

Bills Committee on Competition (Amendment) Bill 2014

**List of follow-up actions arising from the discussion
at the meeting on 30 June 2014**

The Administration is requested to –

- (a) provide written response to the views and concerns expressed by deputations/individuals on the Competition (Amendment) Bill 2014 ("the Bill") at the captioned meeting;

Clause 6 – proposed new section 155A

- (b) clarify whether the term "fine" in the proposed new section 155A(1)(c) could be interpreted to include the "penalty" in the proposed new section 155A(1)(a) and (b);
- (c) consider amending the English text of the proposed new section 155A(1)(c) to read as "any other fine imposed by the Tribunal" to tally with the Chinese text;

Clause 8 – proposed new section 156A

- (d) consider amending the Chinese text of the proposed new section 156A(2) to better reflect the meaning of the English text, with reference to the use of "由或根據" as the Chinese rendition of "by or under" in other Ordinances;

Clause 11 – proposed new section 158A

- (e) consider defining "the Registrar of the Tribunal" in the Bill to make clear when the term covers the Registrar, a senior deputy registrar and a deputy registrar and their temporary counterparts;

Clause 15

- (f) consider amending the Chinese text of the definition of **higher court of Hong Kong** in Rule 2 of the Higher Rights of Audience Rules (Cap. 159 sub. leg. AK) to read as "較高級法院 (higher court of Hong Kong) 指以下任何法庭、法院或審裁處 –";

Clause 16

- (g) since the phrase "established under XXX Ordinance" is used under the existing Schedule 2 to the Electronic Transactions Ordinance (Cap. 553), consider amending the paragraph to be added to the Schedule to read as "(ca) the Competition Tribunal established under the Competition Ordinance (Cap. 619)" in Clause 16 of the Bill; and

Use of references to Registrar

- (h) review the use of references to "the Registrar" alone and references to "the Registrar, a senior deputy registrar and/or a deputy registrar" throughout the Bill.

Council Business Division 1
Legislative Council Secretariat
11 July 2014