

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

**Transfer of Statutory Functions : Summary
based on re-organised bureaux**

Introduction

This paper supplements the previous papers on the transfer of statutory functions from eight existing Directors of Bureau to nine Directors of Bureau who are to take charge of the re-organised bureaux.

Details

2. We issued eight papers on 23 May 2007, each covering the transfer of statutory functions currently exercisable by an *existing* Director of Bureau. Each paper has enclosed the relevant paragraph(s) of the Resolution and a table summarising the major statutory functions currently exercisable by that Director of Bureau which are to be transferred to the relevant Director(s) of Bureau after the re-organisation. Where appropriate, the tables also cover the title of Permanent Secretaries and the bureaux concerned.

3. To facilitate Members' reference, we have re-arranged the presentation of the tables into the eight attached tables, each covering the statutory functions to be performed by a Director of Bureau *after* the re-organisation. The following table summarises the areas of statutory functions to be transferred by the existing Directors of Bureau to each of the nine Directors of Bureau after the re-organisation :

Director of Bureau after re-organisation	Relevant existing Director of Bureau	Statutory functions to be transferred on 1 July 2007
Secretary for Commerce and Economic Development [Annex A]	Secretary for Commerce, Industry and Technology (SCIT)	All functions currently exercisable by SCIT.
	Secretary for Economic Development and Labour (SEDL)	Functions currently exercisable by SEDL on matters relating to tourism, consumer protection and competition policy.
Secretary for Constitutional and Mainland Affairs [Annex B]	Secretary for Constitutional Affairs (SCA)	All functions currently exercisable by SCA.
	Secretary for Home Affairs (SHA)	Functions currently exercisable by SHA on matters relating to human rights and access to information.
Secretary for Development [Annex C]	Secretary for the Environment, Transport and Works (SETW)	Functions currently exercisable by SETW on matters relating to public works.
	SHA	Functions currently exercisable by SHA on matters relating to development-related heritage conservation.
	Secretary for Housing, Planning and Lands (SHPL)	Functions currently exercisable by SHPL on matters relating to planning, land use, buildings and urban renewal.
Secretary for Education [Annex D]	Secretary for Education and Manpower (SEM)	Functions currently exercisable by SEM on matters relating to education.

Director of Bureau after re-organisation	Relevant existing Director of Bureau	Statutory functions to be transferred on 1 July 2007
Secretary for the Environment * [Annex E]	SEDL	Functions currently exercisable by SEDL on matters relating to energy.
	SETW	Functions currently exercisable by SETW on matters relating to the environment.
	SHPL	Functions currently exercisable by SHPL under the Sewage Tunnels (Statutory Easements) Ordinance.
Secretary for Food and Health [Annex F]	Secretary for Health, Welfare and Food (SHWF)	Functions currently exercisable by SHWF on matters relating to health, environmental hygiene and food safety.
Secretary for Home Affairs *	—	(Note : Functions on matters relating to human rights and access to information will be taken up by the Secretary for Constitutional and Mainland Affairs. Please refer to Annex B above.)
Secretary for Labour and Welfare [Annex G]	SEDL	Functions currently exercisable by SEDL on matters relating to labour.
	SEM	Functions currently exercisable by SEM on matters relating to manpower.
	SHWF	Functions currently exercisable by SHWF on matters relating to welfare.

Director of Bureau after re-organisation	Relevant existing Director of Bureau	Statutory functions to be transferred on 1 July 2007
Secretary for Transport and Housing [Annex H]	SETW	Functions currently exercisable by SETW on matters relating to land transport.
	SEDL	Functions currently exercisable by SEDL on matters relating to air services, maritime transport and logistics.
	SHPL	Functions currently exercisable by SHPL on matters relating to housing.

- * Secretary for the Environment and Secretary for Home Affairs will take over from the Director of Administration policy matters relating to sustainable development and legal aid respectively. However, there is no need to amend legislation to transfer the functions in respect of these two areas.

4. The re-arranged tables setting out the respective statutory functions, at **Annexes A to H** to this paper, are for information.

Constitutional Affairs Bureau
May 2007

Statutory functions to be transferred to the Secretary for Commerce and Economic Development (SCED) and the Permanent Secretary for Commerce and Economic Development (Communications and Technology)

(I) Statutory functions transferred from the Secretary for Commerce, Industry and Technology (SCIT) to SCED

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (2)(a)	60 Import and Export Ordinance	<p>This ordinance is to provide for the regulation and control of the import and export of articles into or from Hong Kong, and the handling and carriage of articles within Hong Kong.</p> <p>Major function to be transferred from SCIT to SCED is the power to amend Schedules 2 and 3.</p>	<p><u>English and Chinese texts</u></p> <p>Section 39(2) is amended by repealing “Secretary for Commerce, Industry and Technology” / “工商及科技局局長” and substituting “Secretary for Commerce and Economic Development” / “商務及經濟發展局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (2)(b)	106 Telecommunications Ordinance	<p>This ordinance is to make better provision for the licensing and control of telecommunications, telecommunications services and telecommunications apparatus and equipment.</p> <p>Major function to be transferred from SCIT to SCED are –</p> <ul style="list-style-type: none"> ▪ power to make rules relating to appeals; ▪ power to issue order to the Telecommunications Authority; ▪ power to make regulations; and ▪ power to amend the Schedule to the ordinance. 	<p><u>English and Chinese texts</u></p> <p>Section 32U is amended by repealing “Secretary for Commerce, Industry and Technology” / “工商及科技局局長” and substituting “Secretary for Commerce and Economic Development” / “商務及經濟發展局局長”.</p>
Paragraph (2)(c)	109 Dutiable Commodities Ordinance	<p>This ordinance is to amend the law relating to the taxation and control of liquors, tobacco, hydrocarbon oil, methyl alcohol and other substances; and provides for the licensing of certain dealings in liquors.</p> <p>Major function to be transferred from SCIT to SCED is the power to amend Schedules 1A and 1B.</p>	<p><u>English and Chinese texts</u></p> <p>Section 2(5) is amended by repealing “Secretary for Commerce, Industry and Technology” / “工商及科技局局長” and substituting “Secretary for Commerce and Economic Development” / “商務及經濟發展局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (2)(d)	296 Reserved Commodities Ordinance	<p>This ordinance is to make provision with respect of reserved commodities.</p> <p>Major function to be transferred from SCIT to SCED is the power to amend Schedule 1 and 2.</p>	<p><u>English and Chinese texts</u></p> <p>Section 2(3) is amended by repealing “Secretary for Commerce, Industry and Technology” / “工商及科技局局長” and substituting “Secretary for Commerce and Economic Development” / “商務及經濟發展局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (2)(e)	392 Film Censorship Ordinance	<p>This ordinance is to provide for the establishment of a Film Censorship Authority, a panel of censors and a panel of advisers, and for regulating and imposing restrictions on the exhibition of films and on the publication of films of certain descriptions; for the approval and classification of films; for the establishment of a Board of Review; for the creation of offences; to make consequential and other amendments to other Ordinances; and for matters connected therewith.</p> <p>Major function to be transferred from SCIT to SCED are –</p> <ul style="list-style-type: none"> ▪ power and functions relating to appeals against the decision of the Film Censorship Authority or censor; ▪ power to publish guidelines for censors; ▪ power to make regulations; and ▪ duty to serve as the ex-officio member of the Board of Review. 	<p><u>English and Chinese texts</u></p> <ul style="list-style-type: none"> ▪ The definition of “Secretary” / “局長” in section 2(1) is amended by repealing “Secretary for Commerce, Industry and Technology” / “工商及科技局局長” and substituting “Secretary for Commerce and Economic Development” / “商務及經濟發展局局長”. ▪ Section 29(1) is amended by repealing “Secretary for Commerce, Industry and Technology” / “工商及科技局局長” and substituting “Secretary” / “局長”.

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (2)(f)	430D The resolution of the Legislative Council establishing the Office of the Telecommunications Authority Trading Fund	<p>The resolution of the Legislative Council establishing the Office of the Telecommunications Authority Trading Fund (430D) is to provide for the establishment of the Office of the Telecommunications Authority Trading Fund.</p> <p>Major function to be transferred from SCIT to SCED is the power to give direction to the Office of the Telecommunications Authority Trading Fund on general telecommunications policy matters.</p>	<p><u>English and Chinese texts</u></p> <p>Item 1(p) of Schedule 1 is amended by repealing “Secretary for Commerce, Industry and Technology” / “工商及科技局局長” and substituting “Secretary for Commerce and Economic Development” / “商務及經濟發展局局長”.</p>
Paragraph (2)(g)	440 Bills of Lading and Analogous Shipping Documents Ordinance	<p>This ordinance replaces the Bills of Lading Ordinance with new provisions with respect to bills of lading and certain other shipping documents.</p> <p>Major functions to be transferred from SCIT to SCED are the powers to make provision, by way of regulation, for the application of the Ordinance to cases involving transactions effected by a telecommunications system or any other information technology and to determine modifications to be made, by way of regulation, in connection with the application of the Ordinance.</p>	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for Commerce, Industry and Technology” / “工商及科技局局長” 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"> ▪ section 7(1); and ▪ section 7(2)(a).

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (2)(h)	528 Copyright Ordinance	<p>This ordinance restates the law of copyright, with amendments; makes provision as to the rights of performers and others in performances; makes provision about devices designed to circumvent copy-protection of works, rights management information and the fraudulent reception of transmissions; and for connected purposes.</p> <p>Major functions to be transferred from SCIT to SCED are –</p> <ul style="list-style-type: none"> ▪ power to prescribe conditions and to specify libraries or archives for the exercise of the permitted acts by librarians and archivists; ▪ power to prescribe conditions and designate bodies for recordings of folksongs; ▪ power to designate bodies for provision of sub-titled copies of classes of broadcast or cable programme; ▪ power to designate classes of broadcast or cable programme that could be recorded and bodies for archiving such recording; ▪ power to prescribe Copyright Registers by way of regulation; ▪ power to prescribe fees for the application for registration of licensing bodies and for renewal of registration and to provide for the better carrying into effect of this registration system; ▪ power to appoint staff for the Copyright Tribunal and to determine remuneration for such staff; and 	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for Commerce, Industry and Technology” / “工商及科技局局長” wherever it appears 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"> ▪ section 46(1); ▪ section 70(4); ▪ section 83(3); ▪ section 84(2); ▪ section 121(16); ▪ section 152; ▪ section 171(1); ▪ section 171(2); ▪ section 171(3); ▪ section 189(2); and ▪ paragraph 43 of Schedule 2.

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
		<ul style="list-style-type: none"> ▪ power to designate bodies for protection and enforcement of copyright of anonymous unpublished works. 	<p><u>Chinese text</u></p> <p>Section 70(4)(b) is amended by repealing “工商及科技局局長” and substituting “商務及經濟發展局局長”.</p>
Paragraph (2)(i)	544 Prevention of Copyright Piracy Ordinance	<p>This ordinance makes further provision for the prevention of copyright piracy.</p> <p>Major functions to be transferred from SCIT to SCED are—</p> <ul style="list-style-type: none"> ▪ power to make regulations for the better carrying out of the Ordinance; and ▪ power to amend Schedules 1 and 2. 	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for Commerce, Industry and Technology” / “工商及科技局局長” wherever it appears 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"> ▪ section 38; and ▪ section 39.

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (2)(j)	553 Electronic Transactions Ordinance	<p>This ordinance facilitates the use of electronic transactions for commercial and other purposes, provides for matters arising from and related to such use, enables the Postmaster General to provide the services of a certification authority, and provides for connected purposes.</p> <p>Major functions to be transferred from SCIT to SCED are –</p> <ul style="list-style-type: none"> ▪ power and functions relating to appeals against the decisions of the Government Chief Information Officer; ▪ power to make regulations; and ▪ power to amend Schedules. 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in section 2(1) is amended by repealing “Secretary for Commerce, Industry and Technology” / “工商及科技局局長” and substituting “Secretary for Commerce and Economic Development” / “商務及經濟發展局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (2)(k)	560 Entertainment Special Effects Ordinance	<p>This ordinance is to provide for the regulation of the supply, use, conveyance and storage of special effects materials for and incidental to the production of special effects in entertainment programmes.</p> <p>Major functions to be transferred from SCIT to SCED are –</p> <ul style="list-style-type: none"> ▪ power to approve regulations made by the Entertainment Special Effects Licensing Authority; ▪ power and functions relating to appointment of the Appeal Board panel and chairman of appeal boards; ▪ power and functions relating to appeals against the decisions of the Entertainment Special Effects Licensing Authority; and ▪ power to amend Schedules. 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in section 2 is amended by repealing “Secretary for Commerce, Industry and Technology” / “工商及科技局局長” and substituting “Secretary for Commerce and Economic Development” / “商務及經濟發展局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (2)(1)	562 Broadcasting Ordinance	<p>This ordinance is to license companies to provide broadcasting services, to regulate the provision of broadcasting services by licensees, and to provide for matters incidental thereto or connected therewith.</p> <p>Major function to be transferred from SCIT to SCED is the power to receive confidential information from Licensees.</p>	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for Commerce, Industry and Technology” / “工商及科技局局長” wherever it appears 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"> ▪ Schedule 1, section 15(6)(b)(ii); and ▪ Schedule 1, section 29(6)(b)(ii).
Paragraph (2)(m)	568 Copyright (Suspension of Amendments) Ordinance 2001	<p>This ordinance is to provide for the suspension of the operation of certain amendments to the Copyright Ordinance effected by the Intellectual Property (Miscellaneous Amendments) Ordinance 2000.</p> <p>The function to be transferred from SCIT to SCED is the power to specify by way of notice the date by which the suspension arrangement will cease to have effect.</p>	<p><u>English and Chinese texts</u></p> <p>Section 3(2) is amended by repealing “Secretary for Commerce, Industry and Technology” / “工商及科技局局長” and substituting “Secretary for Commerce and Economic Development” / “商務及經濟發展局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (2)(n)	578 Chemical Weapons (Convention) Ordinance	<p>This ordinance is to promote the control of chemical weapons and of certain chemicals capable of being used as chemical weapons, and for matters related thereto or connected therewith.</p> <p>Major function to be transferred from SCIT to SCED is the power to amend Schedules.</p>	<p><u>English and Chinese texts</u></p> <p>Section 40(1) is amended by repealing “Secretary for Commerce, Industry and Technology” / “工商及科技局局長” and substituting “Secretary for Commerce and Economic Development” / “商務及經濟發展局局長”.</p>
Paragraph (2)(o)	1114 Hong Kong Trade Development Council Ordinance	<p>This ordinance is to provide for the establishment of the Hong Kong Trade Development Council, defines its powers and functions and provides for matters connected therewith or incidental thereto.</p> <p>Major function to be transferred from SCIT to SCED is the function to serve as an ex-official member of the Council.</p>	<p><u>English and Chinese texts</u></p> <p>Section 11(1)(b)(vi) is amended by repealing “Secretary for Commerce, Industry and Technology” / “工商及科技局局長” and substituting “Secretary for Commerce and Economic Development” / “商務及經濟發展局局長”.</p>

(II) Statutory Functions transferred from the Permanent Secretary for Commerce, Industry and Technology (Communications and Technology) to the Permanent Secretary for Commerce and Economic Development (Communications and Technology)

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (3)	553 Electronic Transactions Ordinance	<p>This ordinance facilitates the use of electronic transactions for commercial and other purposes, provides for matters arising from and related to such use, enables the Postmaster General to provide the services of a certification authority, and provides for connected purposes.</p> <p>The major functions to be transferred from the Permanent Secretary for Commerce, Industry and Technology (Communications and Technology) to Permanent Secretary for Commerce and Economic Development (Communications and Technology) are :</p> <ul style="list-style-type: none"> ■ the power to make orders to exclude an Ordinance or a particular requirement or permission in an Ordinance or a class or description of requirements or permissions in an Ordinance from the application of sections 5, 6, 7 or 8 of the Ordinance; and ■ the power to specify by notice published in the Gazette the manner and format in which information in the form of an electronic record is to be given, presented or retained or a document in the form of an electronic record is to be served, and the procedure and criteria for verification of the receipt of that information and for ensuring the integrity and confidentiality of the information. 	<p><u>English and Chinese texts</u></p> <p>The definition of “Permanent Secretary”/ “常任秘書長” in section 2(1) is amended by repealing “Permanent Secretary for Commerce, Industry and Technology (Communications and Technology)”/ “工商及科技局常任秘書長(通訊及科技)” and substituting “Permanent Secretary for Commerce and Economic Development (Communications and Technology)”/“商務及經濟發展局常任秘書長(通訊及科技)”.</p>

(III) Statutory functions transferred from the Secretary for Economic Development and Labour (SEDL) to SCED

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
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"> ■ 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; ■ to allow a further period for the Consumer Council to prepare a statement of the accounts of the Council; ■ to give approval to the appointment of an auditor; and ■ to allow a further period for the Consumer Council to furnish- <ul style="list-style-type: none"> (a) a report on the affairs of the Council for that year; (b) a copy of its accounts therefor; and (c) the auditor's report on the accounts. 	<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"> ■ section 15; ■ section 16(1); ■ section 16(3); and ■ section 16(5).

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"> ■ to be consulted by the Travel Industry Compensation Fund Management Board (TICFMB) before making rules under section 32G(2); ■ 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; ■ 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; ■ to receive in each financial year the Travel Industry Council's estimates of income and expenditure in respect of the next financial year; ■ to appoint a date before which the Travel Industry Council shall forward its estimates of income and expenditure to him; ■ 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 excluded; 	<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"> ■ section 32G(2); ■ section 32H(2)(c)(ii); ■ section 32I (1)(b); ■ section 32K(1); ■ section 32 K(2)(b); ■ section 32L(5); ■ section 32M(1); ■ section 32M(3); ■ section 32M(5); ■ section 32N(2); ■ the definition of “specified” in section 32N(4); ■ the heading of section 32O; ■ section 32O(1);

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
		<ul style="list-style-type: none"> ■ 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; ■ 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; ■ 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; ■ 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; ■ to give directions to the TICFMB relating to the performance of its functions or exercise of its powers; ■ 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; ■ to approve the appointment of an auditor by the TICFMB; ■ 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; 	<ul style="list-style-type: none"> ■ section 32P(1); ■ section 32P(2); ■ section 32Q; ■ section 50(1); ■ the heading of section 53; and ■ section 53.

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
		<ul style="list-style-type: none"> ■ to make regulations; and ■ to amend Schedule 1 to the ordinance. 	
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"> ■ 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; ■ to approve major heads of the Board’s estimates; and ■ to lay each year a copy of the report on the Board’s activities on the table of the Legislative Council. 	<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"> ■ section 17B(1); ■ section 17B(2)(b); ■ section 17B(8); and ■ section 19(2).

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"> ■ to exercise power relating to the amendment of safety standards for toys by way of Gazette notice; ■ to exercise power relating to the amendment of safety standards for children's products by way of amending the Schedule to the ordinance; ■ to appoint members to Appeal Board panel; ■ to appoint an Appeal Board to hear appeal upon receipt of appeal notice; ■ to determine the rate of remuneration for Appeal Board panel members; and ■ to make regulations. 	<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"> ■ section 4; ■ section 6(1); ■ section 6(2); ■ section 14(3); ■ section 15(1); ■ section 15(3); ■ section 16(1); ■ section 16(3); and ■ section 35(1).

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"> ■ to approve safety standard or safety specification by way of regulation; ■ to appoint members to Appeal Board panel; ■ to appoint an Appeal Board to hear appeal upon receipt of appeal notice; ■ to determine the rate of remuneration for Appeal Board panel members; and ■ to make regulations. 	<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"> ■ power to serve a notice on intention to revoke franchise; ■ power to initiate the procedure for imposing a financial penalty on the Company; and ■ 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. 	<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>

Statutory functions to be transferred to Secretary for Constitutional and Mainland Affairs (SCMA)

(I) Statutory functions transferred from the Secretary for Constitutional Affairs (SCA) to SCMA

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (1)(a)	321 Federation of Hong Kong Industries Ordinance	<p>This ordinance is to provide for the establishment, regulation and management of a federation to be known as the Federation of Hong Kong Industries.</p> <p>Major function to be transferred from SCA to SCMA is :</p> <ul style="list-style-type: none">■ To give approval for any change in the entitlement of any person to vote at a general meeting of the Federation as referred to in the Legislative Council Ordinance (Cap. 542) to take effect.	<p><u>English and Chinese texts</u></p> <p>Section 45(5) is amended by repealing “Secretary for Constitutional Affairs” / “政制事務局局長” and substituting “Secretary for Constitutional and Mainland Affairs” / “政制及內地事務局局長”.</p>
Paragraph (1)(b)	541B Electoral Affairs Commission (Registration) (Electors for Legislative Council Functional Constituencies) (Voters for Election Committee Subsectors) (Members of Election Committee) Regulation	<p>This subsidiary legislation is to provide for the registration of electors for functional constituencies and Election Committee subsectors, and Election Committee members.</p> <p>Major function to be transferred from SCA to SCMA is :</p> <ul style="list-style-type: none">■ To approve subsequent amendment to or substitution of the constitution of a body in so far as it relates to (i) the objects of the body; (ii) the criteria and conditions of membership of the body; or (iii) the eligibility of members of the body to vote at a general meeting of the body.	<p><u>English and Chinese texts</u></p> <p>Section 9(6A)(b) is amended by repealing “Secretary for Constitutional Affairs” / “政制事務局局長” and substituting “Secretary for Constitutional and Mainland Affairs” / “政制及內地事務局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (1)(c)	541D Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation	<p>This subsidiary legislation is to provide for the electoral procedures of Legislative Council elections.</p> <p>Major function to be transferred from SCA to SCMA is :</p> <ul style="list-style-type: none"> ■ To receive from the Returning Officer a copy of notice of the result of the election. 	<p><u>English and Chinese texts</u></p> <p>Section 84(6)(b) is amended by repealing “Secretary for Constitutional Affairs” / “政制事務局局長” and substituting “Secretary for Constitutional and Mainland Affairs” / “政制及內地事務局局長”.</p>
Paragraph (1)(d)	541F Electoral Affairs Commission (Electoral Procedure) (District Councils) Regulation	<p>This subsidiary legislation is to provide for the electoral procedures of District Council elections.</p> <p>Major function to be transferred from SCA to SCMA is :</p> <ul style="list-style-type: none"> ■ To receive from the Returning Officer a copy of notice of the result of the election. 	<p><u>English and Chinese texts</u></p> <p>Section 82(4)(b) is amended by repealing “Secretary for Constitutional Affairs” / “政制事務局局長” and substituting “Secretary for Constitutional and Mainland Affairs” / “政制及內地事務局局長”.</p>
Paragraph (1)(e)	541I Electoral Affairs Commission (Electoral Procedure)(Election Committee) Regulation	<p>This subsidiary legislation is to provide for the electoral procedures of Election Committee subsector elections.</p> <p>Major function to be transferred from SCA to SCMA is :</p> <ul style="list-style-type: none"> ■ To receive from the Returning Officer a copy of notice of the result of the election. 	<p><u>English and Chinese texts</u></p> <p>Section 81(4)(b) is amended by repealing “Secretary for Constitutional Affairs” / “政制事務局局長” and substituting “Secretary for Constitutional and Mainland Affairs” / “政制及內地事務局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (1)(f)	541J Electoral Procedure (Chief Executive Election) Regulation	<p>This subsidiary legislation is to provide for the electoral procedures of Chief Executive elections.</p> <p>Major function to be transferred from SCA to SCMA is :</p> <ul style="list-style-type: none"> ■ To receive from the Returning Officer a copy of notice of the result of the election. 	<p><u>English and Chinese texts</u></p> <p>Section 55(b)(ii) is amended by repealing “Secretary for Constitutional Affairs” / “政制事務局局長” and substituting “Secretary for Constitutional and Mainland Affairs” / “政制及內地事務局局長”.</p>
Paragraph (1)(g)	541L Electoral Procedure (Village Representative Election) Regulation	<p>This subsidiary legislation is to provide for the electoral procedures of Village Representative elections.</p> <p>Major function to be transferred from SCA to SCMA is :</p> <ul style="list-style-type: none"> ■ To receive from the Returning Officer a copy of notice of the result of the election. 	<p><u>English and Chinese texts</u></p> <p>Section 67(1)(b)(ii) is amended by repealing “Secretary for Constitutional Affairs” / “政制事務局局長” and substituting “Secretary for Constitutional and Mainland Affairs” / “政制及內地事務局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (1)(h)	542 Legislative Council Ordinance	<p>This ordinance is to provide for the constitution, convening and dissolution of the Legislative Council of the Hong Kong Special Administrative Region; and to provide for the election of Members of that Council.</p> <p>Major functions to be transferred from SCA to SCMA are:</p> <ul style="list-style-type: none"> ■ To approve subsequent amendment to or substitution of the constitution of a body in so far as it relates to (i) the objects of the body; (ii) the criteria and conditions of membership of the body; or (iii) the eligibility of members of the body to vote at a general meeting of the body; ■ To approve subsequent amendment to or substitution of the rules of a recognized exchange company to take effect, in relation to the composition of the financial services functional constituency; ■ To publish in the Gazette notice of the appointment of a person as Electoral Registration Officer and the Officer's address; and ■ To receive a copy of the certificate of the Court and reports on any matter arising in the course of the trial of an election petition, and request the Court to provide a report on any specified matter arising from the trial of an election petition. 	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Constitutional Affairs” / “政制事務局局長” and substituting “Secretary for Constitutional and Mainland Affairs” / “政制及內地事務局局長” :</p> <ul style="list-style-type: none"> ■ section 3(2A)(a)(ii); ■ section 3(2B); ■ section 20U(2)(b)(ii); ■ section 67(4); ■ section 67(5); ■ section 67(6); ■ section 71; and ■ section 75(4).

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (1)(i)	542F Legislative Council (Election Petition) Rules	<p>This subsidiary legislation is to provide for the handling of Legislative Council election petition.</p> <p>Major functions to be transferred from SCA to SCMA are :</p> <ul style="list-style-type: none"> ■ To receive from the Registrar immediately after the lodgement of the petition a certified true copy and to cause that copy to be displayed; ■ To receive from the Registrar a notice of the time and place of the trial of petition and to cause it to be displayed; and ■ To receive from the petitioner applying for leave to withdraw petition a notice of the intended motion, and to cause it to be displayed. 	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for Constitutional Affairs” / “政制事務局局長” and substituting “Secretary for Constitutional and Mainland Affairs” / “政制及內地事務局局長” :</p> <ul style="list-style-type: none"> ■ rule 5(3)(a); ■ rule 10(4)(d); ■ rule 10(5); ■ rule 13(2)(a); ■ rule 13(4); ■ rule 15(2); and ■ rule 19(3).

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (1)(j)	547 District Councils Ordinance	<p>This ordinance is to provide for the declaration of Districts, the establishment, composition and functions of District Councils, and the procedure for election of persons to be members of District Councils.</p> <p>Major function to be transferred from SCA to SCMA is :</p> <ul style="list-style-type: none"> ■ To receive a copy of the certificate of the Court and reports on any matter arising in the course of the trial of an election petition, and request the Court to provide a report on any specified matter arising from the trial of an election petition. 	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for Constitutional Affairs” / “政制事務局局長” wherever it appears and substituting “Secretary for Constitutional and Mainland Affairs” / “政制及內地事務局局長” :</p> <ul style="list-style-type: none"> ■ section 55(4); ■ section 55(5); and ■ section 55(6).

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (1)(k)	547C District Councils (Election Petition) Rules	<p>This subsidiary legislation is to provide for the handling of District Councils election petition.</p> <p>Major functions to be transferred from SCA to SCMA are :</p> <ul style="list-style-type: none"> ■ To receive from the Registrar immediately after the lodgement of the election petition a certified true copy; ■ To receive from the Registrar a notice of the time and place of the trial of petition; and ■ To receive from the petitioner applying for leave to withdraw petition a notice of the intended motion. 	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for Constitutional Affairs” / “政制事務局局長” wherever it appears and substituting “Secretary for Constitutional and Mainland Affairs” / “政制及內地事務局局長” :</p> <ul style="list-style-type: none"> ■ rule 5(2)(a); ■ rule 10(4)(d); ■ rule 13(2)(a); ■ rule 15(2); and ■ rule 19(3).

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (1)(1)	569 Chief Executive Election Ordinance	<p>This ordinance is to provide for the election of the Chief Executive in accordance with Annex I to the Basic Law of the Hong Kong Special Administrative Region.</p> <p>Major functions to be transferred from SCA to SCMA are :</p> <ul style="list-style-type: none"> ■ To approve subsequent amendment to or substitution of the constitution of a body in so far as it relates to (i) the objects of the body; (ii) the criteria and conditions of membership of the body; or (iii) the eligibility of members of the body to vote at a general meeting of the body; and ■ To publish in the Gazette a notice of the appointment of a person as Electoral Registration Officer and the Officer's address. 	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for Constitutional Affairs” / “政制事務局局長” wherever it appears and substituting “Secretary for Constitutional and Mainland Affairs” / “政制及內地事務局局長” :</p> <ul style="list-style-type: none"> ■ section 1(4)(a)(ii) of the Schedule; and ■ section 44(4) of the Schedule.

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (1)(m)	569E Chief Executive Election (Election Petition) Rules	<p>This subsidiary legislation is to provide for the handling of Chief Executive election petition.</p> <p>Major functions to be transferred from SCA to SCMA are :</p> <ul style="list-style-type: none"> ■ To receive from the petitioner a notice of the lodgement of the petition and a copy of the petition; ■ To receive from the Registrar a notice of the date, time and place for the trial of petition; ■ To receive a list of disputed ballot papers after it has been filed under section 10(1) or 10(1A); ■ To receive from the petitioner applying for leave to withdraw petition a notice of the intended motion; ■ To receive from the petitioner a notice of withdrawal after it has filed under section 13(1); and ■ To receive from the respondent applying to stay or dismiss a petition a notice of the intended motion. 	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for Constitutional Affairs” / “政制事務局局長” wherever it appears and substituting “Secretary for Constitutional and Mainland Affairs” / “政制及內地事務局局長” :</p> <ul style="list-style-type: none"> ■ section 7(1)(c); ■ section 8(4)(d); ■ section 10(3)(c); ■ section 11(2)(a)(iii); ■ section 13(2)(c); ■ section 14(2)(a)(iv); ■ section 17(3)(b); and ■ the Schedule. <p><u>Chinese text only</u></p> <p>Section 17(3) is amended by repealing “政制事務局局長” and substituting “政制及內地事務局局長”.</p>

(II) Statutory functions transferred from the Secretary for Home Affairs (SHA) to SCMA

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (10)(b)(i)	480 Sex Discrimination Ordinance	<p>This ordinance is to render unlawful certain kinds of sex discrimination, discrimination on the ground of marital status or pregnancy, and sexual harassment; and to provide for the establishment of the Equal Opportunities Commission.</p> <p>Major functions to be transferred from SHA to SCMA are :</p> <ul style="list-style-type: none"> ■ To give approval for the Equal Opportunities Commission to provide financial assistance to other persons to undertake research or educational activities related to the performance of its functions; ■ To make regulations; ■ To determine fees and allowances payable to members of the Commission or its committee; ■ To give directions to the Commission in relation to the amount of money which may be borrowed by the Commission by way of overdraft; ■ To give approval for the Commission to borrow money other than by way of overdraft; and ■ To approve the forms of investment in which the Commission may invest money not immediately required to be expended. 	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Home Affairs” / “民政事務局局長” and substituting “Secretary for Constitutional and Mainland Affairs” / “政制及內地事務局局長” :</p> <ul style="list-style-type: none"> ■ Section 65(3); ■ Section 89(1); ■ Section 4 of Schedule 6; ■ Section 14(1) of Schedule 6; ■ Section 14(2)(b) of Schedule 6; ■ Section 16(2) of Schedule 6; ■ Section 16(3) of Schedule 6; and ■ Section 17(2) of Schedule 6.

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (10)(b)(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. Particulars of specifications made after 1 July 1997 are set out under the Note to Cap 1C.</p> <p>Major function to be transferred from SHA to SCMA is to delegate to another public officer the powers provided for in sections 65(3) and Schedule 6 (sections 16(2) and (3) and 17(2)) of the Sex Discrimination Ordinance (Cap 480).</p>	<p><u>English and Chinese texts</u></p> <p>The Specification of Public Office (L.N. 192 of 2003) is amended by repealing the reference to “Secretary for Home Affairs” / “民政事務局局長” and substituting “Secretary for Constitutional and Mainland Affairs” / “政制及內地事務局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (10)(c)(i)	486 Personal Data (Privacy) Ordinance	<p>This ordinance is to protect the privacy of individuals in relation to personal data.</p> <p>Major functions to be transferred from SHA to SCMA are :</p> <ul style="list-style-type: none"> ■ To appoint a day for the Ordinance to come into operation by notice in gazette; ■ To appoint members of the Personal Data (Privacy) Advisory Committee and specify the period and terms of their appointments; ■ To approve the exercise of power by the Privacy Commissioner for Personal Data (the Commissioner) to specify places which are Government offices, at which data user returns are available and can be obtained by data users;. ■ To make regulations; ■ To give directions to the Commissioner in relation to the amount of money which may be borrowed by the Commissioner by way of overdraft; ■ To give approval for the Commissioner to borrow money other than by way of overdraft; and ■ To approve the forms of investment whereby the Commissioner may invest his surplus funds. 	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Home Affairs” / “民政事務局局長” and substituting “Secretary for Constitutional and Mainland Affairs” / “政制及內地事務局局長” :</p> <ul style="list-style-type: none"> ■ Section 1(2); ■ Section 11(2)(b); ■ Section 11(3); ■ Section 11(4); ■ Section 14(6); ■ Section 70(1); ■ Section 2(2) of Schedule 2; ■ Section 2(3) of Schedule 2; and ■ Section 3(2) of Schedule 2.

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (10)(c)(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. Particulars of specifications made after 1 July 1997 are set out under the Note to Cap 1C.</p> <p>Major function to be transferred from SHA to SCMA is to delegate to another public officer the powers provided for in section 14(6) and Schedule 2 (sections 2(2) and (3) and 3(2)) of the Personal Data (Privacy) Ordinance (Cap 486).</p>	<p><u>English and Chinese texts</u></p> <p>The Specification of Public Office (L.N. 192 of 2003) is amended by repealing the reference to “Secretary for Home Affairs” / “民政事務局局長” and substituting “Secretary for Constitutional and Mainland Affairs” / “政制及內地事務局局長”.</p>
Paragraph (10)(d)	527 Family Status Discrimination Ordinance	<p>This ordinance is to render unlawful discrimination against persons on the ground of family status and to extend the jurisdiction of the Equal Opportunities Commission to include such discrimination and for connected purposes.</p> <p>Major function to be transferred from SHA to SCMA is to make regulations.</p>	<p><u>English and Chinese texts</u></p> <p>Section 67(1) is amended by repealing “Secretary for Home Affairs” / “民政事務局局長” and substituting “Secretary for Constitutional and Mainland Affairs” / “政制及內地事務局局長”.</p>

Statutory functions to be transferred to the Secretary for Development

(I) Transfer of statutory functions from the Secretary for the Environment, Transport and Works (SETW) to Secretary for Development

The Resolution	Cap	Description	<u>Textual Amendments provided for in the Resolution</u>
Paragraph (8)(b)	28 Land (Miscellaneous Provisions) Ordinance	This ordinance provides for matters relating to Government land. Major function to be transferred from SETW to Secretary for Development is the function to deal with cases of contravention by public officers.	<u>English and Chinese texts</u> <ul style="list-style-type: none">■ In the following provisions by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” wherever it appears and substituting “Secretary for Development” / “發展局局長” -<ul style="list-style-type: none">(A) section 2A(3)(a);(B) section 2A(4);(C) section 2A(5);(D) section 2A(6);(E) section 2A(6)(b);(F) the definition of “Secretary”/ “局長” in section 8(1); and(G) section 18(1A).

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
			<ul style="list-style-type: none"> ■ In the heading of section 18 by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Development” / “發展局局長”.
Paragraph (8)(g)	196 Defences (Firing Areas) Ordinance	<p>This ordinance regulates practice firing within firing areas and for clearing of firing areas.</p> <p>Major function to be transferred from SETW to Secretary for Development is the function of being one of those persons who are supplied with programmes, notices and charts under this Ordinance.</p>	<p><u>English and Chinese texts</u></p> <p>Second Schedule is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Development” / “發展局局長”</p>
Paragraph (8)(q)	317 Industrial Training (Construction Industry) Ordinance	<p>This ordinance provides for the establishment, functions and management of the Construction Industry Training Authority, for a levy to be paid by contractors in respect of construction operations, and for connected purposes.</p> <p>Major function to be transferred from the SETW to the Secretary for Development is to request funds under the Construction Industry Council Ordinance (Cap 587) to meet the expenses incurred by the Construction Industry Council established under that Ordinance.</p>	<p><u>English and Chinese texts</u></p> <p>Section 6(1)(da) is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Development” / “發展局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(ag)	408 Architects Registration Ordinance	<p>This ordinance provides for the registration of architects and disciplinary control of the professional activities of registered architects.</p> <p>Major function to be transferred from SETW to Secretary for Development is the function to receive rules made by the Architects Registration Board.</p>	<p><u>English and Chinese texts</u></p> <p>Section 7(6) is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Development” / “發展局局長”.</p>
Paragraph (8)(ah)	409 Engineers Registration Ordinance	<p>The ordinance provides for the registration of professional engineers, the recognition of disciplines within the profession and disciplinary control of the professional activities of registered professional engineers.</p> <p>Major function to be transferred from SETW to Secretary for Development is the function to receive rules made by the Engineers Registration Board.</p>	<p><u>English and Chinese texts</u></p> <p>Section 6(6) is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Development” / “發展局局長”.</p>
Paragraph (8)(ai)	417 Surveyors Registration Ordinance	<p>This ordinance provides for the registration of professional surveyors, the recognition of divisions within the profession and disciplinary control of the professional activities of registered professional surveyors.</p> <p>Major function to be transferred from SETW to Secretary for Development is the function to receive rules made by the Surveyors Registration Board.</p>	<p><u>English and Chinese texts</u></p> <p>Section 6(6) is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Development” / “發展局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(aj)	418 Planners Registration Ordinance	<p>This ordinance provides for the registration of planners and disciplinary control of the professional activities of registered professional planners.</p> <p>Major function to be transferred from SETW to Secretary for Development is the function to receive rules made by the Planners Registration Board.</p>	<p><u>English and Chinese texts</u></p> <p>Section 6(6) is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Development” / “發展局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(a)	446 Land Drainage Ordinance	<p>The ordinance provides for the constitution of Drainage Authority Areas and the carrying out of drainage works within such areas and for connected matters.</p> <p>Major functions to be transferred from SETW to Secretary for Development:</p> <ul style="list-style-type: none"> ▪ power to direct preparation of draft plans; ▪ functions on matters relating to replacement of plans; ▪ powers and functions on matters relating to appeals; ▪ powers and functions on matters relating to submission of draft plans to the Chief Executive in Council and the subsequent arrangements; ▪ function relating to the deposit of approved plans in the Land Registry; ▪ powers and functions on matters relating to resumption of land on application; and ▪ power to make regulations. 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in section 2 is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Development” / “發展局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(aq)	470 Builders' Lifts and Tower Working Platforms (Safety) Ordinance	<p>This ordinance provides for the design, construction, installation and maintenance in safe working order of builders' lifts and tower working platforms, and for the examination and testing of such lifts and platforms.</p> <p>Major functions to be transferred from SETW to Secretary for Development are –</p> <ul style="list-style-type: none"> ▪ power relating to the hearing of any matter by a disciplinary tribunal; and ▪ powers relating to the appointment of members to a disciplinary tribunal, a disciplinary tribunal panel, an appeal board and an appeal board panel. 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in section 2(1) is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Development” / “發展局局長”.</p>
Paragraph (8)(ax)	516 Landscape Architects Registration Ordinance	<p>The ordinance provides for the registration of professional landscape architects and disciplinary control of the professional activities of registered professional landscape architects.</p> <p>Major function to be transferred from SETW to Secretary for Development is the function to receive rules made by the Landscape Architects Registration Board.</p>	<p><u>English and Chinese texts</u></p> <p>Section 6(6) is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Development” / “發展局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(bb)	583 Construction Workers Registration Ordinance	<p>The Ordinance provides for the registration of construction workers; the establishment of a Construction Workers Registration Authority; a levy to be paid by contractors in respect of construction operations; the regulation of construction workers personally carrying out construction work; and for related matters.</p> <p>Major functions to be transferred from SETW to Secretary for Development are:</p> <ul style="list-style-type: none"> ▪ the power to appoint the commencement of the ordinance by notice published in the Gazette; ▪ to be a member of the "Construction Workers Registration Authority" and to appoint other members of the Authority; ▪ to receive reports on the activities of the Construction Workers Registration Authority, Statements of accounts of Authority and auditor's report on the Statements; ▪ to approve the authorized officer, levy inspector and Registrar of Construction Workers under the ordinance; ▪ to publish in gazette the rate of the levy under the ordinance; ▪ to receive a notice of appeal; ▪ to appoint an Appeal Board Panel and a 	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” wherever it appears and substituting “Secretary for Development” / “發展局局長” –</p> <ul style="list-style-type: none"> ▪ section 1(2); ▪ the definition of “Secretary” / “局長” in section 2(1).

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
		<p>Construction Workers Appeal Board and make other appointments for relating matters;</p> <ul style="list-style-type: none">■ to approve regulations made by the Authority; and ;■ to amend the Schedules to the ordinance.	

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(bd)	587 Construction Industry Council Ordinance	<p>The Ordinance provides for –</p> <p>(a) the establishment of the Construction Industry Council as a body corporate;</p> <p>(b) the functions and management of the Construction Industry Council;</p> <p>(c) a levy to be paid by contractors in the construction industry in respect of construction operations;</p> <p>(d) the repeal of the Industrial Training (Construction Industry) Ordinance;</p> <p>(e) the dissolution of the Construction Industry Training Authority;</p> <p>(f) the vesting of the rights, assets, liabilities and obligations of the Construction Industry Training Authority in the Construction Industry Council;</p> <p>(g) corresponding amendments to the Pneumoconiosis (Compensation) Ordinance and the Pneumoconiosis (Compensation) (Assessment of Levy) Regulations in respect of the construction industry levy scheme under that Ordinance; and</p> <p>(h) other consequential and related matters.</p>	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” wherever it appears and substituting “Secretary for Development” / “發展局局長” –</p> <ul style="list-style-type: none"> ■ section 1(2); and ■ the definition of “Secretary” / “局長” in section 2(1).

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
		<p>Major functions to be transferred from SETW to Secretary for Development are –</p> <ul style="list-style-type: none"> ■ the power to appoint a date for the ordinance to commence operation; ■ the power to appoint the Chairman and some Members of the Council; ■ the power to determine the term of office of Members; ■ the power to receive notice of resignation of Members and to terminate the appointment of an appointed Member; ■ the power to request CITA to provide such funds as are necessary to meet expenses reasonably incurred by the Council; ■ the power to approve a period to be the financial year of the Council and to receive a programme of its proposed activities and estimates of its income and expenditure for the next financial year; ■ the power to receive reports, etc. from the Council; and ■ the power to make regulations and to amend Schedules. 	

(II) Transfer of statutory functions from the Secretary for Home Affairs (SHA) to Secretary for Development

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (10)(a)	53 Antiquities and Monuments Ordinance	<p>This ordinance is to provide for the preservation of objects of historical, archaeological and palaeontological interest and for matters ancillary thereto and connected therewith.</p> <p>Major functions to be transferred from SHA to Secretary for Development are :</p> <ul style="list-style-type: none"> ■ To declare a place, building, site or structure to be a proposed monument, proposed historical building, or proposed archaeological or palaeontological site or structure; ■ To accept and refuse an application for withdrawal of declaration of proposed monument; ■ To declare a place, building, site or structure to be a monument, historical building or archaeological or palaeontological site or structure; ■ To serve notice in writing of the Authority's intention to declare a monument within private land; ■ To exercise control of monuments as specified in section 5 of the ordinance; ■ To declare any proposed monument or monument to be exempt from section 6 of the ordinance; ■ To grant a sum which the Authority thinks fit to a person who proposes to carry out work for the maintenance, preservation or restoration of a 	<p><u>English and Chinese texts</u></p> <p>Section 2 is amended by repealing “Secretary for Home Affairs” / “民政事務局局長” and substituting “Secretary for Development” / “發展局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
		monument;	
		<ul style="list-style-type: none"> <li data-bbox="703 357 1496 501">■ To pay compensation to the owner or lawful occupier of a proposed monument or monument in respect of financial loss suffered or likely to be suffered by reasons as specified in section 8 of the ordinance; <li data-bbox="703 523 1496 564">■ To disclaim ownership of a relic discovered; <li data-bbox="703 587 1496 660">■ To award to a person who makes a report on the discovery of antiquity or supposed antiquity; and <li data-bbox="703 683 1496 746">■ To grant licence to excavate and search for antiquities and cancel such licence. 	

(III) Transfer of statutory functions from the Secretary for Housing, Planning and Lands (SHPL) to Secretary for Development

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (11)(a)	4 High Court Ordinance	<p>This ordinance is to amend and consolidate the law relating to the constitution, jurisdiction, practice and powers of the High Court and the administration of justice therein and for matters ancillary thereto and connected therewith.</p> <p>Major function to be transferred from SHPL to Secretary for Development is the power to amend the number of days for possession of the land to be given to the lessor in the case of application for a relief against forfeiture by action for non-payment of rent.</p>	<p><u>English and Chinese texts</u></p> <p>Section 21F(3A) is amended by repealing “Secretary for Housing, Planning and Lands” / “房屋及規劃地政局局長” and substituting “Secretary for Development” / “發展局局長”.</p>
Paragraph (11)(b)	123 Buildings Ordinance	<p>This ordinance provides for the planning, design and construction of buildings and associated works; and for the rendering safe of dangerous buildings and land.</p> <p>Major functions to be transferred from SHPL to Secretary for Development are:</p> <ul style="list-style-type: none"> ▪ powers relating to appointment of disciplinary boards; ▪ power to make regulations; ▪ power to issue technical memoranda, publish the technical memoranda in the Gazette and cause them to be laid on the table of the Legislative Council after publication; and ▪ power to appoint secretary to the Appeal Tribunal. 	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for Housing, Planning and Lands” / “房屋及規劃地政局局長” wherever it appears and substituting “Secretary for Development” / “發展局局長” –</p> <ul style="list-style-type: none"> ▪ section 5(1); ▪ section 5(3A); ▪ section 5AA(2)(a); ▪ section 11(1); ▪ section 11(4A);

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
			<ul style="list-style-type: none"> ▪ section 11AA(2)(a); ▪ section 38(1); ▪ the proviso of section 38(5); ▪ section 39A(1); and ▪ section 46(2)(a). <p><u>Chinese texts</u></p> <p>The following provisions are amended by repealing “房屋及規劃地政局局長” wherever it appears and substituting “發展局局長” –</p> <ul style="list-style-type: none"> ▪ section 39A(2); ▪ section 39A(3); ▪ section 39A(6); ▪ section 39A(9); and ▪ section 39A(10).

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (11)(c)	131 Town Planning Ordinance	<p>This ordinance provides for the systematic preparation and approval of plans for the lay-out of areas of Hong Kong as well as for the types of building suitable for erection therein and for the preparation and approval of plans for areas within which permission is required for development in order to promote the health, safety, convenience and general welfare of the community.</p> <p>Major function to be transferred from SHPL to Secretary for Development is the powers and functions to prescribe fees for the plans submitted to the Town Planning Board, and on matters relating to review of the decision of the Authority (Director of Planning).</p>	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for Housing, Planning and Lands” / “房屋及規劃地政局局長” wherever it appears and substituting “Secretary for Development” / “發展局局長” –</p> <ul style="list-style-type: none"> ▪ section 14(2); and ▪ section 24(1). <p><u>Chinese text</u></p> <p>The following provisions are amended by repealing “房屋及規劃地政局局長” wherever it appears and substituting “發展局局長” –</p> <ul style="list-style-type: none"> ▪ section 24(2); and ▪ section 24(3).

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (11)(d)	211 Aerial Ropeways (Safety) Ordinance	<p>This ordinance provides for the design, manufacture and installation of aerial ropeways, the regulation of the operation and maintenance of aerial ropeways, and the avoidance of dangerous conduct in relation thereto.</p> <p>Major function to be transferred from SHPL to Secretary for Development is the power to make regulations.</p>	<p><u>English and Chinese texts</u></p> <p>Section 28(1) is amended by repealing “Secretary for Housing, Planning and Lands” / “房屋及規劃地政局局長” and substituting “Secretary for Development” / “發展局局長”.</p>
Paragraph (11)(e)	215 Eastern Harbour Crossing Ordinance	<p>The ordinance is to grant franchises for the construction of a combined road and rail tunnel across the eastern harbour, for the construction of a railway line through the tunnel and of other railway works and the regulation of the construction and maintenance of the works to be constructed; for the payment of tolls to the franchise holder for the use by motor vehicles of the tunnel and the regulation of vehicular traffic in relation to such use; for the transfer by the franchise holder of its right to operate the railway line to the Mass Transit Railway Corporation, and for matters ancillary thereto and connected therewith.</p> <p>Major function to be transferred from SHPL to Secretary for Development is the power to apply the Buildings Ordinance to any of the construction works.</p>	<p><u>English and Chinese texts</u></p> <p>Section 21(3) is amended by repealing “Secretary for Housing, Planning and Lands” / “房屋及規劃地政局局長” and substituting “Secretary for Development” / “發展局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (11)(g)	301 Hong Kong Airport (Control of Obstructions) Ordinance	<p>This ordinance provides for the restriction and, where necessary, the reduction of heights of buildings in the interest of the safety of aircraft, for the control of lighting, for the erection or provision and the maintenance of aids to air navigation, and for the assessment and payment of compensation in respect of damage suffered on account thereof.</p> <p>Major functions to be transferred from SHPL to Secretary for Development are:</p> <ul style="list-style-type: none"> ▪ powers relating to issuing orders to prescribe areas within which no building shall exceed the height specified for the purpose of section 3; ▪ power to order provision of marks, lights and beacons for the safety of aircrafts; and ▪ power to extend period for making claims for compensation under this Ordinance. 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in section 2(1) is amended by repealing “Secretary for Housing, Planning and Lands” / “房屋及規劃地政局局長” and substituting “Secretary for Development” / “發展局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (11)(h)	327 Lifts and Escalators (Safety) Ordinance	<p>This ordinance provides for the design and construction, and the maintenance in safe working order of lifts and escalators, and for the examination and testing thereof.</p> <p>Major functions to be transferred from SHPL to Secretary for Development are:</p> <ul style="list-style-type: none"> ▪ power to appoint disciplinary board upon the receipt of notice under sections 9 and 11G; ▪ power and functions relating to the appointment of the disciplinary board panel; ▪ power and functions relating to the disciplinary proceedings; ▪ power to appoint an appeal board upon the receipt of notice under sections 6, 11C and 15; and ▪ power and functions relating to the appointment of the appeal board panel. 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in section 2(1) is amended by repealing “Secretary for Housing, Planning and Lands” / “房屋及規劃地政局局長” and substituting “Secretary for Development” / “發展局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (11)(i)	336 District Court Ordinance	<p>To establish a court, having limited civil and criminal jurisdiction, to be known as the District Court, and to make provision for the jurisdiction, procedure and practice thereof and for purposes connected with the matters aforesaid.</p> <p>Major function to be transferred from SHPL to Secretary for Development is the power to amend the number of days for possession of the land to be given to the lessor in the case of application for a relief against forfeiture by action for non-payment of rent.</p>	<p><u>English and Chinese texts</u></p> <p>Section 69(3A) is amended by repealing “Secretary for Housing, Planning and Lands” / “房屋及規劃地政局局長” and substituting “Secretary for Development” / “發展局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (11)(j)	357 Electricity Networks (Statutory Easements) Ordinance	<p>This ordinance provides for the creation of easements in and over land in favour of certain undertakings which generate, transmit or distribute electricity.</p> <p>Major functions to be transferred from SHPL to Secretary for Development are:</p> <ul style="list-style-type: none"> ▪ power to approve terms of a scheme for the purpose of section 3(1); ▪ powers and functions on matters relating to rectification of approved schemes; and ▪ powers and functions relating to the handling of objections lodged by the owner of any land against the exercise of any right by a power company. 	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for Housing, Planning and Lands” / “房屋及規劃地政局局長” wherever it appears and substituting “Secretary for Development” / “發展局局長” –</p> <ul style="list-style-type: none"> ▪ the definition of “approved scheme” / “獲准計劃” in section 2; ▪ section 3(1); ▪ section 7(1); ▪ section 9(2); ▪ section 9(3); and ▪ section 9(4).

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (11)(k)	393 Tate's Cairn Tunnel Ordinance	<p>This ordinance is to grant a franchise for the construction of a road tunnel through Tate's Cairn; for the payment of a royalty for such franchise; for the maintenance of the works to be constructed; for the payment of tolls to the franchise holder for the use by motor vehicles of the tunnel and the regulation of vehicular traffic in relation to such use; and for matters ancillary thereto and connected therewith.</p> <p>Major function to be transferred from SHPL to Secretary for Development is the power to apply the Buildings Ordinance to any of the construction works.</p>	<p><u>English and Chinese texts</u></p> <p>Section 16(3) is amended by repealing "Secretary for Housing, Planning and Lands" / "房屋及規劃地政局局長" and substituting "Secretary for Development" / "發展局局長".</p>
Paragraph (11)(l)	436 Western Harbour Crossing Ordinance	<p>This is an ordinance to grant a franchise for the construction and operation of a crossing between West Kowloon Reclamation and Sai Ying Pun. It provides for the maintenance of the works within the tunnel area, the payment of tolls to the franchise holder for the use of the tunnel by motor vehicles and the regulation of vehicular traffic in relation to such use.</p> <p>Major function to be transferred from SHPL to Secretary for Development is the power to apply the Buildings Ordinance to any of the construction works.</p>	<p><u>English and Chinese texts</u></p> <p>Section 15(2) is amended by repealing "Secretary for Housing, Planning and Lands" / "房屋及規劃地政局局長" and substituting "Secretary for Development" / "發展局局長".</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (11)(n)	439 Registrar General (Establishment) (Transfer of Functions and Repeal) Ordinance	<p>This ordinance provides for the amendment of Ordinances consequential on the transfer of the functions of the Registrar General and certain functions of the Land Officer and the change of title of the Land Officer and the Land Office to Land Registrar and Land Registry respectively and for the repeal of the Registrar General (Establishment) Ordinance (Cap 100).</p> <p>Major functions to be transferred from SHPL to Secretary for Development is the power to repeal references to “Registrar General”, “Registrar General (Land Officer)”, “Land Officer” and “Land Office” by notice in Gazette.</p>	<p><u>English and Chinese texts</u></p> <p>Section 31 is amended by repealing “Secretary for Housing, Planning and Lands” / “房屋及規劃地政局局長” and substituting “Secretary for Development” / “發展局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (11)(o)	473 Land Survey Ordinance	<p>This ordinance provides for the registration and discipline of land surveyors engaged in land boundary surveys, for the control of the standards of land boundary surveys and for the establishment of land boundary records.</p> <p>Major functions to be transferred from SHPL to Secretary for Development are:</p> <ul style="list-style-type: none"> ▪ powers to appoint the Land Surveyors Registration Committee; ▪ power to appoint a disciplinary board upon a referral or a complaint made under section 21 of this ordinance; ▪ powers and functions relating to the appointment of disciplinary board panels and the disciplinary proceedings; and ▪ power to make regulations. 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in section 2 is amended by repealing “Secretary for Housing, Planning and Lands” / “房屋及規劃地政局局長” and substituting “Secretary for Development” / “發展局局長”.</p>
Paragraph (11)(p)	474 Tai Lam Tunnel and Yuen Long Approach Road Ordinance	<p>This is an ordinance to grant a franchise for the design, construction and operation of a tunnel and associated roads linking Ting Kau to Au Tau. It provides for the maintenance of the works within the area subject to the franchise, the payment of tolls to the franchise holder for the use of that area by motor vehicles and the regulation of vehicular traffic in relation to such use.</p> <p>Major function to be transferred from SHPL to Secretary for Development is the power to apply the Buildings Ordinance to any of the construction works.</p>	<p><u>English and Chinese texts</u></p> <p>Section 15(2) is amended by repealing “Secretary for Housing, Planning and Lands” / “房屋及規劃地政局局長” and substituting “Secretary for Development” / “發展局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (11)(r)	545 Land (Compulsory Sale for Redevelopment) Ordinance	<p>This ordinance enables persons who own a specified majority of the undivided shares in a lot to make an application to the Tribunal for an order for the sale of all of the undivided shares in the lot for the purposes of the redevelopment of the lot; and enables the Tribunal to make such an order if specified criteria are met.</p> <p>Major function to be transferred from SHPL to Secretary for Development is the power to make regulations.</p>	<p><u>English and Chinese texts</u></p> <p>Section 12(1) is amended by repealing “Secretary for Housing, Planning and Lands” / “房屋及規劃地政局局長” and substituting “Secretary for Development” / “發展局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (11)(s)	563 Urban Renewal Authority Ordinance	<p>This ordinance provides for the establishment of the Urban Renewal Authority for the purpose of carrying out urban renewal and for connected purposes.</p> <p>Major functions to be transferred from SHPL to Secretary for Development are:</p> <ul style="list-style-type: none"> ▪ powers and functions on matters relating to planning procedures; ▪ powers and functions on matters relating to objection against a project which is to be implemented by way of a development project; ▪ power and functions on matters relating to appeal against the decisions of the Secretary made under section 24 of this Ordinance; ▪ powers and functions on matters relating to resumption and disposal of land; ▪ power to enter, or to authorize any person to enter, any land or premises for the purpose of preparing an assessment on the likely effect brought about by the implementation of a development scheme; ▪ power to obtain information from the Authority; ▪ power to recommend to the Chief Executive in Council the resumption of any land; and ▪ functions of SHPL under the repealed Land Development Corporation Ordinance (Cap. 15). 	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for Housing, Planning and Lands” / “房屋及規劃地政局局長” wherever it appears and substituting “Secretary for Development” / “發展局局長” –</p> <ul style="list-style-type: none"> ▪ the definition of “Secretary” / “局長” in section 2; and ▪ section 36(10).

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (11)(t)	585 Land Titles Ordinance	<p>This ordinance is to provide for a system of registration of title to land, and to provide for matters incidental thereto or connected therewith.</p> <p>Major functions to be transferred from SHPL to Secretary for Development are:</p> <ul style="list-style-type: none"> ▪ the powers to amend the Schedules on the provisions in relation to conversion from a land registration system to a title registration system; ▪ the power to appoint a date for commencement of the ordinance; and ▪ the power to make regulations. 	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for Housing, Planning and Lands” / “房屋及規劃地政局局長” wherever it appears and substituting “Secretary for Development” / “發展局局長” –</p> <ul style="list-style-type: none"> ▪ section 1(2); and ▪ the definition of “Secretary” / “局長” in section 2(1).

Statutory functions to be transferred to the Secretary for Education (SED) and Permanent Secretary for Education (PSED)

(I) Statutory functions transferred from the Secretary for Education and Manpower (SEM) to SED

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (5)(b)	159 Legal Practitioners Ordinance	<p>This ordinance is to make amended provision for the admission and registration of legal practitioners and their employees, the appointment and registration of notaries public.</p> <p>Major function to be transferred from SEM to SED is:</p> <ul style="list-style-type: none">to nominate a person for appointment as member of the Standing Committee on Legal Education and Training.	<p><u>English and Chinese texts</u></p> <p>Section 74A(3)(a)(iii) is amended by repealing “Secretary for Education and Manpower” / “教育統籌局局長” and substituting “Secretary for Education” / “教育局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (5)(d)(i)	279 Education Ordinance	<p>This ordinance is to promote education in Hong Kong, and to consolidate and amend the law relating to the supervision and control of schools and the teaching therein.</p> <p>Major function to be transferred from SEM to SED is :</p> <ul style="list-style-type: none"> ▪ to amend Schedules 1 to 3 to the ordinance. 	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Education and Manpower” / “教育統籌局局長” and substituting “Secretary for Education” / “教育局局長”:</p> <ul style="list-style-type: none"> ▪ section 40AC(1); ▪ section 40BP(2); and ▪ section 40BR(2).
Paragraph (5)(e)	279C Grant Schools Provident Fund Rules	<p>The object of these rules is the maintenance and management of the Grant Schools Provident Fund.</p> <p>Major function to be transferred from SEM to SED is:</p> <ul style="list-style-type: none"> ▪ to receive a copy of the signed and audited statement of accounts together with the auditor's report. 	<p><u>English and Chinese texts</u></p> <p>Rule 15(3) is amended by repealing “Secretary for Education and Manpower” / “教育統籌局局長” and substituting “Secretary for Education” / “教育局局長”.</p>
Paragraph (5)(f)	279D Subsidized Schools Provident Fund Rules	<p>The object of these rules is the maintenance and management of the Subsidized Schools Provident Fund.</p> <p>Major function to be transferred from SEM to SED is:</p> <ul style="list-style-type: none"> ▪ to receive a copy of the signed and audited statement of accounts together with the auditor's report. 	<p><u>English and Chinese texts</u></p> <p>Rule 16(3) is amended by repealing “Secretary for Education and Manpower” / “教育統籌局局長” and substituting “Secretary for Education” / “教育局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (5)(h)(i)	493 Non-local Higher and Professional Education (Regulation) Ordinance	<p>This ordinance is to provide for the regulation of courses conducted in Hong Kong which lead to the award of non-local higher academic and professional qualifications</p> <p>Major functions to be transferred from SEM to SED are :</p> <ul style="list-style-type: none"> ■ to make rules; and ■ to amend Schedules to the ordinance. 	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Education and Manpower” / “教育統籌局局長” and substituting “Secretary for Education” / “教育局局長”:</p> <ul style="list-style-type: none"> ■ section 8(1)(a)(ii)(B); ■ section 40(1); and ■ section 41.
Paragraph (5)(h)(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. Particulars of specifications made after 1 July 1997 are set out under the Note to Cap 1C.</p> <p>Major function to be transferred from SEM to SED is:</p> <ul style="list-style-type: none"> ■ to delegate to another public officer the powers provided for in section 8(1)(a)(ii)(B) of the Non-local Higher and Professional Education (Regulation) Ordinance (Cap 493). 	<p><u>English and Chinese texts</u></p> <p>The specification of Public Office (L.N. 158 of 2002) is amended by repealing the relevant item making reference to “Secretary for Education and Manpower” / “教育統籌局局長” and substituting a similar item making reference to “Secretary for Education” / “教育局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (5)(i)	528 Copyright Ordinance	<p>This ordinance is to restate the law of copyright.</p> <p>Major function to be transferred from SEM to SED is:</p> <ul style="list-style-type: none"> ■ to amend Schedule 1 to the ordinance. 	<p><u>English and Chinese texts</u></p> <p>Section 195(4) is amended by repealing “Secretary for Education and Manpower” / “教育統籌局局長” and substituting “Secretary for Education” / “教育局局長”.</p>
Paragraph (5)(l)	1140 Sir Edward Youde Memorial Fund Ordinance	<p>This ordinance is to establish the "Sir Edward Youde Memorial Fund" and to provide for its administration.</p> <p>Major function to be transferred from SEM to SED is:</p> <ul style="list-style-type: none"> ■ to serve as an ex-officio member of the Sir Edward Youde Memorial Fund Council. 	<p><u>English and Chinese texts</u></p> <p>Section 9(2)(b) is amended by repealing “Secretary for Education and Manpower” / “教育統籌局局長” and substituting “Secretary for Education” / “教育局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (5)(m)(i)	1150 Hong Kong Council for Academic Accreditation Ordinance	<p>This ordinance is to provide for the establishment and the functions of the Hong Kong Council for Academic Accreditation as a body corporate.</p> <p>Major functions to be transferred from SEM to SED are :</p> <ul style="list-style-type: none"> ■ to approve banks for depositing money of the Council which is not immediately required, or investments in which such money may be invested; ■ to approve accreditation fees determined and charged by the Council; ■ to approve the amount of honoraria determined by the Council; ■ to approve the remuneration of the Executive Director or of any employee or class of employees or of any advisers determined by the Council; and ■ to approve the Council's estimates of its income and expenditure together with a programme of its proposed activities for the next financial year. 	<p><u>English and Chinese texts</u></p> <p>Section 2(1) is amended by repealing “Secretary for Education and Manpower” / “教育統籌局局長” and substituting “Secretary for Education” / “教育局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (5)(m)(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. Particulars of specifications made after 1 July 1997 are set out under the Note to Cap 1C.</p> <p>Major function to be transferred from SEM to SED is:</p> <ul style="list-style-type: none"> ▪ to delegate to another public officer the powers provided for in sections 5(e), (g) and (l), 9(1) and (2), 10, 12, 13(1) and (2) and 17 of the Hong Kong Council for Academic Accreditation Ordinance. 	<p><u>English and Chinese texts</u></p> <p>The Specification of Public Office (L.N. 158 of 2002) is amended by repealing the relevant item making reference to “Secretary for Education and Manpower” / “教育統籌局局長” and substituting a similar item making reference to “Secretary for Education” / “教育局局長”.</p>
Paragraph (5)(n)	1165 Lingnan University Ordinance	<p>This ordinance is to provide for the establishment of Lingnan University.</p> <p>Major function to be transferred from SEM to SED is:</p> <ul style="list-style-type: none"> ▪ to receive written notice from members regarding their resignation from the Council/Court of Lingnan University. 	<p><u>English and Chinese texts</u></p> <p>Section 2 is amended by repealing “Secretary for Education and Manpower” / “教育統籌局局長” and substituting “Secretary for Education” / “教育局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (5)(o)	Accreditation of Academic and Vocational Qualifications Ordinance (6 of 2007)	<p>This ordinance is to provide for matters relating to accreditation of academic and vocational qualifications; and to make consequential and related amendments to certain enactments.</p> <p>Major functions to be transferred from SEM to SED are :</p> <ul style="list-style-type: none"> ■ to appoint date of commencement of the ordinance; ■ to establish and maintain the Qualifications Framework; ■ to establish a register for entering qualifications recognized by the Qualifications Framework; ■ to give prior approval of fees determined and charged by the Accreditation Authority and QR Authority; ■ to give prior approval for the Accreditation Authority and QR Authority to perform their functions jointly with other persons or organizations; ■ to appoint or re-appoint assessment agencies or cancel such appointment or re-appointment; ■ to appoint the Appeal Board; ■ to determine the rate of remuneration, if any, of the Chairman, Deputy Chairman and panel member of the Appeal Board; ■ to give prior approval of the statement of fee charging policy and the schedule of fees submitted by each of the Accreditation Authority and the QR Authority; and ■ to amend Schedules 1, 2 and 3 to the ordinance. 	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Education and Manpower” / “教育統籌局局長” and substituting “Secretary for Education” / “教育局局長”:</p> <ul style="list-style-type: none"> ■ section 1(2); ■ section 2; and ■ section 51.

(II) Statutory functions transferred from the Permanent Secretary for Education and Manpower (PSEM) to PSED

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (6)(a)	57 Employment Ordinance	<p>This ordinance is to provide for the protection of the wages of employees, to regulate general conditions of employment and employment agencies :</p> <p>Section 50, which sets out the types of employment agency exempted from Part XII of the ordinance, has made reference to “Permanent Secretary for Education and Manpower”.</p>	<p><u>English and Chinese texts</u></p> <p>Section 50(3)(h)(ii) is amended by repealing “Permanent Secretary for Education and Manpower” / “教育統籌局常任秘書長” and substituting “Permanent Secretary for Education” / “教育局常任秘書長”.</p>
Paragraph (6)(b)	57B Employment of Children Regulations	Regulation 2, which includes a definition of “school attendance certificate”, has made reference to the “Permanent Secretary for Education and Manpower”.	<p><u>English and Chinese texts</u></p> <p>Regulation 2 is amended by repealing “Permanent Secretary for Education and Manpower” / “教育統籌局常任秘書長” and substituting “Permanent Secretary for Education” / “教育局常任秘書長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (6)(c)	58 Employment of Young Persons and Children at Sea Ordinance	<p>This ordinance is to regulate the employment of young persons and children at sea.</p> <p>Section 2, which provides for the restriction on employment on vessels of children under 15, has made reference to the “Permanent Secretary for Education and Manpower”.</p>	<p><u>English and Chinese texts</u></p> <p>Section 2 is amended by repealing “Permanent Secretary for Education and Manpower” / “教育統籌局常任秘書長” and substituting “Permanent Secretary for Education” / “教育局常任秘書長”.</p>
Paragraph (6)(d)	89 Pensions Ordinance	<p>This ordinance is to consolidate and amend the law regulating the granting of pensions, gratuities and other allowances in respect of public service</p> <p>Section 18, which sets out inter alia what “university, college, school or other educational establishment” means, has made reference to “Permanent Secretary for Education and Manpower”.</p>	<p><u>English and Chinese texts</u></p> <p>Section 18(1B)(b) is amended by repealing “Permanent Secretary for Education and Manpower” / “教育統籌局常任秘書長” and substituting “Permanent Secretary for Education” / “教育局常任秘書長”.</p>
Paragraph (6)(e)	99 Pension Benefits Ordinance	<p>This ordinance is to make provision for the granting of pension benefits in respect of the public service.</p> <p>Section 19, which sets out inter alia the definition of “full-time education”, has made reference to “Permanent Secretary for Education and Manpower”.</p>	<p><u>English and Chinese texts</u></p> <p>Section 19(6)(a) is amended by repealing “Permanent Secretary for Education and Manpower” / “教育統籌局常任秘書長” and substituting “Permanent Secretary for Education” / “教育局常任秘書長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (6)(f)	112 Inland Revenue Ordinance	<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 PSEM to PSED is:</p> <ul style="list-style-type: none"> ▪ to delegate to another public officer the powers provided for in sections 16B and 16C of the Inland Revenue Ordinance (Cap 112). 	<p><u>English and Chinese texts</u></p> <p>The relevant item in the Schedule to Cap 1C is amended by repealing “Permanent Secretary for Education and Manpower” / “教育統籌局常任秘書長” and substituting “Permanent Secretary for Education” / “教育局常任秘書長”.</p>
Paragraph (6)(g)	172A Places of Public Entertainment Regulations	<p>Section 178, which provides that the fee for using a place of public entertainment may be waived or reduced for educational institution or organization recommended by the Permanent Secretary for Education and Manpower, has made reference to “Permanent Secretary for Education and Manpower”.</p>	<p><u>English and Chinese texts</u></p> <p>Section 178(1)(b) is amended by repealing “Permanent Secretary for Education and Manpower” / “教育統籌局常任秘書長” and substituting “Permanent Secretary for Education” / “教育局常任秘書長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (6)(h)	254 Auxiliary Forces Pay and Allowances Ordinance	<p>This ordinance is to make provision for the granting of pay, pensions, gratuities, allowances and other benefits in respect of the auxiliary forces.</p> <p>Section 16 provides that a regulation made under its sub-section (2)(c) may empower the Permanent Secretary for Education and Manpower to recognize full-time education at any university, college, school or other educational establishments.</p>	<p><u>English and Chinese texts</u></p> <p>Section 16(2)(c) is amended by repealing “Permanent Secretary for Education and Manpower” / “教育統籌局常任秘書長” and substituting “Permanent Secretary for Education” / “教育局常任秘書長”.</p>
Paragraph (6)(i)	254I Auxiliary Forces Pay and Allowances (Pensions) Regulation	<p>Section 6, which sets out inter alia the definition of “full-time education”, has made reference to “Permanent Secretary for Education and Manpower”.</p>	<p><u>English and Chinese texts</u></p> <p>Section 6(6)(a) is amended by repealing “Permanent Secretary for Education and Manpower” / “教育統籌局常任秘書長” and substituting “Permanent Secretary for Education” / “教育局常任秘書長”.</p>
Paragraph (6)(j)	261 Hong Kong Examinations and Assessment Authority Ordinance	<p>Schedule 2 to the ordinance sets out the membership of the Authority, and provides that the Permanent Secretary for Education and Manpower, or his representative, shall be a member of the Authority.</p>	<p><u>English and Chinese texts</u></p> <p>Paragraph (a) (vii) of Schedule 2 is amended by repealing “Permanent Secretary for Education and Manpower” / “教育統籌局常任秘書長” and substituting “Permanent Secretary for Education” / “教育局常任秘書長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (6)(k)	279 Education Ordinance	<p>This ordinance is to promote education in Hong Kong, and to consolidate and amend the law relating to the supervision and control of schools and the teaching therein.</p> <p>Major functions to be transferred from PSEM to PSED are :</p> <ul style="list-style-type: none"> ■ to issue permit to teach; ■ to order attendance at primary school or secondary school; ■ to register schools, teachers, school manager; ■ to approve constitution of an incorporated management committee, school supervisor, principal and list of managers; ■ to decide application for exemption from any requirement of this Ordinance on the composition of an IMC; ■ to close school or give directions in cases of danger or misconduct; and ■ to set restrictions on entry into school premises. 	<p><u>English and Chinese texts</u></p> <p>Section 3(1) is amended by repealing “Permanent Secretary for Education and Manpower” / “教育統籌局常任秘書長” and substituting “Permanent Secretary for Education” / “教育局常任秘書長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (6)(1)(i)	320 Post Secondary Colleges Ordinance	<p>This ordinance is to provide for the registration and control of certain Post Secondary Colleges and their consequent exemption from the provisions of the Education Ordinance (Cap 279).</p> <p>Major functions to be transferred from PSEM to PSED are :</p> <ul style="list-style-type: none"> ■ to keep a register of Colleges, a register of members of Boards of Governors, a register of members of College Councils, and a register of teachers in Colleges; ■ to register a post-secondary college and approve the name under which it is registered; ■ to approve colleges to establish institutes or departments of research or special studies; ■ to visit the colleges for the purpose of ensuring compliance with any conditions attaching to financial assistance from Government; and ■ to exempt any College, officer, teacher or student thereof from any of the provisions of any regulations made under section 12 of the Ordinance. 	<p><u>English and Chinese texts</u></p> <p>Section 2 is amended by repealing “Permanent Secretary for Education and Manpower” / “教育統籌局常任秘書長” and substituting “Permanent Secretary for Education” / “教育局常任秘書長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (6)(l)(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 PSEM to PSED is:</p> <ul style="list-style-type: none"> ▪ to delegate to another public officer the powers provided for in sections 3, 8, 9, 10, 11 and 12(2) of the Post Secondary College Ordinance (Cap 320). 	<p><u>English and Chinese texts</u></p> <p>The relevant items in the Schedule are amended by repealing “Permanent Secretary for Education and Manpower” / “教育統籌局常任秘書長” and substituting “Permanent Secretary for Education” / “教育局常任秘書長”.</p>
Paragraph (6)(m)(i)	320A Post Secondary Colleges Regulations	Forms 1, 2, 3 in the Schedule have made reference to the “Permanent Secretary for Education and Manpower”	<p><u>English and Chinese texts</u></p> <p>The three forms are amended by repealing “Permanent Secretary for Education and Manpower” / “教育統籌局常任秘書長” and substituting “Permanent Secretary for Education” / “教育局常任秘書長”.</p>
Paragraph (6)(n)	399 Queen Elizabeth Foundation for the Mentally Handicapped Ordinance	<p>This ordinance is to establish the Queen Elizabeth Foundation for the Mentally Handicapped and to provide for its administration.</p> <p>Section 5(ba) provides for the membership of the Council of the Queen Elizabeth Foundation for the Mentally Handicapped, which shall consist of, among others, the Permanent Secretary for Education and Manpower or his representative.</p>	<p><u>English and Chinese texts</u></p> <p>Section 5(ba) is amended by repealing “Permanent Secretary for Education and Manpower” / “教育統籌局常任秘書長” and substituting “Permanent Secretary for Education” / “教育局常任秘書長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (6)(o)	401 Pension Benefits (Judicial Officers) Ordinance	<p>This ordinance is to provide for the granting of pension benefits to judicial officers.</p> <p>Section 20, which sets out inter alia the definition of “full-time education”, has made reference to “Permanent Secretary for Education and Manpower”.</p>	<p><u>English and Chinese texts</u></p> <p>Section 20(6)(a) is amended by repealing “Permanent Secretary for Education and Manpower” / “教育統籌局常任秘書長” and substituting “Permanent Secretary for Education” / “教育局常任秘書長”.</p>
Paragraph (6)(p)	406 Electricity Ordinance	<p>This ordinance is to provide for the registration of electrical workers, contractors and generating facilities, etc.</p> <p>Section 32 refers to “training course or tests of a university, polytechnic or tertiary educational institute, the Vocational Training Council or an institute, training centre, school or programme run or approved by the Director or by the Permanent Secretary for Education and Manpower for instruction or testing involving electrical work”.</p>	<p><u>English and Chinese texts</u></p> <p>Section 32(2) is amended by repealing “Permanent Secretary for Education and Manpower” / “教育統籌局常任秘書長” and substituting “Permanent Secretary for Education” / “教育局常任秘書長”.</p>
Paragraph (6)(q)	450 Environment and Conservation Fund Ordinance	<p>This ordinance is to establish a trust fund called the Environment and Conservation Fund and to provide for its administration.</p> <p>Section 7 provides for the membership of the Environment and Conservation Fund Committee, which shall consist of, among others, the Permanent Secretary for Education and Manpower or his representative.</p>	<p><u>English and Chinese texts</u></p> <p>Section 7(2)(c) is amended by repealing “Permanent Secretary for Education and Manpower” / “教育統籌局常任秘書長” and substituting “Permanent Secretary for Education” / “教育局常任秘書長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (6)(r)	472 Hong Kong Arts Development Council Ordinance	<p>This ordinance is to provide for the establishment and the functions of the Hong Kong Arts Development Council.</p> <p>Section 3 provides for the membership of the Hong Kong Arts Development Council, which shall consist of, among others, the Permanent Secretary for Education and Manpower or his representative.</p>	<p><u>English and Chinese texts</u></p> <p>Section 3(3)(e) is amended by repealing “Permanent Secretary for Education and Manpower” / “教育統籌局常任秘書長” and substituting “Permanent Secretary for Education” / “教育局常任秘書長”.</p>
Paragraph (6)(s)	480 Sex Discrimination Ordinance	<p>This ordinance is to render unlawful certain kinds of sex discrimination, discrimination on the ground of marital status or pregnancy, and sexual harassment; and to provide for the establishment of the Equal Opportunity Commission.</p> <p>Schedule 1 to the ordinance specifies the scope of educational establishments and their responsible bodies. For Item 15 (ie “any school, within the meaning of section 3 of the Education Ordinance (Cap 279), entirely maintained and controlled by the Government”), the Schedule refers to “Permanent Secretary for Education and Manpower” as the responsible body.</p>	<p><u>English and Chinese texts</u></p> <p>Item 15 of Schedule 1 is amended by repealing “Permanent Secretary for Education and Manpower” / “教育統籌局常任秘書長” and substituting “Permanent Secretary for Education” / “教育局常任秘書長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (6)(t)	493 Non-local Higher and Professional Education (Regulation) Ordinance	<p>This ordinance is to provide for the regulation of courses conducted in Hong Kong which lead to the award of non-local higher academic and professional qualifications</p> <p>The function to be transferred from SEM to SED is :</p> <ul style="list-style-type: none"> ▪ to serve, by himself or a public officer appointed by him, as the Registrar of Non-local Higher and Professional Education Courses. 	<p><u>English and Chinese texts</u></p> <p>Section 5(1) is amended by repealing “Permanent Secretary for Education and Manpower” / “教育統籌局常任秘書長” and substituting “Permanent Secretary for Education” / “教育局常任秘書長”.</p>
Paragraph (6)(u)	527 Family Status Discrimination Ordinance	<p>This ordinance is to render unlawful discrimination against persons on the ground of family status and to extend the jurisdiction of the Equal Opportunities Commission to include such discrimination.</p> <p>Schedule 1 to the ordinance specifies the scope of educational establishments and their responsible bodies. For Item 15 (ie “any school, within the meaning of section 3 of the Education Ordinance (Cap 279), entirely maintained and controlled by the Government”), the Schedule refers to “Permanent Secretary for Education and Manpower” as the responsible body.</p>	<p><u>English and Chinese texts</u></p> <p>Item 15 of Schedule 1 is amended by repealing “Permanent Secretary for Education and Manpower” / “教育統籌局常任秘書長” and substituting “Permanent Secretary for Education” / “教育局常任秘書長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (6)(v)	1076 Grantham Scholarships Fund Ordinance	<p>This ordinance is to make provision for the establishment of a trust fund to be known as the "Grantham Scholarships Fund", and for its administration.</p> <p>Section 4 provides for the membership of a committee to manage the fund, which shall consist of, among others, the Permanent Secretary for Education and Manpower.</p>	<p><u>English and Chinese texts</u></p> <p>Section 4(1)(b) is amended by repealing “Permanent Secretary for Education and Manpower” / “教育統籌局常任秘書長” and substituting “Permanent Secretary for Education” / “教育局常任秘書長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (6)(w)	1085 Education Scholarships Fund Ordinance	<p>This ordinance is to make provision for the establishment of a trust fund to be known as the Education Scholarships Fund and for its administration.</p> <p>Major functions to be transferred from PSEM to PSED are :</p> <ul style="list-style-type: none"> ■ to give notice of any variation of the value of a scholarship or of an award thereof or of the creation of an additional award of a scholarship; ■ to give notice of any future donations accepted under section 14 of the Ordinance; ■ to make withdrawal from the fund by signing cheques himself and either the secretary or the treasurer; and ■ to publish order changing the conditions of award of a scholarship. <p>Moreover, section 5 provides for the membership of the Education Scholarships Fund Committee, which shall consist of, among others, the Permanent Secretary for Education and Manpower or his representative.</p>	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Permanent Secretary for Education and Manpower” / “教育統籌局常任秘書長” and substituting “Permanent Secretary for Education” / “教育局常任秘書長” :</p> <ul style="list-style-type: none"> ■ section 2; and ■ section 3(3).

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (6)(x)	1094 Munsang College Incorporation Ordinance	<p>This ordinance is to provide for the incorporation of the council of the Munsang College, Hong Kong.</p> <p>Major function to be transferred from PSEM to PSED is:</p> <ul style="list-style-type: none"> ■ to approve appointments to the council in the case of supervisors. 	<p><u>English and Chinese texts</u></p> <p>Section 4(2) is amended by repealing “Permanent Secretary for Education and Manpower” / “教育統籌局常任秘書長” and substituting “Permanent Secretary for Education” / “教育局常任秘書長”.</p>
Paragraph (6)(y)	1098 Permanent Secretary for Education and Manpower Incorporation Ordinance	<p>This ordinance is to provide for the incorporation of the Permanent Secretary for Education and Manpower.</p> <p>Major function to be transferred from PSEM to PSED is:</p> <ul style="list-style-type: none"> ■ to sign statement of accounts. 	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Permanent Secretary for Education and Manpower” / “教育統籌局常任秘書長” and substituting “Permanent Secretary for Education” / “教育局常任秘書長”:</p> <ul style="list-style-type: none"> ■ long title; ■ heading of section 2; ■ section 2 (where it first appears); and ■ section 8(4).

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (6)(aa)	1101 Sir Robert Black Trust Fund Ordinance	<p>This ordinance is to make provision for the establishment of the "Sir Robert Black Trust Fund" and for its administration</p> <p>Section 5 provides for the membership of the Sir Robert Black Trust Fund Committee, which shall consist of the Permanent Secretary for Education and Manpower.</p>	<p><u>English and Chinese texts</u></p> <p>Section 5(2)(b) is amended by repealing “Permanent Secretary for Education and Manpower” / “教育統籌局常任秘書長” and substituting “Permanent Secretary for Education” / “教育局常任秘書長”.</p>
Paragraph (6)(ab)	1110 Li Po Chun Charitable Trust Fund Ordinance	<p>This ordinance is to provide for the establishment and administration of the Li Po Chun Charitable Trust Fund.</p> <p>Major functions to be transferred from PSEM to PSED are :</p> <ul style="list-style-type: none"> ■ to appoint a selection board for awarding scholarship to a graduate of a university established in Hong Kong; ■ to continue the scholarship if satisfied with the progress and conduct of the scholar; and ■ to select secondary school students for receipt of Li Po Chun Scholarships. 	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Permanent Secretary for Education and Manpower” / “教育統籌局常任秘書長” and substituting “Permanent Secretary for Education” / “教育局常任秘書長” :</p> <ul style="list-style-type: none"> ■ paragraph 2(2) of the Schedule; ■ paragraph 2(3) of the Schedule; and ■ paragraph 3(7) of the Schedule.

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (6)(ac)	1117 English Schools Foundation Ordinance	<p>This ordinance is to establish The English Schools Foundation, to provide for its incorporation, constitution, functions</p> <p>Major functions to be transferred from PSEM to PSED are :</p> <ul style="list-style-type: none"> ■ to approve the registration of the Foundation as the sole manager and supervisor of each of the schools of the Foundation; and ■ to approve the appointment of principal of each school and the period of such employment as determined by the Executive Committee acting on behalf of the Foundation upon the recommendation of the appropriate School Council 	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Permanent Secretary for Education and Manpower” / “教育統籌局常任秘書長” and substituting “Permanent Secretary for Education” / “教育局常任秘書長” :</p> <ul style="list-style-type: none"> ■ section 6(1); and ■ section 9(8).
Paragraph (6)(ad)	1119 Police Children’s Education Trust Ordinance	<p>This ordinance is to establish the Police Children's Education Trust.</p> <p>Section 6 provides for the membership of the Police Children's Education Trust Committee, which shall consist of the Permanent Secretary for Education and Manpower or his representative.</p>	<p><u>English and Chinese texts</u></p> <p>Section 6(2)(c) is amended by repealing “Permanent Secretary for Education and Manpower” / “教育統籌局常任秘書長” and substituting “Permanent Secretary for Education” / “教育局常任秘書長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (6)(ae)	1120 Police Education and Welfare Trust Ordinance	<p>This ordinance is to establish the Police Education and Welfare Trust.</p> <p>Section 6 provides for the membership of the Police Education and Welfare Trust Committee, which shall consist of the Permanent Secretary for Education and Manpower or his representative.</p>	<p><u>English and Chinese texts</u></p> <p>Section 6(2)(c) is amended by repealing “Permanent Secretary for Education and Manpower” / “教育統籌局常任秘書長” and substituting “Permanent Secretary for Education” / “教育局常任秘書長”.</p>
Paragraph (6)(af)	1131 Correctional Services Children’s Education Trust Ordinance	<p>This ordinance is to establish the Correctional Services Children’s Education Trust.</p> <p>Section 6 provides for the membership of the Correctional Services Children’s Education Trust Committee, which shall consist of the Permanent Secretary for Education and Manpower or his representative.</p>	<p><u>English and Chinese texts</u></p> <p>Section 6(2)(c) is amended by repealing “Permanent Secretary for Education and Manpower” / “教育統籌局常任秘書長” and substituting “Permanent Secretary for Education” / “教育局常任秘書長”.</p>
Paragraph (6)(ag)	Accreditation of Academic and Vocational Qualifications Ordinance (6 of 2007)	<p>This ordinance is to provide for matters relating to accreditation of academic and vocational qualifications; and to make consequential and related amendments to certain enactments.</p> <p>Section 28 of the Ordinance, which will amend the Hong Kong Council for Academic Accreditation Ordinance (Cap. 1150) makes reference to “Permanent Secretary for Education and Manpower”.</p>	<p><u>English and Chinese texts</u></p> <p>Section 28(3) is amended by repealing “Permanent Secretary for Education and Manpower” / “教育統籌局常任秘書長” and substituting “Permanent Secretary for Education” / “教育局常任秘書長”.</p>

(III) Amendments involving the title of the bureau

The Resolution	Cap	Textual amendments provided for in the Resolution
Paragraph (5)(a)	134 Dangerous Drugs Ordinance	<u>English and Chinese texts</u> Item 14 of the Fourth Schedule is amended by repealing “Education and Manpower Bureau” / “教育統籌局” and substituting “Education Bureau” / “教育局”.
Paragraph (5)(c)	243 Child Care Services Ordinance	<u>English and Chinese texts</u> The following sections are amended by repealing “Education and Manpower Bureau” / “教育統籌局” and substituting “Education Bureau” / “教育局” : <ul style="list-style-type: none">■ section 4(2); and■ section 12(a).
Paragraph (5)(d)(ii)	279 Education Ordinance	<u>English and Chinese texts</u> The following sections are amended by repealing “Education and Manpower Bureau” / “教育統籌局” and substituting “Education Bureau” / “教育局” : <ul style="list-style-type: none">■ section 5(2); and■ section 79(a).
Paragraph (5)(j)	1098 Permanent Secretary for Education and Manpower Incorporation Ordinance	<u>English and Chinese texts</u> Section 4 is amended by repealing “Education and Manpower Bureau” / “教育統籌局” and substituting “Education Bureau” / “教育局”.

The Resolution	Cap	Textual amendments provided for in the Resolution
Paragraph (5)(k)	1102 St. Paul's College Council Incorporation Ordinance	<u>English and Chinese texts</u> Section 4(1)(h) is amended by repealing "Education and Manpower Bureau" / "教育統籌局" and substituting "Education Bureau" / "教育局".
Paragraph (6)(m)(ii)	320A Post Secondary College Regulations	<u>English text</u> The three forms are amended by repealing "Education and Manpower Bureau" and substituting "Education Bureau".

(IV) Amendments involving the title of the PSEM Incorporated

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph 7(a)	49 Transfer of Businesses (Protection of Creditors) Ordinance	This ordinance is to protect creditors on the transfer of businesses, to provide for the liability of transferees of business, the manner in which such liability may be avoided. Section 10 provides that the ordinance shall not apply to any transferee where the transfer is effected by, among others, "Permanent Secretary for Education and Manpower Incorporated".	<u>English and Chinese texts</u> Section 10(d) is amended by repealing "Permanent Secretary for Education and Manpower Incorporated" / "教育統籌局常任秘書長法團" and substituting "Permanent Secretary for Education Incorporated" / "教育局常任秘書長法團".

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph 7(b)	117 Stamp Duty Ordinance	<p>This ordinance is to consolidate and amend the law relating to stamp duty.</p> <p>Section 38, which includes a definition of “incorporated public officer”, has made reference to the “Permanent Secretary for Education and Manpower Incorporated”.</p>	<p><u>English and Chinese texts</u></p> <p>Section 38 is amended by repealing “Permanent Secretary for Education and Manpower Incorporated” / “教育統籌局常任秘書長法團” and substituting “Permanent Secretary for Education Incorporated” / “教育局常任秘書長法團”.</p>
Paragraph 7(c)	279 Education Ordinance	<p>This ordinance is to promote education in Hong Kong, and to consolidate and amend the law relating to the supervision and control of schools and the teaching therein.</p> <p>Section 40BE has made reference to the “Permanent Secretary for Education and Manpower Incorporation”.</p>	<p><u>English and Chinese texts</u></p> <p>Section 40BE is amended by repealing “Permanent Secretary for Education and Manpower Incorporation” / “教育統籌局常任秘書長法團” and substituting “Permanent Secretary for Education Incorporation” / “教育局常任秘書長法團”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph 7(d)	1098 Permanent Secretary for Education and Manpower Incorporation Ordinance	<p>This ordinance is to provide for the incorporation of the Permanent Secretary for Education and Manpower.</p> <p>Sections 1 and 2 have cited the title of the ordinance and the title of the corporation sole. Hence they have made reference to the “Permanent Secretary for Education and Manpower”.</p>	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Permanent Secretary for Education and Manpower” / “教育統籌局常任秘書長” and substituting “Permanent Secretary for Education” / “教育局常任秘書長” :</p> <ul style="list-style-type: none"> ■ section 1; and ■ section 2 (where it secondly appears).

Statutory functions to be transferred to the Secretary for the Environment

(I) Statutory functions transferred from the Secretary for Economic Development and Labour (SEDL) to the Secretary for the Environment

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
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">■ to amend Schedules to regulations; and■ to exercise power and functions relating to appeals against the decision of the Gas Authority.	<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"> ■ to appoint members of disciplinary tribunal panel and appeal board panel; ■ to exercise power and functions on matters relating to the proceedings of disciplinary tribunal panel and appeal board panel; and ■ to amend Schedules to regulations made under the ordinance. 	<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"> ■ section 36(1)(a); ■ section 38(1); ■ section 39(1); ■ section 39(3); ■ section 43(3); ■ section 44(1); ■ section 45(1); ■ section 45(2). ■ section 45(5) ■ section 59(6) <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"> ▪ section 38(1)(c); ▪ section 38(1)(d); ▪ section 38(1)(e); ▪ section 44(1)(d); ▪ section 44(1)(e); ▪ section 44(1)(f); and ▪ section 44(1)(g).
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"> ▪ to appoint persons from organizations representative of the construction industry to the appeal board panel. 	<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>

(II) Statutory functions transferred from the Secretary for the Environment, Transport and Works (SETW) to the Secretary for the Environment

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(c)	96 Forests and Countryside Ordinance	<p>This ordinance consolidates and amends the law relating to forests and plants, and provides for the protection of the countryside.</p> <p>Major function to be transferred from SETW to Secretary for the Environment is the power to make regulations.</p>	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in Section 2 is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for the Environment” / “環境局局長”.</p>
Paragraph (8)(f)	170 Wild Animals Protection Ordinance	<p>This ordinance provides for the conservation of wild animals.</p> <p>Major function to be transferred from SETW to Secretary for the Environment is the power to amend Schedules.</p>	<p><u>English and Chinese texts</u></p> <p>The ordinance is amended in the following provisions by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” wherever it appears and substituting “Secretary for the Environment” / “環境局局長” –</p> <ul style="list-style-type: none"> ▪ section 22(1); and ▪ section 22(2).

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(n)	311 Air Pollution Control Ordinance	<p>This ordinance provides for abating, prohibiting and controlling pollution of the atmosphere and for matters connected therewith.</p> <p>Major functions to be transferred from SETW to Secretary for the Environment are –</p> <ul style="list-style-type: none"> ■ power to publish approved methods or standards for the purpose of this Ordinance; ■ power to establish quality objectives for the purpose of this Ordinance; ■ power to give direction in which the Authority should exercise his powers; ■ power to issue technical memoranda relating to air pollution; ■ powers relating to applications for renewal and transfer of licences; ■ power to specify information to be furnished to the Authority for the purpose of this Ordinance; ■ powers relating to removal of exemption to certain classes of existing premises; ■ powers relating to cessation of exemption in certain circumstances and application of licence; ■ power to issue codes of practice; 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in section 2 is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for the Environment” / “環境局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
		<ul style="list-style-type: none"> ■ power to determine the form of a register of information to be kept by the Authority; ■ powers relating to the protection of private information from publicity; ■ power to make regulations; ■ powers relating to the investigation of asbestos; and ■ power to specify class of work (the use of asbestos is involved) for which a registered asbestos contractor are not required. 	
Paragraph (8)(o)	311D Air Pollution Control (Appeal Board) Regulations	<p>The subsidiary legislation provides for the processing of an appeal under the Air Pollution Control Ordinance (Cap. 311).</p> <p>Major functions to be transferred from SETW to Secretary for the Environment are powers and functions relating to appeals lodged with the Appeal Board.</p>	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in regulation 2 is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for the Environment” / “環境局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(p)	311F Air Pollution Control (Specified Processes) Regulations	<p>The regulations provides for the regulations for specified processes under the Air Pollution Control Ordinance (Cap. 311).</p> <p>Major functions to be transferred from SETW to Secretary for the Environment are –</p> <ul style="list-style-type: none"> ■ function to receive a copy of Form 5 (Notice of Objection); and ■ power to direct that certain sections of the Air Pollution Control Ordinance shall apply to an application for a renewal or transfer of a license, and an application for a license upon the cessation of exemption. 	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” wherever it appears and substituting “Secretary for the Environment” / “環境局局長” –</p> <ul style="list-style-type: none"> ■ Form 5 in the Second Schedule; ■ the heading of the Fourth Schedule; ■ item 8 of the Fourth Schedule; and ■ the heading of the Fifth Schedule.

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(r)	354 Waste Disposal Ordinance	<p>This ordinance provides for the control and regulation of the production, storage, collection and disposal including the treatment, reprocessing and recycling of waste of any class or description, the licensing and registration of places and persons connected with any such activity, and the protection and safety of the public in relation to any such activity.</p> <p>Major functions to be transferred from SETW to Secretary for the Environment are –</p> <ul style="list-style-type: none"> ▪ power and functions relating to the preparation of waste disposal plan; ▪ powers relating to arrangements for waste disposal; ▪ power to issue codes of practice; and ▪ power to amend Schedules. 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in section 2(1) is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for the Environment” / “環境局局長”.</p>
Paragraph (8)(s)	354L Waste Disposal (Designated Waste Disposal Facility) Regulation	<p>This regulation provides for the designated waste disposal facility.</p> <p>Major function to be transferred from SETW to Secretary for the Environment is the power to amend the Schedules.</p>	<p><u>English and Chinese texts</u></p> <p>Section 8 is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary” / “局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(t)	354N Waste Disposal (Charges for Disposal of Construction Waste) Regulation	<p>This regulation provides for the charges for disposal of construction waste.</p> <p>Major function to be transferred from SETW to Secretary for the Environment is the power to commence operation of the Regulation and to amend the Schedules.</p>	<p><u>English and Chinese texts</u></p> <p>Section 1 is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for the Environment” / “環境局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(u)	358 Water Pollution Control Ordinance	<p>This ordinance controls the pollution of the waters of Hong Kong.</p> <p>Major functions to be transferred from SETW to Secretary for the Environment are –</p> <ul style="list-style-type: none"> ▪ duty to comply with any directions given by the Chief Executive in the exercise or performance of his powers, functions and duties under this Ordinance; ▪ power to establish water quality objectives for each water control zone; ▪ power to give directions to Director of Environmental Protection as to the manner of the latter’s exercising certain powers; ▪ power to issue technical memorandums; ▪ power to determine the form to be kept by the registrar concerning a discharge or a deposit; ▪ power to determine the place at which the forms should be opened for inspection; ▪ power to determine whether to protect any information from public access; ▪ power to impose fees and charges; and ▪ power to refer a case to the Chief Executive in Council for review of the Appeal Board’s decision. 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in section 2(1) is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for the Environment” / “環境局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(v)	358C Water Pollution Control (Appeal Board) Regulations	<p>The regulations provide for the proceedings of the Appeal Board constituted under the Water Pollution Control Ordinance (Cap.358).</p> <p>Form 1 of the Schedule is the form used for lodging appeals against a requirement or decision of the Director of Environmental Protection or SETW under the Water Pollution Control Ordinance.</p> <p>Major function to be transferred from SETW to Secretary for the Environment is the function to serve as a respondent in an appeal.</p>	<p><u>English and Chinese texts</u></p> <p>The Schedule, in Form 1, is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for the Environment” / “環境局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(ad)	400 Noise Control Ordinance	<p>The ordinance provides for the prevention, minimizing and abatement of noise; the appointment of a Noise Control Authority; the powers and duties of the Noise Control Authority relating to the control of noise; the creation of offences and for connected purposes.</p> <p>Major functions to be transferred from SETW to Secretary for the Environment are –</p> <ul style="list-style-type: none"> ▪ powers to establish an area as a designated area ; ▪ power to issue Technical Memoranda; ▪ power to set the maximum duration of an audible signal emitted by an intruder alarm system installed in any premises after the signal is activated; ▪ power to set the maximum duration of an audible signal emitted by an intruder alert system installed in a vehicle after the signal is activate; and ▪ power to make regulations. 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in section 2 is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for the Environment” / “環境局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(ae)	400B Noise Control (Appeal Board) Regulations	<p>The regulations provide for matters relating to appeals under the Noise Control Ordinance (Cap.400).</p> <p>Major function to be transferred from SETW to Secretary for the Environment is the function to receive notice of appeals on behalf the Chairman of the Appeal Board.</p>	<p><u>English and Chinese texts</u></p> <p>The Schedule, in Forms 1, 2 and 2A, is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for the Environment” / “環境局局長”.</p>
Paragraph (8)(af)	403 Ozone Layer Protection Ordinance	<p>The ordinance gives effect to Hong Kong's international obligations under the 1985 Vienna Convention for the Protection of the Ozone Layer and the 1987 Montreal Protocol on Substances that Deplete the Ozone Layer; provides for the prohibition of the manufacture of, and controls the importation and exportation of, and conserves the resources of, substances that deplete the ozone layer and of products containing or made with those substances.</p> <p>Major functions to be transferred from SETW to Secretary for the Environment are –</p> <ul style="list-style-type: none"> ▪ powers to receive, consider and approve or reject claims for return of things forfeited under section 14(4A) of the ordinance; ▪ power to amend Schedule to the ordinance; and ▪ power to make regulations after consultation with the Advisory Council on Environment. 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in section 2 is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for the Environment” / “環境局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(am)	450 Environment and Conservation Fund Ordinance	<p>The ordinance establishes a trust fund called the Environment and Conservation Fund and provides for its administration.</p> <p>Major functions to be transferred from SETW to Secretary for the Environment are –</p> <ul style="list-style-type: none"> ■ functions to serve as the trustee for the fund and powers relating to the fund thus arising; and ■ functions to serve as an ex-officio member of the Environment and Conservation Fund Committee. 	<p><u>English and Chinese texts</u></p> <ul style="list-style-type: none"> ■ The definition of “Secretary” / “局長” is amended in section 2 by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for the Environment” / “環境局局長”. ■ In section 10 – <ul style="list-style-type: none"> (A) in paragraph (a), by repealing “and”/“及” at the end; (B) by adding – <ul style="list-style-type: none"> “(c) on and after 1 July 2007 as if done by the Secretary for the Environment.”. / “在2007年7月1日當日及以後依然有效，猶如它們是由環境局局長作出的一樣。”

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
			<p><u>English text</u></p> <ul style="list-style-type: none"> ■ In paragraph (b), by repealing everything after “1 July 2002” and substituting “but before 1 July 2007 as if done by the Secretary for the Environment, Transport and Works; and”. <p><u>Chinese text</u></p> <ul style="list-style-type: none"> ■ Repealing paragraph (b) and substituting – <p>“(b) 在2002年7月1日當日及以後而在2007年7月1日之前依然有效，猶如它們是由環境運輸及工務局局長作出的一樣；及”</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(an)	463 Sewage Services Ordinance	<p>The regulation provides for the imposition of sewage charges and trade effluent surcharges.</p> <p>Major function to be transferred from SETW to Secretary for the Environment is the power to issue a technical memorandum setting out the procedures and methods for matters applicable to analysis of trade effluents.</p>	<p><u>English and Chinese texts</u></p> <p>Section 13(1) is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for the Environment” / “環境局局長”.</p>
Paragraph (8)(ao)	463B Sewage Services (Trade Effluent Surcharge) Regulation	<p>The regulation sets out provisions related to trade effluent surcharges.</p> <p>Major function to be transferred from SETW to Secretary for the Environment is the power to issue a technical memorandum setting out the procedures and methods for the testing of the samples and for the approval of laboratories, etc.</p>	<p><u>English and Chinese texts</u></p> <p>Section 4(1) is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for the Environment” / “環境局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(ap)	466 Dumping at Sea Ordinance	<p>The ordinance controls the disposal of substances and articles at sea and the dumping of substances and articles in the sea and under the sea-bed.</p> <p>Major functions to be transferred from SETW to Secretary for the Environment are –</p> <ul style="list-style-type: none"> ■ power to specify that certain operations do not need a permit; ■ power to specify the offices at which public may inspect technical memorandum; and ■ duty to publish technical memorandum in the Gazette and table it at the LegCo. 	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” wherever it appears and substituting “Secretary for the Environment” / “環境局局長” –</p> <ul style="list-style-type: none"> ■ section 1(2); and ■ section 4(2).
Paragraph (8)(as)	476 Marine Parks Ordinance	<p>The ordinance provides for the designation, control and management of marine parks and marine reserves.</p> <p>Major function to be transferred from SETW to Secretary for the Environment is the powers to make regulations.</p>	<p><u>English and Chinese texts</u></p> <p>Section 20(1) is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for the Environment” / “環境局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(at)	476A Marine Parks and Marine Reserves Regulation	<p>The regulation prohibits and controls certain activities in a marine park or marine reserve.</p> <p>Major function to be transferred from SETW to Secretary for the Environment is the power to amend Schedule 1 – list of special zones.</p>	<p><u>English and Chinese texts</u></p> <p>Section 18(1) is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for the Environment” / “環境局局長”.</p>
Paragraph (8)(aw)	499 Environmental Impact Assessment Ordinance	<p>The ordinance provides for assessing the impact on the environment of certain projects and proposals and for protecting the environment.</p> <p>Major functions to be transferred from SETW to Secretary for the Environment are –</p> <ul style="list-style-type: none"> ▪ power to amend schedules of designated projects; ▪ power to specify contiguous projects as a Designated Project; ▪ power to give consent to Director of Environmental Protection’s (DEP) decision to permit an applicant to apply directly for an environmental permit; ▪ power to give consent to DEP’s decision to suspend, vary or cancel an environmental permit; 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in Schedule 1 is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for the Environment” / “環境局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
		<ul style="list-style-type: none"> ■ power to issue technical memoranda; ■ power to give advice to DEP for protecting the environment; ■ power to consent to DEP's decision to issue cessation order and to require works or take direct action to remedy environmental damage; and ■ power to make regulations. 	
Paragraph (8)(bc)	586 Protection of Endangered Species of Animals and Plants Ordinance	<p>The Ordinance gives effect in Hong Kong to the Convention on International Trade in Endangered Species of Wild Fauna and Flora signed in Washington D.C. on 3 March 1973; to regulate the import, introduction from the sea, export, re-export, and possession or control of certain endangered species of animals and plants and parts and derivatives of those species; and to provide for incidental and connected matters.</p> <p>Major functions to be transferred from SETW to Secretary for the Environment are –</p> <ul style="list-style-type: none"> ■ the power to exempt from application of the ordinance; ■ the power to amend Schedules; and ■ the power to make regulations. 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in section 2(1) is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for the Environment” / “環境局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(be)	Waste Disposal (Designated Waste Disposal Facility) (Amendment) Regulation 2004 (L.N. 165 of 2004)	<p>The Regulation is to provide for the designated waste disposal facility.</p> <p>Major functions to be transferred from SETW to Secretary for the Environment is the power to appoint the commencement date for the regulation to come into operation and to amend Schedule.</p>	<p><u>English and Chinese texts</u></p> <p>Section 1 is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for the Environment” / “環境局局長”.</p>
Paragraph (8)(bf)	Waste Disposal (Amendment) Ordinance 2006 (6 of 2006)	<p>The ordinance is to amend the Waste Disposal Ordinance.</p> <p>Major function to be transferred from SETW to Secretary for the Environment is the power to appoint the commencement date for the ordinance to come into operation.</p>	<p><u>English and Chinese texts</u></p> <p>Section 1(2) by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for the Environment” / “環境局局長”.</p>

(III) Statutory functions transferred from the Secretary for Housing, Planning and Lands (SHPL) to the Secretary for the Environment

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (11)(m)	438 Sewage Tunnels (Statutory Easements) Ordinance	<p>This ordinance provides for the creation of easements and other rights over land in favour of the Government for the purpose of the construction, maintenance and operation of sewage tunnels and for connected matters.</p> <p>Major functions to be transferred from SHPL to Secretary for the Environment are:</p> <ul style="list-style-type: none"> ▪ power to direct preparation and publication of plans relating to sewage tunnels; ▪ power to order that statutory easements under section 10 of the Ordinance shall apply to land gazetted with no objection received, and to publish in the Gazette notice of such order; ▪ functions as described in section 9 of this Ordinance relating to the deposit of plan and registration of order made under sections 6 and 7; and ▪ powers on matters relating to rectification of plans. 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in section 2 is amended by repealing “Secretary for Housing, Planning and Lands” / “房屋及規劃地政局局長” and substituting “Secretary for the Environment” / “環境局局長”.</p>

Statutory functions to be transferred to the Secretary for Food and Health (SFH)

(I) Statutory functions transferred from the Secretary for Health, Welfare and Food (SHWF) to SFH

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (9)(a)	109 Dutiable Commodities Ordinance	<p>This ordinance amends the law relating to the taxation and control of liquors, tobacco, hydrocarbon oil, methyl alcohol and other substances, for providing for the licensing of certain dealings in liquors and for purposes connected therewith.</p> <p>Major functions to be transferred from SHWF to SFH are :</p> <ul style="list-style-type: none">■ power to appoint staff of the board established for the purpose of issuing liquor licence; and■ power to make regulations prescribing fees for liquor licences.	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Food and Health” / “食物及衛生局局長” :</p> <ul style="list-style-type: none">■ section 6(4A)(a);■ section 6A; and■ the heading of section 6A.

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (9)(b)	109 B Dutiable Commodities (Liquor) Regulations	<p>These regulations provide for the establishment, composition and operation of the Liquor Licensing Board.</p> <p>Major functions to be transferred from SHWF to SFH are :</p> <ul style="list-style-type: none"> ▪ power to prescribe fees for liquor licences; and ▪ power to appoint a secretary and a legal adviser to the Liquor Licensing Board. 	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Food and Health” / “食物及衛生局局長” :</p> <ul style="list-style-type: none"> ▪ the definition of “prescribed fee” in regulation 2(1); ▪ regulation 2A(5); and ▪ regulation 2A(6).

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (9)(c)	113 Hospital Authority Ordinance	<p>This ordinance provides for the establishment of a body corporate (Hospital Authority (HA)) to manage and control public hospitals for provision therein of hospital services and provides for matters incidental thereto.</p> <p>Major functions to be transferred from SHWF to SFH are:</p> <ul style="list-style-type: none"> ▪ power to direct HA to determine hospital service fees; ▪ power to approve grants made by HA to other bodies; ▪ power to approve establishment of body corporate by HA; ▪ power to approve borrowing of money by HA; ▪ power to approve investment of money by HA; ▪ power to receive reports from HA and duty to table the report at the LegCo; ▪ power to obtain information about property, liability and activities of HA; and ▪ power to determine fees and allowance payable to members of HA Board and its committees. 	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Food and Health” / “食物及衛生局局長” :</p> <ul style="list-style-type: none"> ▪ section 4(d); ▪ section 5(1); ▪ section 5(n); ▪ section 8(2); ▪ section 8(3); ▪ section 9(2); ▪ section 10(4); ▪ section 16; ▪ the heading of section 16; ▪ section 17; ▪ the heading of section 17; ▪ section 18(6); ▪ paragraph 6(1) of Schedule 3;

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
			<ul style="list-style-type: none"><li data-bbox="1568 287 1859 359">■ paragraph 18(1) of Schedule 3; and<li data-bbox="1568 375 1904 446">■ paragraph 18(2)(b) of Schedule 3.

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (9)(d)	132 Public Health and Municipal Services Ordinance	<p>This ordinance provides for public health and municipal services.</p> <p>Major functions to be transferred from SHWF to SFH are :</p> <ul style="list-style-type: none"> ■ power to make regulations as to composition of food and drugs, etc.; ■ powers to appoint staff of the Licensing Appeals Board; and ■ to be designated as the Authority for the purposes of 15, 26, 28, 29, 35, 42, 49, 77, 80, 83A, 92B, 94A, 104, 116, 123, 123C, 124E and 124I in the Third Schedule. 	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Food and Health” / “食物及衛生局局長” :</p> <ul style="list-style-type: none"> ■ section 55(6)(b)(i); ■ section 55(6)(b)(ii); ■ section 55(6)(d)(i); ■ section 55(6)(d)(ii); ■ section 125I(1); ■ section 125I(1)(b); ■ section 125I(2); ■ section 128D(6); ■ section 128D(20); and ■ the entries relating to 15, 26, 28, 29, 35, 42, 49, 77, 80, 83A, 92B, 94A, 104, 116, 123, 123C, 124E and 124I in the Third Schedule.

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (9)(e)	132AQ Milk Regulation	<p>The regulation secures the observance of sanitary and cleanly conditions and practices and wholesome methods in connection with-</p> <p>(a) the sale of food for human consumption or drugs for use by man; and</p> <p>(b) the manufacture, preparation, transport, storage, packaging; marking, exposure for sale, service or delivery of food intended for sale or sold for human consumption and drugs intended for sale or sold for use by man, and ice, or otherwise for the protection of the public health in connection with any such matters.</p> <p>Major function to be transferred from SHWF to SFH is :</p> <ul style="list-style-type: none"> ▪ power to amend Schedule 1 to the Regulation. 	<p><u>English and Chinese texts</u></p> <p>Section 4 is amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Food and Health” / “食物及衛生局局長”.</p>
Paragraph (9)(f)	133 Pesticides Ordinance	<p>This ordinance provides for the registration and control of pesticides.</p> <p>Major function to be transferred from SHWF to SFH is :</p> <ul style="list-style-type: none"> ▪ power to make regulations. 	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Food and Health” / “食物及衛生局局長” :</p> <ul style="list-style-type: none"> ▪ section 19(1B); and ▪ section 19(1C).

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (9)(g)(i) and (iii)	136 Mental Health Ordinance	<p>This ordinance provides for the law relating to mental incapacity and the care and supervision of mentally incapacitated persons, etc.</p> <p>Major functions to be transferred from SHWF to SFH are:</p> <ul style="list-style-type: none"> ■ power to authorize medical officers to exercise the functions of medical superintendent; ■ power to make regulations; and ■ power to specify irreversible and controversial treatments and special treatments. 	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Food and Health” / “食物及衛生局局長”:</p> <ul style="list-style-type: none"> ■ section 42B(6)(c); ■ the definition of “special treatment” in section 59ZA; ■ section 59ZC(1); and ■ section 72(1). <p>Section 74 is amended by repealing subsection (b):</p> <p>“(b) on and after 1 July 2002 but before 1 July 2007, as if they had been made by the Secretary for Health, Welfare and Food; and</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
			(c) on and after 1 July 2007, as if they had been made by the Secretary for Food and Health.”
Paragraph (9)(h)	136A Mental Health Regulations	<p>These regulations prescribe the duties of medical superintendents, forms, handling of postal articles, and other matter relating to the administration of the principal ordinance.</p> <p>Major function to be transferred from SHWF to SFH is:</p> <ul style="list-style-type: none"> ■ function relating to recall of a conditionally discharged patient. 	<p><u>English and Chinese texts</u></p> <p>In the Schedule to the Regulation, Form 12 is amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Food and Health” / “食物及衛生局局長”.</p>
Paragraph (9)(i)	138 Pharmacy and Poisons Ordinance	<p>This ordinance provides for registration of drugs and regulation of the practice of pharmacies and pharmacists.</p> <p>Major function to be transferred from SHWF to SFH is:</p> <ul style="list-style-type: none"> ■ power to make regulations on matters relating to Pharmacy and Poison Appeal Tribunal. 	<p><u>English and Chinese texts</u></p> <p>Section 30(10) is amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Food and Health” / “食物及衛生局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (9)(j)	141 Quarantine and Prevention of Disease Ordinance	<p>This ordinance provides for the law relating to quarantine and the prevention of disease among human beings.</p> <p>Major function to be transferred from SHWF to SFH is:</p> <ul style="list-style-type: none"> ▪ power to vary prescribed fees. 	<p><u>English and Chinese texts</u></p> <p>Section 8(5) is amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Food and Health” / “食物及衛生局局長”.</p>
Paragraph (9)(k)	156 Dentists Registration Ordinance	<p>This ordinance provides for registration and disciplinary control of dentists and regulates dental companies.</p> <p>Major function to be transferred from SHWF to SFH is:</p> <ul style="list-style-type: none"> ▪ powers to make and approve regulations. 	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Food and Health” / “食物及衛生局局長”:</p> <ul style="list-style-type: none"> ▪ section 29(1A); and ▪ section 29(1C).

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (9)(l)	161 Medical Registration Ordinance	<p>This ordinance provides for registration and disciplinary control of medical practitioners.</p> <p>Major functions to be transferred from SHWF to SFH are:</p> <ul style="list-style-type: none"> ▪ power to nominate assessors for disciplinary hearing; and ▪ powers to make and approve regulations. 	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Food and Health” / “食物及衛生局局長”:</p> <ul style="list-style-type: none"> ▪ section 21B(2)(f); ▪ section 33(3); and ▪ section 33(5).
Paragraph (9)(m)	162 Midwives Registration Ordinance	<p>This ordinance provides for registration and disciplinary control of midwives.</p> <p>Major function to be transferred from SHWF to SFH is:</p> <ul style="list-style-type: none"> ▪ powers to make and approve regulations. 	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Food and Health” / “食物及衛生局局長”:</p> <ul style="list-style-type: none"> ▪ section 23(2); and ▪ section 23(3).

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (9)(n)	164 Nurses Registration Ordinance	<p>This ordinance provides for registration and disciplinary control of nurses.</p> <p>Major function to be transferred from SHWF to SFH is:</p> <ul style="list-style-type: none"> ▪ powers to make and approve regulations. 	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Food and Health” / “食物及衛生局局長”:</p> <ul style="list-style-type: none"> ▪ section 27(2); and ▪ section 27(3).
Paragraph (9)(o)	165 Hospitals, Nursing Homes and Maternity Homes Registration Ordinance	<p>This ordinance provides for the registration and inspection of hospitals, nursing homes and maternity homes.</p> <p>Major function to be transferred from SHWF to SFH is:</p> <ul style="list-style-type: none"> ▪ power to make regulations on inspection of premises believed to be used for the purposes of a hospital or maternity home. 	<p><u>English and Chinese texts</u></p> <p>Section 7(1) is amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Food and Health” / “食物及衛生局局長”.</p>
Paragraph (9)(p)	167 Dogs and Cats Ordinance	<p>This ordinance provides for the keeping, regulation and control of dogs and cats for the prohibition of the slaughter of dogs and cats.</p> <p>Major functions to be transferred from SHWF to SFH is :</p> <ul style="list-style-type: none"> ▪ power to amend any Schedule to the regulations. 	<p><u>English and Chinese texts</u></p> <p>Section 2 is amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Food and Health” / “食物及衛生局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (9)(u)	277 Agricultural Products (Marketing) Ordinance	<p>This ordinance provides for the improvement of agriculture, the marketing of agricultural products, and encourages co-operative markets.</p> <p>Major functions to be transferred from SHWF to SFH is :</p> <ul style="list-style-type: none"> ▪ power to issue certificates as conclusive evidence for all purposes whatsoever as to who is or was the Director of Marketing for the purposes of this ordinance. 	<p><u>English and Chinese texts</u></p> <p>Section 4(6) is amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Food and Health” / “食物及衛生局局長”.</p>
Paragraph (9)(x)	340 Animals (Control of Experiments) Ordinance	<p>This ordinance provides for the control of experiments on living vertebrate animals.</p> <p>Major function to be transferred from SHWF to SFH is:</p> <ul style="list-style-type: none"> ▪ power to make regulations. 	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Food and Health” / “食物及衛生局局長” :</p> <ul style="list-style-type: none"> ▪ section 13(1); and ▪ section 13(4).
Paragraph (9)(y)	343 Medical Clinics Ordinance	<p>This ordinance provides for the registration, control and inspection of medical clinics.</p> <p>Major function to be transferred from SHWF to SFH is:</p> <ul style="list-style-type: none"> ▪ power to make regulations to provide for the duties of persons in charge of clinics. 	<p><u>English and Chinese texts</u></p> <p>Section 15(1) is amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Food and Health” / “食物及衛生局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (9)(z)	359 Supplementary Medical Professions Ordinance	<p>This ordinance provides for registration and disciplinary control of practitioners of supplementary medical professions.</p> <p>Major function to be transferred from SHWF to SFH is:</p> <ul style="list-style-type: none"> ▪ powers to make and approve regulations. 	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Food and Health” / “食物及衛生局局長”:</p> <ul style="list-style-type: none"> ▪ section 29(1A); ▪ section 29(1B); and ▪ section 29(3).

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (9)(aa)	371 Smoking (Public Health) Ordinance	<p>This ordinance prohibits smoking in certain areas and provides for the display of a health warning and other information on tobacco packets and in tobacco advertisements.</p> <p>Major functions to be transferred from SHWF to SFH are:</p> <ul style="list-style-type: none"> ■ power to authorize public officers to remove tobacco advertisements; ■ power to amend schedules of designated no smoking areas and public transport carriers, etc; ■ power to specify the form of no smoking notice, health warnings, etc.; and ■ power to appoint members to the Appeal Board Panel constituted under Part 2 of Schedule 6 to the ordinance. 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” in section 2 is amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Food and Health” / “食物及衛生局局長”.</p> <p>In section 16A, by repealing Secretary for Health, Welfare and Food and substituting “Secretary”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (9)(ad)	389 Hong Kong Council on Smoking and Health Ordinance	<p>This ordinance provides for the establishment of the Hong Kong Council on Smoking and Health and its functions and powers.</p> <p>Major functions to be transferred from SHWF to SFH are:</p> <ul style="list-style-type: none"> ■ power to appoint deadline for submission of annual estimates for CE’s approval; ■ power to approve appointment of an auditor; and ■ power to receive report and duty to table the report at LegCo. 	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Food and Health” / “食物及衛生局局長” :</p> <ul style="list-style-type: none"> ■ section 16; ■ section 17(4); and ■ section 17(6).
Paragraph (9)(ae)	421 Rabies Ordinance	<p>This ordinance provides for the prevention and control of rabies.</p> <p>Major functions to be transferred from SHWF to SFH are:</p> <ul style="list-style-type: none"> ■ power to appoint the Appeal Board Panel and the Appeal Board; and ■ function relating to appeals lodged to the Appeal Board. 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” in section 2 is amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Food and Health” / “食物及衛生局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (9)(af)	428 Chiropractors Registration Ordinance	<p>This ordinance provides for registration and disciplinary control of chiropractors.</p> <p>Major function to be transferred from SHWF to SFH is:</p> <ul style="list-style-type: none"> ▪ power to receive rules of procedures of meetings of the Chiropractors Council. 	<p><u>English and Chinese texts</u></p> <p>Section 4(6) of the Schedule is amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Food and Health” / “食物及衛生局局長”.</p>
Paragraph (9)(aj)	465 Human Organ Transplant Ordinance	<p>This ordinance prohibits commercial dealings in human organs intended for transplanting, restricts the transplanting of human organs between persons who are not genetically related, and regulates the importing of human organs intended for transplanting.</p> <p>Major function to be transferred from SHWF to SFH is:</p> <ul style="list-style-type: none"> ▪ power to appoint chairman and members of the Human Organ Transplant Board. 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” in section 2 is amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Food and Health” / “食物及衛生局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (9)(al)	490 Plant Varieties Protection Ordinance	<p>This ordinance provides for the protection of plant varieties.</p> <p>Major functions to be transferred from SHWF to SFH are:</p> <ul style="list-style-type: none"> ■ power to amend schedule of plants to which the ordinance applies; and ■ power to make regulations. 	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Food and Health” / “食物及衛生局局長”:</p> <ul style="list-style-type: none"> ■ section 4(2); and ■ section 42(1).
Paragraph (9)(am)	496 Whaling Industry (Regulation) Ordinance	<p>This ordinance gives effect to the International Convention for the Regulation of Whaling signed at Washington on 2 December 1946; prohibits the taking, towing or treating of whales within the waters of Hong Kong; prohibits the taking, towing or treating of whales by any Hong Kong ship or Hong Kong aircraft outside the waters of Hong Kong without a licence or permit; and provides measures for the conservation and utilisation of whales elsewhere.</p> <p>Major functions to be transferred from SHWF to SFH are:</p> <ul style="list-style-type: none"> ■ power to amend schedule of names of whales; ■ power to specify by descriptions whales to which sections 6 to 8 of the ordinance shall apply; ■ power relating to granting of licences; and ■ power to make regulations prescribing the sum of money to be paid to the master of the ship on which inspection is conducted. 	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Food and Health” / “食物及衛生局局長”:</p> <ul style="list-style-type: none"> ■ the definition of “licensing authority” in section 2; ■ section 4(5); and ■ section 5(1).

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (9)(an)	504 Coroners Ordinance	<p>This ordinance provides for the appointment, duties and powers of coroners, for the reporting of certain deaths, for the duties of registered medical practitioners in connection with dead bodies, for matters preliminary to inquests, and for matters relating to inquests.</p> <p>Major function to be transferred from SHWF to SFH is:</p> <ul style="list-style-type: none"> ▪ powers to set apart places for autopsies, etc. 	<p><u>English and Chinese texts</u></p> <p>Section 5(1) is amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Food and Health” / “食物及衛生局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (9)(ap)	529 Veterinary Surgeons Registration Ordinance	<p>The ordinance provides for the regulation of the practice of veterinary surgery, the registration of veterinary surgeons and the disciplinary control of the professional activities of registered veterinary surgeons.</p> <p>Major functions to be transferred from SHWF to SFH are:</p> <ul style="list-style-type: none"> ▪ power to appoint members of Veterinary Surgeons Board; ▪ power to amend schedule of provisions that have effect as respects the Board and its member; ▪ power to receive qualification standards set by the board; ▪ power to make regulations; ▪ power to amend schedule of exemptions from the ordinance; ▪ power to appoint a secretary and a legal adviser to the Board; ▪ function relating to the resignation of the Board member; ▪ power to declare vacancy in the membership of the board; and ▪ power to receive copy of rules made by the board. 	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Food and Health” / “食物及衛生局局長”:</p> <ul style="list-style-type: none"> ▪ section 3(2); ▪ section 3(2)(c); ▪ section 4(2); ▪ section 5(h); ▪ section 7(1); ▪ section 28(1); ▪ section 29(2); ▪ section 1(2) of Schedule 1; ▪ section 2 of Schedule 1; and ▪ section 3(6) of Schedule 1.

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (9)(aq)	549 Chinese Medicine Ordinance	<p>This ordinance provides for the registration of practitioners in Chinese medicine; the licensing of traders in Chinese medicines and the registration of proprietary Chinese medicines.</p> <p>Major functions to be transferred from SHWF to SFH are:</p> <ul style="list-style-type: none"> ■ power to appoint commencement date of different provisions of the Ordinance; ■ power relating to the appointment of the Chinese Medicine Council of Hong Kong, Practitioners Board and Medicines Board; ■ power to amend schedules 1 and 2 relating to Chinese herbal medicines; ■ power to amend schedules 3 and 4 relating to functions of the Practitioners Board, Medicines Board and their committees; ■ power to amend schedule 5 relating to delegation of functions of boards and committees; ■ powers relating to provision of transitional registration of proprietary Chinese medicine, licensing of Chinese herbal medicines traders, licensing of proprietary Chinese medicine traders and transitional arrangements for Chinese medicine practitioners; and ■ powers to make and approve regulations. 	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Food and Health” / “食物及衛生局局長”:</p> <ul style="list-style-type: none"> ■ section 1(2); and ■ the definition of “Secretary” in section 2(1).

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (9)(ar)	549E Chinese Medicine (Fees) Regulation	<p>This regulation sets out the fees for licensing of retailers, wholesale dealers and manufacturers of Chinese medicines and registration of proprietary Chinese medicines, etc.</p> <p>Major function to be transferred from SHWF to SFH is:</p> <ul style="list-style-type: none"> ▪ power to appoint commencement date of the regulation. 	<p><u>English and Chinese texts</u></p> <p>Section 1 is amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Food and Health” / “食物及衛生局局長”.</p>
Paragraph (9)(as)	549F Chinese Medicines Regulation	<p>This regulation provides for the requirement of licensing requirements in respect of the application for retailer, wholesaler and manufacturer licence of Chinese medicines, duties for holders of licences, particulars to be registered for proprietary Chinese medicine, labeling of Chinese medicines, duration of licences, exemption for application and persons concerned with education or scientific research, etc.</p> <p>Major functions to be transferred from SHWF to SFH is:</p> <ul style="list-style-type: none"> ▪ power to appoint commencement date of the regulation. 	<p><u>English and Chinese texts</u></p> <p>Section 1 is amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Food and Health” / “食物及衛生局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (9)(at)	561 Human Reproductive Technology Ordinance	<p>This ordinance regulates reproductive technology procedures, and the use, for research and other purposes, of embryos and gametes; confines the provision of reproductive technology procedures to infertile couples; regulates surrogacy arrangements; and establishes a Council on Human Reproductive Technology.</p> <p>Major functions to be transferred from SHWF to SFH are:</p> <ul style="list-style-type: none"> ■ power to appoint commencement date of the Ordinance; ■ power to specify whether a procedure is subject to the control of the Ordinance; ■ power to designate public officers to assist the Council on Human Reproductive Technology; ■ powers to nominate members and appoint secretary and legal adviser to the Council; ■ power to obtain certain information from the Council; ■ power to make regulations; ■ power to amend the schedule of provisions with respect to the Council, its committees and their members; and ■ power to amend the schedule of sex-linked genetic diseases. 	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Food and Health” / “食物及衛生局局長”:</p> <ul style="list-style-type: none"> ■ section 1(2); ■ section 2(2); ■ section 2(10); ■ section 4(2)(j); ■ section 4(4); ■ section 5(1)(a); ■ section 6(5); ■ section 45(1); ■ section 45(1)(b); and ■ section 46.

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (9)(au)	570 Fixed Penalty (Public Cleanliness Offences) Ordinance	<p>This ordinance provides for a fixed penalty to be payable for certain offenses relating to public cleanliness.</p> <p>Major function to be transferred from SHWF to SFH is :</p> <ul style="list-style-type: none"> ▪ power to make regulations. 	<p><u>English and Chinese texts</u></p> <p>Section 17 is amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Food and Health” / “食物及衛生局局長”.</p>
Paragraph (9)(aw)	1051 Tung Wah Group of Hospitals Ordinance	<p>This ordinance provides for the incorporation of Tung Wah Group of Hospitals and its management.</p> <p>Major function to be transferred from SHWF to SFH is:</p> <ul style="list-style-type: none"> ▪ functions to serve as a member of the advisory board and act as the chairman of the advisory board and joint meeting of the advisory board and board of directors in the absence of SHA. 	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Food and Health” / “食物及衛生局局長” :</p> <ul style="list-style-type: none"> ▪ paragraph 19(2)(aa) of the Schedule; ▪ paragraph 19(7) of the Schedule; and ▪ paragraph 20(3) of the Schedule.

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (9)(ax)	1068 Pok Oi Hospital Incorporation Ordinance	<p>This ordinance provides for the incorporation of the Board of Directors of the Pok Oi Hospital.</p> <p>Major function to be transferred from SHWF to SFH is:</p> <ul style="list-style-type: none"> ▪ power to approve amendments to the constitution of the hospital. 	<p><u>English and Chinese texts</u></p> <p>Section 4(4) is amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Food and Health” / “食物及衛生局局長”.</p>
Paragraph (9)(ay)	1106 Yan Chai Hospital Ordinance	<p>This ordinance provides for the management of the Yan Chai Hospital and for the incorporation of the Board of Directors of the Hospital.</p> <p>Major functions to be transferred from SHWF to SFH are:</p> <ul style="list-style-type: none"> ▪ power to nominate and remove from office members of the Board of Directors; and ▪ power to approve amendments to the constitution of the hospital. 	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Food and Health” / “食物及衛生局局長”:</p> <ul style="list-style-type: none"> ▪ section 3(1); ▪ section 3(2); ▪ section 3(3); and ▪ the proviso of section 7(1).

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (9)(az)	82 of 1997 Nurses Registration (Amendment) Ordinance 1997	<p>This ordinance amends the Nurses Registration Ordinance (Cap. 164).</p> <p>Major function to be transferred from SHWF to SFH is:</p> <ul style="list-style-type: none"> ■ power to appoint commencement date of the ordinance. 	<p><u>English and Chinese texts</u></p> <p>Section 1(2) is amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Food and Health” / “食物及衛生局局長”.</p>
Paragraph (9)(ba)	29 of 2004 Human Organ Transplant (Amendment) Ordinance 2004	<p>This ordinance amends the Human Organ Transplant Ordinance (Cap. 465).</p> <p>Major function to be transferred from SHWF to SFH is:</p> <ul style="list-style-type: none"> ■ power to appoint commencement date of the ordinance. 	<p><u>English and Chinese texts</u></p> <p>Section 1(2) is amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Food and Health” / “食物及衛生局局長”.</p>
Paragraph (9)(bb)	16 of 2005 Undesirable Medical Advertisements (Amendment) Ordinance 2005	<p>This ordinance amends the Undesirable Medical Advertisements Ordinance (Cap. 231).</p> <p>Major function to be transferred from SHWF to SFH is:</p> <ul style="list-style-type: none"> ■ power to appoint commencement date of the ordinance. 	<p><u>English and Chinese texts</u></p> <p>Section 1(2) is amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Food and Health” / “食物及衛生局局長”.</p>

Statutory functions to be transferred to the Secretary for Labour and Welfare (SLW)

(I) Statutory functions transferred from the Secretary for Economic Development and Labour (SEDL) to SLW

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
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">■ to appoint a disciplinary board panel and a disciplinary board.	<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>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
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"> ▪ to appoint a disciplinary board panel and a disciplinary board. 	<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"> ▪ Section 26(1) ▪ Section 27(1)
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"> ▪ to set the maximum wage of a person beyond which the ordinance does not apply to the person. 	<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>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
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"> ■ 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. ■ to amend Schedule 4. 	<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>
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"> ■ 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. 	<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>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
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"> ■ to approve the maximum level of the contingency fund. ■ 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. 	<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)(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"> ■ to appoint and remove members of the Occupational Deafness Medical Committee. ■ to amend Schedule 6. ■ 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. 	<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)(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"> ■ to appoint the commencement date for the ordinance. 	<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>

(II) Statutory functions transferred from the Secretary for Education and Manpower (SEM) to SLW

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (5)(g) (i)	423 Employees Retraining Ordinance	<p>This ordinance is to establish the Employees Retraining Board as a body corporate, to establish the Employees Retraining Fund, to provide for the imposition of a levy payable by employers who employ imported employees, etc.</p> <p>Major functions to be transferred from SEM to SLW are :</p> <ul style="list-style-type: none"> ■ to approve the Employees Retraining Board’s estimates of its income and expenditure together with a programme of its activities for the next financial year; and ■ to allocate a quota in respect of an employer under a labour importation scheme. 	<p><u>English text</u></p> <p>Section 2 is amended by repealing the definition of “Secretary” making reference to “Secretary for Education and Manpower” and substituting a new definition making reference to “Secretary for Labour and Welfare”.</p> <p>Section 33(1) (which is a transitional provision) is amended by repealing “Secretary” and substituting “Secretary for Education and Manpower”.</p> <p><u>Chinese text</u></p> <p>Section 2 is amended by adding the definition of “局長” making reference to “勞工及福利局局長”.</p> <p>The following sections are amended by repealing “教育統籌局局長” and substituting “局長” :</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
			<ul style="list-style-type: none"> ■ section 9(2); ■ section 9(3); and ■ section 14(4).
Paragraph (5)(g)(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. Particulars of specifications made after 1 July 1997 are set out under the Note to Cap 1C.</p> <p>Major function to be transferred from SEM to SLW is:</p> <ul style="list-style-type: none"> ■ to delegate to another public officer the powers provided for in sections 9(2) and (3) and 14(4) of the Employees Retraining Ordinance (Cap 423). 	<p><u>English and Chinese texts</u></p> <p>The Specification of Public Office (L.N. 158 of 2002) is amended by repealing the relevant item making reference to “Secretary for Education and Manpower” / “教育統籌局局長” and substituting a similar item making reference to “Secretary for Labour and Welfare” / “勞工及福利局局長”.</p>

(III) Statutory functions transferred from the Permanent Secretary for Education and Manpower to Permanent Secretary for Labour and Welfare

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (6)(z)	1100 Social Work Training Fund Ordinance	<p>This ordinance is to establish a trust fund for the training of social workers.</p> <p>Section 5 provides for the membership of Social Work Training Fund Committee, which shall consist of, among others, the Permanent Secretary for Education and Manpower or his nominee.</p>	<p><u>English and Chinese texts</u></p> <p>Section 5(1)(c) is amended by repealing “Permanent Secretary for Education and Manpower” / “教育統籌局常任秘書長” and substituting “Permanent Secretary for Labour and Welfare” / “勞工及福利局常任秘書長”.</p>

(IV) Statutory functions exercisable by the Secretary for Health, Welfare and Food (SHWF) to SLW

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (9)(g)(ii)	136 Mental Health Ordinance	<p>This ordinance provides for the law relating to mental incapacity and the care and supervision of mentally incapacitated persons, etc.</p> <p>Major functions to be transferred from SHWF to SLW are:</p> <ul style="list-style-type: none"> ■ power to amend the deadline for renewal of guardianship order; ■ power to amend schedules; ■ power to make rules in respect of guardianship application; and ■ power to determine allowance payable to Guardianship Board members. 	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Labour and Welfare” / “勞工及福利局局長” :</p> <ul style="list-style-type: none"> ■ section 44B(5) ■ section 59Z(1); ■ section 73; and ■ section 3 of the Schedule.

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (9)(q)	202 Volunteer and Naval Volunteer Pensions Ordinance	<p>This ordinance provides for the payment of pensions, gratuities, and other allowances in connection with the disablement or death of officers and volunteers of the Hong Kong Volunteer Defence Corps and members of the Hong Kong Naval Volunteer Force, etc.</p> <p>Major function to be transferred from SHWF to SLW is :</p> <ul style="list-style-type: none"> ▪ power to amend schedules specifying principles of assessment of degree of disability, rates of disability pension, rates for specified injuries, etc. 	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Labour and Welfare” / “勞工及福利局局長” :</p> <ul style="list-style-type: none"> ▪ section 35(1); and ▪ section 35(2).
Paragraph (9)(r)	213 Protection of Children and Juveniles Ordinance	<p>This ordinance provides for the law relating to the protection of children and juveniles.</p> <p>Major function to be transferred from SHWF to SLW is:</p> <ul style="list-style-type: none"> ▪ power to make regulations. 	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Labour and Welfare” / “勞工及福利局局長” :</p> <ul style="list-style-type: none"> ▪ section 39(1); and ▪ section 39(1B).

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (9)(s)	225 Reformatory Schools Ordinance	<p>This ordinance provides for and regulates reformatory schools.</p> <p>Major functions to be transferred from SHWF to SLW are:</p> <ul style="list-style-type: none"> ■ powers to establish and declare reformatory schools; and ■ powers to make rules and regulations. 	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Labour and Welfare” / “勞工及福利局局長” :</p> <ul style="list-style-type: none"> ■ the heading of section 10; ■ section 10(1); ■ section 11; ■ section 13; ■ the heading of section 13; and ■ section 38.
Paragraph (9)(t)	243 Child Care Services Ordinance	<p>This ordinance provides for the registration, control and inspection of child care centres and the control of childminders.</p> <p>Major function to be transferred from SHWF to SLW is:</p> <ul style="list-style-type: none"> ■ power to regulations. 	<p><u>English and Chinese texts</u></p> <p>Section 18(2A) is amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” 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 (9)(v)	290 Adoption Ordinance	<p>This ordinance provides for the adoption of children, to give effect in Hong Kong to the Convention on Protection of Children and Co-operation in respect of Intercountry Adoption and to provide for incidental and connected matters.</p> <p>Major functions to be transferred from SHWF to SLW are :</p> <ul style="list-style-type: none"> ■ power to declare that a State specified in the order published in the Gazette — <ul style="list-style-type: none"> (a) is a Contracting State; or (b) (where a State has made a declaration under Article 45 of the Convention so that the Convention applies only to such territorial unit or units as specified in the declaration) is a Contracting State in respect of any territorial unit or units specified in the order; ■ power to declare that an adoptions shall be excluded from the meaning of “Convention adoption”; and ■ power to make regulations. 	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Labour and Welfare” / “勞工及福利局局長” :</p> <ul style="list-style-type: none"> ■ section 20D(1); ■ section 20J(1); and ■ section 32.

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (9)(w)	298 Probation of Offenders Ordinance	<p>This ordinance provides for the probation of offenders.</p> <p>Major function to be transferred from SHWF to SLW is:</p> <ul style="list-style-type: none"> ▪ power to make rules relating to duties of probation officers and management of approved institutions, etc. 	<p><u>English and Chinese texts</u></p> <p>Section 12(1) is amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Labour and Welfare” / “勞工及福利局局長”.</p>
Paragraph (9)(ab)	378 Community Service Orders Ordinance	<p>This ordinance provides for criminal offenders to be required to perform unpaid work of benefit to the community in place of, or in addition to, other sentences.</p> <p>Major functions to be transferred from SHWF to SLW are:</p> <ul style="list-style-type: none"> ▪ power to amend schedules of type of unpaid work; and ▪ power to make regulations. 	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Labour and Welfare” / “勞工及福利局局長” :</p> <ul style="list-style-type: none"> ▪ section 13; and ▪ section 14.

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (9)(ac)	386 Hong Kong War Memorial Pensions Ordinance	<p>This ordinance provides for the payment of pensions and other benefits to persons who have contributed to the defence of Hong Kong in the Pacific War, persons who have suffered in the War and spouses of such persons.</p> <p>Major functions to be transferred from SHWF to SLW are:</p> <ul style="list-style-type: none"> ▪ power to specify pension rates; ▪ functions to receive, process and determine applications for the status of eligible beneficiaries for the purposes of this Ordinance; ▪ power to specify the form and manner of a notice of appeal against his determination; and ▪ power to make regulations. 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” in section 2 is amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Labour and Welfare” / “勞工及福利局局長”.</p>
Paragraph (9)(ag)	447 Bedspace Apartments Ordinance	<p>This ordinance provides for the regulation, supervision and safety of bedspace apartments.</p> <p>Major function to be transferred from SHWF to SLW is:</p> <ul style="list-style-type: none"> ▪ power to exclude certain premises from the application of the Ordinance. 	<p><u>English and Chinese texts</u></p> <p>Section 3(1)(e) is amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” 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 (9)(ah)	459 A Residential Care Homes (Elderly Persons) Regulation	<p>This regulation provides for the registration of health workers, and the duties of managers and operators of residential care homes and the requirements relating to the setting of such homes.</p> <p>Major function to be transferred from SHWF to SLW is:</p> <ul style="list-style-type: none"> ▪ powers relating to appeals against the decisions of Director of Social Welfare on the registration of health workers. 	<p><u>English and Chinese texts</u></p> <p>The following are amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Labour and Welfare” / “勞工及福利局局長”:</p> <ul style="list-style-type: none"> ▪ the heading of section 10; ▪ section 10(1); ▪ section 10(2); and ▪ section 10(3). <p><u>Chinese text</u></p> <p>In section 10(4) is amended by repealing “衛生福利及食物局局長” and substituting “勞工及福利局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (9)(ai)	459 B Residential Care Homes (Elderly Persons) (Appeal Board) Regulation	<p>This regulation provides for matters relating to appeals against the decisions of Director of Social Welfare on application for exemption certificate in respect of residential care homes and the application, renewal, cancellation and suspension of the licences of such homes.</p> <p>Major function to be transferred from SHWF to SLW is:</p> <ul style="list-style-type: none"> ■ function to receive notices of appeal on behalf of the Appeal Board chairman. 	<p><u>English and Chinese texts</u></p> <p>The following are amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Labour and Welfare” / “勞工及福利局局長”:</p> <ul style="list-style-type: none"> ■ section 16; and ■ Form 1 in the Schedule.

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (9)(ak)	487 Disability Discrimination Ordinance	<p>This ordinance renders unlawful discrimination against persons on the ground of their or their associates' disability in respect of their employment, accommodation, education, access to partnerships, membership of trade unions and clubs, access to premises, educational establishments, sporting activities and the provision of goods, services and facilities; and extends the jurisdiction of the Equal Opportunities Commission to include discrimination against persons on the ground of their or their associates' disability.</p> <p>Major functions to be transferred from SHWF to SLW are:</p> <ul style="list-style-type: none"> ■ power to specify bodies to be consulted on any code of practice; ■ power to make regulations to empower the Equal Opportunity Commission to bring certain proceedings; and ■ power to amend schedules. 	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Labour and Welfare” / “勞工及福利局局長” :</p> <ul style="list-style-type: none"> ■ section 65(3); ■ section 86(1); and ■ section 87(1).

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (9)(ao)	505 Social Workers Registration Ordinance	<p>This ordinance provides for the registration and disciplinary control of social workers.</p> <p>Major functions to be transferred from SHWF to SLW are:</p> <ul style="list-style-type: none"> ■ function to publish in the Gazette Social Worker Registration Board members elected by social workers; ■ function to declare vacancy in membership of the Board; ■ power to direct the Board on fees payable for relevant matters; ■ power to amend schedule of offences disentitling a person from being a registered social worker; and ■ power to receive report from the Board and duty to table the report at LegCo. 	<p><u>English and Chinese texts</u></p> <p>Section 2(1) is amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” 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 (9)(av)	1040 Po Leung Kuk Ordinance	<p>This ordinance provides for the incorporation of Po Leung Kuk and its management.</p> <p>Major functions to be transferred from SHWF to SLW is:</p> <ul style="list-style-type: none"> ▪ functions to serve as a member of the advisory board and act as the chairman of the advisory board and joint meeting of the advisory board and board of directors in the absence of Secretary for Home Affairs (SHA). 	<p><u>English and Chinese texts</u></p> <p>The following sections are amended by repealing “Secretary for Health, Welfare and Food” / “衛生福利及食物局局長” and substituting “Secretary for Labour and Welfare” / “勞工及福利局局長” :</p> <ul style="list-style-type: none"> ▪ paragraph 18(2)(b) of the Schedule ▪ paragraph 18(7) of the Schedule; and ▪ paragraph 19(3) of the Schedule.

Statutory functions to be transferred to the Secretary for Transport and Housing (STH)

(I) Statutory functions transferred from the Secretary for Economic Development and Labour (SEDL) to STH

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
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">to declare areas to be public cargo working areas, public water fronts and excluded water-fronts.	<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>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
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"> ■ to make both the English and French language texts of the Agreement available for inspection. 	<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)(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"> ■ to make both the English and Icelandic language texts of the Agreement available for inspection. 	<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)(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"> ■ to declare areas to be public cargo working areas, public water fronts and excluded water-fronts. ■ to make both the English and Arabic language texts of the Agreement available for inspection. 	<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)(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"> ■ 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. 	<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>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
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"> ■ to declare any area of waters of Hong Kong to be a port. 	<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"> ■ to appoint Government Surveyors; ■ to approve any organizations for the purpose of surveying ships and issuing certificates; and ■ to make regulations on matters relating to safety of merchant shipping. 	<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"> ■ section 5(1); ■ section 8(1); ■ section 8(2); ■ section 93(1); ■ section 94(1); ■ section 94(2); ■ section 94(2)(b); ■ section 95(1); ■ section 96(1); ■ section 96(2); ■ section 97(1); ■ section 97(2); ■ section 98(1);

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

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"> ▪ to delegate to another public officer the powers provided for in sections 5 of the Merchant Shipping (Safety) Ordinance (Cap 369). 	<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"> ▪ to appoint Government Surveyors; and ▪ to approve organization for the purposes of surveying ships and issuing certificates. 	<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"> ■ to approve arrangements relating to the practice of musters and drills. 	<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"> ■ to appoint Government Surveyors. 	<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"> ▪ to appoint Government Surveyors. 	<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"> ▪ to make regulations. 	<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"> ▪ section 3(2); and ▪ section 3(5)(vii).

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"> ■ to appoint persons who may carry out inspection of ships to which these regulations shall apply; and ■ to approve the Director of Marine to deny a ship entering Hong Kong waters if it poses unreasonable threat to Hong Kong marine environment. 	<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"> ■ the definition of “Certifying Authority” in regulation 1(2); ■ the definition of “surveyor” in regulation 1(2); ■ regulation 35(1); and ■ regulation 36(1).
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"> ■ to appoint surveyor. 	<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>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
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"> ▪ to appoint surveyor. 	<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"> ▪ regulation 1(3)(d); and ▪ regulation 4(2).
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"> ▪ to appoint surveyor. 	<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"> ▪ regulation 1(3)(c); and ▪ regulation 4(2).

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
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"> ■ 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. 	<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"> ■ regulation 10(4); and ■ regulation 14(6).

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"> ■ to appoint a place to be the Mercantile Marine Office; ■ to appoint non-official members of the Seafarers' Advisory Board; ■ to make regulations; and ■ to amend Schedule 1 to the ordinance. 	<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"> ■ section 5(2); ■ section 6(4); ■ section 6(5); ■ section 6(6); ■ section 17; ■ section 18(3); ■ section 19(1)(c); ■ section 72(1); ■ section 73(1); ■ section 80(5); ■ section 81; ■ section 82(1); ■ section 86;

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

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"> ■ 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. 	<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"> ■ 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; ■ 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; ■ 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 ■ to make regulations. 	<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"> ■ section 17(3); ■ section 72(3)(c); ■ section 72(3)(d); ■ section 89(1); and ■ section 89(2).

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"> ■ to make rules. 	<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"> ■ to issue certificate which shall be conclusive evidence of the appointment of members of committee of the Sailors Home and Missions to Seamen. 	<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"> ■ 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. 	<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>

(II) Transfer of statutory functions from the Secretary for the Environment, Transport and Works (SETW) to STH

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(a)	17A Lands Tribunal Rules	<p>These rules provide for practice, procedures and forms used in relation to the proceedings of the Lands Tribunal.</p> <p>Major functions to be transferred from SETW to STH are the functions and duties of the Secretary in the proceedings of Lands Tribunal in relation to claims lodged under the Roads (Works, Use and Compensation) Ordinance (Cap. 370).</p>	<p><u>English and Chinese texts</u></p> <p>Forms 10 and 11 in the Schedule are amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”.</p>
Paragraph (8)(d)	104 Ferry Services Ordinance	<p>This ordinance provides for the granting of franchises and licenses to operate ferry services, and the regulation of the operation and maintenance of such services.</p> <p>Major functions to be transferred from SETW to STH are –</p> <ul style="list-style-type: none"> ▪ the power to decide on any point on which the Commissioner for Transport (C for T) and the grantee fail to reach agreement in relation to a plan on the operation of the grantee; and ▪ the power and function relating to appeals against the decision of C for T. 	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” wherever it appears and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長” –</p> <ul style="list-style-type: none"> ▪ section 22(2); ▪ section 28(7)(a); ▪ section 28(7)(b); and ▪ section 41(1).

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(e)	107B Tramway Regulations	<p>These regulations provide for the designation of tram stops, boarding and alighting of passengers, and appeal procedures in relation to decision made by Commissioner for Transport under the regulations.</p> <p>Major functions to be transferred from SETW to STH are –</p> <ul style="list-style-type: none"> ▪ power to confirm, vary or amend terms of notice given under the regulations; and ▪ power and function relating to appeals against the decision of Commissioner for Transport made under the regulations. 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in regulation 2 is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” 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 (8)(h)(i)	215 Eastern Harbour Crossing Ordinance	<p>This Ordinance is to grant franchises for the construction of a combined road and rail tunnel across the eastern harbour, for the construction of a railway line through the tunnel; for the payment of tolls to the franchise holder for the use of the tunnel and the regulation of vehicular traffic in relation to such use; and for the transfer by the franchise holder of its right to operate the railway line to the Mass Transit Railway Corporation.</p> <p>Major functions to be transferred from SETW to STH are –</p> <ul style="list-style-type: none"> ▪ power to give notice in the Gazette for the disposal of its right by the franchisee; ▪ function and duties in the case of default; ▪ power and functions relating to the revocation of franchise; and ▪ functions relating to appeals lodged by the franchisee. 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in section 2(1) is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” 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 (8)(h)(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 SETW to STH is the power to delegate to any public officer his/her functions provided for in the Eastern Harbour Crossing Ordinance (Cap. 215).</p>	<p><u>English and Chinese texts</u></p> <p>The Schedule is amended by repealing the relevant item making reference to “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting a similar item making reference to “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 (8)(i)	230 Public Bus Services Ordinance	<p>This ordinance provides for the granting of franchises to operate public bus services on specified routes, and the regulation of the operation and maintenance of such services.</p> <p>Major functions to be transferred from SETW to STH are –</p> <ul style="list-style-type: none"> ▪ duty to make recommendation to Chief Executive in Council on whether the franchise for a bus operator should be extended; ▪ function in relation to forward planning programme of the franchised bus operators; and ▪ power to make regulations. 	<p><u>English and Chinese texts</u></p> <ul style="list-style-type: none"> ▪ The following provisions are amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” wherever it appears and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長” – <ul style="list-style-type: none"> (A) section 6(2A); (B) section 12A(1); (C) section 12A(2); (D) section 12A(3); (E) section 12A(4); (F) section 33(1); and (G) section 35(1). ▪ In the heading of section 35 by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”.

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Section (8)(j)	237 Fixed Penalty (Traffic Contraventions) Ordinance	<p>This ordinance provides for a fixed penalty to be payable for various contraventions of the law; and for the recovery of the fixed penalty.</p> <p>Major function to be transferred from SETW to STH is the power to make regulations.</p>	<p><u>English and Chinese texts</u></p> <p>Section 25 is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”.</p>
Section (8)(k)	240 Fixed Penalty (Criminal Proceedings) Ordinance	<p>This ordinance provides for a fixed penalty to be payable for various offences.</p> <p>Major function to be transferred from SETW to STH is the power to make regulations.</p>	<p><u>English and Chinese texts</u></p> <p>Section 11 is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” 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 (8)(1)	265 Peak Tramway Ordinance	<p>This ordinance is to authorize the construction of the Peak Tramway, and to provide for matters relating to the operation of the Peak Tramway.</p> <p>Major functions to be transferred from SETW to STH are –</p> <ul style="list-style-type: none"> ▪ power to authorize the Peak Tramways Company Limited (the company) to alter the level of ground on which the tramway is laid; ▪ power to approve the construction and maintenance of additional structures, equipment and works by the company; ▪ power and duties relating to works of the company that may affect sewage or drainage; ▪ power to authorize the company to enter land adjoining the tramway; ▪ power to apply to the Chief Executive in Council for settling differences between the company and the Secretary; ▪ power to certify removal cost of tramway in case of discontinuance of service; ▪ power to order removal of tramway upon insolvency of the company; ▪ power to approve the tramcars, machinery apparatus used on or for the tramway; ▪ power to order defects in the tramway be 	<p><u>English and Chinese texts</u></p> <ul style="list-style-type: none"> ▪ The following provisions are amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” wherever it appears and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長” – <ul style="list-style-type: none"> (A) section 4; (B) section 5; (C) section 7(1); (D) section 7(2); (E) section 7(3); (F) section 7(4); (G) section 7A(1); (H) section 7A(3); (I) section 8; (J) section 9(2); (K) section 9(3); (L) section 10;

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
		<p>remedied; and</p> <ul style="list-style-type: none"> ■ power to order the closure of tramway. 	<p>(M) section 12;</p> <p>(N) section 14B(1);</p> <p>(O) section 14D(1);</p> <p>(P) section 14D(4);</p> <p>(Q) section 14D(4)(b);</p> <p>(R) section 14E(1);</p> <p>(S) section 14E(2);</p> <p>(T) section 14E(3);</p> <p>(U) section 14E(4);</p> <p>(V) section 14F(2);</p> <p>(W) section 15(1)(b); and</p> <p>(X) section 15(1)(d)(i).</p> <ul style="list-style-type: none"> ■ In section 7A(2) by repealing “Secretary for the Environment, Transport and Works’s” / “環境運輸及工務局局長” and substituting “Secretary for Transport and Housing’s” / “運輸及房屋局局長”.

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
			<ul style="list-style-type: none"> ■ In the heading of section 14D by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”.
Paragraph (8)(m)	265A Peak Tramway (Safety) Regulations	<p>These regulations provide for matters relating to the maintenance and operation of the tramway, and the inspection, examination and testing of the tramway.</p> <p>Major functions to be transferred from SETW to STH are –</p> <ul style="list-style-type: none"> ■ power to approve the employment of surveyor by the Peak Tramways Company Limited (the company); ■ power to approve the employment of engineering superintendents by the company; and ■ power to approve the employment of duty technician by the company. 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in regulation 2 is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” 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 (8)(w)(i)	370 Roads (Works, Use and Compensation) Ordinance	<p>The ordinance provides for the publication of proposals as to works in relation to roads, objections to the proposals, authority to carry out the works and for the use of roads, powers in relation to the works on and the use of roads, compensation and connected matters.</p> <p>Major functions to be transferred from SETW to STH are –</p> <ul style="list-style-type: none"> ▪ power to authorize any public officer to exercise the powers, functions and duties conferred on him under the ordinance; ▪ power to approve the execution of minor works and powers, functions and duties relating to the preparation, publication and amendment of plans and schemes for major works; ▪ powers, functions and duties relating to the handling of objections and claims against plans and schemes; ▪ powers, functions and duties relating to land resumption for the purposes of or incidental to works, and the creation of easement or other rights; 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in section 2(1) is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” 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
		<ul style="list-style-type: none"> ■ powers, functions and duties relating to road closure and Government foreshore or sea-bed reclamation for the purposes of or incidental to works; ■ power to enter any land or building for the purpose of making inspection, site investigation and valuation etc; ■ power to request utility companies to alter or repair their wire, pipe, tub etc.; and ■ power to order owner of any land or building to remove projections or obstructions. 	
Paragraph (8)(w)(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 SETW to STH is the power to delegate to any public officer his/her functions provided for in the Roads (Works, Use and Compensation) Ordinance (Cap. 370).</p>	<p><u>English and Chinese texts</u></p> <p>The Schedule is amended by repealing the relevant item making reference to “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting a similar item making reference to “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 (8)(x)	372 Kowloon-Canton Railway Corporation Ordinance	<p>The ordinance is to establish a corporation to operate the Kowloon-Canton Railway, to vest in that corporation the assets of that railway, to construct and operate the Northwest Railway and other railways, and to make provision as to the safe operation of railways.</p> <p>Major functions to be transferred from SETW to STH are powers to authorize the construction of railways and to make regulations.</p>	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” wherever it appears and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長” –</p> <ul style="list-style-type: none"> ▪ section 4(1)(a); ▪ section 30(1); ▪ the proviso of paragraph 8 of the Second Schedule; ▪ paragraph 14 of the Second Schedule; ▪ paragraph 1(2) of the Third Schedule; and ▪ paragraph 2 of the Third Schedule.

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(y)	372A Kowloon-Canton Railway Corporation Regulations	<p>These regulations provide for detailed requirements in relation to the operation of the railways and reporting of accident and occurrence.</p> <p>Major functions to be transferred from SETW to STH are –</p> <ul style="list-style-type: none"> ■ power to confirm, vary or amend terms of notice given under the regulations; ■ power and function relating to appeals against the decision of Commissioner for Transport made under the regulations; and ■ the Corporation should submit written explanation to the Secretary for any failure to comply with certain requirements of the regulations. 	<p><u>English and Chinese texts</u></p> <ul style="list-style-type: none"> ■ The definition of “Secretary” / “局長” in regulation 1A is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”. ■ In regulation 14(7) by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary” / “局長”.

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(z)	374 Road Traffic Ordinance	<p>This ordinance provides for the regulation of road traffic and the use of vehicles and roads (including private roads).</p> <p>Major functions to be transferred from SETW to STH are :</p> <ul style="list-style-type: none"> ▪ power to make regulations for the purpose of giving effect to international agreement, the regulation of registration and licensing of vehicles, the regulation of public service vehicles etc; ▪ power to amend Schedule 1; ▪ function and duty relating to the preparation of road users' code; and ▪ power to specify private roads to which Part XIII of the ordinance does not apply. 	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” wherever it appears and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長” –</p> <ul style="list-style-type: none"> ▪ the definition of “prescribed limit”/ “訂明限度” in section 2; ▪ section 5(1); ▪ section 5(2)(a); ▪ section 6(1); ▪ section 7(1); ▪ section 8(1); ▪ section 9(1); ▪ section 10(1); ▪ section 11; ▪ section 12(1); ▪ section 12A(1); ▪ section 16(2);

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
			<ul style="list-style-type: none"> ▪ section 16(4); ▪ section 17(1); ▪ section 17(2)(a); ▪ section 21(2); ▪ section 39G(1); ▪ section 88B(3); ▪ section 102B(4); ▪ section 109(1); ▪ section 109(2); ▪ section 116(1); ▪ section 121(2); ▪ paragraph (b) of the definition of “expressway works”/ “快速公路工程” in section 122; and ▪ section 131(1).

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(aa)	374C Road Traffic (Parking) Regulations	<p>These regulations provide for matters relating to the regulation of parking of vehicles.</p> <p>Major functions to be transferred from SETW to STH are:</p> <ul style="list-style-type: none"> ▪ power to amend Schedule 5; and ▪ power and functions relating to management of designated car parks. 	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” wherever it appears and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長” –</p> <ul style="list-style-type: none"> ▪ regulation 12(5); ▪ regulation 17(1); ▪ regulation 17(1)(c); and ▪ regulation 17(3).
Paragraph (8)(ab)	374Q Road Traffic (Expressway) Regulations	<p>These regulations provide for matters relating to the regulation of traffic on expressway.</p> <p>Major function to be transferred from SETW to STH is the power to amend Schedules.</p>	<p><u>English and Chinese texts</u></p> <p>Regulation 28 is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” 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 (8)(ac)(i)	393 Tate's Cairn Tunnel Ordinance	<p>This ordinance is to grant a franchise for the construction of a road tunnel through Tate's Cairn; to provide for the maintenance of the works to be constructed; for the payment of tolls to the franchise holder for the use of the tunnel and the regulation of vehicular traffic in relation to such use.</p> <p>Major functions to be transferred from SETW to STH are –</p> <ul style="list-style-type: none"> ▪ power to give notice in the Gazette the disposal of its right by the franchisee; ▪ function and duties to be taken in the case of default; and ▪ power and function relating to the revocation of franchise. 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in section 2(1) is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”.</p>
Paragraph (8)(ac)(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 SETW to STH is the power to delegate to any public officer his/her functions provided for in the Tate's Cairn Tunnel Ordinance (Cap. 393).</p>	<p><u>English and Chinese texts</u></p> <p>The Schedule is amended by repealing the relevant item making reference to “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting a similar item making reference to “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 (8)(ak)	436 Western Harbour Crossing Ordinance	<p>The ordinance is to grant a franchise for the construction and operation of a crossing between West Kowloon Reclamation and Sai Ying Pun; to provide for the maintenance of the works within the tunnel area, the payment of tolls to the franchise holder for the use of the tunnel and the regulation of vehicular traffic in relation to such use.</p> <p>Major functions to be transferred from SETW to STH are –</p> <ul style="list-style-type: none"> ■ power to give notice in the Gazette the disposal of its right by the franchisee; ■ duty to serve as a member of the Western Harbour Crossing Toll Stability Fund Management Committee; ■ functions and duties relating to the submission of statement of net revenue by the franchisee; ■ power and functions relating to toll increase; ■ function and duties to be taken in the case of default; ■ power and function relating to the revocation of franchise; and ■ duty to exercise discretion or authority. 	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”–</p> <ul style="list-style-type: none"> ■ in the definition of “Secretary” / “局長” in section 2(1); and ■ in section 38(2)(b).

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(ar)	474 Tai Lam Tunnel and Yuen Long Approach Road Ordinance	<p>The ordinance is to grant a franchise for the design, construction and operation of a tunnel and associated roads linking Ting Kau to Au Tau; to provide for the maintenance of the works within the area subject to the franchise, the payment of tolls to the franchise holder for the use of that area and the regulation of vehicular traffic in relation to such use.</p> <p>Major functions to be transferred from SETW to STH are –</p> <ul style="list-style-type: none"> ▪ power to give notice in the Gazette the disposal of its right by the franchisee; ▪ power to make regulations; ▪ duty to serve as a member of the Tai Lam Tunnel and Yuen Long Approach Road Toll Stability Fund Management Committee; ▪ functions and duties relating to the submission of statement of actual net revenue by the franchisee; ▪ power and functions relating to toll increase ; ▪ function and duties to be taken in the case of default; ▪ power and function relating to the revocation of franchise ; and 	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”–</p> <ul style="list-style-type: none"> ▪ the definition of “Secretary” / “局長” in section 2(1); ▪ section 17(1); and ▪ section 32(3)(b).

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
		<ul style="list-style-type: none"> ▪ duty to exercise discretion or authority conferred upon him so as to give effect to project agreement. 	
Paragraph (8)(au)	483C Airport Authority (Automated People Mover)(Safety) Regulation	<p>This regulation provides for safety measures in relation to the operation of the automated people mover at the airport.</p> <p>Major functions to be transferred from SETW to STH are –</p> <ul style="list-style-type: none"> ▪ function relating to accident and occurrence on the automated people mover; and ▪ power to direct inspector to investigate accident or occurrence. 	<p><u>English and Chinese texts</u></p> <ul style="list-style-type: none"> ▪ The following provisions are amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” wherever it appears and substituting “Secretary for Transport and Housing” – <ul style="list-style-type: none"> (A) paragraph (b) of the definition of “automated people mover premises”/“旅客捷運系統” in section 1; (B) section 5(1); (C) section 5(2); (D) section 6(1); (E) section 6(3); (F) section 6(4); and (G) section 11.

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
			<ul style="list-style-type: none"> ■ In the heading of section 6 by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”.
Paragraph (8)(av)	498 Tsing Ma Control Area Ordinance	<p>The ordinance provides for the control and regulation of vehicular and pedestrian traffic movements within the Tsing Ma Control Area; the delineation of that Area in respect of the management and maintenance thereof; the powers of authorized officers; the disposal of abandoned vehicles; the closure of roads within the Area; and the imposition of financial penalties.</p> <p>Major functions to be transferred from SETW to STH are:</p> <ul style="list-style-type: none"> ■ power to give direction relating to the performance of functions and power vested by the ordinance in the operator and authorized officers; ■ power to authorize road closure; and ■ power to make regulations. 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in section 2 is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” wherever it appears 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 (8)(ay)	519 Railways Ordinance	<p>This ordinance provides for the resumption of land, creation of easements or rights and the exercise of other powers by the Government for the construction of railways and to provide for compensation for losses caused by the exercise of the powers.</p> <p>Major functions to be transferred from SETW to STH are:</p> <ul style="list-style-type: none"> ▪ power to authorize any public officer to exercise the power, functions and duties conferred on him under the ordinance; ▪ power, functions and duties relating to the preparation, publication and amendment of railway schemes; ▪ power to enter or authorize a person to enter any land or building for the purpose of making inspection, valuation and site investigation etc.; ▪ power, functions and duties relating to the handling of objection and claims against railway schemes; ▪ power to authorize the construction of railway; ▪ power to authorize the carrying out of minor works which involve closure of road; 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in section 2 is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” 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
		<ul style="list-style-type: none"> <li data-bbox="824 368 1480 507">■ functions and duties relating to the creation of easement or other rights, and land resumed for the purpose of or incidental to railway schemes; <li data-bbox="824 533 1480 603">■ power to request utility companies to alter or repair their wire, pipe, tub etc.; and <li data-bbox="824 628 1480 699">■ power to order owner of any land or building to remove projections or obstructions. 	

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(az)	520 Discovery Bay Tunnel Link Ordinance	<p>The ordinance is to provide for the constructing of a tunnel and a road to connect Discovery Bay in Lantau Island and Siu Ho Wan in North Lantau of that Island, the operation and the maintenance of the tunnel and the road; to permit the use of the tunnel and the road for the passage of vehicular traffic; and to empower the charging of tolls or fees for such use.</p> <p>Major functions to be transferred from SETW to STH are:</p> <ul style="list-style-type: none"> ▪ power to give notice in the Gazette the disposal of its right by the franchisee; ▪ power to receive information on the estimated cost of construction works, number of vehicles using the tunnel and the amount of tolls collected; ▪ power and functions relating to tolls and fees; ▪ power to make regulations; and ▪ power to delegate to any public officer the power, function or duty conferred on him under the ordinance. 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in section 2(1) is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” 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 (8)(ba)	556 Mass Transit Railway Ordinance	<p>This ordinance provides for:</p> <p>(a) the granting of a franchise to the MTR Corporation Limited to operate the Mass Transit Railway and to construct and operate any extension to the railway;</p> <p>(b) the regulation of the operation of the Mass Transit Railway under the franchise;</p> <p>(c) the repeal of the Mass Transit Railway Corporation Ordinance (Cap 270), and the vesting of the property, rights and liabilities of the Mass Transit Railway Corporation in the MTR Corporation Limited; and</p> <p>(d) matters relating to the incorporation of the MTR Corporation Limited.</p> <p>Major functions to be transferred from SETW to STH are:</p> <ul style="list-style-type: none"> ▪ power and functions relating to the extension of franchise; ▪ power to obtain information relating to the business and affairs of the Corporation; ▪ function and duties to be taken in the case of default; ▪ power and function relating to the suspension and revocation of franchise; 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in section 2(1) is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” 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
		<ul style="list-style-type: none">■ power to appoint inspectors;■ power to request the Corporation to carry out works in interest of safety; and■ power to make regulations.	

(III) Statutory functions transferred from the Secretary for Housing, Planning and Lands (SHPL) to STH

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (11)(f)	283 Housing Ordinance	<p>This ordinance provides for the establishment and functions of the Housing Authority and for purposes connected therewith.</p> <p>Major functions to be transferred from SHPL to STH are the powers to lay copies of the accounts and annual reports of the Housing Authority on the table of the Legislative Council.</p>	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for Housing, Planning and Lands” / “房屋及規劃地政局局長” wherever it appears and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”–</p> <ul style="list-style-type: none"> ▪ section 14(4); and ▪ section 15(2).

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (11)(q)	511 Estate Agents Ordinance	<p>This ordinance provides for the establishment and functions of the Estate Agents Authority, the licensing of estate agents and the regulation of estate agency work.</p> <p>Major functions to be transferred from SHPL to STH are:</p> <ul style="list-style-type: none"> ▪ power to appoint commencement date of the ordinance; ▪ power to approve the Estate Agents Authority to grant exemptions; ▪ powers and functions relating to audits and the Authority's report; ▪ power to approve the determination of the relevant period by the Authority for the purpose of section 18; ▪ functions to receive notices relating to appeals; ▪ power to appoint appeal panel; ▪ power to make regulations regulating the appeal procedures; and ▪ power to approve regulations made by the Authority relating to bank accounts, salespersons, advertising, estate agency agreements, procedures for dispute resolution proceedings etc. 	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for Housing, Planning and Lands” / “房屋及規劃地政局局長” wherever it appears and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長” –</p> <ul style="list-style-type: none"> ▪ section 1(2); and ▪ the definition of “Secretary” / “局長” in section 2(1).