



立法會秘書處 法律事務部
LEGISLATIVE COUNCIL SECRETARIAT
LEGAL SERVICE DIVISION

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By Post & Fax

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Department of Justice
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Dear *Gilbert*

Legislation Publication Bill

I would be grateful for your clarification on the following provisions of Parts 1 and 2 of the captioned Bill –

(a) Clause 1

Whether it would be made clear in the clause that the commencement would be by phases and which provisions of the Bill would be commenced in each phase;

(b) Clause 2

Whether "as made Ordinance" as defined includes an amending ordinance as well as the principal ordinance, or is it meant to just cover ordinances that are given chapter numbers;

Whether "**editorial amendment**" and "**permitted amendment**" would include an editorial amendment to an Ordinance made under the Laws (Loose-leaf Publication) Ordinance 1990, subject to when the latter is to be repealed;

(c) Clause 3

Whether the electronic database may include legislation not currently applying in Hong Kong;

(d) Clause 4

Will this Bill be given a chapter number, unlike the Laws (Loose-leaf Publication) Ordinance 1990;

Whether the database is to contain an Ordinance that has been given a chapter number where no consolidated version is necessary;

Does inclusion of a consolidated version preclude the as made Ordinance of the same chapter number;

Will the national laws applying in Hong Kong be in consolidated form as well as their original form;

Will as made Ordinances be included that have not yet commenced;

Would the power in clause 3 be wide enough to cover the record of editorial amendments compiled under section 15 and other useful legislation, materials and information;

(e) Clause 5

Why is it necessary to also specify the particular time in addition to the particular date for the Law Draftsman's certification;

Does subclause (2) mean that the published authenticated copy of an Ordinance will remain published on the approved website even after it has been subsequently amended and published in an updated consolidated form;

(f) Clause 6

Does it mean that only a national law currently in force will be published and not its previous version;

(g) Clause 7

Does it mean that an as made Ordinance, once amended, would not be published or would be withdrawn from publication;

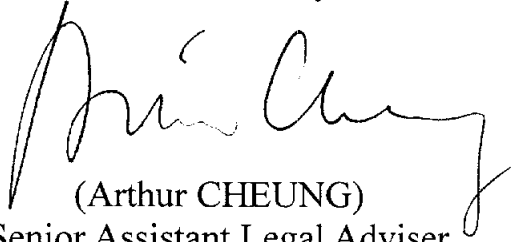
(h) Clause 8

Does it mean only the item of legislation currently in force will be published, and not their previous versions; and

(i) Clause 9

Given the meaning of an authenticated copy under clause 5(1), whether an as made Ordinance may also be published where it has not been amended and hence no consolidated version is available.

Yours sincerely,



(Arthur CHEUNG)
Senior Assistant Legal Adviser

c.c. Clerk to Bills Committee