

律政司
法律草擬科

香港金鐘道 66 號
金鐘道政府合署高座 8 樓至 9 樓

圖文傳真: 852-2869 1302 (8 樓)
852-2845 2215 (9 樓)



DEPARTMENT OF JUSTICE
Law Drafting Division

8/F - 9/F., High Block
Queensway Government Offices
66 Queensway, Hong Kong

Fax: 852-2869 1302 (8/F)
852-2845 2215 (9/F)

本司檔號 Our Ref.: LDT /768/00/0
來函檔號 Your Ref.: LS/B/3/16/13-14
電話號碼 Tel. No.: 2867 2405

By fax: 2877 5029

18 June, 2014

Mr Timothy TSO
Assistant Legal Adviser
Legal Service Division
Legislative Affairs Council Secretariat
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong

Dear Mr Tso,

Statute Law (Miscellaneous Provisions) Bill 2014

We refer to your letter of 19 May 2014. We set out below the Administration's response to the issues raised in relation to Clause 1(4) of Part 1 and Parts 12, 13 and 15 of the Bill.

A. Parts 12 and 13 and clause 157 in Part 15

Unauthorized entries issue

1. Consolidated instruments were previously published in the Revised Edition of the Laws of Hong Kong (*Revised Edition*), which contained legislation as it stood on 31 December 1989. Section 5(d) of the Revised Edition of the Laws Ordinance 1965 provides for the power to consolidate instruments of the same nature into a single instrument (i.e. a consolidated instrument with a general description of the nature of the items so consolidated and a list of entries setting out the contents of the items). In the early 1990s, consolidated instruments were migrated from the Revised Edition to the Loose-leaf edition of the Laws of Hong Kong (*Loose-leaf Edition*).

2. There is no similar consolidation power under the Laws (Loose-leaf Publication) Ordinance 1990 (*Loose-leaf Ordinance*). However, the consolidation practice continued in respect of a number of consolidated instruments in the Loose-leaf edition. The problem is that strictly speaking, an

unauthorized consolidated entry in the Loose-leaf edition does not legally form part of the consolidated instrument concerned. The validity of any subsequent amendment to an unauthorized consolidated entry as appearing in the Loose-leaf edition may technically be irregular as the entry is arguably not part of the instrument. Moreover, since the Chinese text of an Ordinance was declared authentic under section 4B of the Official Languages Ordinance (Cap. 5) on the basis of the English text of the Ordinance published in the Loose-leaf edition, the authentic Chinese text of an unauthorized consolidated entry may also be irregular.

Part 12

3. **Annex A** contains a list of all Gazette notices of specifications made under section 43 of Interpretation and General Clauses Ordinance (Cap. 1)(*Cap. 1*) covered by clause 66. They were consolidated into the Specification of Public Offices (Cap. 1 sub. leg. C)(*Cap. 1C*) in the absence of a consolidation power. The legal effect of these original specifications is not doubtful. However, as mentioned above, the validity of a subsequent amendment to an unauthorized consolidated entry, or of the authentic Chinese text of such an entry, may be irregular and therefore questionable. We therefore propose clause 66 to validate the irregularities.

4. Apart from dealing with the unauthorized consolidation issue, as Cap. 1C has been in place for many years, we have taken the opportunity to review and update the specifications e.g. by following up those consequential amendments that should have been made in previous amendment exercises. It is therefore proposed to replace all the specifications by clauses 63 and 64. However, the scope of the updating exercise is limited to reviewing the accuracy of the existing specifications only, without introducing new specifications. For the substance of the updating exercise under clause 63, please see **Annex B**.

5. Division 4 (clause 66) contains validating provisions in relation to the technical irregularities regarding unauthorized consolidated entries in Cap. 1C and the relevant purported amendments. It is logical for the technical irregularities to be first rectified, immediately before the commencement of Divisions 1 to 2 (which will replace all the specifications made under section 43 of Cap. 1) and of Division 3 (which contains consequential amendments for the replacement).

Part 13

6. Clause 67 relates to paragraphs 2 and 3 of the Antiquities and Monuments (Declaration of Monuments and Historical Buildings) (Consolidation) Notice (Cap. 53 sub. leg. B). Part 1 of **Annex C** contains all Gazette notices of

declarations covered by clause 67. Clause 68 relates to the Schedule to the Country Parks (Designation) (Consolidation) Order (Cap. 208 sub. leg. B). Part 2 of **Annex C** contains all Gazette orders of designations covered by clause 68.

7. The legal effect of these original notices and orders is not doubtful. However, as mentioned above, the validity of a subsequent amendment to an unauthorized consolidated entry, or of the authentic Chinese text of such an entry, may be irregular and therefore questionable. We therefore propose clauses 67 and 68 to validate the irregularities.

Clause 157 in Part 15

8. The Registration of Persons (Invalidation of Identity Cards) (Consolidation) Order (Cap. 177 sub. leg. C) (**Cap. 177C**) consolidated Orders invalidating HKID cards. Items (p) to (u) are unauthorized entries (i.e. added to Cap. 177C in the absence of a consolidation power).

9. The legal effect of the invalidations is not doubtful. We propose repealing Cap. 177C as the invalidations have had their effect already.

B. Clause 173 in Part 15

10. Sections 32 to 36 of the Buildings (Amendment) Ordinance 2011 (16 of 2011) amend certain Schedule numbers by changing them to Arabic numerals. These amendments are no longer necessary because the relevant Schedule numbers have already been amended by editorial amendments made under s.2A(1) of the Loose-leaf Ordinance (see E.R. 1 of 2012).

Yours sincerely,



(Ms. Leonora Ip)
Senior Assistant Law Draftsman
Law Drafting Division

c.c. Clerk to the Bills Committee

Annex AUnauthorized Consolidated Entries under the existing Cap. 1C

No.	Public Office	Ordinance or section of Ordinance for which specified	With Chinese in the original specification?	With subsequent amendment?	Was the original L.N. amended?
1.	Chief Secretary for Administration (L.N. 362 of 1997)	Education Scholarships Fund Ordinance (Chapter 1085), section 6(2). (L.N. 7 of 1992)	✘	To amend "Chief Secretary" to "Chief Secretary for Administration".	✓
2.	Commissioner for Transport	Eastern Harbour Crossing Ordinance (Chapter 215). (L.N. 405 of 1990)	✘	—	—
3.	Commissioner for Transport	Eastern Harbour Crossing Road Tunnel Regulations (Chapter 215 subsidiary legislation D). (L.N. 405 of 1990)	✘	—	—
4.	Commissioner for Transport	Eastern Harbour Crossing Road Tunnel By-laws (Chapter 215 subsidiary legislation E). (L.N. 405 of 1990)	✘	—	—
5.	Commissioner for Transport	Kowloon-Canton Railway Corporation Ordinance (Chapter 372). (L.N. 405 of 1990)	✘	—	—

No.	Public Office	Ordinance or section of Ordinance for which specified	With Chinese in the original specification?	With subsequent amendment?	Was the original L.N. amended?
6.	Commissioner for Transport	Kowloon-Canton Railway Corporation Regulations (Chapter 372 subsidiary legislation A). (L.N. 405 of 1990)	x	—	—
7.	Commissioner for Transport	Public Bus Services Regulations (Chapter 230 subsidiary legislation A). (L.N. 405 of 1990)	x	—	—
8.	Commissioner for Transport	Road Traffic (Village Vehicles) Regulations (Chapter 374 subsidiary legislation N). (L.N. 405 of 1990)	x	—	—
9.	Commissioner for Transport	Road Tunnels (Government) Ordinance (Chapter 368). (L.N. 405 of 1990)	x	—	—
10.	Commissioner for Transport	Road Tunnels (Government) Regulations (Chapter 368 subsidiary legislation A). (L.N. 405 of 1990)	x	—	—
11.	Commissioner for Transport	Tate's Cairn Tunnel Ordinance (Chapter 393). (L.N. 405 of	x	—	—

No.	Public Office	Ordinance or section of Ordinance for which specified	With Chinese in the original specification?	With subsequent amendment?	Was the original L.N. amended?
		1990)			
12.	Commissioner of Customs and Excise	Import and Export Ordinance (Chapter 60), sections 27(3B), 28(2A) and (10) and 29A(1). (L.N. 320 of 1993)	✓	In the Chinese text, to amend“海關總監” to“海關關長”.	✓
13.	Commissioner of Customs and Excise	Import and Export Ordinance (Chapter 60), section 33A(1)(b). (L.N. 175 of 1997)	✓	In the Chinese text, to amend“海關總監” to“海關關長”.	✓
14.	Commissioner of Customs and Excise	Import and Export (Carriage of Articles) Regulations (Chapter 60 subsidiary legislation I), regulation 4. (L.N. 176 of 1991)	✗	In the Chinese text, to amend“海關總監” to“海關關長”.	✓
15.	Director of Agriculture, Fisheries and Conservation (L.N. 331 of 1999)	Forests and Countryside Ordinance (Chapter 96), sections 22(5) and 23. (L.N. 220 of 1993)	✓	To amend “Director of Agriculture and Fisheries” in Cap. 1C to “Director of Agriculture, Fisheries and Conservation”.	✗
16.	Director of Agriculture, Fisheries and Conservation (L.N. 331 of 1999)	Kadoorie Agriculture Aid Loan Fund Ordinance (Chapter 1080), section 7. (L.N. 397 of 1996)	✓	To amend “Director of Agriculture and Fisheries” in Cap. 1C to “Director of Agriculture, Fisheries and Conservation”.	✗

No.	Public Office	Ordinance or section of Ordinance for which specified	With Chinese in the original specification?	With subsequent amendment?	Was the original L.N. amended?
17.	Director of Agriculture, Fisheries and Conservation (L.N. 331 of 1999)	Marine Parks Ordinance (Chapter 476), section 22(1). (L.N. 67 of 1997)	✓	To amend "Director of Agriculture and Fisheries" in Cap. 1C to "Director of Agriculture, Fisheries and Conservation".	✗
18.	Director of Agriculture, Fisheries and Conservation (L.N. 331 of 1999)	Marine Parks and Marine Reserves Regulation (Chapter 476 subsidiary legislation A), section 17. (L.N. 67 of 1997)	✓	To amend "Director of Agriculture and Fisheries" in Cap. 1C to "Director of Agriculture, Fisheries and Conservation".	✗
19.	Director of Agriculture, Fisheries and Conservation (L.N. 331 of 1999)	Plant (Importation and Pest Control) Ordinance (Chapter 207). (L.N. 360 of 1993)	✓	(a) To amend "Director of Agriculture and Fisheries" in Cap. 1C to "Director of Agriculture, Fisheries and Conservation". (b) To amend the Chinese text of Cap.1C by repealing“植物(進口及蟲害防治)條例”and substituting“植物(進口管制及病蟲害控制)條例”.	(a) ✗ (b) ✗
20.	Director of Lands	Government Rights (Re-entry and Vesting Remedies) Ordinance (Chapter 126), section 7(3) (L.N. 423 of 1993;	✓	To amend " <u>Crown</u> Rights (Re-entry and Vesting Remedies) Ordinance" in Cap.1C to " <u>Government</u> Rights (Re-entry and Vesting Remedies) Ordinance".	✗

No.	Public Office	Ordinance or section of Ordinance for which specified	With Chinese in the original specification?	With subsequent amendment?	Was the original L.N. amended?
		29 of 1998 s.2)			
21.	Director-General of Trade and Industry (L.N. 173 of 2000)	Import and Export Ordinance (Chapter 60), section 33A(1)(b). (L.N. 396 of 1996)	✓	To amend “Director-General of Trade” in Cap. 1C to “Director-General of Trade and Industry.	✗
22.	Financial Secretary	Customs and Excise Service (Welfare Fund) Regulations (Chapter 342 subsidiary legislation C), regulation 8. (L.N. 389 of 1990; 10 of 2005 s.220)	✗	(a) To repeal “Customs and Excise Service (Welfare Fund) Regulations (Chapter 342 subsidiary legislation, regulation 8” in Cap. 1C and substitute “Customs and Excise Service (Welfare Fund) Regulation (Chapter 342 subsidiary legislation C), section 8”). (b) In the Chinese text, to amend “財政司” to “財政司司長” .	(a) ✗ (b) ✓
23.	Financial Secretary	Fire Services Department (Welfare Fund) Regulations (Chapter 95 subsidiary legislation), regulation 8. (L.N. 389 of 1990)	✗	In the Chinese text, to amend “財政司” to “財政司司長” .	✓
24.	Financial Secretary	The Hong Kong Association of Banks Ordinance (Chapter 364), section 12(1). (L.N. 499 of 1993)	✓	In the Chinese text, to amend “財政司” to “財政司司長” .	✓

No.	Public Office	Ordinance or section of Ordinance for which specified	With Chinese in the original specification?	With subsequent amendment?	Was the original L.N. amended?
25.	Financial Secretary	Hong Kong Export Credit Insurance Corporation Ordinance (Chapter 1115), section 24(2). (L.N. 512 of 1996)	✓	In the Chinese text, to amend “財政司” to “財政司司長” .	✓
26.	Financial Secretary	Immigration Service (Welfare Fund) Regulations (Chapter 331 subsidiary legislation), regulation 8. (L.N. 389 of 1990)	✗	(a) In the Chinese text of Cap.1C, to amend “人民入境管理隊(福利基金)規例” to “入境事務隊(福利基金)規例” . (b) In the Chinese text, to amend “財政司” to “財政司司長” .	(a) ✗ (b) ✓
27.	Financial Secretary	Legal Tender Notes Issue Ordinance (Chapter 65), section 3(2), (3) and (5). (L.N. 258 of 1996)	✓	In the Chinese text, to amend “財政司” to “財政司司長” .	✓
28.	Financial Secretary	Police (Welfare Fund) Regulations (Chapter 232 subsidiary legislation), regulation 9. (L.N. 389 of 1990)	✗	In the Chinese text, to amend “財政司” to “財政司司長” .	✓
29.	Financial Secretary	Prison Rules (Chapter 234 subsidiary legislation A), rules 263 and 265. (L.N. 389 of 1990)	✗	In the Chinese text, to amend “財政司” to “財政司司長” .	✓

No.	Public Office	Ordinance or section of Ordinance for which specified	With Chinese in the original specification?	With subsequent amendment?	Was the original L.N. amended?
30.	Financial Secretary	Trading Funds Ordinance (Chapter 430) section 3(1). (L.N. 36 of 1995)	✓	In the Chinese text, to amend “財政司” to “財政司司長” .	✓
31.	Financial Secretary	Trading Funds Ordinance (Chapter 430), section 8(2). (L.N. 529 of 1994)	✓	In the Chinese text, to amend “財政司” to “財政司司長” .	✓
32.	Insurance Authority	Insurance Companies Ordinance (Chapter 41). (L.N. 182 of 1990)	✗	—	—
33.	Land Registrar	Government Rights (Re-entry and Vesting Remedies) Ordinance (Chapter 126), sections 11(1) and (3) and 12(1) and (3). (L.N. 140 of 1993; 29 of 1998 s.2)	✓	To amend the title appears in Cap. 1C from “ <u>Crown</u> Rights (Re-entry and Vesting Remedies) Ordinance” to “ <u>Government</u> Rights (Re-entry and Vesting Remedies) Ordinance”.	✗
34.	Land Registrar	Land Registration Ordinance (Chapter 128). (L.N. 140 of 1993)	✓	—	—
35.	Land Registrar	Building Management Ordinance (Chapter 344). (L.N. 140 of 1993)(27 of 1993 s. 56)	✓	Amendment made to L.N. (C) 1 of 1992, in the item relating to Cap. 344, repealing “多層建築物(業主法團)” and “Multi-storey Buildings (Owners Incorporation)” and substituting “建築物管理” and “Building Management”.	✗

No.	Public Office	Ordinance or section of Ordinance for which specified	With Chinese in the original specification?	With subsequent amendment?	Was the original L.N. amended?
36.	Monetary Authority	Crimes Ordinance (Chapter 200), sections 103(1) and 104(1). (L.N. 102 of 1995)	✓	—	—
37.	Registrar of Companies	Companies (Winding Up and Miscellaneous Provisions) Ordinance (Chapter 32). (L.N. 141 of 1993; 28 of 2012 ss. 912 & 920 and L.N. 162 of 2013)	✓	To amend the title appears in Cap. 1C from “Companies Ordinance” to “Companies (Winding Up and Miscellaneous Provisions) Ordinance”.	✗
38.	Registrar of Companies	Limited Partnerships Ordinance (Chapter 37) (L.N. 141 of 1993)	✓	—	—
39.	Registrar of Companies	Registered Trustees Incorporation Ordinance (Chapter 306). (L.N. 141 of 1993)	✓	—	—
40.	Registrar of Companies	Trustee Ordinance (Chapter 29). (L.N. 141 of 1993)	✓	—	—
41.	Registrar of Co-operative Societies	J.E. Joseph Trust Fund Ordinance (Chapter 1067), sections 3, 4, 5, 6 and 7. (L.N. 398 of 1996)	✓	—	—

No.	Public Office	Ordinance or section of Ordinance for which specified	With Chinese in the original specification?	With subsequent amendment?	Was the original L.N. amended?
42.	Registrar of Occupational Retirement Schemes	Occupational Retirement Schemes Ordinance (Chapter 426). (L.N. 454 of 1993)	✓	—	—
43.	Secretary for Broadcasting, Culture and Sport (L.N. 372 of 1996)	Books Registration Ordinance (Chapter 142). (L.N. 403 of 1995)	✓	(a) In the English text to Cap.1C, to amend “Secretary for Recreation and Culture” to “Secretary for Broadcasting, Culture and Sport”. (L.N. 372 of 1996) (b) In the Chinese text, to amend “文康廣播司” to “文康廣播局局長” . (L.N. 362 of 1997)	(a) ✗ (b) ✓
44.	Secretary for Home Affairs	Heung Yee Kuk Ordinance (Chapter 1097), section 3(3). (L.N. 235 of 1995)	✓	In the Chinese text, to amend “政務司” to “民政事務局局長” .	✓
Total:			Without Chinese: <u>18</u>	With subsequent amendment: <u>26</u>	Original L.N. not amended: <u>13</u>

Amendments to specifications made under section 43 of Cap. 1

No.	Specification	Proposed Amendments	Remarks
1.	Chief Secretary for Administration – Colony Armorial Bearings (Protection) Ordinance (Cap. 315), section 3	To repeal the specification	The Ordinance was not adopted as the laws of HK after 30 June 1997.
2.	Chief Secretary for Administration – Institute of the Soeurs des Missions Etrangères Incorporation Ordinance (Cap. 1088), section 5(2).	To repeal the specification	The Ordinance was repealed by section 8 of 14 of 1997.
3.	Chief Secretary for Administration – Norwegian Seamen’s Mission Incorporation Ordinance (Cap. 1056), section 7(2)	To repeal the specification	The Ordinance was repealed by section 8 of 14 of 1997.
4.	Chief Secretary for Administration – The Rules of the Supreme Court (Cap. 4 sub. leg. A), Order 69, rule 2, and Order 70, rule 3.	To amend the citation.	The citation was amended to “Rules of the High Court” by section 2 of 25 of 1998.
5.	Commissioner for Transport – Motor Vehicles Insurance (Third Party Risks) Ordinance (Cap. 272)	To amend the Chinese text of the short title (from “汽車保險(第三者保險)條例” to “汽車保	The Chinese text of the short title is “汽車保險(第三者風險)條例”.

No.	Specification	Proposed Amendments	Remarks
		險(第三者風險)條例”)	
6.	Commissioner for Transport – Public Omnibus Services Ordinance (Cap. 230)	To amend the English text of the short title	The English text of the short title was amended to “Public Bus Services Ordinance” by section 114 of 75 of 1982.
7.	Commissioner of Customs and Excise – Reserved Commodities (Control of Imports, Exports and Reserve Stocks) Regulations (Cap. 296 sub. leg. A), regulations 7A and 9(2).	To amend the Chinese text of the citation (from “儲備商品(進出口及存貨管制)規例” to “儲備商品(進出口及儲備存貨管制)規例”)	The Chinese text of the citation is “儲備商品(進出口及儲備存貨管制)規例”.
8.	Director of Agriculture, Fisheries and Conservation – Dairies Regulations (Cap. 139 sub. leg. D), regulations 3, 8, 9, 11, 15, 16(2), 18, 19(2)(f), 21(3), 26(1) and 29(2).	To amend the Chinese text of the citation (from “牛奶場規例” to “奶場規例”)	The Chinese text of the citation is “奶場規例”.
9.	Director of Agriculture, Fisheries and Conservation – Pearl Culture (Control) Ordinance (Cap. 307), section 3	To repeal the specification.	The Ordinance was repealed by section 3 of 68 of 1995.
10.	Director of Agriculture, Fisheries and Conservation – Public Health (Animals) (Boarding Establishments) Regulations	To amend the English text of the citation	The English text of the citation is “Public Health (Animals) (Boarding Establishment) Regulations”.

No.	Specification	Proposed Amendments	Remarks
	(Cap.139 sub. leg. I), regulations 5(1), 5(3) and 7.		
11.	Director of Agriculture, Fisheries and Conservation – Public Health (Animals) (Riding Establishments) Regulations (Cap.139 sub. leg. J), regulations 5(1), 5(3) and 7.	To amend the English text of the citation	The English text of the citation is “Public Health (Animals)(Riding Establishment) Regulations”.
12.	Director of Buildings as Building Authority – Child Care Services Ordinance (Cap. 243), section 7(1)(b)(ii)	To repeal the specification.	Since the amendments made by section 7 of 38 of 1997, section 7(1)(b)(ii) does not mention “Building Authority”.
13.	Director of Electrical and Mechanical Services – Peak Tramway Ordinance (Cap. 265), section 14	To amend “section 14” to “section 14A”	The relevant provision has been moved to section 14A. Section 14 was substituted by sections 14 to 14H by 26 of 1989.
14.	Director of Electrical and Mechanical Services – Peak Tramway Rules (Cap. 265 sub. leg.) rule 22	To repeal the specification	The Rules were repealed by regulation 36 of L.N. 30 of 1989.
15.	Director of Environmental Protection – Waste Disposal Ordinance (Cap. 354), sections 16(1), 17, 19(1), 20 and 36(3)	(a) To amend the Chinese text of the short title (from “廢物處理條例” to “廢物處置條例”)	(a) The Chinese text of the short title is “廢物處置條例”. (b) Section 20 was repealed by section 2 of 14 of 1995.

No.	Specification	Proposed Amendments	Remarks
		(b) To repeal the reference to section 20	
16.	Director of Health – Animal (Control of Experiments) Ordinance (Cap. 340).	To amend the English text of the short title.	The English text of the short title is “Animals (Control of Experiments) Ordinance”.
17.	Director of Highways – Peak Tramway Ordinance (Cap. 265),	To repeal the specification	“Director of Highways” was substituted by “Secretary for Transport” (now the “Secretary for Transport and Housing”) by the Peak Tramway (Amendment) Ordinance (26 of 1989).
18.	Director of Highways – Peak Tramway Rules (Cap. 265 sub. leg.)	To repeal the specification	The Rules were repealed by regulation 36 of L.N. 30 of 1989.
19.	Director-General of Trade and Industry – Export (Certificates of Origin and Commonwealth Preference Certificates) Regulations (Cap. 60 sub. leg. H), regulations 6(2), 7(1)-(4) , 8(1) and (3), 9(2) and 11(1)(c)	To amend the citation	The citation was amended to “Export (Certificates of Origin) Regulations” by section 2 of L.N. 119 of 1990.

No.	Specification	Proposed Amendments	Remarks
20.	Director-General of Trade and Industry – Reserved Commodities (Control of Imports, Exports and Reserve Stocks) Regulations (Cap. 296 sub. leg A)	To amend the Chinese text of the citation (from “儲備商品(進出口及存貨管制)規例” to “儲備商品(進出口及儲備存貨管制)規例)	The Chinese text of the citation is “儲備商品(進出口及儲備存貨管制)規例”.
21.	Director-General of Trade and Industry – Reserved Commodities (Control of Sales by Wholesale) Regulations (Cap. 296 sub. leg B)	To amend the Chinese text of the citation (from “儲備商品(批發出售管制)規例” to “儲備商品(批發售賣的管制)規例”)	The Chinese text of the citation is “儲備商品(批發售賣的管制)規例”.
22.	Financial Secretary – Fire Services Department (Welfare Fund) Regulations (Cap. 95 sub. leg. D), regulation 8	To repeal the specification	The Regulations were repealed by section 13 of L.N. 251 of 1999
23.	Financial Secretary – Immigration Service (Welfare Fund) Regulations (Cap. 331, sub. leg. A), regulation 8	To repeal the specification	The Regulations were repealed by section 13 of L.N. 252 of 1999.
24.	Financial Secretary – Police (Welfare Fund) Regulations (Cap. 232 sub. leg. B), regulation 9	To repeal the specification	The Regulations were repealed by section 13 of L.N. 253 of 1999.

No.	Specification	Proposed Amendments	Remarks
25.	Financial Secretary – Prison Rules (Cap. 234 sub. leg. A), rules 263 and 265	To repeal “and 265”	Rule 265 does not mention “Financial Secretary” .
26.	Permanent Secretary for Education – Inland Revenue Ordinance (Cap. 112), sections 16B and 16C	To amend the specified public office to “Commissioner of Inland Revenue”	“Director of Education” was amended to “Commissioner” in these provisions by sections 5 and 6 of 24 of 1996.
27.	Permanent Secretary for Education – Post Secondary Colleges Ordinance (Cap. 320), sections 3,8,9,10,11 and 12(2)	To repeal the reference to section 10	Section 10 does not mention “Permanent Secretary for Education”.
28.	Registrar of Occupational Retirement Schemes – Occupational Retirement Schemes Ordinance (Cap. 426)	To repeal the specification.	Since 2000, “Registrar” is defined as the Mandatory Provident Fund Schemes Authority (“MPFA”) in this Ordinance. MPFA is not a “public officer” or holding a “public office”. Section 43 of Cap. 1 does not apply.
29.	Secretary for Broadcasting, Culture and Sport – Books Registration Ordinance (Cap. 142)	To amend the specified office to “Secretary for Home Affairs”	The relevant Secretary is the Secretary for Home Affairs in the Ordinance.
30.	Secretary for Home Affairs – New Territories Ordinance (Cap. 97), section 9(2), for the purpose of section 19	To repeal the specification	Section 9(2) was repealed by section 10 of 8 of 1993.

No.	Specification	Proposed Amendments	Remarks
31.	Collector of Stamp Revenue –Betting Duty Regulations (Cap 108 sub. leg. A), regulation 3AA(3)(b) and (5)	To repeal the specification	Regulation 3AA(3)(b) and (5) was repealed by section 19 of 6 of 2013.
32.	Commissioner of Custom and Excise – all specifications	To amend “香港海關關長” to “海關關長” in the Chinese text	To be in line with the amendments in Part 14 of the Bill

This table does not include minor textual amendments (e.g. to follow the current drafting practice such as amending “Chapter” to “Cap.” in the English text, to improve accuracy and reader-friendliness by referring to a more precise location of provisions, etc.)

Annex C**Part 1 – Antiquities and Monuments (Declaration of Monuments and Historical Buildings) (Consolidation) Notice (Cap. 53B)****Paragraph 2 (unauthorized entries starting from subparagraph (z))**

Subparagraph no. under paragraph 2	L.N. No. of Gazette Notice	With Chinese in the original declaration?	Amended by 20 of 2002	Amended by 8 of 1993
(z)	L.N. 233 of 1990	✗	✗	✓
(aa)	L.N. 105 of 1993	✗	✓	—
(ab)	L.N. 52 of 1997	✓	✓	—
(ac)	L.N. 177 of 2009	✓	—	—
(ad)	L.N. 177 of 2009	✓	—	—
(ae)	L.N. 177 of 2009	✓	—	—
(af)	L.N. 177 of 2009	✓	—	—
(ag)	L.N. 177 of 2009	✓	—	—
(ah)	L.N. 177 of 2009	✓	—	—
Total:		Without Chinese: <u>2</u>	Amended by 20 of 2002: <u>2</u>	Amended by 8 of 1993: <u>1</u>

Paragraph 3**(i) Unauthorized entries starting from subparagraph (q)**

Subparagraph no. under paragraph 3	L.N. No. of Gazette Notice	With Chinese in the original declaration?	Amended by 20 of 2002	Amended by 8 of 1993
(q)	L.N. 160 of 1990	✗	✗	✓
(r)	L.N. 209 of 1990	✗	✗	✓
(s)	L.N. 209 of 1990	✗	✗	✓
(t)	L.N. 175 of 1991	✗	✓	✓
(u)	L.N. 280 of 1991	✗	✗	✓
(v)	L.N. 40 of 1992	✗	✗	✓
(w)	L.N. 206 of 1992	✗	✓	✓
(x)	L.N. 388 of 1993	✗	✗	—
(y)	L.N. 633 of 1994	✗	✓	—
(z)	L.N. 680 of 1994	✗	✗	—
(aa)	L.N. 128 of 1995	✗	✗	—

Subparagraph no. under paragraph 3	L.N. No. of Gazette Notice	With Chinese in the original declaration?	Amended by 20 of 2002	Amended by 8 of 1993
(ab)	L.N. 416 of 1995	x	x	—
(ac)	L.N. 416 of 1995	x	x	—
(ad)	L.N. 416 of 1995	x	x	—
(ae)	L.N. 421 of 1995	x	x	—
(af)	L.N. 422 of 1995	x	x	—
(ag)	L.N. 423 of 1995	x	x	—
(ah)	L.N. 442 of 1995	x	x	—
(ai)	L.N. 20 of 1996	✓	x	—
(aj)	L.N. 265 of 1996	✓	✓	—
(ak)	L.N. 406 of 1996	✓	x	—
(al)	L.N. 530 of 1997	✓	✓	—
(am)	L.N. 39 of 1998	✓	✓	—
(an)	L.N. 301 of 1998	✓	✓	—
(ao)	L.N. 328 of 1999	✓	✓	—
(ap)	L.N. 329 of 1999	✓	✓	—
(aq)	L.N. 255 of 2000	✓	x	—
(ar)	L.N. 368 of 2000	✓	x	—
(as)	L.N. 368 of 2000	✓	✓	—
(at)	L.N. 272 of 2001	✓	✓	—
(au)	L.N. 272 of 2001	✓	✓	—
(av)	L.N. 272 of 2001	✓	✓	—
(aw)	L.N. 167 of 2002	✓	—	—
(ax)	L.N. 167 of 2002	✓	—	—
(ay)	L.N. 270 of 2003	✓	—	—
(az)	L.N. 48 of 2004	✓	—	—
(ba)	L.N. 236 of 2005	✓	—	—
(bb)	L.N. 253 of 2006	✓	—	—
(bc)	L.N. 76 of 2007	✓	—	—
(bd)	L.N. 227 of 2007	✓	—	—
(be)	L.N. 135 of 2008	✓	—	—
(bf)	L.N. 201 of 2008	✓	—	—
(bg)	L.N. 241 of 2008	✓	—	—
(bh)	L.N. 220 of 2009	✓	—	—
(bi)	L.N. 220 of 2009	✓	—	—
(bj)	L.N. 149 of 2010	✓	—	—
(bk)	L.N. 149 of 2010	✓	—	—

Subparagraph no. under paragraph 3	L.N. No. of Gazette Notice	With Chinese in the original declaration?	Amended by 20 of 2002	Amended by 8 of 1993
(bl)	L.N. 149 of 2010	✓	—	—
(bm)	L.N. 149 of 2010	✓	—	—
(bn)	L.N. 109 of 2011	✓	—	—
(bo)	L.N. 172 of 2011	✓	—	—
(bp)	L.N. 172 of 2011	✓	—	—
Total:		Without Chinese: <u>18</u>	Amended by 20 of 2002: <u>13</u>	Amended by 8 of 1993: <u>7</u>

Registrar General (Establishment) (Transfer of Functions and Repeal) Ordinance (8 of 1993)

Section 30 of 8 of 1993 amended all “Land Office” to “Land Registry”. Since the amendments were made to the paragraphs 2 and 3 of Cap. 53B but not the original Gazette notices, technically purported amendments relating to an unauthorized entry may be irregular. There are 1 of these in paragraph 2 and 7 of these in paragraph 3.

Land Registration (Amendment) Ordinance 2002 (20 of 2002)

Section 5 of 20 of 2002 amended those references to Land Registry located in areas other than Victoria to “Land Registry”. However, different from 8 of 1993, 20 of 2002 also amended the original Gazette notices; therefore those declarations that were amended by 20 of 2002 but not 8 of 1993 were properly amended.

(ii) Declarations recorded in separate table

L.N. 186 of 2013

L.N. 206 of 2013

Part 2 – Country Parks (Designation) (Consolidation) Order (Cap. 208B)
(unauthorized entries starting from item 22 in Schedule)

Item no. in Schedule	L.N. No. of Gazette Order	With Chinese in the original designation?	Any subsequent amendment?
22	L.N. 264 of 1996	✓	✗
23	L.N. 383 of 1998	✓	✗
24	L.N. 190 of 2008	✓	✗