

A BILL

To

Provide for the establishment of an electronic database of legislation and approval of a website on which the information in the database may be published and accessed; to give legal status to copies of the legislation published on an approved website; to provide for powers to make editorial amendments and revisions to Ordinances; to provide for additional editorial powers for preparation of the loose-leaf edition of the Laws of Hong Kong; to provide for related matters; and to make consequential amendments.

Enacted by the Legislative Council.

Part 1

Preliminary

1. Short title and commencement

- (1) This Ordinance may be cited as the Legislation Publication Ordinance.
- (2) Subject to subsection (3), ~~t~~This Ordinance comes into operation on a day to be appointed by the Secretary for Justice by notice published in the Gazette.
- (3) This Part, Part 4, Part 5 (except section 21) and Part 6, Division 1, Division 2 (except section 26) and Division 5 come into operation on the day on which this Ordinance is published in the Gazette.

2. Interpretation

- (1) In this Ordinance—

approved website (認可網站) means a website approved under section 3(b);

as made Ordinance (原版條例) means an Ordinance as originally enacted or made, and published in the Gazette;

~~*authenticated copy* (經認證文本)— see section 5(1);~~

consolidated version (編訂版本), in relation to an Ordinance, means a ~~version—copy~~ of ~~thean~~ Ordinance that has incorporated in its text all permitted amendments ~~in force that have taken effect~~ as at a date specified in the copy~~particular time on a particular date;~~

database (資料庫) means the electronic database of the legislation applying in Hong Kong established under section 3(a);

editorial amendment (編輯修訂) means an amendment to an Ordinance made under section 12(1) or (2);

permitted amendment (許可修訂), in relation to an Ordinance, means—

- (a) an amendment to the Ordinance made by another Ordinance;
- (b) an editorial amendment to the Ordinance; or
- (c) an amendment to the Ordinance made under section 2(2)(b), (d) or (e) of the Laws (Loose-leaf Publication) Ordinance 1990 (51 of 1990);

verified copy (), in relation to an Ordinance, means a verified electronic copy or verified printed copy of the Ordinance;

verified electronic copy ()— see section 5(1);

verified printed copy ()— see section 5(2).

- (2) In this Ordinance, a reference to an Ordinance as at a date specified in a copy or reproduction of a copy of the Ordinance includes, if a time on that date is specified in the copy or reproduction, a reference to the Ordinance as at that time on that date.

Part 2**Database of Legislation****3. Establishment of database**

The Secretary for Justice may—

- (a) establish and maintain an electronic database of the legislation applying in Hong Kong; and
- (b) approve a website on which the information in the database may be published and accessed.

4. Contents of database

(1) The database is to contain—

- (a) consolidated versions of Ordinances that have been given chapter numbers under section 11(a);
- (b) national laws applying in Hong Kong; and
- (c) the record of editorial amendments compiled under section 15.

(2) The database may also contain—

- (a) bills to be introduced or introduced into the Legislative Council;
- (b) as made Ordinances; and
- (c) other legislation, materials and information that the Secretary for Justice considers useful to users of an approved website.

5. Status of ~~authenticated-verified~~ copies of Ordinances

~~(1) A copy of an Ordinance is an authenticated copy of the Ordinance as at a particular time on a particular date if the copy is—~~

~~(a) published on an approved website; and~~

~~(b) certified by the Law Draftsman to be the consolidated version of the Ordinance as at that time on that date.~~

~~(2) An authenticated copy of an Ordinance as at a particular time on a particular date is presumed, unless the contrary is proved, to correctly state the Ordinance as at that time on that date. _____~~

~~(1) A consolidated version of an Ordinance published on an approved website is a verified electronic copy of the Ordinance if it bears an official verification mark.~~

~~(2) A printed copy of a verified electronic copy of an Ordinance is a verified printed copy of the Ordinance if it is printed directly from the approved website.~~

~~(3) A verified copy of an Ordinance is presumed, unless the contrary is proved, to correctly state the Ordinance as at the date specified in the copy.~~

~~(4) In this section—~~

~~*official verification mark* () means a symbol, word or statement, or a combination of any of them, specified by the Law Draftsman on an approved website for the purposes of this section.~~

6. Status of copies of national laws published on approved website

A copy of a national law applying in Hong Kong, as published on or printed directly from an approved website, is presumed, unless

the contrary is proved, to correctly state the national law as at the date specified in the copy.

7. Status of copies of as made Ordinances published on approved website

~~(1) A copy of an as made Ordinance, as published on or printed directly from an approved website, is presumed, unless the contrary is proved, to correctly state the Ordinance.~~

~~(2) Subsection (1) only applies in relation to an as made Ordinance that is gazetted on or after the date on which this Part comes into operation.~~

8. Status of copies of other legislation published on approved website

A copy of an item of legislation referred to in section 4(2)(c), as published on or printed directly from an approved website, is presumed, unless the contrary is proved, to correctly state the item of legislation as at the date specified in the copy.

~~9. Publication of booklets of Ordinances~~

~~(1) The Secretary for Justice may cause an authenticated copy of any Ordinance to be published in the form of a booklet.~~

~~(2) If a booklet of an authenticated copy of an Ordinance as at a particular time on a particular date published under subsection (1) contains the information and statement specified in subsection (3), the booklet is presumed, unless the contrary is proved, to correctly state the Ordinance as at that time on that date.~~

~~(3) The information and statement are—~~

~~(a) the particular time and date; and~~

~~(b) a statement that the booklet is published under this section.~~

10. Evidential provisions relating to approved website, etc

- (1) A website purporting to be an approved website is presumed, unless the contrary is proved, to be an approved website.
- (2) A document purporting to be ~~an authenticated-a verified~~ copy of an Ordinance ~~as at a particular time on a particular date~~ is presumed, unless the contrary is proved, to be ~~an authenticated-a verified~~ copy of the Ordinance ~~as at that time on that date~~.
- (3) A document purporting to be a copy of a national law applying in Hong Kong published on or printed directly from an approved website is presumed, unless the contrary is proved, to be a copy of the national law so published or printed.
- (4) A document purporting to be a copy of an applicable as made Ordinance published on or printed directly from an approved website, is presumed, unless the contrary is proved, to be a copy of the Ordinance so published or printed.
- (5) A document purporting to be a copy of an item of legislation referred to in section 4(2)(c) published on or printed directly from an approved website is presumed, unless the contrary is proved, to be a copy of the item of legislation so published or printed.

(6) In this section—

applicable as made Ordinance () means an as made Ordinance that is gazetted on or after the date on which this Part comes into operation.

~~(6) A document purporting—~~

- ~~(a) to be a booklet of a copy of an Ordinance published under section 9(1); and~~
- ~~(b) to contain the information and statement specified in section 9(3);~~

~~is presumed, unless the contrary is proved, to be a booklet of an authenticated copy of the Ordinance so published.~~

Part 2A**Reproduction of Verified Copies of Ordinances****10A. Interpretation**

In this Part—

official booklet () means a booklet published under section 10B(1);

official storage medium () means a storage medium published under section 10C(1);

storage medium () means a medium—

(a) in which electronic data relating to verified electronic copies of Ordinances are stored; and

(b) from which verified electronic copies of Ordinances are capable of being reproduced.

10B. Publication of official booklets

(1) The Secretary for Justice may cause reproductions of verified printed copies of Ordinances to be published in the form of booklets.

(2) A reproduction of a verified printed copy of an Ordinance contained in an official booklet is presumed, unless the contrary is proved, to correctly state the Ordinance as at the date specified in the reproduction.

10C. Publication of official storage media

(1) The Secretary for Justice may cause storage media to be published.

(2) An electronic or printed reproduction of a verified electronic copy of an Ordinance accessed or printed directly from an official storage medium is presumed, unless the contrary is proved, to correctly state the Ordinance as at the date specified in the reproduction.

10D. Evidential provisions relating to reproduction of verified copies of Ordinances

(1) A document purporting to be a reproduction of a verified printed copy of an Ordinance contained in an official booklet is presumed, unless the contrary is proved, to be such a reproduction.

(2) A document purporting to be an electronic or printed reproduction of a verified electronic copy of an Ordinance accessed or printed directly from an official storage medium is presumed, unless the contrary is proved, to be such a reproduction.