li> <li>■ section 15(1);</li> <li>■ section 15(3);</li> <li>■ section 16(1);</li> <li>■ section 16(3); and</li> <li>■ section 35(1).</li> </ul>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (4)(ae)	456 Consumer Goods Safety Ordinance	<p>This ordinance is to impose a duty on manufacturers, importers and suppliers of certain consumer goods to ensure that the consumer goods they supply are safe and for incidental purposes.</p> <p>Major functions to be transferred from SEDL to SCED are :</p> <ul style="list-style-type: none"> <li>■ to approve safety standard or safety specification by way of regulation;</li> <li>■ to appoint members to Appeal Board panel;</li> <li>■ to appoint an Appeal Board to hear appeal upon receipt of appeal notice;</li> <li>■ to determine the rate of remuneration for Appeal Board panel members; and</li> <li>■ to make regulations.</li> </ul>	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” in section 2 is amended by repealing “Secretary for Economic Development and Labour” / “經濟發展及勞工局局長” and substituting “Secretary for Commerce and Economic Development” / “商務及經濟發展局局長”.</p> <p>Section 15(3) is amended by repealing “Secretary for Economic Development and Labour / 經濟發展及勞工局局長” and substituting “Secretary / 局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (4)(aj)	577 Tung Chung Cable Car Ordinance	<p>This ordinance provides for regulation to grant and regulate a franchise for the operation of a Cable Car System linking Tung Chung and Ngong Ping on Lantau Island, to grant ancillary rights, to provide for the payment of royalty, and to provide for related matters.</p> <p>Major functions to be transferred from SEDL to SCED are :</p> <ul style="list-style-type: none"> <li>■ power to serve a notice on intention to revoke franchise;</li> <li>■ power to initiate the procedure for imposing a financial penalty on the Company; and</li> <li>■ power to serve a notice requiring the Company to remedy the default or to take measures or make arrangements to the satisfaction of the Secretary to ensure that the default is remedied.</li> </ul>	<p><u>English and Chinese texts</u></p> <p>The definition “Secretary” in section 2(1) is amended by repealing “Secretary for Economic Development and Labour” / “經濟發展及勞工局局長” and substituting “Secretary for Commerce and Economic Development” / “商務及經濟發展局局長”.</p>

**(II) Statutory functions transferred to SEN**

<b>The Resolution</b>	<b>Cap</b>	<b>Description</b>	<b>Textual amendments provided for in the Resolution</b>
Paragraph (4)(a)	51 Gas Safety Ordinance	<p>This ordinance provides for the control over the safe importation, manufacture, storage, transport, supply and use of gas.</p> <p>Major functions to be transferred from SEDL to SEN are:</p> <ul style="list-style-type: none"> <li>■ to amend Schedules to regulations; and</li> <li>■ to exercise power and functions relating to appeals against the decision of the Gas Authority.</li> </ul>	<p><u>English and Chinese texts</u></p> <p>Section 2 is amended by repealing “Secretary for Economic Development the Labour” / “經濟發展及勞工局局長” and substituting “Secretary for the Environment” / “環境局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (4)(u)	406 Electricity Ordinance	<p>This ordinance provides for the registration of electrical workers, contractors and generating facilities; safety requirements for electricity supply, electrical wiring and products; measures designed to ensure safety of activities carried out in the vicinity of electricity supply lines.</p> <p>Major functions to be transferred from SEDL to SEN are:</p> <ul style="list-style-type: none"> <li>■ to appoint members of disciplinary tribunal panel and appeal board panel;</li> <li>■ to exercise power and functions on matters relating to the proceedings of disciplinary tribunal panel and appeal board panel; and</li> <li>■ to amend Schedules to regulations made under the ordinance.</li> </ul>	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Economic Development and Labour” / “經濟發展及勞工局局長” and substituting “Secretary for the Environment” / “環境局局長” :</p> <ul style="list-style-type: none"> <li>■ section 36(1)(a);</li> <li>■ section 38(1);</li> <li>■ section 39(1);</li> <li>■ section 39(3);</li> <li>■ section 43(3);</li> <li>■ section 44(1);</li> <li>■ section 45(1);</li> <li>■ section 45(2).</li> <li>■ section 45(5)</li> <li>■ section 59(6)</li> </ul> <p><u>Chinese texts</u></p> <p>The Chinese text of the following sections are amended by repealing “經濟發展及勞工</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
			<p>局局長” and substituting “環境局局長”:</p> <ul style="list-style-type: none"> <li>■ section 38(1)(c);</li> <li>■ section 38(1)(d);</li> <li>■ section 38(1)(e);</li> <li>■ section 44(1)(d);</li> <li>■ section 44(1)(e);</li> <li>■ section 44(1)(f); and</li> <li>■ section 44(1)(g).</li> </ul>
Paragraph (4)(v)	406H Electricity Supply Lines (Protection) Regulation	<p>This regulation provides for matters relating to the protection of electricity supply lines.</p> <p>Major function to be transferred from SEDL to SEN is :</p> <ul style="list-style-type: none"> <li>■ to appoint persons from organizations representative of the construction industry to the appeal board panel.</li> </ul>	<p><u>English and Chinese texts</u></p> <p>Regulation 13(1)(b) is amended by repealing “Secretary for Economic Development and Labour” / “經濟發展及勞工局局長” and substituting “Secretary for the Environment” / “環境局局長”.</p>

**(III) Statutory functions transferred to SLW**

<b>The Resolution</b>	<b>Cap</b>	<b>Description</b>	<b>Textual amendments provided for in the Resolution</b>
Paragraph (4)(b)	59 Factories and Industrial Undertakings Ordinance	<p>This ordinance amends the law relating to factories and industrial undertakings and to the employment of women, young persons and children therein.</p> <p>Major function to be transferred from SEDL to SLW is:</p> <ul style="list-style-type: none"> <li>▪ to appoint a disciplinary board panel and a disciplinary board.</li> </ul>	<p><u>English and Chinese texts</u></p> <p>Section 7(1)(od) is amended by repealing “Secretary for Economic Development and Labour” / “經濟發展及勞工局局長” and substituting “Secretary for Labour and Welfare” / “勞工及福利局局長”.</p>
Paragraph (4)(c)	59 AF Factories and Industrial Undertakings (Safety Management) Regulation	<p>This regulation provides for the management of safety of personnel in industrial undertaking, establishment of safety committees, etc.</p> <p>Major function to be transferred from SEDL to SLW is:</p> <ul style="list-style-type: none"> <li>▪ to appoint a disciplinary board panel and a disciplinary board.</li> </ul>	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Economic Development and Labour” / “經濟發展及勞工局局長” and substituting “Secretary for Labour and Welfare” / “勞工及福利局局長”:</p> <ul style="list-style-type: none"> <li>▪ Section 26(1)</li> <li>▪ Section 27(1)</li> </ul>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (4)(d)	78 Contracts for Employment Outside Hong Kong Ordinance	<p>This ordinance controls contracts of employment entered into Hong Kong by employees performing primarily manual work and certain other employees who are proceeding outside Hong Kong for employment.</p> <p>Major function to be transferred from SEDL to SLW is:</p> <ul style="list-style-type: none"> <li>■ to set the maximum wage of a person beyond which the ordinance does not apply to the person.</li> </ul>	<p><u>English and Chinese texts</u></p> <p>Section 4(2)(d) is amended by repealing “Secretary for Economic Development and Labour” / “經濟發展及勞工局局長” and substituting “Secretary for Labour and Welfare” / “勞工及福利局局長”.</p>
Paragraph (4)(n)	365 Employees Compensation Assistance Ordinance	<p>This ordinance provides for the protection of the entitlement of employees and others to compensation for employment-related injury; for the making of relief payment to eligible persons in relation to damages for employment-related injury; for the establishment of a board and a fund for those purposes; and for incidental or connected matters.</p> <p>Major functions to be transferred from SEDL to SLW are:</p> <ul style="list-style-type: none"> <li>■ to approve annual estimates and programme of activities submitted by the Employees Compensation Assistance Fund Board, and to require a resubmission where necessary with modification as directed by him.</li> <li>■ to amend Schedule 4.</li> </ul>	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” in section 2(1) is amended by repealing “Secretary for Economic Development and Labour” / “經濟發展及勞工局局長” and substituting “Secretary for Labour and Welfare” / “勞工及福利局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (4)(t)	398 Occupational Safety and Health Council Ordinance	<p>This ordinance establishes the Occupational Safety and Health Council as body corporate for the fostering of safer and healthier working conditions in Hong Kong, and to provide for the payment of a levy by employers, and for matters incidental thereto.</p> <p>Major function to be transferred from SEDL to SLW is:</p> <ul style="list-style-type: none"> <li>■ to consent the Occupational Safety and Health Council to notify the objector of its decision and of the reason for its decision within a period longer than 28 days after the receipt by the Council of the notice of objection from the objector who is required to pay any contribution or surcharge for non-payment of contribution.</li> </ul>	<p><u>English and Chinese texts</u></p> <p>Section 22(5) is amended by repealing “Secretary for Economic Development and Labour” / “經濟發展及勞工局局長” and substituting “Secretary for Labour and Welfare” / “勞工及福利局局長”.</p>
Paragraph (4)(w)	411 Employees' Compensation Insurance Levies Ordinance	<p>This ordinance establishes the Employees' Compensation Insurance Levies Management Board as a body corporate, to provide for the imposition of a levy on insured persons and to provide for the collection and distribution of the levy remitted by insurers and for matters incidental thereto.</p> <p>Major functions to be transferred from SEDL to SLW are:</p> <ul style="list-style-type: none"> <li>■ to approve the maximum level of the contingency fund.</li> <li>■ to approve annual estimates and programme of activities submitted by the Employees' Compensation Insurance Levies Management Board, and to require a resubmission where necessary with modification as directed by him.</li> </ul>	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” in section 2 is amended by repealing “Secretary for Economic Development and Labour” / “經濟發展及勞工局局長” and substituting “Secretary for Labour and Welfare” / “勞工及福利局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (4)(af)	469 Occupational Deafness (Compensation) Ordinance	<p>This ordinance provides for the compensation and other benefits of persons who have been exposed to noise in their working environment and have suffered noise-induced deafness and for connected matters.</p> <p>Major functions to be transferred from SEDL to SLW are:</p> <ul style="list-style-type: none"> <li>■ to appoint and remove members of the Occupational Deafness Medical Committee.</li> <li>■ to amend Schedule 6.</li> <li>■ to approve annual estimates and programme of activities submitted by the Occupational Deafness Compensation Board, and to require a resubmission where necessary with modification as directed by him.</li> </ul>	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” in section 2 is amended by repealing “Secretary for Economic Development and Labour” / “經濟發展及勞工局局長” and substituting “Secretary for Labour and Welfare” / “勞工及福利局局長”.</p>
Paragraph (4)(an)	16 of 2006 Certification for Employee Benefits (Chinese Medicine) (Miscellaneous Amendments) Ordinance 2006	<p>This ordinance amends the Employment Ordinance (Cap. 57) and its subsidiary legislation, the Employees’ Compensation Ordinance (Cap. 282) and the Pneumoconiosis (Compensation) Ordinance (Cap. 360), and makes related amendments to regulations made under the Mandatory Provident Fund Schemes Ordinance (Cap. 485).</p> <p>Major function to be transferred from SEDL to SLW is:</p> <ul style="list-style-type: none"> <li>■ to appoint the commencement date for the ordinance.</li> </ul>	<p><u>English and Chinese texts</u></p> <p>Section 1(2) is amended by repealing “Secretary for Economic Development and Labour” / “經濟發展及勞工局局長” and substituting “Secretary for Labour and Welfare” / “勞工及福利局局長”.</p>

**(IV) Statutory functions transferred to STH**

<b>The Resolution</b>	<b>Cap</b>	<b>Description</b>	<b>Textual amendments provided for in the Resolution</b>
Paragraph (4)(e)	81 Port Control (Cargo Working Areas) Ordinance	<p>This ordinance provides for the control of the use of water-front areas by persons, vehicles and vessels and for the control of the handling of cargo in such areas.</p> <p>Major function to be transferred from SEDL to STH is :</p> <ul style="list-style-type: none"> <li>■ to declare areas to be public cargo working areas, public water fronts and excluded water-fronts.</li> </ul>	<p><u>English and Chinese texts</u></p> <p>Section 3(1) is amended by repealing “Secretary for Economic Development and Labour” / “經濟發展及勞工局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”.</p>
Paragraph (4)(f)	112AQ Specification of Arrangements (Swiss Federal Council) (Avoidance of Double Taxation on Income from Aircraft Operation) Order	<p>The arrangements specified for the purposes of section 1(a) are the arrangements in Article 10 bis of the Agreement between the Government of Hong Kong and the Swiss Federal Council concerning Air Services done in duplicate at Hong Kong on 26 January 1988 in the English and French languages. That Article 10 bis, the English text of which is reproduced in the Schedule, was added to the Agreement by an exchange of letters between the Government of the Hong Kong Special Administrative Region of the People's Republic of China and the Swiss Federal Council on 7 June 2004 and 21 July 2004.</p> <p>Major function to be transferred from SEDL to STH is :</p> <ul style="list-style-type: none"> <li>■ to make both the English and French language texts of the Agreement available for inspection.</li> </ul>	<p><u>English and Chinese texts</u></p> <p>The note to section 2 is amended by repealing “Economic Development and Labour Bureau” / “經濟發展及勞工局” and substituting “Transport and Housing Bureau” / “運輸及房屋局”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (4)(g)	112AU Specification of Arrangements (Government of Republic of Iceland) (Avoidance of Double Taxation on Income from Aircraft Operation) Order	<p>The arrangements specified for the purposes of section 1(a) are the arrangements in Article 10 of the Agreement between the Government of the Hong Kong Special Administrative Region of the People's Republic of China and the Government of the Republic of Iceland concerning Air Services done in duplicate at Reykjavik on 9 August 2004 in the English and Icelandic languages, the English text of which Article is reproduced in the Schedule.</p> <p>Major function to be transferred from SEDL to STH is :</p> <ul style="list-style-type: none"> <li>■ to make both the English and Icelandic language texts of the Agreement available for inspection.</li> </ul>	<p><u>English and Chinese texts</u></p> <p>The note to section 2 is amended by repealing “Economic Development and Labour Bureau” / “經濟發展及勞工局” and substituting “Transport and Housing Bureau” / “運輸及房屋局”.</p>
Paragraph (4)(h)	112AV Specification of Arrangements (Government of the Hashemite Kingdom of Jordan) (Avoidance of Double Taxation on Income from Aircraft Operation) Order	<p>The arrangements specified for the purposes of section 1(a) are the arrangements in Article 9 of the Agreement between the Government of the Hong Kong Special Administrative Region of the People's Republic of China and the Government of the Hashemite Kingdom of Jordan concerning Air Services done in duplicate at Amman on 28 August 2004 in the English and Arabic languages, the English text of which Article is reproduced in the Schedule.</p> <p>Major functions to be transferred from SEDL to STH are :</p> <ul style="list-style-type: none"> <li>■ to declare areas to be public cargo working areas, public water fronts and excluded water-fronts.</li> <li>■ to make both the English and Arabic language texts of the Agreement available for inspection.</li> </ul>	<p><u>English and Chinese texts</u></p> <p>The note to section 2 is amended by repealing “Economic Development and Labour Bureau” / “經濟發展及勞工局” and substituting “Transport and Housing Bureau” / “運輸及房屋局”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (4)(k)	281 Merchant and Shipping Ordinance	<p>This ordinance consolidates and amends the law relating to merchant shipping and to remove anomalies and out-moded provisions therefrom.</p> <p>Major function to be transferred from SEDL to STH is :</p> <ul style="list-style-type: none"> <li>■ to lay before Legislative Council in the month of January in each year a special report stating the cases in which the Chief Executive has exercised his powers to exempt any vessel from any specified requirement contained in this ordinance and the grounds upon which action has been taken in each case.</li> </ul>	<p><u>English and Chinese texts</u></p> <p>Section 118(1) is amended by repealing “Secretary for Economic Development and Labour” / “經濟發展及勞工局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”.</p>
Paragraph (4)(m)	313 Shipping and Port Control Ordinance	<p>This ordinance provides for the regulation and control of ports and vessels in Hong Kong or in the waters of Hong Kong.</p> <p>Major function to be transferred from SEDL to STH is :</p> <ul style="list-style-type: none"> <li>■ to declare any area of waters of Hong Kong to be a port.</li> </ul>	<p><u>English and Chinese texts</u></p> <p>Section 56 is amended by repealing “Secretary for Economic Development and Labour” / “經濟發展及勞工局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (4)(o)(i)	369 Merchant Shipping (Safety) Ordinance	<p>This ordinance provides for matters relating to the safety of merchant shipping.</p> <p>Major functions to be transferred from SEDL to STH are :</p> <ul style="list-style-type: none"> <li>■ to appoint Government Surveyors;</li> <li>■ to approve any organizations for the purpose of surveying ships and issuing certificates; and</li> <li>■ to make regulations on matters relating to safety of merchant shipping.</li> </ul>	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Economic Development and Labour” / “經濟發展及勞工局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”:</p> <ul style="list-style-type: none"> <li>■ section 5(1);</li> <li>■ section 8(1);</li> <li>■ section 8(2);</li> <li>■ section 93(1);</li> <li>■ section 94(1);</li> <li>■ section 94(2);</li> <li>■ section 94(2)(b);</li> <li>■ section 95(1);</li> <li>■ section 96(1);</li> <li>■ section 96(2);</li> <li>■ section 97(1);</li> <li>■ section 97(2);</li> </ul>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
			<ul style="list-style-type: none"> <li>■ section 98(1);</li> <li>■ section 99(1);</li> <li>■ section 99(2);</li> <li>■ section 100(1);</li> <li>■ section 101(1);</li> <li>■ section 102(1);</li> <li>■ section 102(1)(f);</li> <li>■ section 103(1);</li> <li>■ section 104;</li> <li>■ section 105(1);</li> <li>■ section 105(3);</li> <li>■ section 106;</li> <li>■ section 107(1);</li> <li>■ section 108(1);</li> <li>■ section 110(3C);</li> <li>■ section 110(4); and</li> <li>■ section 115(3).</li> </ul>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (4)(o)(ii)	1C Specification of Public Offices	<p>Cap 1C sets out the public officers who may delegate to another public officer the powers conferred or duties imposed on him / her by any particular ordinance.</p> <p>Major function to be transferred from SEDL to STH is :</p> <ul style="list-style-type: none"> <li>■ to delegate to another public officer the powers provided for in sections 5 of the Merchant Shipping (Safety) Ordinance (Cap 369).</li> </ul>	<p><u>English and Chinese texts</u></p> <p>The relevant item is amended by repealing “Secretary for Economic Development and Labour” / “經濟發展及勞工局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”.</p>
Paragraph (4)(p)	369T Merchant Shipping (Safety) (Cargo Ship Safety Equipment Survey) Regulations	<p>These regulations provides for the equipment used in cargo ships and the survey of such ships.</p> <p>Major functions to be transferred from SEDL to STH are :</p> <ul style="list-style-type: none"> <li>■ to appoint Government Surveyors; and</li> <li>■ to approve organization for the purposes of surveying ships and issuing certificates.</li> </ul>	<p><u>English and Chinese texts</u></p> <p>In Regulation 2, the definition of “Certifying Authority” and “Government Surveyor” is amended by repealing “Secretary for Economic Development and Labour” / “經濟發展及勞工局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (4)(q)	369 AI Merchant Shipping (Safety) (Musters and Training) Regulations	<p>These regulations provide for the requirements over musters and training at merchant ships.</p> <p>Major function to be transferred from SEDL to STH is :</p> <ul style="list-style-type: none"> <li>■ to approve arrangements relating to the practice of musters and drills.</li> </ul>	<p><u>English and Chinese texts</u></p> <p>Regulation 6(4) is amended by repealing “Secretary for Economic Development and Labour” / “經濟發展及勞工局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”.</p>
Paragraph 4(r)	369 AM Merchant Shipping (Safety) (Passenger Ship Construction and Survey)(Ships Built on or after 1 September 1984) Regulations	<p>These regulations provide for the safety requirements over construction and survey of passenger ships.</p> <p>Major function to be transferred from SEDL to STH is :</p> <ul style="list-style-type: none"> <li>■ to appoint Government Surveyors.</li> </ul>	<p><u>English and Chinese texts</u></p> <p>The definition of “Government Surveyor” in regulation 1(2) is amended by repealing “Secretary for Economic Development and Labour” / “經濟發展及勞工局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (4)(s)	369 AQ Merchant Shipping (Safety) (Radio Installations Survey) Regulations	<p>These regulations provide for the requirements over radio equipment installed at merchant ship.</p> <p>Major function to be transferred from SEDL to STH is :</p> <ul style="list-style-type: none"> <li>■ to appoint Government Surveyors.</li> </ul>	<p><u>English and Chinese texts</u></p> <p>The definition of “Government Surveyor” in regulation 2 is amended by repealing “Secretary for Economic Development and Labour” / “經濟發展及勞工局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”.</p>
Paragraph (4)(x)	413 Merchant Shipping (Prevention and Control of Pollution) Ordinance	<p>This ordinance provides for the prevention and control of pollution from ships.</p> <p>Major function to be transferred from SEDL to STH is:</p> <ul style="list-style-type: none"> <li>■ to make regulations.</li> </ul>	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Economic Development and Labour” / “經濟發展及勞工局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”:</p> <ul style="list-style-type: none"> <li>■ section 3(2); and</li> <li>■ section 3(5)(vii).</li> </ul>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (4)(y)	413 A Merchant Shipping (Prevention of Oil Pollution) Regulations	<p>These regulations provide for matters relating to the prevention and control of pollution of the sea so as to give effect to international agreement.</p> <p>Major functions to be transferred from SEDL to STH are:</p> <ul style="list-style-type: none"> <li>■ to appoint persons who may carry out inspection of ships to which these regulations shall apply; and</li> <li>■ to approve the Director of Marine to deny a ship entering Hong Kong waters if it poses unreasonable threat to Hong Kong marine environment.</li> </ul>	<p><u>English and Chinese texts</u></p> <p>The following regulations are amended by repealing “Secretary for Economic Development and Labour” / “經濟發展及勞工局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”:</p> <ul style="list-style-type: none"> <li>■ the definition of “Certifying Authority” in regulation 1(2);</li> <li>■ the definition of “surveyor” in regulation 1(2);</li> <li>■ regulation 35(1); and</li> <li>■ regulation 36(1).</li> </ul>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (4)(z)	413 B Merchant Shipping (Control of Pollution by Noxious Liquid Substances in Bulk) Regulations	<p>These regulations provide for preventive measures in relation to ships carrying in bulk noxious liquid substances of unassessed liquid substances.</p> <p>Major function to be transferred from SEDL to STH is:</p> <ul style="list-style-type: none"> <li>▪ to appoint surveyor.</li> </ul>	<p><u>English and Chinese texts</u></p> <p>Regulation 23(2) is amended by repealing “Secretary for Economic Development and Labour” / “經濟發展及勞工局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”.</p>
Paragraph (4)(aa)	413 D Merchant Shipping (BCH Code) Regulations	<p>These regulations provide for matters relating to the “Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk” published by the International Maritime Organization.</p> <p>Major function to be transferred from SEDL to STH is:</p> <ul style="list-style-type: none"> <li>▪ to appoint surveyor.</li> </ul>	<p><u>English and Chinese texts</u></p> <p>The following regulations are amended by repealing “Secretary for Economic Development and Labour” / “經濟發展及勞工局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”:</p> <ul style="list-style-type: none"> <li>▪ regulation 1(3)(d); and</li> <li>▪ regulation 4(2).</li> </ul>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (4)(ab)	413 E Merchant Shipping (IBC Code) Regulations	<p>These regulations provide for matters relating to the “International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk” published by the International Maritime Organization.</p> <p>Major function to be transferred from SEDL to STH is:</p> <ul style="list-style-type: none"> <li>▪ to appoint surveyor.</li> </ul>	<p><u>English and Chinese texts</u></p> <p>The following regulations are amended by repealing “Secretary for Economic Development and Labour” / “經濟發展及勞工局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”:</p> <ul style="list-style-type: none"> <li>▪ regulation 1(3)(c); and</li> <li>▪ regulation 4(2).</li> </ul>
Paragraph (4)(ad)	448B Hong Kong Civil Aviation (Investigation of Accidents) Regulations	<p>These regulations provide for matters relating to the investigation of accidents arising out of or in the course of air navigation for the purpose of determining the circumstances and causes of the accident with a view to the preservation of life and the avoidance of accidents in the future.</p> <p>Major function to be transferred from SEDL to STH is:</p> <ul style="list-style-type: none"> <li>▪ to concur with the Director-General of Civil Aviation on expenses allowed for persons summoned by the Inspector of Accidents or the board or review as a witness in accordance with these regulations.</li> </ul>	<p><u>English and Chinese texts</u></p> <p>The following regulations are amended by repealing “Secretary for Economic Development and Labour” / “經濟發展及勞工局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”:</p> <ul style="list-style-type: none"> <li>▪ regulation 10(4); and</li> <li>▪ regulation 14(6).</li> </ul>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (4)(ag)	478 Merchant Shipping (Seafarers) Ordinance	<p>This ordinance is to consolidate and amend the law relating to seafarers, and to introduce new provisions relating to seafarers and to certain persons carried on but not employed in ships</p> <p>Major functions to be transferred from SEDL to STH are :</p> <ul style="list-style-type: none"> <li>■ to appoint a place to be the Mercantile Marine Office;</li> <li>■ to appoint non-official members of the Seafarers' Advisory Board;</li> <li>■ to make regulations; and</li> <li>■ to amend Schedule 1 to the ordinance.</li> </ul>	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Economic Development and Labour” / “經濟發展及勞工局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”:</p> <ul style="list-style-type: none"> <li>■ section 5(2);</li> <li>■ section 6(4);</li> <li>■ section 6(5);</li> <li>■ section 6(6);</li> <li>■ section 17;</li> <li>■ section 18(3);</li> <li>■ section 19(1)(c);</li> <li>■ section 72(1);</li> <li>■ section 73(1);</li> <li>■ section 80(5);</li> <li>■ section 81;</li> <li>■ section 82(1);</li> </ul>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
			<ul style="list-style-type: none"> <li>■ section 86;</li> <li>■ section 89(1);</li> <li>■ section 89(2);</li> <li>■ section 89(3);</li> <li>■ section 95(2);</li> <li>■ section 96(1);</li> <li>■ section 97(1);</li> <li>■ section 100(1);</li> <li>■ section 104(1);</li> <li>■ section 107(1);</li> <li>■ section 119(2);</li> <li>■ section 120(e);</li> <li>■ section 121(1); and</li> <li>■ section 125(4).</li> </ul>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (4)(ah)	506 Freight Containers (Safety) Ordinance	<p>This ordinance provides for matters relating to the safety of freight containers in use in Hong Kong</p> <p>Major function to be transferred from SEDL to STH is:</p> <ul style="list-style-type: none"> <li>■ to make regulations for the purpose of this ordinance and for giving effect to any provision of the International Convention for Safe Containers applicable to Hong Kong.</li> </ul>	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” in Section 2(1) is amended by repealing “Secretary for Economic Development and Labour” / “經濟發展及勞工局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (4)(ai)	548 Merchant Shipping (Local Vessels) Ordinance	<p>This ordinance provides for regulation and control of local vessels in Hong Kong or in the waters of Hong Kong and for other matters affecting local vessels, including their navigation and safety at sea.</p> <p>Major functions to be transferred from SEDL to STH are :</p> <ul style="list-style-type: none"> <li>■ to determine remuneration for the person holding inquiry into the fitness or conduct of holder of local certificate of competency as well as that for the assessors assisting such person;</li> <li>■ to allow for the delegation of power by the Director of Marine in respect of the power to exempt persons or local vessels from any requirement of the ordinance;</li> <li>■ to empower the Director of Marine to exempt local vessels from the requirements of regulations made under section 89(1)(zh)(i) and 4(c); and</li> <li>■ to make regulations.</li> </ul>	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Economic Development and Labour” / “經濟發展及勞工局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”:</p> <ul style="list-style-type: none"> <li>■ section 17(3);</li> <li>■ section 72(3)(c);</li> <li>■ section 72(3)(d);</li> <li>■ section 89(1); and</li> <li>■ section 89(2).</li> </ul>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (4)(ak)	582 Merchant Shipping (Security of Ships and Port Facilities) Ordinance	<p>This ordinance serves to implement the December 2002 amendments to the International Convention for the Safety of Life at Sea, 1974 and the International Ship and Port Facility Security Code and related provisions in the Convention to enhance security of ships and port facilities; and to provide for incidental or related matters.</p> <p>Major function to be transferred from SEDL to STH is:</p> <ul style="list-style-type: none"> <li>■ to make rules.</li> </ul>	<p><u>English and Chinese texts</u></p> <p>The definition “Secretary” in Section 3(1) is amended by repealing “Secretary for Economic Development and Labour” / “經濟發展及勞工局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”.</p>
Paragraph (4)(al)	1042 Sailors Home and Missions to Seaman Incorporation Ordinance	<p>This ordinance provides for the incorporation of the Sailors Home and Missions to Seamen.</p> <p>Major function to be transferred from SEDL to STH is:</p> <ul style="list-style-type: none"> <li>■ to issue certificate which shall be conclusive evidence of the appointment of members of committee of the Sailors Home and Missions to Seamen.</li> </ul>	<p><u>English and Chinese texts</u></p> <p>Section 3(2) is amended by repealing “Secretary for Economic Development and Labour” / “經濟發展及勞工局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (4)(am)	1 of 2005 Merchant Shipping (Limitation of Shipowners Liability)(Amendment) Ordinance 2005	<p>This ordinance is to amend the Merchant Shipping (Limitation of Shipowners Liability) Ordinance (Cap. 434)</p> <p>Major function to be transferred from SEDL to STH is:</p> <ul style="list-style-type: none"> <li>■ to appoint a date for the coming into operation of sections 2(b), 11, 12, 14(a) and b(i) and 20 of this ordinance.</li> </ul>	<p><u>English and Chinese texts</u></p> <p>Section 1(3) is amended by repealing “Secretary for Economic Development and Labour” / “經濟發展及勞工局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”.</p>