

Bills Committee on Adaptation of Laws (Military References) Bill 2010

Follow-up to the first meeting on 9 November 2010

Members requested the Administration to -

- (a) provide written views on the principles and scope of law adaptation and whether the Administration agreed to the principles and scope of law adaptation adopted in the past law adaptation exercises;
- (b) conduct a comprehensive review of the scope and definition of law adaptation and provide a paper in this regard;
- (c) provide an explanatory note setting out the guiding principles for the adaptation proposals, the terms and concepts to be adapted, the meaning of the original terms and the adapted terms, the ordinances involved, the justifications for the proposed adaptations, the interpretative principles and the reasons for the Administration's views that the proposed adaptations did not change the legislative intent and effect of the provisions concerned;
- (d) provide information on the structure of the British forces and the Chinese People's Liberation Army;
- (e) provide information on the role, rights and obligations of the Hong Kong Garrison as stipulated in the Mainland laws, the Garrison Law and the Sino-British Joint Declaration vis-à-vis those of the British forces stationed in Hong Kong before the handover;
- (f) provide a list of the ordinances and the provisions where the four terms, i.e. "Commander of the Hong Kong Garrison", "Hong Kong Garrison", "member of the Hong Kong Garrison" and "military hospital" appeared; and
- (g) consider deleting the proposed definition of the four terms in the Interpretation and General Clauses Ordinance (Cap. 1) and specifying their meaning repeatedly in the Ordinances covered in the Bill where necessary.