

立法會
Legislative Council

LC Paper No. LS75/10-11

**Paper for the House Committee Meeting
on 10 June 2011**

**Legal Service Division Report on
Subsidiary Legislation Gazetted on 3 June 2011**

Date of tabling in LegCo : 8 June 2011

Amendment to be made by : 6 July 2011 (or the 1st meeting of the next session if extended by resolution)

**Marine Fish (Marketing) By-laws (Cap. 291 sub. leg. B)
Assumption of Responsibility for Markets Notification 2011 (L.N. 99)**

The Fish Marketing Organization (FMO) is established under the Marine Fish (Marketing) Ordinance (Cap. 291) to establish, regulate and conduct wholesale fish markets, depots and ancillary establishments.

2. Pursuant to by-law 4 of the Marine Fish (Marketing) By-laws (Cap. 291 sub. leg. B) (the By-law), whenever FMO assumes responsibility for the regulation and conduct of a wholesale marine fish market, a notification stating the name and location of any such market is required to be published in the Gazette.

3. The Schedule to the Assumption of Responsibility for Markets (Consolidation) Notification (Cap. 291 sub. leg. C) (the Consolidated Notification) contains the names and locations of the wholesale marine fish markets that FMO has assumed responsibility. The Castle Peak Wholesale Marine Fish Market at Sam Shing Street, Y.L.G.L.A. No. 41, Castle Peak Bay, Tuen Mun, New Territories (the Castle Peak Market) is one of them.

4. According to the Administration, the Castle Peak Market has recently been relocated to No. 101, Wu Shan Road, Tuen Mun, New Territories. In accordance with the By-law, FMO made L.N. 99 for notification purpose. The Schedule to the Consolidated Notification is also amended accordingly to reflect the change.

5. Members may refer to the LegCo Brief (File Ref.: FH/F/6/12/33 (TC)) issued jointly by the Food and Health Bureau and the Agriculture, Fisheries and Conservation Department dated June 2011 for further information.

6. The Panel on Food Safety and Environmental Hygiene has not been consulted on L.N. 99.

7. The Legal Service Division has raised certain enquiries with the Administration regarding L.N. 99 and will report further if necessary.

Mutual Legal Assistance in Criminal Matters (India) Order (Cap. 525 sub. leg. AD)

Mutual Legal Assistance in Criminal Matters (India) Order (Commencement) Notice (L.N. 100)

8. The Mutual Legal Assistance in Criminal Matters (India) Order (Cap. 525 sub. leg. AD) (the Order) has been made by the Chief Executive in Council under section 4 of the Mutual Legal Assistance in Criminal Matters Ordinance (Cap. 525) (the Ordinance). Pursuant to section 1 of the Order and by L.N. 100, the Secretary for Security appoints 11 June 2011 as the day on which the Order comes into operation.

9. The Order specifies the scope and procedures in relation to the provision of mutual legal assistance in criminal matters applicable between Hong Kong and India, and the modifications to the Ordinance. The Order is made in consequence of the agreement between Hong Kong and India signed on 14 September 2009. The agreement is reproduced in Schedule 1 to the Order, with the modifications and a summary of the modifications stated in Schedules 2 and 3 to the Order respectively.

10. The Order has been scrutinized and supported by a Subcommittee. Members may wish to refer to the report of the Subcommittee to the House Committee (LC Paper No. CB(2)1514/10-11) for further information. The Legislative Council approved the Order by resolution under section 4 of the Ordinance on 11 May 2011.

11. The Panel on Security has not been consulted on L.N. 100.

12. No difficulties have been identified in the legal or drafting aspects of L.N. 100.

Prepared by

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