# LEGISLATIVE COUNCIL BRIEF

# STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL 2014

#### INTRODUCTION

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At the meeting of the Executive Council on 8 April 2014, the Council ADVISED and the Chief Executive ORDERED that the Statute Law (Miscellaneous Provisions) Bill 2014, at **Annex A**, should be introduced into the Legislative Council.

#### JUSTIFICATIONS

2. The proposed amendments in the Statute Law (Miscellaneous Provisions) Bill 2014 ("the Bill") are set out below under different headings.

#### (A) Crimes Ordinance (Cap. 200) ("CO")

3. The Security Bureau ("SB") proposes to amend/repeal the parts of the provisions of the CO that were ruled unconstitutional by the courts in the following two judgments:-

(a) In Leung TC William Roy v Secretary for Justice (HCAL 160/2004 and CACV 317/2005), the Court of Appeal upheld the decision of the Court of First Instance, which declared that sections 118C and 118H (to the extent that they apply to a man aged 16 or over and under 21) and sections 118F(2)(a) and 118J(2)(a) of the CO are inconsistent with Articles 25 and 39 of the Basic Law and Articles 1, 14 and 22 of the Hong Kong Bill of Rights ("HKBOR") and are therefore unconstitutional; and

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- (b) In Secretary for Justice v Yau Yuk Lung (FACC 12/2006), the Court of Final Appeal declared that section 118F(1) of the CO was unconstitutional for infringing the respondents' right to equality guaranteed under Article 25 of the Basic Law and Article 22 of the HKBOR.
- (B) Sex Discrimination Ordinance (Cap. 480) ("SDO"), Disability Discrimination Ordinance (Cap. 487) ("DDO"), Family Status Discrimination Ordinance (Cap. 527) ("FSDO") and Race Discrimination Ordinance (Cap. 602) ("RDO")

4. The Constitutional and Mainland Affairs Bureau ("CMAB") and Labour and Welfare Bureau have decided to proceed with the following legislative amendments proposed by the Equal Opportunities Commission ("EOC") in relation to the above four anti-discrimination ordinances:

- (a) to repeal certain items in Part 2 of Schedule 5 to the SDO which are exempted from the operation of the relevant parts of the SDO;
- (b) to enable enforcement notices to be served on persons by the EOC for discriminatory practices under the DDO;
- (c) to provide protection to the members and staff of the EOC against liability when they act in good faith in the performance or purported performance of any of the EOC's functions, etc. under the DDO and FSDO as the same protection is already provided in section 68 of the SDO and in section 62 of the RDO; and
- (d) to refine the Chinese text of some provisions of the DDO, SDO, FSDO and RDO.

# (C) Evidence Ordinance (Cap. 8) ("EO") and Lands Tribunal Ordinance (Cap. 17) ("LTO")

# Powers of members and temporary members of the Lands Tribunal

5. Section 81 of the EO currently empowers judges and judicial officers ("JJOs") at various courts and tribunals in Hong Kong to bring up any person in lawful custody before the courts or tribunals to enable such person to prosecute, defend, or to be examined as a witness. There is, however, no reference to the JJOs of the Lands Tribunal in section 81 of the EO. Arguably, the presiding officers and other members of the Lands Tribunal may still rely on some other existing provisions (e.g. section 81(1) of the EO read together with section 10(1) of the LTO) to exercise the power under section 81(1) of the EO to issue a warrant or order to bring any person in custody before the tribunal. For the sake of clarity, the Judiciary Administrator ("JA") proposes to amend section 81 of the EO to provide explicit powers for the JJOs of the Lands Tribunal to do so.

6. Further, as the work of temporary members and permanent members of the Lands Tribunal is identical, similar to the other courts, JA proposes to amend section 6A of the LTO to put it beyond doubt that the temporary members shall exercise the same powers of a member of the Tribunal (including the power under section 81 of the EO).

# Notarial Instruments

7. At the suggestion of the Hong Kong Society of Notaries and after consulting the two legal professional bodies and the Judiciary, the Department of Justice ("DoJ") proposes to amend the EO to the effect that a notarial instrument may be received in evidence in civil proceedings in the courts of Hong Kong, without further proof, as duly authenticated unless the contrary is proved.

# Foreign public, banking, routine business and computer records

8. DoJ proposes to introduce amendments to the EO and the Mutual Legal Assistance in Criminal Matters Ordinance (Cap. 525) ("MLACMO") to render foreign public, banking, routine business and computer records obtained pursuant to mutual legal assistance requests admissible in criminal proceedings in Hong Kong as prima facie evidence of any fact stated therein if they are annexed to a deposition, affidavit, affirmation or declaration made according to the law of the foreign jurisdiction concerned. For documentary records to be so admissible under section 77F(2)(c) of the EO, the court must be satisfied that no unfairness is likely to occur in those criminal proceedings consequent upon such documentary records being admitted in evidence. The proposal would bring Hong Kong in line with its major partners in mutual legal assistance matters in respect of the law and practice relating to the admissibility of foreign public and routine business documents.

# (D) Unsolicited Electronic Messages Ordinance (Cap. 593) ("UEMO)

9. The Commerce and Economic Development Bureau ("CEDB") proposes to amend section 44 of the UEMO to the effect that, for the purposes of serving the notices issued by the Communications Authority pursuant to sections 34, 35, 36 and 38 of the UEMO, further modes of service, namely delivery by hand and sending by ordinary post, may be adopted in addition to sending by registered post under the existing provision. The proposal seeks to provide greater flexibility in the service of the notices and to enhance the effectiveness of the enforcement mechanism under the UEMO.

# (E) Trade Descriptions Ordinance (Cap. 362) ("TDO")

10. CEDB further proposes to amend certain defence provisions in the TDO in the light of the judgment of the Court of Final Appeal in *Lee To Nei v HKSAR* (FACC 5/2011) and *Lau Hok Tung and Others v HKSAR* (FACC 7/2011), which declares that section 26(4) of the TDO must be read down as imposing merely an evidential burden on the accused, with the persuasive burden remaining throughout on the prosecution. CEDB proposes to amend section 26(4), together with similar defence provisions in the TDO, to make it clear that these provisions impose only an evidential burden on the accused.

# (F) Building Management Ordinance (Cap. 344) ("BMO")

11. Under the existing provisions of the BMO, a member of the management committee of an owners' incorporation is required to lodge a statutory declaration stating that he/she does not fall within any of the categories of ineligible persons specified in paragraph 4(1) of Schedule 2 to the BMO within 21 days after his/her appointment. A statutory declaration has to be made before a justice of peace, notary public, commissioner or other persons authorized by law to administer an oath.

12. The existing requirement of statutory declaration has been criticized for being too stringent as many management committee members find it very inconvenient to go to the designated venues during office hours for the purpose of making statutory declaration. Some owners complained that the existing requirement had discouraged them from serving as management committee members. To obviate the need of taking an oath, the Home Affairs Bureau ("HAB") proposes to amend the BMO to replace the existing requirements of statutory declaration in section 7(3)(e) of and paragraphs 4(3), 4(5), 4(6) and 4(7) of Schedule 2 to the BMO with the requirement of written statement.

# (G) Legal Services Legislation (Miscellaneous Amendments) Ordinance 1997 (94 of 1997) (the "1997 Ordinance")

13. Schedule 1 to the 1997 Ordinance contains consequential amendments to the Legal Practitioners Ordinance (Cap.159) ("LPO") relating to solicitor corporations and has not yet come into operation. The existing provisions of the LPO, read together with Schedule 1 to the 1997 Ordinance, would have the effect of referring to "legal practice entities" (which is defined to include solicitor corporations) as trustees or co-trustees of a controlled trust. The Law Society proposes to amend Schedule 1 to the 1997 Ordinance to retain the existing definition of controlled trust (which refers to solicitor or foreign lawyers, rather than legal practice entities, as trustees or co-trustees) for the purposes of Part IIA of and Schedule 2 to the LPO.

# (H) Legal Practitioners Ordinance (Cap. 159)

14. The Law Society further proposes to amend section 8A of the LPO in order to empower the Council of the Law Society to revoke and restore a suspension of a solicitor's practice or a foreign lawyer's registration pending a decision of the Solicitors Disciplinary Tribunal if the Council is satisfied that the circumstances that gave rise to the suspension/revocation no longer exist or otherwise considers appropriate. Amendments are also proposed to the 1997 Ordinance to provide for similar powers.

### (I) Other miscellaneous amendments

15. In order to enhance the accuracy and the user-friendliness of the statute book, it is proposed that miscellaneous and technical amendments to various Ordinances or subsidiary legislation be made for different purposes, for example, to provide for consequential amendments that were omitted in previous amendment exercises, to correct cross references in certain provisions, to make provisions for correcting certain consolidation irregularities and to achieve internal consistency in terminology and consistency between the Chinese and English texts of certain enactments.

#### **OTHER OPTIONS**

16. The proposed changes can only be effected by legislative means. There is no other option.

#### THE BILL

- 17. The Bill is divided into 15 Parts.
  - (a) **Part 1** contains the short title and commencement clause;
  - (b) Part 2 repeals and amends certain offence provisions in the CO which were held by the courts as unconstitutional as explained in paragraph 3 above and to provide for consequential amendments;

- (c) Part 3 makes miscellaneous amendments to the SDO, the DDO, the FSDO and the RDO as described in paragraph 4 above;
- (d) **Part 4** amends section 81 of the EO and section 6A of the LTO for the purposes stated in paragraphs 5 and 6 above;
- (e) Part 5 amends the EO, the Rules of the High Court (Cap. 4 sub. leg. A), the Oaths and Declarations Ordinance (Cap. 11) and the Rules of the District Court (Cap. 336 sub. leg. H) for the purpose stated in paragraph 7 above;
- (f) **Part 6** amends the EO and the MLACMO for the purpose stated in paragraph 8 above;
- (g) **Part 7** amends the UEMO to add further modes of service under section 44 of the UEMO;
- (h) Part 8 amends certain defence provisions in the TDO to make it clear that only an evidential burden (but not a persuasive burden) is imposed on the accused who wishes to rely on any of the grounds set out in those defence provisions in any proceedings for the offence concerned under the TDO;
- (i) Part 9 amends the BMO to replace the existing requirement of statutory declaration imposed on a member of a management committee of a building by a requirement of written statement as set out in paragraphs 11 and 12 above;
- (j) **Part 10** amends Schedule 1 to the 1997 Ordinance for the purpose stated in paragraph 13 above;
- (k) Part 11 amends section 8A of the LPO and the 1997
   Ordinance in the manner as described in paragraph 14 above;
- (l) **Parts 12-13** make provisions for correcting technical consolidation irregularities in a few consolidation

instruments, namely the Specification of Public Offices (Cap. 1 sub. leg. C), Antiquities and Monuments (Declaration of Monuments and Historical Buildings) (Consolidation) Notice (Cap. 53 sub. leg. B) and the Country Parks (Designation) (Consolidation) Order (Cap. 208 sub. leg. B). The opportunity is also taken to update the contents of Cap. 1 sub. leg. C and to enhance its presentation by rearranging the specifications made under section 43 of the Interpretation and General Clauses Ordinance (Cap. 1);

- (m) Part 14 makes amendments to various enactments in order to standardize the references to the Chinese titles of the "Commissioner of Customs and Excise", "Deputy Commissioner of Customs and Excise" and "Assistant Commissioner of Customs and Excise" of the Customs and Excise Service; and
- (n) **Part 15** makes miscellaneous amendments of a minor or technical nature to various enactments.

#### LEGISLATIVE TIMETABLE

18.	The legislative	timetable will	be as follows –
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Publication in the Gazette	17 April 2014
First Reading and commencement of Second Reading debate	30 April 2014
Resumption of Second Reading debate, committee stage and Third Reading	To be notified

#### IMPLICATIONS OF THE PROPOSAL

19. The above-mentioned legislative proposals are in conformity with the Basic Law, including the provisions concerning human rights. They have no economic, productivity, environmental, sustainability, financial, family or civil service implications. 20. The Bill will not affect the current binding effect of the respective Ordinances and subsidiary legislation being amended, except that the amendments made to item 1 of Part 2 of Schedule 5 to the SDO will remove certain exemptions from the illegality provisions of the said Ordinance.

# PUBLIC CONSULTATION

21. The Legislative Council's Panel on Administration of Justice and Legal Services was consulted on the above legislative proposals at its meeting on 16 December 2013. Members of the Panel generally supported the introduction of the Bill into the Legislative Council.

22. SB informed the Review of Sexual Offences Sub-committee of the Law Reform Commission, the EOC and the Advisory Group on Eliminating Discrimination against Sexual Minorities of the proposals set out in paragraph 3 above, and they welcomed the proposals in general.

23. In addition, CMAB informed the Legislative Council Panel on Constitutional Affairs at its meeting on 17 June 2013 that the Administration intended to take forward the legislative proposals set out in paragraph 4 above concerning technical amendments to the four anti-discrimination ordinances as proposed by the EOC by way of the Bill.

24. DoJ consulted the relevant legal professional bodies and the Judiciary on DoJ's proposals as set out in paragraphs 7 and 8 above. All the institutions consulted either support or raise no in principle objection to the proposals.

25. The proposal set out in paragraphs 11 and 12 above is one of the proposals included in the Interim Report of the Review Committee on the Building Management Ordinance published in March 2013. HAB briefed the Legislative Council Panel on Home Affairs on the findings in the Interim Report at its meeting on 28 May 2013, and the Panel Members welcomed the proposal in general.

# PUBLICITY

26. A press release is to be issued on 16 April 2014. A spokesman will be available to answer enquiries.

# ENQUIRY

27. Any enquiry on this brief can be addressed to Ms Adeline Wan, Senior Assistant Solicitor General, at Tel. No. 2867 2847 or Ms Anita Ng, Senior Government Counsel, at Tel. No. 2867 4727.

Department of Justice 15 April 2014

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1

# A BILL

To

Provide for miscellaneous amendments to various Ordinances and for connected purposes.

Enacted by the Legislative Council.

# Part 1

#### **Preliminary**

#### Short title and commencement 1.

- This Ordinance may be cited as the Statute Law (1)(Miscellaneous Provisions) Ordinance 2014.
- (2) Subject to subsections (3) and (4), this Ordinance comes into operation on the day on which it is published in the Gazette.
- (3) Part 9 comes into operation on the expiry of one month after the day on which this Ordinance is published in the Gazette.
- (4) Divisions 1, 2 and 3 of Part 12 come into operation immediately after Division 4 of that Part comes into operation.

#### 2. **Enactments** amended

The enactments specified in Parts 2 to 15 are amended as set out in those Parts.

# Part 2

2

## **Amendments Relating to Sexual Offences**

**Division 1—Crimes Ordinance (Cap. 200)** 

- Section 118C amended (homosexual buggery with or by man 3. under 21)
  - (1) Section 118C, heading—

Repeal

"21"

Substitute

"16".

- (2)Section 118C----
  - Repeal "21" (wherever appearing) Substitute

- "16".
- Section 118F repealed (homosexual buggery committed 4. otherwise than in private)

Section 118F----

Repeal the section.

- 5. Section 118H amended (gross indecency with or by man under 21)
  - (1)Section 118H, heading-

Repeal

Statute Law (Miscellaneous Provisions) Bill 2014 Statute Law (Miscellaneous Provisions) Bill 2014 Part 2-Division 1 Part 2-Division 2 Clause 6 3 Clause 9 4 "21" 8. Schedule 2 amended (sexual offence provisions that have extraterritorial effect) Substitute Schedule 2, entry relating to section 118C---(1)**"16"**. Repeal (2)Section 118H— "21" Repeal Substitute "21" (wherever appearing) "16". Substitute (2) Schedule 2— "16". Repeal the entry relating to section 118F. Section 118J amended (gross indecency by man with man 6. Schedule 2, entry relating to section 118H— (3)otherwise than in private) Repeal Section 118J(2)— "21" Repeal paragraph (a). Substitute 7. Schedule 1 amended (other offences of which accused may be "16". convicted) **Division 2—Consequential Amendments** (1) Schedule 1, item 2— Repeal Subdivision 1—Police Force Ordinance (Cap. 232) "Homosexual buggery committed otherwise than in private Schedule 2 amended (offences specified as serious arrestable 9. (section 118F)". offences) (2) Schedule 1, item 4— Schedule 2— Repeal Repeal the entry relating to section 118F. "21" (wherever appearing) Substitute Subdivision 2—Child Care Services Ordinance (Cap. 243) "16". 10. Schedule amended (offences relevant to meaning of prohibited Schedule 1— (3) person) Repeal item 6. (1) The Schedule, paragraph 5, entry relating to section 118C—

Part 2—Division 2 Clause 11 5 C Repeal "21" Substitute 1 "16". (2) The Schedule, paragraph 5— Repeal the entry relating to section 118F. (3) The Schedule, paragraph 5, entry relating to section 118H— Repeal "21" Substitute "16".

Subdivision 3—Post-Release Supervision of Prisoners Regulation (Cap. 475 sub. leg. A)

Statute Law (Miscellaneous Provisions) Bill 2014

#### 11. Schedule 1 amended (specified offences)

(1) Schedule 1, item 4, entry relating to section 118C—

Repeal

"21"

Substitute

"16".

(2) Schedule 1, item 4—

Repeal the entry relating to section 118F.

Su	bdivis	sion 4—Social Workers Registration Ordinance (Cap. 505)
2.	per	edule 2 amended (description of offences which disentitle sons from being or continuing to be registered social kers)
	(1)	Schedule 2, item 2, entry relating to section 118C-
		Repeal
		"21"
		Substitute
		"16".
	(2)	Schedule 2, item 2
		Repeal the entry relating to section 118F.
	(3)	Schedule 2, item 2, entry relating to section 118H
		Repeal
		"21"
		Substitute
		"16".

Clause 13

7

# Part 3

# Amendments to Anti-discrimination Legislation

#### **Division 1—Sex Discrimination Ordinance (Cap. 480)**

- 13. Section 2 amended (interpretation)
  - (1) Section 2(1), Chinese text, definition of **僱用**, paragraph (a)— **Repeal** 
    - "服務合約或學徒合約"

#### Substitute

"僱用合約或學徒訓練合約".

(2) Section 2(1), Chinese text, definition of **(EPI)**, paragraph (b)—

#### Repeal

"親自執行任何工作或付出勞動力"

#### Substitute

"由個人親自進行任何工作或勞動".

- 14. Section 12 amended (exception where sex is genuine occupational qualification)
  - (1) Section 12(2)—

Repeal paragraph (g).

(2) Section 12(4)—

#### Repeal

", (g)".

- **15.** Section 19 amended (employment agencies)
  - (1) Section 19(1), Chinese text—

8

#### Clause 16

## Repeal

"在其" (wherever appearing)

- **Substitute** "在該介紹所就".
- (2) Section 19(2), Chinese text— Repeal

"僱傭"

#### Substitute

"僱用".

(3) Section 19(4)(a), Chinese text—Repeal"向其"

#### Substitute

"向該介紹所".

- (4) Section 19(4), Chinese text—
  Repeal
  "該行" (wherever appearing)
  Substitute
  "該介紹所".
- 16. Section 24 amended (other sexual harassment)

Section 24(4), Chinese text—

Repeal "該行" Substitute "該介紹所".

9

Part 3—Division 1

- 17. Section 57 amended (acts done for purposes of protection of women)
  - (1) Section 57(1)(i)—
    - Repeal
    - "; or"
    - Substitute a full stop.
  - (2) Section 57(1)—
    - Repeal paragraph (ii).
  - (3) Section 57(2)(a)—
    - Repeal
    - "well;"
    - Substitute
    - "well.".
  - (4) Section 57(2)—
    - Repeal paragraph (b).
  - (5) Section 57— Repeal subsections (3) and (4).
- 18. Section 66 amended (review of Schedules 3 and 5)
  - (1) Section 66, heading—
    - Repeal
    - "Schedules 3 and"
    - Substitute
    - "Schedule".
  - (2) Section 66(1)—
    - Repeal
    - "Schedules 3 and"

# Statute Law (Miscellaneous Provisions) Bill 2014

# Part 3—Division 1 Clause 19

10

#### Substitute

"Schedule".

- (3) Section 66(2)— Repeal paragraph (a).
- 19. Section 68 amended (protection of members of Commission, etc.)
  - (1) Section 68(1), English text—
    - Repeal
    - "shall be"

#### Substitute

- "is".
- (2) Section 68(1), Chinese text—
  - Repeal

"犯有任何"

- Substitute
- "犯任何".
- (3) Section 68(1), Chinese text—

Repeal

"該等"

#### Substitute

"該".

- (4) Section 68(2), English text—Repeal"under"
  - Substitute
  - "by".

Part 3—Divisi Clause 19		<u>11</u>	Part 3– Clause		Statute Law (Miscellaneous Provisions) Bill 2014 ion 1	1:
(5)	Section 68(2), English text—				Repeal	
	Repeal				"any"	
	"shall not"				Substitute	
	Substitute				"an".	
	"does not".			(11)	Section 68(3)(c)—	
(6)	Section 68(2), Chinese text—				Repeal	
	Repeal				"any"	
	"給予"				Substitute	
	Substitute				"a".	
	"賦予".		20.	Sec	tion 90 amended (amendment of Schedules)	
(7)	Section 68(2), Chinese text—		20.		tion 90(1)	
	Repeal			Sec	Repeal	
	"該項"				"3,".	
	Substitute				5, .	•
	"該".		21.		edule 1 amended (educational establishments and	d the
(8)	Section 68(3), English text—			-	ponsible bodies)	
	Repeal			(1)	Schedule 1, item 3	
	"The persons to whom subsection (1) applies are"				Repeal	
	Substitute				"Polytechnic" (wherever appearing)	
	"Subsection (1) applies to the following persons".				Substitute	
(9)	Section 68(3)(a)—				"Polytechnic University".	
	Repeal			(2)	Schedule 1, English text, item 3-	
	"any"				Repeal	
	Substitute				"the" (wherever appearing)	
	"a".				Substitute	
(10)	Section 68(3)(b)—				"The".	

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Part 3—Division 1

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	a	u a	0	~~

(3) Schedule 1, item 7-

Repeal

"College" (wherever appearing)

#### Substitute

"University".

- (4) Schedule 1, item 8---
  - Repeal

"Polytechnic" (wherever appearing)

#### Substitute

"University".

(5) Schedule 1, English text, item 8—

Repeal

"Hong Hong"

Substitute

"Hong Kong".

22. Schedule 3 repealed (provisions specified for purposes of section 12(2)(g))

Schedule 3—

Repeal the Schedule.

#### 23. Schedule 5 amended (further exceptions to this Ordinance)

(1) Schedule 5, English text, Part 1, section 1, definition of relevant office, paragraph (f)-

Repeal the semicolon

Substitute a full stop.

(2) Schedule 5, Part 1, section 1—

Repeal the definition of reproductive technology procedure.

		Statute Law (Miscellaneous Provisions) Bill 2014
Part 3—E Clause 24		on 2 14
	-	
(	(3)	Schedule 5, Part 2, item 1, column 2, paragraph (a)-
		Repeal
		", uniform, weight or equipment;"
		Substitute
		"or weight; or".
(	(4)	Schedule 5, Part 2, item 1, column 2, paragraph (b)
		Repeal the semicolon
		Substitute a full stop.
(	(5)	Schedule 5, Part 2, item 1, column 2-
		Repeal paragraphs (c) and (d).
(	(6)	Schedule 5, Chinese text, Part 2, item 3, column 2, paragraph
		(a)(ii)—
		Repeal
		"服務合約或學徒合約"
		Substitute
		"僱用合約或學徒訓練合約".
(	(7)	Schedule 5, Part 2, item 3, column 2, paragraph (a)(iii), after
		"any work"—
		Add
		"or labour".
(		Schedule 5, Part 2
		Repeal items 4, 5 and 8.
Divisio	on 2-	—Disability Discrimination Ordinance (Cap. 487)
24. I	Long	title amended
(	1)	The long title, Chinese text, after "任何人"—

15

Part 3—Division 2

Clause 25

#### Add

"或其有聯繫人士".

(2) The long title, Chinese text—

#### Repeal

"他們"

#### Substitute

"該等人士".

(3) The long title, Chinese text—

#### Repeal

everything after "殘疾人士"

#### Substitute

"和其有聯繫人士的騷擾及中傷訂定條文、擴大平等機會 委員會的職權以包括基於任何人或其有聯繫人士的殘疾而 對該等人士的歧視,及就相關目的訂定條文。".

# 25. Section 2 amended (interpretation)

(1) Section 2(1), Chinese text, definition of **僱用**—

#### Repeal

"在以下合約下"

#### Substitute

"根據以下合約".

(2) Section 2(1), Chinese text, definition of *(EII)*, paragraph (a)—

# Repeal

"僱傭合約或學徒合約"

### Substitute

"僱用合約或學徒訓練合約".

# Statute Law (Miscellaneous Provisions) Bill 2014 Part 3—Division 2 Clause 26 16

26. Section 4 amended (unjustifiable hardship) Section 4(a), Chinese text— Repeal

"任何殘疾人士作出的處所提供"

Substitute

"殘疾人士提供任何便利".

27. Section 12 amended (exception where absence of disability is genuine occupational qualification)

Section 12(5)(a), Chinese text—

Repeal

"已承諾在其遷離該處所時"

### Substitute

"承諾,在其遷離該處所時,".

# 28. Section 19 amended (employment agencies)

(1) Section 19(1), Chinese text—

#### Repeal

"在其" (wherever appearing)

#### Substitute

"在該介紹所就".

(2) Section 19(5)(a), Chinese text—Repeal"向其"

# Substitute

"向該介紹所".

(3) Section 19(5), Chinese text-

Statute Law (Miscellaneous Provisions) Bill 2014 Part 3—Division 2

Clause 29

17

Repeal

"該行" (wherever appearing)

Substitute

"該介紹所".

**29.** Section 20 amended (discrimination against commission agents) Section 20(4), Chinese text—

#### Repeal

"僱主" (wherever appearing)

Substitute

"主事人".

**30.** Section 23 amended (other harassment) Section 23(4), Chinese text—

Repeal

"該行"

#### Substitute

"該介紹所".

31. Section 37 amended (educational establishments)

Section 37(2), Chinese text—

#### Repeal

"敎職員"

Substitute

"職員".

32. Section 64A added

After section 64-

#### Part 3—Division 2 Clause 33

#### Add

#### "64A. Protection of members of Commission etc.

- (1) No person to whom this subsection applies, acting in good faith, is personally liable in damages for any act done or default made in the performance or purported performance of any function, or the exercise or purported exercise of any power, imposed or conferred on the Commission under this Ordinance.
- (2) The protection conferred by subsection (1) on any person to whom that subsection applies in respect of any act or default does not in any way affect the liability of the Commission for that act or default.
- (3) Subsection (1) applies to the following persons-
  - (a) a member of the Commission or a committee;
  - (b) an employee of the Commission;
  - (c) a conciliator.".

# 33. Section 73 amended (issue of enforcement notices)

(1) Section 73(1)(b)—

#### Repeal

"or".

(2) After section 73(1)(b)—

Add

"(ba) a contravention of section 41; or".

### 34. Section 84 amended (building approvals)

Section 84(3)(b), Chinese text-

Repeal

"Building (Planning) Regulations"

18

Part 3 Clause	—Division 3 e 3519	Part 3—Division 3 Clause 37 2
	Substitute	"該介紹所就".
	"建築物(規劃)規例".	(2) Section 15(2), Chinese text—
Div	ision 3—Family Status Discrimination Ordinance (Cap. 527)	Repeal "僱傭" Substitute
35.	Section 2 amended (interpretation)	"僱用"
	(1) Section 2(1), Chinese text, definition of <b>僱用</b> , paragraph	(3) Section 15(4)(a), Chinese text—
	(a)—	Repeal
	Repeal $\frac{1}{2}$	"向其"
	"服務合約或學徒合約"	Substitute
	Substitute	"向該介紹所".
	"僱用合約或學徒訓練合約".	(4) Section 15(4), Chinese text—
	(2) Section 2(1), Chinese text, definition of <b>僱用</b> , paragraph (b)—	Repeal
	Repeal "親自執行任何工作或付出勞動力"	"該職業介紹所" (wherever appearing)
	版目积目证内工作或自由分勤力 Substitute	Substitute
	"由個人親自進行任何工作或勞動".	"該介紹所".
	(3) Section 2(1)—	37. Section 46A added
	Add in alphabetical order	After section 46—
	" <i>committee</i> (小組委員會) has the same meaning as in the	Add
	relevant Ordinance;".	"46A. Protection of members of Commission etc.
36.	Section 15 amended (employment agencies)	(1) No person to whom this subsection applies, acting
	(1) Section 15(1), Chinese text—	good faith, is personally liable in damages for any a
	Repeal	done or default made in the performance or purport
	"該職業介紹所" (wherever appearing)	performance of any function, or the exercise purported exercise of any power, imposed or conferr
	Substitute	on the Commission under this Ordinance.

Part 3—Division 4	
Clause 39	

(2) The protection conferred by subsection (1) on any person to whom that subsection applies in respect of any act or default does not in any way affect the liability of the Commission for that act or default.

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- (3) Subsection (1) applies to the following persons—
  - (a) a member of the Commission or a committee;
  - (b) an employee of the Commission;
  - (c) a conciliator.".

38. Schedule 2 amended (further exceptions to this Ordinance)

(1) Schedule 2, Chinese text, Part 2, item 1, column 2, paragraph (a)(ii)—

Repeal

"服務合約或學徒合約"

Substitute

"僱用合約或學徒訓練合約".

(2) Schedule 2, Part 2, item 1, column 2, paragraph (a)(iii), after "any work"—

#### Add

"or labour".

# **Division 4—Race Discrimination Ordinance (Cap. 602)**

- **39.** Section 2 amended (interpretation)
  - Section 2(1), Chinese text, definition of 僱用, paragraph
     (a)—
    - Repeal

"服務合約或學徒合約"

Substitute

Claus	B—Divis e 40	2
		"僱用合約或學徒訓練合約".
	(2)	Section 2(1), Chinese text, definition of $f\!\!\!/ R H$ , paragraph (b)—
		Repeal
		"親自執行任何工作或付出勞動力"
		Substitute
		"由個人親自進行任何工作或勞動".
40.	Sec	tion 21 amended (employment agencies)
		tion 21(1), Chinese text, after "該介紹所" (whereve earing)—
		Add
		"就".
41.	Sec etc.]	tion 62 amended (protection of members of Commission )
	(1)	Section 62(1), Chinese text—
		Repeal
		"授予"
		Substitute
		Substitute "賦予".
	(2)	
	(2)	"賦予".
	(2)	"賦予". Section 62(1), Chinese text—
	(2)	"賦予". Section 62(1), Chinese text— Repeal

(3) Section 62(2), English text— Repeal

Part 3—Division 4 Clause 41

Part 3-Division 5 23 Clause 42 24 (9) Section 62(3)(c)— Repeal "any" Substitute "a". **Division 5—Related Amendments to Personal Data** (Privacy) Ordinance (Cap. 486) 42. Section 2 amended (interpretation) Section 2(1), Chinese text, definition of **僱用**— (1)Repeal "在以下合約下" Substitute "根據以下合約". Section 2(1), Chinese text, definition of **僱用**, paragraph (a)— (2)Repeal "僱傭" Substitute "僱用". (3) Section 2(1), Chinese text, definition of **(***H***<b>**, paragraph (b)— Repeal "某" Substitute "任何".

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"shall not"

Substitute "does not".

(4) Section 62(2), Chinese text—

Repeal

"授予"

Substitute

"賦予".

(5) Section 62(3), English text—

Repeal

"The persons to whom subsection (1) applies are"

#### Substitute

"Subsection (1) applies to the following persons".

(6) Section 62(3)(a)—

Repeal

"any"

Substitute

"a".

(7) Section 62(3)(b)—

Repeal

"any"

#### Substitute

"an".

(8) Section 62(3)(b)—

#### Repeal

"or".

Part 4—Division 1

Clause 43

25

# Part 4

# Amendments Relating to Power of Lands Tribunal to Take Evidence from Persons in Lawful Custody

## **Division 1—Evidence Ordinance (Cap. 8)**

- 43. Section 81 amended (warrant or order to bring up prisoner to give evidence)
  - (1) Section 81(2)—

#### Repeal

"or presiding officer appointed under the Labour Tribunal Ordinance (Cap. 25)"

#### Substitute

", presiding officer appointed under the Labour Tribunal Ordinance (Cap. 25) or member of the Lands Tribunal referred to in section 4(1)(a), (b), (c) or (d) of the Lands Tribunal Ordinance (Cap. 17)".

#### (2) Section 81(2)—

#### Repeal

"or Labour Tribunal" (wherever appearing)

#### Substitute

", Labour Tribunal or Lands Tribunal".

# **Division 2—Lands Tribunal Ordinance (Cap. 17)**

44. Section 6A amended (appointment and powers of temporary members)

Section 6A(2), before "perform"—

Statute Law (Miscellaneous Provisions) Bill 2014 Part 4—Division 2 Clause 44

#### Add

"exercise all the powers and".

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## Part 5

# Amendments Relating to Admissibility of Notarial Instruments

- Division 1—Rules of the High Court (Cap. 4 sub. leg. A)
- 45. Order 38, rule 9A added

Add

- "9A. Notarial instruments receivable in evidence in civil proceedings (O. 38, r. 9A)
  - (1) A notarial instrument may be received in evidence in civil proceedings, without further proof, as duly authenticated unless the contrary is proved.
  - (2) A reference in paragraph (1) to a notarial instrument is a reference to a document—
    - (a) evidencing and showing any notarial act of a notary public; and
    - (b) bearing the signature and the seal of the notary public.
  - (3) In this rule—

#### notarial act (公證行為)一

- (a) means the exercise of any of the powers referred to in section 40B of the Legal Practitioners Ordinance (Cap. 159) by a notary public; but
- (b) does not include any notarial act done before a diplomatic or consular officer of the People's Republic of China outside the People's Republic of

China as referred to in section 10 of the Oaths and Declarations Ordinance (Cap. 11);

notary public (公證人) means a person who, at the material time, is qualified to practise as a notary public under section 40D of the Legal Practitioners Ordinance (Cap. 159).".

### **Division 2—Evidence Ordinance (Cap. 8)**

46. Section 35A added

After section 35-

Add

#### "35A. Admissibility of notarial instruments in civil proceedings

- (1) A notarial instrument may be received in evidence in civil proceedings, without further proof, as duly authenticated unless the contrary is proved.
- (2) A reference in subsection (1) to a notarial instrument is a reference to a document—
  - (a) evidencing and showing any notarial act of a notary public; and
  - (b) bearing the signature and the seal of the notary public.
- (3) In this section—

#### notarial act (公證行為)-

- (a) means the exercise of any of the powers referred to in section 40B of the Legal Practitioners Ordinance (Cap. 159) by a notary public; but
- (b) does not include any notarial act done before a diplomatic or consular officer of the People's Republic of China outside the People's Republic of

Order 38, after rule 9-

Part 5—Division 3 Clause 47

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China as referred to in section 10 of the Oaths and Declarations Ordinance (Cap. 11);

notary public (公證人) means a person who, at the material time, is qualified to practise as a notary public under section 40D of the Legal Practitioners Ordinance (Cap. 159).".

#### Division 3—Rules of the District Court (Cap. 336 sub. leg. H)

47. Order 38, rule 9A added

Order 38, after rule 9—

Add

- **"9A.** Notarial instruments receivable in evidence in civil proceedings (O. 38, r. 9A)
  - (1) A notarial instrument may be received in evidence in civil proceedings, without further proof, as duly authenticated unless the contrary is proved.
  - (2) A reference in paragraph (1) to a notarial instrument is a reference to a document—
    - (a) evidencing and showing any notarial act of a notary public; and
    - (b) bearing the signature and the seal of the notary public.
  - (3) In this rule—
  - notarial act (公證行為)一
    - (a) means the exercise of any of the powers referred to in section 40B of the Legal Practitioners Ordinance (Cap. 159) by a notary public; but

- (b) does not include any notarial act done before a diplomatic or consular officer of the People's Republic of China outside the People's Republic of China as referred to in section 10 of the Oaths and Declarations Ordinance (Cap. 11);
- notary public (公證人) means a person who, at the material time, is qualified to practise as a notary public under section 40D of the Legal Practitioners Ordinance (Cap. 159).".

Part 6—Division 1 Clause 48

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# Part 6

# Amendments Relating to Admissibility of Evidence Obtained Pursuant to Request for Assistance in Criminal Matters

# Division 1—Evidence Ordinance (Cap. 8)

- 48. Section 77F amended (admissibility in criminal proceedings of evidence obtained pursuant to letter of request)
  - (1) Section 77F(2)(c)(i)(C)—

Repeal

"; and"

Substitute a semicolon.

(2) Section 77F(2)(c)(ii)—

Repeal the semicolon

#### Substitute

"; and".

(3) After section 77F(2)(c)(ii)—

Add

"(iii) (if the deposition is an affidavit, affirmation or declaration relating to a request referred to in section 77G(4A)) the court is satisfied that no unfairness is likely to occur in the criminal proceedings referred to in subsection (1) consequent upon the deposition and that document being admitted in evidence;".

Statute Law (Miscellaneous Provisions) Bill 2014 Part 6—Division 2 Clause 50

49. Section 77G amended (provisions supplementary to sections 77E and 77F)

After section 77G(4)-

Add

"(4A) References in this Part to a deposition, to the extent that it is received by the Secretary for Justice pursuant to a request under section 9(1) of the Mutual Legal Assistance in Criminal Matters Ordinance (Cap. 525), include references to an affidavit, affirmation or declaration made under an obligation to state the truth according to the law of the place where the affidavit, affirmation or declaration is made; and references to a deponent are to be construed accordingly.".

# Division 2—Mutual Legal Assistance in Criminal Matters Ordinance (Cap. 525)

50. Section 9 amended (requests by Hong Kong for taking of evidence, etc.)

After section 9(2)—

Add

"(3) In this section, any reference to a deposition includes a reference to an affidavit, affirmation or declaration made under an obligation to state the truth according to the law of the place where the affidavit, affirmation or declaration is made.".

Part 7 Clause 51

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## Part 7

## Amendment to Unsolicited Electronic Messages Ordinance (Cap. 593) Relating to Service of Specified Notice

51. Section 44 amended (service of notices for purposes of sections 34, 35, 36 and 38)

Section 44—

#### Repeal subsection (1)

#### Substitute

- "(1) A specified notice may be served on a person-
  - (a) where the person is an individual, by delivering it to the person by hand; or
  - (b) by leaving it, or sending it by ordinary post or registered post to the person, at the person's usual or last known place of abode or business.
- (1A) The notice is presumed to have been served, in the absence of evidence to the contrary—
  - (a) if the notice is left at the person's usual or last known place of abode or business, when it is so left; or
  - (b) if the notice is sent by ordinary post or registered post, on the second day after the day on which it is so sent.".

Part 8

## Part 8

# Amendments to Trade Descriptions Ordinance (Cap. 362) Relating to Standard of Proof for Defence

- 52. Section 12 amended (prohibited import and export of certain goods)
  - (1) Section 12(2)—

Repeal

everything after "offence"

#### Substitute a full stop.

(2) After section 12(2)—

Add

- "(2A) Without limiting section 26, in any proceedings for an offence under this section, the person charged is entitled to be acquitted—
  - (a) if—
    - (i) sufficient evidence is adduced to raise an issue that the person charged—
      - (A) did not know;
      - (B) had no reason to suspect; and
      - (C) could not with reasonable diligence have ascertained,

that the goods are goods to which a false trade description or forged trade mark is applied; and

(ii) the contrary is not proved by the prosecution beyond reasonable doubt; or

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Part 8		
Clause 53		

- (b) if the person proves that the goods are not intended for trade or business.".
- 53. Section 26 amended (defence mistake, accident, etc.)
  - (1) Section 26—

#### **Repeal subsection (1)**

#### Substitute

- "(1) In any proceedings for an offence under this Ordinance, the person charged is, subject to subsection (2), entitled to be acquitted if—
  - (a) sufficient evidence is adduced to raise an issue that—
    - (i) the commission of the offence was due to-
      - (A) a mistake;
      - (B) reliance on information supplied to the person charged by another person;
      - (C) the act or default of another person;
      - (D) an accident; or
      - (E) some other cause beyond the control of the person charged; and
    - (ii) the person charged took all reasonable precautions and exercised all due diligence to avoid the commission of the offence by—
      - (A) the person charged; or
      - (B) any person under the control of the person charged; and
  - (b) the contrary is not proved by the prosecution beyond reasonable doubt.".
- (2) Section 26(2)—

#### Part 8 Clause 54

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#### ause 04

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"the defence provided by subsection (1)"

#### Substitute

Repeal

"the issue raised under subsection (1)(a)".

(3) Section 26(2)—

#### Repeal

"rely on that defence"

#### Substitute

"rely on that issue".

(4) Section 26(2), English text— Repeal

"he"

#### Substitute

"the person charged".

(5) Section 26(2), English text— Repeal

"his possession"

#### Substitute

"the possession of the person charged".

- (6) Section 26— Repeal subsections (3) and (4).
- 54. Sections 26AA and 26AAB added After section 26—

Add

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Clause 54	

"26AA. Additional defence (supply of goods or service to which false trade description is applied etc.)

> Without limiting section 26, in any proceedings for an offence under section 7(1)(a)(ii) or (b) or 7A(1)(b), the person charged is entitled to be acquitted if-

- sufficient evidence is adduced to raise an issue that (a) the person charged
  - did not know; (i)
  - (ii) had no reason to suspect; and
  - (iii) could not with reasonable diligence have ascertained.

that the goods or service did not conform to the trade description, or that the trade description had been applied to the goods or service; and

- the contrary is not proved by the prosecution (b) beyond reasonable doubt.
- 26AAB. Additional defence (sale of goods to which forged trade mark is applied etc.)

Without limiting section 26, in any proceedings for an offence under section 9(2), the person charged is entitled to be acquitted if----

- (a) sufficient evidence is adduced to raise an issue that the person charged
  - did not know; (i)
  - had no reason to suspect; and (ii)
  - could not with reasonable diligence have (iii) ascertained,

that a forged trade mark had been applied to the goods, or that a trade mark or mark so nearly

Part 8

resembling a trade mark as to be calculated to deceive had falsely been applied to the goods; and

the contrary is not proved by the prosecution (b) beyond reasonable doubt.".

Part 9 Clause 55

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## Part 9

## Amendments to Building Management Ordinance (Cap. 344) Relating to Declaration Requirement

- 55. Section 7 amended (application by management committee for registration of owners as a corporation)
  - (1) Section 7(3)(e)—

Repeal

"declaration"

Substitute

"statement".

(2) Section 7(3)(e), Chinese text—

Repeal

"員聲明他"

Substitute

#### "員說明自己".

- 56. Schedule 2 amended (composition and procedure of management committee)
  - (1) Schedule 2, paragraph 4(3)—

Repeal

"declaration"

Substitute

"statement".

(2) Schedule 2, paragraph 4(5)—

Repeal

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"declaration" (wherever appearing) **Substitute** 

"statement".

(3) Schedule 2, paragraph 4(6)—

Repeal

Part 9

Clause 56

"declaration" (wherever appearing)

Substitute

"statement".

(4) Schedule 2, paragraph 4(7)—

Repeal

"declaration"

Substitute

"statement".

(5) Schedule 2, after paragraph 4(7)—

Add

"(8) Where, after the commencement of Part 9 of the Statute Law (Miscellaneous Provisions) Ordinance 2014 ( of 2014), a change occurs in any matter stated in a declaration lodged before the commencement under subparagraph (3) that was in force immediately before the commencement, the person who made the declaration must lodge a statement in accordance with subparagraph (5) or (7) as if that declaration were a statement lodged under subparagraph (3) on or after the commencement.". Part 10 Clause 57

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## Part 10

## Amendment to Legal Services Legislation (Miscellaneous Amendments) Ordinance 1997 (94 of 1997)

57. Schedule 1 amended (consequential amendments to Legal Practitioners Ordinance)

Schedule 1-

Repeal item 29.

## Part 11

Powers to Revoke and Restore Suspension of Solicitor's Practice or Foreign Lawyer's Registration Pending Decision of Solicitors Disciplinary Tribunal

**Division 1—Legal Practitioners Ordinance (Cap. 159)** 

58. Section 8A amended (Council may examine documents if solicitor or foreign lawyer is unfit)

After section 8A(3)-

Add

- "(4) On an application-
  - (a) made in writing by or on behalf of the solicitor or foreign lawyer; and
  - (b) supported by relevant documents,

the Council may, if it is satisfied that the circumstances that gave rise to the suspension under subsection (3) no longer exist or otherwise considers appropriate, revoke the suspension at any time before the Solicitors Disciplinary Tribunal makes a decision.

- (5) The Council may, if it is satisfied that the circumstances that gave rise to the revocation under subsection (4) no longer exist or otherwise considers appropriate, restore the suspension at any time after the revocation but before the Solicitors Disciplinary Tribunal makes a decision.
- (6) The Council may take into account any of the factors set out in subsection (2)(a) to (f) in deciding whether to act under subsection (4) or (5).".

## Division 2—Legal Services Legislation (Miscellaneous Amendments) Ordinance 1997 (94 of 1997)

59. Schedule 1 amended (consequential amendments to Legal Practitioners Ordinance)

Schedule 1, item 8, column 3, after new section 8A(5)-

#### Add

- "(6) On an application—
  - (a) made in writing by or on behalf of the legal practice entity; and
  - (b) supported by relevant documents,

the Council may, if it is satisfied that the circumstances that gave rise to the suspension under subsection (5) no longer exist or otherwise considers appropriate, revoke the suspension at any time before the Solicitors Disciplinary Tribunal makes a decision.

- (7) The Council may, if it is satisfied that the circumstances that gave rise to the revocation under subsection (6) no longer exist or otherwise considers appropriate, restore the suspension at any time after the revocation but before the Solicitors Disciplinary Tribunal makes a decision.
- (8) The Council may take into account any of the factors set out in subsection (2)(a) to (f) in deciding whether to act under subsection (6) or (7).".

## Part 12

Amendments Relating to Specification of Public Offices

Division 1—Specification of Public Offices (Cap. 1 sub. leg. C)

- 60. Title amended The title, after "OFFICES"— Add "NOTICE".
- 61. Paragraph repealed The paragraph before the Schedule— Repeal the paragraph.

#### 62. Section 1 added

Before the Schedule—

Add

#### "1. Specification of public offices

A public office mentioned in column 1 of the Schedule is specified for the purposes of the Ordinance, or a provision of the Ordinance, mentioned in column 2 of the Schedule opposite to that public office.".

63. Schedule substituted

The Schedule—

Repeal the Schedule Substitute Clause 63 45

[s. 1]

## **Specification of Public Offices**

"Schedule

Column 1	Column 2
Public office	Ordinance or provision of Ordinance
Chief Justice	Bankruptcy Ordinance (Cap. 6), paragraph (c) of the definition of <i>Registrar</i> in section 99A(7).
Chief Justice	Evidence Ordinance (Cap. 8), sections 27(2) and 29A(2).
Chief Justice	Companies (Winding Up and Miscellaneous Provisions) Ordinance (Cap. 32), paragraph (c) of the definition of <i>Registrar</i> in section 222A(7).
Chief Justice	Juvenile Offenders Ordinance (Cap. 226), section 3A(2).
Chief Secretary for Administration	Rules of the High Court (Cap. 4 sub. leg. A), Order 69, rule 2, and Order 70, rule 3.
Chief Secretary for Administration	Evidence Ordinance (Cap. 8), sections 19A(1) and 40(5).
Chief Secretary for Administration	Immigration Ordinance (Cap. 115).

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#### Part 12—Division 1 Clause 63

Column 1	Column 2
Public office	Ordinance or provision of Ordinance
Chief Secretary for Administration	Air Passenger Departure Tax Ordinance (Cap. 140).
Chief Secretary for Administration	Registration of Persons Ordinance (Cap. 177), section 11.
Chief Secretary for Administration	Criminal Procedure Ordinance (Cap. 221), section 85(1).
Chief Secretary for Administration	Prison Rules (Cap. 234 sub. leg. A), rule 222(2).
Chief Secretary for Administration	Probation of Offenders Rules (Cap. 298 sub. leg. A), rule 42.
Chief Secretary for Administration	Basel Evangelical Missionary Society Incorporation Ordinance (Cap. 1002), section 6(2).
Chief Secretary for Administration	Scout Association of Hong Kong Ordinance (Cap. 1005), section 9(3).
Chief Secretary for Administration	Catholic Mission of Macao Incorporation Ordinance (Cap. 1006), section 5(2).
Chief Secretary for Administration	China Peniel Missionary Society Incorporation Ordinance (Cap. 1011), section 6(2).
Chief Secretary for Administration	Church of England Trust Ordinance (Cap. 1014), sections 3(2) and 4(1).

Part 12-Division 1

Clause 63

Column 1 Column 2 Public office Ordinance or provision of Ordinance Chief Secretary for Daughters of Charity of the Canossian Administration Institute Incorporation Ordinance (Cap. 1016), section 5(2). Chief Secretary for Maryknoll Sisters of St. Dominic Incorporation Ordinance (Cap. 1019), Administration section 5(2). Chief Secretary for Hong Kong Chinese Christian Churches Union Incorporation Ordinance (Cap. Administration 1025), section 3(1) and (2). Chief Secretary for Irish Province of the Order of Administration Franciscans Minor Incorporation Ordinance (Cap. 1028), section 5(2). Chief Secretary for Jesuit Order (English Assistancy) Incorporation Ordinance (Cap. 1029), Administration section 5(2). Chief Secretary for Jesuit Order (Portuguese Province) Administration Incorporation Ordinance (Cap. 1030), section 5(2). Chief Secretary for Kowloon Union Church Incorporation Administration Ordinance (Cap. 1032), section 6(2). Chief Secretary for Petites Sœurs des Pauvres, St. Pern, Administration Bretagne, Incorporation Ordinance (Cap. 1039), section 6(2).

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#### Statute Law (Miscellaneous Provisions) Bill 2014 Part 12-Division 1 Clause 63

Column 1	Column 2
Public office	Ordinance or provision of Ordinance
Chief Secretary for Administration	Pontifical Foreign Missions Institute Incorporation Ordinance (Cap. 1041), section 5(2).
Chief Secretary for Administration	Salesian Society Incorporation Ordinance (Cap. 1043), section 5(2).
Chief Secretary for Administration	Sisters of the Precious Blood Order Incorporation Ordinance (Cap. 1045), section 4(2).
Chief Secretary for Administration	Sœurs de Saint Paul de Chartres Incorporation Ordinance (Cap. 1046), section 5(2).
Chief Secretary for Administration	Chater (Cathedral and St. Andrew's) Endowment Funds Incorporation Ordinance (Cap. 1050), section 4(3).
Chief Secretary for Administration	Union Church Incorporation Ordinance (Cap. 1052), section 14(5).
Chief Secretary for Administration	Chinese Rhenish Church, Hong Kong Synod, Incorporation Ordinance (Cap. 1060), section 3(1) and (2).
Chief Secretary for Administration	Church of Christ in China, Wanchai Church, Incorporation Ordinance (Cap. 1063), section 6(3).
Chief Secretary for Administration	Daughters of Mary Help of Christians Incorporation Ordinance (Cap. 1070), section 6(2).

Part 12—Division 1 Clause 63

Column 1	Column 2	
Public office	Ordinance or provision of Ordinance	
Chief Secretary for Administration	Hong Kong Baptist Church Incorporation Ordinance (Cap. 1078), section 10(1).	
Chief Secretary for Administration	Congregation of Our Lady of Charity of the Good Shepherd of Angers at Hong Kong Incorporation Ordinance (Cap. 1084), section 6(2).	
Chief Secretary for Administration	Education Scholarships Fund Ordinance (Cap. 1085), section 6(2).	
Chief Secretary for Administration	Tsung Tsin Mission of Hong Kong Incorporation Ordinance (Cap. 1090), section 6(2).	
Chief Secretary for Administration	Heung Yee Kuk Ordinance (Cap. 1097).	
Chief Secretary for Administration	Abbot of the Order of Cistercians of the Strict Observance Incorporation Ordinance (Cap. 1107), section 6(2).	
Collector of Stamp Revenue	Betting Duty Ordinance (Cap. 108), sections 6GH(3), 6GI(5), 6GJ(1), 6GK(1), (3)(b) and (4), 6GL(2), (3) and (5), 6GM(1), 6GN(4) and (8)(b), 6GO(4)(a), 6L(2), 6M(3), 6N(4), 6O(1), 6P, 6Q, 6R(1), 6S(4) and (7)(b), 6T(4)(a), 6V(2), (4) and (6)(b), 6ZL(1), 6ZM(1), 6ZO(2), (3), (4) and (6)(a) and 7(3).	

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#### Statute Law (Miscellaneous Provisions) Bill 2014 Part 12—Division 1 Clause 63

Column 1	Column 2
Public office	Ordinance or provision of Ordinance
Collector of Stamp Revenue	Betting Duty Regulations (Cap. 108 sub. leg. A), regulation 3(4).
Commissioner for Labour	Factories and Industrial Undertakings Ordinance (Cap. 59), sections 7(4) and 9A.
Commissioner for Labour	Employees' Compensation Ordinance (Cap. 282).
Commissioner for Labour	Pneumoconiosis and Mesothelioma (Compensation) Ordinance (Cap. 360).
Commissioner for - Transport	Ferry Services Ordinance (Cap. 104).
Commissioner for Transport	Ferry Services Regulations (Cap. 104 sub. leg. A).
Commissioner for Transport	Eastern Harbour Crossing Ordinance (Cap. 215).
Commissioner for Transport	Eastern Harbour Crossing Road Tunnel Regulations (Cap. 215 sub. leg. D).
Commissioner for Transport	Eastern Harbour Crossing Road Tunnel By-laws (Cap. 215 sub. leg. E).
Commissioner for Transport	Traffic Accident Victims (Assistance Fund) Ordinance (Cap. 229).
Commissioner for Transport	Public Bus Services Ordinance (Cap. 230).

## Part 12-Division 1

Transport

Transport

Transport

Transport

Commissioner for

Clause 63

Column 1 Column 2 Public office Ordinance or provision of Ordinance Commissioner for Public Bus Services Regulations (Cap. Transport 230 sub. leg. A). Commissioner for Fixed Penalty (Traffic Contraventions) Transport Ordinance (Cap. 237). Fixed Penalty (Criminal Proceedings) Commissioner for Transport Ordinance (Cap. 240). Motor Vehicles Insurance (Third Party Commissioner for Transport Risks) Ordinance (Cap. 272). Commissioner for Motor Vehicles (First Registration Tax) Transport Ordinance (Cap. 330). Commissioner for Road Tunnels (Government) Ordinance Transport (Cap. 368). Commissioner for Road Tunnels (Government) Transport Regulations (Cap. 368 sub. leg. A).

Commissioner for Kowloon-Canton Railway Corporation Ordinance (Cap. 372).

Commissioner for Kowloon-Canton Railway Corporation Regulations (Cap. 372 sub. leg. A). Commissioner for Road Traffic Ordinance (Cap. 374).

> (Construction Road Traffic and Maintenance of Vehicles) Regulations (Cap. 374 sub. leg. A).

#### Statute Law (Miscellaneous Provisions) Bill 2014 Part 12-Division 1

#### Clause 63

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Column 1	Column 2
Public office	Ordinance or provision of Ordinance
Commissioner for	Road Traffic (Driving Licences)
Transport	Regulations (Cap. 374 sub. leg. B).
Commissioner for Transport	Road Traffic (Parking) Regulations (Cap. 374 sub. leg. C).
Commissioner for	Road Traffic (Public Service Vehicles)
Transport	Regulations (Cap. 374 sub. leg. D).
Commissioner for Transport	Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap. 374 sub. leg. E).
Commissioner for	Road Traffic (Safety Equipment)
Transport	Regulations (Cap. 374 sub. leg. F).
Commissioner for	Road Traffic (Traffic Control)
Transport	Regulations (Cap. 374 sub. leg. G).
Commissioner for	Road Traffic (Village Vehicles)
Transport	Regulations (Cap. 374 sub. leg. N).
Commissioner for	Road Traffic (Parking on Private Roads)
Transport	Regulations (Cap. 374 sub. leg. O).
Commissioner for Transport	Road Traffic (Expressway) Regulations (Cap. 374 sub. leg. Q).
Commissioner for	Road Traffic (Driving-offence Points)
Transport	Ordinance (Cap. 375).
Commissioner for Transport	Tate's Cairn Tunnel Ordinance (Cap. 393).

Statute Law (Miscellaneous Provisions) Bill 2014 Part 12—Division 1

Clause 63

Column 1	Column 2	
Public office	Ordinance or provision of Ordinance	
Commissioner for Transport	Tate's Cairn Tunnel Regulations (Cap. 393 sub. leg. A).	
Commissioner for Transport	Tate's Cairn Tunnel By-laws (Cap. 393 sub. leg. B).	
Commissioner for Transport	Tsing Sha Control Area Ordinance (Cap. 594).	
Commissioner for Transport	Tsing Sha Control Area (General) Regulation (Cap. 594 sub. leg. A).	
Commissioner for Transport	Tsing Sha Control Area (Tolls, Fees and Charges) Regulation (Cap. 594 sub. leg. B).	
Commissioner of Correctional Services	Training Centres Ordinance (Cap. 280).	
Commissioner of Customs and Excise	Import and Export Ordinance (Cap. 60), sections 7, 12, 27(3) and (3B), 28(2A) and (10), 29A(1) and 33A(1)(b).	
Commissioner of Customs and Excise	Import and Export (Registration) Regulations (Cap. 60 sub. leg. E).	
Commissioner of Customs and Excise	Import and Export (Carriage of Articles) Regulations (Cap. 60 sub. leg. I), regulation 4.	
Commissioner of Customs and Excise	Dutiable Commodities Ordinance (Cap. 109), except section 7.	

## Statute Law (Miscellaneous Provisions) Bill 2014 Part 12—Division 1

### Clause 63

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Column 1	Column 2
Public office	Ordinance or provision of Ordinance
Commissioner of Customs and Excise	Dutiable Commodities Regulations (Cap. 109 sub. leg. A).
Commissioner of Customs and Excise	Dutiable Commodities (Marking and Colouring of Hydrocarbon Oil) Regulations (Cap. 109 sub. leg. C), regulations 9 and 11.
Commissioner of Customs and Excise	Control of Chemicals Ordinance (Cap. 145).
Commissioner of Customs and Excise	Reserved Commodities Ordinance (Cap. 296), section 10.
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).
Commissioner of Customs and Excise	Industrial Training (Clothing Industry) Ordinance (Cap. 318).
Commissioner of Customs and Excise	Trade Descriptions Ordinance (Cap. $362$ ), sections $16(3)$ , $16C(1)$ , (2) and (3) and $30(2)$ , (3) and (5).
Commissioner of Customs and Excise	Smoking (Public Health) Ordinance (Cap. 371), section 10A(4).
Commissioner of Customs and Excise	Copyright Ordinance (Cap. 528).

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Clause 63

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Column 1	Column 2
Public office	Ordinance or provision of Ordinance
Commissioner of Customs and Excise	Prevention of Copyright Piracy Ordinance (Cap. 544).
Commissioner of Inland Revenue	Inland Revenue Ordinance (Cap. 112), sections 16B and 16C.
Commissioner of Mines	Mining Ordinance (Cap. 285), sections 13, 18, 20, 21, 31 and 37.
Commissioner of Mines	Dangerous Goods (Government Explosives Depots) Regulations (Cap. 295 sub. leg. D), regulations 3(2) and 7.
Director of Accounting Services	Waterworks Regulations (Cap. 102 sub. leg. A), regulation 50(2) and (3).
Director of Agriculture, Fisheries and Conservation	Forests and Countryside Ordinance (Cap. 96), sections 22(5) and 23.
Director of Agriculture, Fisheries and Conservation	Pesticides Ordinance (Cap. 133), except sections 5(4), 6(c), 10, 11 and 14.
Director of Agriculture, Fisheries and Conservation	Pesticides Regulations (Cap. 133 sub. leg. A).
Director of Agriculture, Fisheries and Conservation	Public Health (Animals and Birds) Ordinance (Cap. 139), sections 6, 7 and 10(2).

#### Statute Law (Miscellaneous Provisions) Bill 2014 Part 12—Division 1 Clause 63

Column 1	Column 2
Public office	Ordinance or provision of Ordinance
Director of Agriculture, Fisheries and Conservation	Public Health (Animals and Birds Regulations (Cap. 139 sub. leg. A regulations 30, 34, 35, 37, 44 and 51.
Director of Agriculture, Fisheries and Conservation	Public Health (Animals and Birds (Animal Traders) Regulations (Cap 139 sub. leg. B), regulations 5(1) an (3) and 7.
Director of Agriculture, Fisheries and Conservation	Public Health (Animals and Birds (Keeping of Cattle, Sheep and Goats Regulations (Cap. 139 sub. leg. C) regulations 4, 11(1) and 13.
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).
Director of Agriculture, Fisheries and Conservation	Public Health (Animals and Birds (Exhibitions) Regulations (Cap. 13 sub. leg. F), regulations 4(1) and (3) 6(a) and (b) and 8(1) and (3).
Director of Agriculture, Fisheries and Conservation	Public Health (Animals) (Boardin, Establishment) Regulations (Cap. 13) sub. leg. I), regulations 5(1) and (3 and 7.
Director of Agriculture, Fisheries and Conservation	Public Health (Animals) (Ridin Establishment) Regulations (Cap. 13) sub. leg. J), regulations 5(1) and (3 and 7.

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Column 1	Column 2
Public office	Ordinance or provision of Ordinance
Director of Agriculture, Fisheries and Conservation	Wild Animals Protection Ordinance (Cap. 170), section 13.
Director of Agriculture, Fisheries and Conservation	Plant (Importation and Pest Control) Ordinance (Cap. 207).
irector of Agriculture, Fisheries and Conservation	Country Parks and Special Areas Regulations (Cap. 208 sub. leg. A), regulations 4(1) and (2)(a), 5(1) and (2)(b), 8(1), 9(1), 10(1)(a), (b), (c) and (d) and (2), 11(1), (2) and (3)(a), 13(2), 14, 15(4) and 18(5).
irector of Agriculture, Fisheries and Conservation	Marine Parks Ordinance (Cap. 476), section 22(1).
irector of Agriculture, Fisheries and Conservation	Marine Parks and Marine Reserves Regulation (Cap. 476 sub. leg. A), section 17.
Director of Agriculture, Fisheries and Conservation	Kadoorie Agricultural Aid Loan Fund Ordinance (Cap. 1080), section 7.
Director of Buildings	Hong Kong Airport (Control of Obstructions) Ordinance (Cap. 301), sections 5, 7(1), 13, 14(1), 15(1), (2)(c)(ii) and (8), 16(1), (3), (6), (8) and (9), 17, 18(2) and 20(g).

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Column 1	Column 2	
Public office	Ordinance or provision of Ordinance	
Director of Buildings as Building Authority	Buildings Ordinance (Cap. 123).	
Director of Buildings as Building Authority	Mass Transit Railway (Lan Resumption and Related Provisions Ordinance (Cap. 276), section 15(1).	
Director of Buildings as Building Authority	Education Ordinance (Cap. 279), sectio 12(1)(d).	
Director of Buildings as Building Authority	Roads (Works, Use and Compensatior Ordinance (Cap. 370).	
Director of Buildings as Building Authority	Kowloon-Canton Railway Corporatio Ordinance (Cap. 372), section 35(1).	
Director of Civil Engineering and Development	Ferry Services Ordinance (Cap. 104) sections 16(1)(a), 20(1) and 28(4).	
Director of Civil Engineering and Development	Sand Ordinance (Cap. 147), sections and 3.	
Director of Electrical and Mechanical Services	Evidence Ordinance (Cap. 8), section 28(1)(b)(i).	
Director of Electrical and Mechanical Services	Tramway Ordinance (Cap. 107) sections 25 and 33.	

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Column 1	Column 2
Public office	Ordinance or provision of Ordinance
Director of Electrical and Mechanical Services	Aerial Ropeways (Safety) Ordinance (Cap. 211).
Director of Electrical and Mechanical Services	Peak Tramway Ordinance (Cap. 265), section 14A.
Director of Electrical and Mechanical Services	Electricity Ordinance (Cap. 406).
Director of Environmental Protection	Waste Disposal Ordinance (Cap. 354), sections 16(1), 17, 19(1) and 36(3).
Director of Environmental Protection	Ozone Layer Protection Ordinance (Cap. 403).
Director of Environmental Protection	Environmental Impact Assessment Ordinance (Cap. 499).
Director of Environmental Protection	Environmental Impact Assessment (Appeal Board) Regulation (Cap. 499 sub. leg. A).
Director of Health	Undesirable Medical Advertisements Ordinance (Cap. 231).
Director of Health	Animals (Control of Experiments) Ordinance (Cap. 340).

#### Statute Law (Miscellaneous Provisions) Bill 2014 Part 12—Division 1 Clause 63

Column 1	Column 2
Public office	Ordinance or provision of Ordinance
Director of Highways	Public Lighting Ordinance (Cap. 105).
Director of Highways	Tramway Ordinance (Cap. 107).
Director of Highways	Road Traffic Ordinance (Cap. 374).
Director of Highways	Road Traffic (Traffic Control) Regulations (Cap. 374 sub. leg. G).
Director of Highways	Road Traffic (Expressway) Regulations (Cap. 374 sub. leg. Q).
Director of Highways	Tsing Sha Control Area Ordinance (Cap 594).
Director of Highways	Tsing Sha Control Area (General Regulation (Cap. 594 sub. leg. A).
Director of Immigration	Immigration Ordinance (Cap. 115).
Director of Intellectual Property	Director of Intellectual Property (Establishment) Ordinance (Cap 412).
Director of Intellectual Property as Registrar of Designs	Registered Designs Ordinance (Cap 522).
Director of Intellectual Property as Registrar of Designs	Registered Designs Rules (Cap. 522 sub leg. A).

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Director of Lands

Column 1 Column 2 Public office Ordinance or provision of Ordinance Director of Intellectual Patents Ordinance (Cap. 514). Property as Registrar of Patents Director of Intellectual Patents (Transitional Arrangements) Property as Registrar Rules (Cap. 514 sub. leg. B). of Patents Director of Intellectual Patents (General) Rules (Cap. 514 sub. Property as Registrar leg. C). of Patents Director of Intellectual Trade Marks Ordinance (Cap. 559). Property as Registrar of Trade Marks Director of Intellectual Trade Marks Rules (Cap. 559 sub. leg. Property as Registrar A). of Trade Marks Director of Lands (Miscellaneous Provisions) Land Ordinance (Cap. 28). Director of Lands Government Leases Ordinance (Cap. 40). Director of Lands Lands Resumption Ordinance (Cap. 124).

Government Rights (Re-entry and Vesting Remedies) Ordinance (Cap.

126), section 7(3).

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Column 1	Column 2
Public office	Ordinance or provision of Ordinance
Director of Lands	Foreshore and Sea-bed (Reclamations) Ordinance (Cap. 127).
Director of Lands	Mining Ordinance (Cap. 285).
Director of Lands	Hong Kong Airport (Control of Obstructions) Ordinance (Cap. 301), sections 18(2), 20(g), 23(1) and (2), 24 and 25(2).
Director of Lands	Road Traffic Ordinance (Cap. 374), sections 123(3) and (4) and 124(1) and (2).
Director of Marine	Dangerous Goods (Shipping) Regulations (Cap. 295 sub. leg. C), regulations 3, 5(1), 6, 9, 12, 13, 14, 16, 17, 19 and 21.
Director of Marine	Merchant Shipping (Safety) Ordinance (Cap. 369), sections 31, 38(4), 51(2) and (3), 57(2) and 63.
Director of Marketing	Agricultural Products (Marketing) Ordinance (Cap. 277).
Director of Marketing	Marine Fish (Marketing) Ordinance (Cap. 291).
Director of Social Welfare	Offences against the Person Ordinance (Cap. 212), section 44(4).

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Column 1	Column 2
Public office	Ordinance or provision of Ordinance
Director of Social Welfare	Reformatory Schools Ordinance (Cap. 225).
Director of Social Welfare	Juvenile Offenders Ordinance (Cap. 226).
Director of Social Welfare	Probation of Offenders Ordinance (Cap. 298).
Director-General of Civil Aviation	Air Passenger Departure Tax Ordinance (Cap. 140).
Director-General of Trade and Industry	Import and Export Ordinance (Cap. 60), sections 9(3), 33A(1)(b) and 36(2).
Director-General of Trade and Industry	Import and Export (General) Regulations (Cap. 60 sub. leg. A), regulations 5AB(1), (2), (3), (4) and (5), 5AC(1) and (3), 5AD(1) and (2), 5AE(1)(c) and 6(3) and (4) and item 1 of Part 1 and item 13 of Part 4 of Schedule 5.
Director-General of Trade and Industry	Import and Export (Fees) Regulations (Cap. 60 sub. leg. B).
Director-General of Trade and Industry	Import and Export (Strategic Commodities) Regulations (Cap. 60 sub. leg. G), regulation 2.

#### Statute Law (Miscellaneous Provisions) Bill 2014 Part 12—Division 1

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Column 1	Column 2
Public office	Ordinance or provision of Ordinance
Director-General of Trade and Industry	Export (Certificates of Origin) Regulations (Cap. 60 sub. leg. H), regulations 6(2), 7(1) to (4), 8(1) and (3), 9(2) and 11(1)(c).
Director-General of Trade and Industry	Import (Radiation) (Prohibition) Regulations (Cap. 60 sub. leg. K).
Director-General of Trade and Industry	Reserved Commodities Ordinance (Cap. 296), section 6.
Director-General of Trade and Industry	Reserved Commodities (Control of Imports, Exports and Reserve Stocks) Regulations (Cap. 296 sub. leg. A).
Director-General of Trade and Industry	Reserved Commodities (Control of Sales by Wholesale) Regulations (Cap. 296 sub. leg. B).
Financial Secretary	Legal Tender Notes Issue Ordinance (Cap. 65), section 3(2), (3) and (5).
Financial Secretary	Money Lenders Ordinance (Cap. 163), sections 33A and 33B.
Financial Secretary	Prison Rules (Cap. 234 sub. leg. A), rule 263.
Financial Secretary	Hong Kong Tourism Board Ordinance (Cap. 302), section 7(d).
Financial Secretary	Government Lotteries Ordinance (Cap. 334).

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Column 1	Column 2
Public office	Ordinance or provision of Ordinance
Financial Secretary	Customs and Excise Service (Welfare Fund) Regulation (Cap. 342 sub. leg. C), section 8.
Financial Secretary	The Hong Kong Association of Banks Ordinance (Cap. 364), section 12(1).
Financial Secretary	Trading Funds Ordinance (Cap. 430), sections 3(1) and 8(2).
Financial Secretary	Hong Kong Science and Technology Parks Corporation Ordinance (Cap. 565), sections 23(6) and 24.
Financial Secretary	Hong Kong Export Credit Insurance Corporation Ordinance (Cap. 1115), sections 12, 17(1) and 24(2).
Gas Authority	Gas Safety Ordinance (Cap. 51).
Insurance Authority	Insurance Companies Ordinance (Cap. 41).
Land Registrar	Government Rights (Re-entry and Vesting Remedies) Ordinance (Cap. 126), sections 11(1) and (3) and 12(1) and (3).
Land Registrar	Land Registration Ordinance (Cap. 128).
Land Registrar	Building Management Ordinance (Cap. 344).

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Column 1	Column 2	
Public office	Ordinance or provision of Ordinance	
Monetary Authority	Crimes Ordinance (Cap. 200), sections 103(1) and 104(1).	
Permanent Secretary for Education	Post Secondary Colleges Ordinance (Cap. 320), sections 3, 8, 9, 11 and 12(2).	
Principal Probation Officer	Probation of Offenders Rules (Cap. 298 sub. leg. A), rules 15, 20(2) and 21.	
Registrar of Companies	Trustee Ordinance (Cap. 29).	
Registrar of Companies	Companies (Winding Up and Miscellaneous Provisions) Ordinance (Cap. 32).	
Registrar of Companies	Limited Partnerships Ordinance (Cap. 37).	
Registrar of Companies	Registered Trustees Incorporation Ordinance (Cap. 306).	
Registrar of Co- operative Societies	Co-operative Societies Ordinance (Cap. 33).	
Registrar of Co- operative Societies	J. E. Joseph Trust Fund Ordinance (Cap. 1067), sections 3, 4, 5, 6 and 7.	
Registrar of Credit Unions	Credit Unions Ordinance (Cap. 119).	
Registrar of Money Lenders	Money Lenders Ordinance (Cap. 163).	

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Column 1	Column 2
Public office	Ordinance or provision of Ordinance
Secretary for Constitutional and Mainland Affairs	Sex Discrimination Ordinance (Cap. 480), section 65(3) and sections 16(2) and (3) and 17(2) of Schedule 6.
Secretary for Constitutional and Mainland Affairs	Personal Data (Privacy) Ordinance (Cap. 486), section 14(6) and sections 2(2) and (3) and 3(2) of Schedule 2.
Secretary for Development	Buildings Ordinance (Cap. 123).
Secretary for Education	Non-local Higher and Professional Education (Regulation) Ordinance (Cap. 493), section 8(1)(a)(ii)(B).
Secretary for Education	<ul> <li>Hong Kong Council for Accreditation of Academic and Vocational Qualifications Ordinance (Cap. 1150), sections 4(1)(g) and (2), 5(2)(e), (ea), (g) and (l), 9(1), 12(b), 13(1), (2) and (3) and 17.</li> </ul>
Secretary for Home Affairs	Probate and Administration Ordinance (Cap. 10), sections 60B, 60C, 60D, 60E, 60F, 60G and 60K.
Secretary for Home Affairs	New Territories Ordinance (Cap. 97), sections 15, 16 and 18.
Secretary for Home Affairs	Books Registration Ordinance (Cap. 142).

#### Statute Law (Miscellaneous Provisions) Bill 2014 Part 12—Division 1 Clause 63

Column 1	Column 2
Public office	Ordinance or provision of Ordinance
Secretary for Home Affairs	Hotel and Guesthouse Accommodation Ordinance (Cap. 349), sections 19(1) and 20(1), (2)(b), (3)(b) and (4).
Secretary for Home Affairs	Clubs (Safety of Premises) Ordinance (Cap. 376).
Secretary for Home Affairs	New Territories Land (Exemption) Ordinance (Cap. 452), section 12.
Secretary for Home Affairs	Heung Yee Kuk Ordinance (Cap. 1097), section 3(2)(c) and (3) and paragraph 6 of the First Schedule and paragraph 5(2) of the Second Schedule.
Secretary for Labour and Welfare	Employees Retraining Ordinance (Cap. 423), sections 9(2) and (3) and 14(4).
Secretary for Security	Immigration Ordinance (Cap. 115), sections 29(1), (2) and (4), 32(2), (2A), (3) and (4)(a), 34(b) and 35(2).
Secretary for Security	Marriage Ordinance (Cap. 181), section 5J(7).
Secretary for Security	Essential Services Corps Ordinance (Cap. 197).
Secretary for Security	Public Order Ordinance (Cap. 245), section 31(6)(i).
Secretary for Security	Auxiliary Medical Service Ordinance (Cap. 517).

Statute Law (Miscellaneous Provisions) Bill 2014 Part 12—Division 2

Clause 64

Column 1	Column 2
Public office	Ordinance or provision of Ordinance
Secretary for Security	Civil Aid Service Ordinance (Cap. 518).
Secretary for Transport and Housing	Eastern Harbour Crossing Ordinance (Cap. 215).
Secretary for Transport and Housing	Merchant Shipping (Safety) Ordinance (Cap. 369), section 5.
Secretary for Transport and Housing	Roads (Works, Use and Compensation) Ordinance (Cap. 370).
Secretary for Transport and Housing	Tate's Cairn Tunnel Ordinance (Cap. 393).".

## **Division 2—Repeal of Specifications of Public Offices**

#### 64. Repeal

All specifications made under section 43 of the Interpretation and General Clauses Ordinance (Cap. 1) before the commencement date of this Part (other than the one set out in section 1 of Schedule 3 to the Land Titles Ordinance (Cap. 585)) are repealed.

## Division 3—Consequential Amendments to Land Titles Ordinance (Cap. 585)

65. Schedule 3 amended (consequential amendments)

Schedule 3, cross-heading before section 1, after "Offices"—
 Add

"Notice".

(2) Schedule 3, section 1, after "Offices"—

#### Statute Law (Miscellaneous Provisions) Bill 2014 Part 12—Division 4 Clause 66

#### Add

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"Notice".

(3) Schedule 3, section 1— Repeal paragraph (a).

## **Division 4—Validation in relation to Specifications**

## 66. Validation in relation to specifications

- (1) In this section—
- Cap. 1C Schedule (第 1C 章附表) means the Schedule to the Specification of Public Offices (Cap. 1 sub. leg. C);
- *loose-leaf edition* (《活頁版》) means the loose-leaf edition of the laws published under the Laws (Loose-leaf publication) Ordinance 1990 (51 of 1990);
- *section 43 specification* (第 43 條指明) means a specification made under section 43 of the Interpretation and General Clauses Ordinance (Cap. 1).
- (2) This section applies if—
  - (a) a section 43 specification was made by a notice published in the Gazette after 31 December 1989 but before 1 July 1997; and
  - (b) the Gazette notice did not add to the Cap. 1C Schedule an entry to describe the specification.
- (3) The Gazette notice for a section 43 specification is deemed to have amended the Cap. 1C Schedule by adding, in alphabetical order, an entry to describe the specification in the same terms in which the specification is described in the Gazette notice, and the amendment is deemed to have come into operation on the date on which the Gazette notice came into operation.

Part 12-Division 4 Clause 66

- (4) If
  - before 1 July 1997, an entry that describes a section 43 (a) specification was purportedly added to the Cap. 1C Schedule as appearing in the loose-leaf edition; and
  - (b) subsequently a piece of legislation purported to amend the entry without a corresponding amendment to the Gazette notice for the specification,

the specification in the Gazette notice is deemed to have been amended in the same terms in which the entry was purportedly amended, and the amendment to the specification is deemed to have come into operation on the date on which the amendment to the entry purported to come into operation.

#### Clause 67

## Part 13

## Validation in relation to Consolidated Instruments

- 67. Validation in relation to paragraphs 2 and 3 of Antiquities and Monuments (Declaration of Monuments and Historical **Buildings)** (Consolidation) Notice
  - (1) In this section—
  - Cap. 53 (《條例》) means the Antiquities and Monuments Ordinance (Cap. 53);
  - Cap. 53B (《公告》) means the Antiquities and Monuments (Declaration of Monuments and Historical Buildings) (Consolidation) Notice (Cap. 53 sub. leg. B);
  - historical building declaration (歷史建築物宣布) means a declaration of a place to be a historical building under section 3 of Cap. 53;
  - loose-leaf edition (《活頁版》) means the loose-leaf edition of the laws published under the Laws (Loose-leaf publication) Ordinance 1990 (51 of 1990);
  - monument declaration (古蹟宣布) means a declaration of a place to be a monument under section 3 of Cap. 53.
  - This section applies if— (2)
    - (a) a monument declaration or historical building declaration was made by a notice published in the Gazette after 31 December 1989 but before the date on which this section comes into operation; and
    - (b)the Gazette notice-
      - (i) for a monument declaration, did not amend paragraph 2 of Cap. 53B by adding a subparagraph to describe the place; or

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- (ii) for a historical building declaration, did not amend paragraph 3 of Cap. 53B by adding a subparagraph to describe the place.
- (3) The Gazette notice for a monument declaration is deemed to have amended paragraph 2 of Cap. 53B by adding at the end of that paragraph a subparagraph to describe the place in the same terms in which the place is described in the Gazette notice, and the amendment is deemed to have come into operation on the date on which the Gazette notice came into operation.
- (4) The Gazette notice for a historical building declaration is deemed to have amended paragraph 3 of Cap. 53B by adding at the end of that paragraph a subparagraph to describe the place in the same terms in which the place is described in the Gazette notice, and the amendment is deemed to have come into operation on the date on which the Gazette notice came into operation.
- (5) For the purposes of subsection (3), subparagraphs are to be added after paragraph 2(y) of Cap. 53B in the chronological order in which the Gazette notices came into operation, subject to the following—
  - (a) if more than one Gazette notice came into operation on the same date, the subparagraphs are to be added in the order in which the Gazette notices appear in the Gazette; and
  - (b) if more than one subparagraph is to be added by one Gazette notice, the subparagraphs are to be added in the order in which the monument declarations appear in the Gazette notice.
- (6) For the purposes of subsection (4), subparagraphs are to be added after paragraph 3(p) of Cap. 53B in the chronological

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order in which the Gazette notices came into operation, subject to the following-

- (a) if more than one Gazette notice came into operation on the same date, the subparagraphs are to be added in the order in which the Gazette notices appear in the Gazette; and
- (b) if more than one subparagraph is to be added by one Gazette notice, the subparagraphs are to be added in the order in which the historical building declarations appear in the Gazette notice.

(7) If—

- (a) before this section comes into operation, a subparagraph that describes the place declared to be a monument or historical building was purportedly added to paragraph 2 or 3 of Cap. 53B as appearing in the loose-leaf edition; and
- (b) subsequently a piece of legislation purported to amend the subparagraph without a corresponding amendment to the Gazette notice for the declaration,

the declaration in the Gazette notice is deemed to have been amended in the same terms in which the subparagraph was purportedly amended, and the amendment to the declaration is deemed to have come into operation on the date on which the amendment to the subparagraph purported to come into operation.

- 68. Validation in relation to the Schedule to the Country Parks (Designation) (Consolidation) Order
  - (1) In this section—
  - Cap. 208 (《條例》) means the Country Parks Ordinance (Cap. 208);

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- Cap. 208B Schedule (第 208B 章附表) means the Schedule to the Country Parks (Designation) (Consolidation) Order (Cap. 208 sub. leg. B);
- *country park designation* (郊野公園指定) means a designation of an area to be a country park under section 14 of Cap. 208.
- (2) This section applies if—
  - (a) a country park designation of an area was made by an order published in the Gazette after 31 December 1989 and before the date on which this section comes into operation; and
  - (b) the Gazette order did not amend the Cap. 208B Schedule by adding an item to describe the area.
- (3) The Gazette order is deemed to have amended the Cap. 208B Schedule by adding at the end of the Schedule an item to describe the area in the same terms in which the area is described in the Gazette order, and the amendment is deemed to have come into operation on the date on which the Gazette order came into operation.
- (4) For the purposes of subsection (3), items are to be added after item 21 of Cap. 208B Schedule in the chronological order in which the Gazette orders came into operation.

Part 14-Division 1

### Part 14

## Standardization of References to Certain Customs and Excise Service Public Officers

#### **Division 1—Import and Export Ordinance (Cap. 60)**

- 69. Section 2 amended (interpretation)
  - Section 2, Chinese text, definition of 機場貨物轉運區, paragraph (b)—

Repeal

"香港".

(2) Section 2, Chinese text, definition of  $\mathbf{BE}$ 

Repeal

"香港" (wherever appearing).

## 70. Section 2AA amended (approval of part of Airport Area as cargo transhipment area)

Section 2AA(1), Chinese text—

Repeal

"香港".

## **Division 2—Weights and Measures Ordinance (Cap. 68)**

- 71. Section 2 amended (interpretation)
  - Section 2, Chinese text, definition of *獲授權人員*—
     Repeal
     "香港".

(2) Section 2, Chinese text, definition of  $\mathbf{BE}$ , paragraph (a)—

Statute Law (Miscellaneous Provisions) Bill 2014 Part 14—Division 2 77 Clause 72 Repeal 75. "香港". (3) Section 2, Chinese text, definition of **B**, paragraph (b)— Repeal "香港海關任何副關長" Substitute "任何海關副關長". (4) Section 2, Chinese text, definition of **E**, paragraph (c)— Repeal "香港海關任何助理關長" Substitute "任何海關助理關長". 72. Section 3 amended (application) Section 3(2), Chinese text— Repeal "香港". Section 4 amended (appointment of authorized officers) 73. Section 4, Chinese text-Repeal "香港". Section 7 amended (declaration of equivalent units of 74. measurements) 78. Section 7, Chinese text— Repeal

"香港".

Statute Law (Miscellaneous Provisions) Bill 2014 Part 14-Division 3 Clause 78 78 Section 8 amended (reference standards of weights and measures) Section 8(1), Chinese text— (1)Repeal "香港海關關長" (wherever appearing) Substitute "海關關長". (2)Section 8(2), Chinese text— Repeal "香港".

76. Section 34 amended (name in which proceedings may be brought)

Section 34, Chinese text-

Repeal "香港".

77. Section 38 amended (power of Commissioner to amend Schedules)

Section 38, Chinese text—

Repeal "香港".

#### **Division 3—Pension Benefits Ordinance (Cap. 99)**

78. Schedule amended (Scheduled officers) The Schedule, Chinese text, item (2), column headed "首長級"— Repeal "香港" (wherever appearing). .

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Division 4—Pension Benefits (Prescribed Ages) (Directorate Ranks) Notice (Cap. 99 sub. leg. C)

79. Schedule amended

The Schedule, Chinese text, item 2, column 3—

Repeal

"香港" (wherever appearing).

## **Division 5—Dutiable Commodities Ordinance (Cap. 109)**

80. Section 2 amended (interpretation)

Section 2(1), Chinese text, definition of **關長**—

Repeal

"香港" (wherever appearing).

### **Division 6—Immigration Ordinance (Cap. 115)**

81. Section 56A amended (exercise by customs officers of certain powers of immigration officers)

(1) Section 56A(1), Chinese text—

Repeal

"香港海關總監"

Substitute

"海關關長".

(2) Section 56A(2), Chinese text—

Repeal

"香港海關總監"

Substitute

"海關關長".

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Section 56A(2), Chinese text— (3) Repeal "總監所" (wherever appearing) Substitute "關長所". Section 56A(3), Chinese text— (4) Repeal "香港海關總監" Substitute "海關關長". Section 56A(4), Chinese text— (5) Repeal "香港海關總監" Substitute "海關關長". Section 56A(6), Chinese text-(6) Repeal "香港海關總監" Substitute "海關關長". Section 56A(6), Chinese text— (7)Repeal "則總監" Substitute "則關長".

Statute Law (Miscellaneous Provisions) Bill 2014 Statute Law (Miscellaneous Provisions) Bill 2014 Part 14-Division 8 Part 14—Division 7 81 Clause 83 Clause 82 **Division 8—Dangerous Drugs Ordinance (Cap. 134)** Section 56A(7), definition of Commissioner of Customs and (8) Excise— Section 38B amended (Commissioner of Customs and Excise 83. Repeal may seize and detain ship) "香港海關總監" (1) Section 38B, Chinese text, heading— Substitute Repeal "海關關長". "香港". (9) Section 56A(7), Chinese text, definition of 海關關長— Section 38B, Chinese text-(2)Repeal Repeal "香港海關副總監" "香港". Substitute "海關副關長". 84. Section 38C amended (magistrate may order arrest and detention of ship) (10) Section 56A(7), Chinese text, definition of 海關關長— Section 38C(1), Chinese text— Repeal Repeal "香港海關助理總監;" "香港". Substitute "海關助理關長。". 85. Section 38D amended (Registrar to order summons to be served (11) Section 56A(7), Chinese text, definition of 海關人員 on ship) Section 38D(1), Chinese text— **Repeal the full stop** Substitute a semicolon. Repeal "香港" Division 7—Public Revenue Protection Ordinance (Cap.

Section 38E amended (bail)

Repeal

"香港".

Section 38E(1), Chinese text—

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- 120)
- Section 4 amended (restriction of delivery of dutiable goods) 82. Section 4, Chinese text-

#### Repeal

"香港".

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Section 38F amended (imposition of penalties in respect of ships 87. carrying excessive quantities of drugs and consequential proceedings)

Section 38F(1), Chinese text—

#### Repeal

"香港".

88. Section 38G amended (certificate as to finding of dangerous drugs etc.)

Section 38G, Chinese text-

Repeal

"香港" (wherever appearing).

- Section 52 amended (powers of authorized officers) 89.
  - (1) Section 52(2)(a), Chinese text—

Repeal

"香港".

(2) Section 52(10), definition of Commissioner of Customs and Excise---

Repeal

"香港".

90. Section 53A amended (surrender of travel document)

(1) Section 53A(1), Chinese text—

#### Repeal

"香港" (wherever appearing).

Section 53A(7), Chinese text-(2)

Repeal

"香港".

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## Part 14—Division 8

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- Section 53A(7A), Chinese text-(3) Repeal "香港".
- (4) Section 53A(8), Chinese text-

Repeal

"香港".

(5) Section 53A(10), definition of *Commissioner of Customs and* Excise—

Repeal

"香港".

- Section 53B amended (application for return of travel 91. document)
  - Section 53B(1), Chinese text-(1)

Repeal

"香港".

- Section 53B(2), Chinese text-(2)Repeal "香港".
- Section 53C amended (application for permission to leave Hong 92. Kong)
  - Section 53C(1), Chinese text— (1)
    - Repeal

"香港海關關長"

Substitute

"海關關長".

(2) Section 53C(2), Chinese text-

Statute Law (Miscellaneous Provisions) Bill 2014			Statute Law (Miscellaneous Provisions) Bill 2014	
Part 14—Division 9 Clause 93 85			Part 14—Division 11 Clause 95 86	
	Repeal "香港".	Division 11—The Food and Ag 190 sub.	U N	
Di	vision 9—Control of Chemicals Ordinance (Cap. 1	45) 95. Article 5 amended		
<ul> <li>93. Section 2 amended (interpretation) <ul> <li>(1) Section 2(1), Chinese text, definition of 關長—</li> <li>Repeal <ul> <li>"香港海關關長"</li> <li>Substitute</li> <li>"海關關長".</li> </ul> </li> <li>(2) Section 2(1), Chinese text, definition of 關長—</li> <li>Repeal <ul> <li>"香港海關任何副關長"</li> <li>Substitute</li> <li>"香港海關任何副關長"</li> </ul> </li> <li>Substitute <ul> <li>"任何海關副關長".</li> </ul> </li> <li>Division 10—International Organizations and Diplomatic</li> </ul></li></ul>		Article 5, Chinese text— Repeal "香港海關關長" Substitute "海關關長". Division 12—The Inter-g Consultative Organization 96. Article 5 amended Article 5, Chinese text— Repeal "香港海關關長" Substitute "海關關長".		
94.	First Schedule amended	Division 13—The Internation (Cap. 190 su		
	First Schedule, Chinese text, Part I, paragraph 4—	(Cap. 190 Su	10. 10g. UJ	
	Repeal "香港海關關長"	97. Article 5 amended		
	首花母蒯朔女 Substitute	Article 5, Chinese text-		
	"海關關長".	Repeal		
	(好)前的文·	"香港海關關長"		

Substitute

"海關關長".

Statute Law (Miscellaneous Provisions) Bill 2014 Part 14—Division 14

Clause 98

87

Division 14—The International Civil Aviation Organization (Cap. 190 sub. leg. D)

98. Article 5 amended

Article 5, Chinese text-

Repeal

"香港海關關長"

Substitute

"海關關長".

Division 15—The International Labour Organization (Cap. 190 sub. leg. E)

99. Article 5 amended

Article 5, Chinese text-

Repeal

"香港海關關長"

Substitute

"海關關長".

Division 16—The Organization for the Network of Aquaculture Centres in Asia and the Pacific Notification (Cap. 190 sub. leg. F)

100.Paragraph 6 amended (exemption from taxes and rates)Paragraph 6(2), Chinese text—

Repeal "香港海關關長"

Substitute

Statute Law (Miscellaneous Provisions) Bill 2014 Part 14—Division 17 Clause 101

"海關關長".

## Division 17—The International Telecommunication Union (Cap. 190 sub. leg. G)

101. Article 5 amended Article 5, Chinese text— Repeal "香港海關關長" Substitute "海關關長".

## Division 18—The United Nations (Cap. 190 sub. leg. H)

102. Article 5 amended

Article 5, Chinese text— Repeal "香港海關關長" Substitute "海關關長".

## Division 19—The United Nations Educational, Scientific and Cultural Organization (Cap. 190 sub. leg. I)

103. Article 5 amended

Article 5, Chinese text-

Repeal "香港海關關長" Substitute

"海關關長".

Division 20—The Universal Postal Union (Cap. 190 sub. leg. J)

104. Article 5 amended

Article 5, Chinese text—

Repeal

"香港海關關長"

Substitute

"海關關長".

Division 21—The World Health Organization (Cap. 190 sub. leg. K)

105. Article 5 amended

Article 5, Chinese text—

Repeal

"香港海關關長"

Substitute

"海關關長".

Division 22—The World Meteorological Organization (Cap. 190 sub. leg. L)

106. Article 5 amended

Article 5, Chinese text-

Repeal

"香港海關關長"

90

Substitute

"海關關長".

## Division 23—The Asian Development Bank (Cap. 190 sub. leg. M)

107. Article 6 amended Article 6, Chinese text— Repeal "香港海關關長" Substitute "海關關長".

Division 24—The Asia-Pacific Telecommunity Notification (Cap. 190 sub. leg. N)

108. Article 8 amended

Article 8, Chinese text—

Repeal

"香港海關關長"

Substitute

"海關關長".

## Division 25—The International Mobile Satellite Organization Notification (Cap. 190 sub. leg. P)

**109.** Article 6 amended Article 6, Chinese text—

Repeal

91

"香港海關關長"

Substitute

"海關關長".

Division 26—The International Telecommunications Satellite Organization Notification (Cap. 190 sub. leg. Q)

110. Article 6 amended

Article 6, Chinese text—

Repeal

"香港海關關長"

Substitute

"海關關長".

Division 27—Marine Fish (Marketing and Exportation) Regulations (Cap. 291 sub. leg. A)

111. Regulation 4E amended (production of export permit to designated officer; powers of designated officer)

Regulation 4E(5)(b), Chinese text-

Repeal

"香港海關關長" (wherever appearing)

#### Substitute

"海關關長".

## Division 28—Reserved Commodities Ordinance (Cap. 296)

- 112. Section 2 amended (interpretation)
  - (1) Section 2(1), Chinese text, definition of  $\mathbf{B}_{\overline{\mathbf{\xi}}}$

## Repeal

"香港海關關長" Substitute "海關關長".

- (2) Section 2(1), Chinese text, definition of **關長**Repeal
  "香港海關任何副關長"
  Substitute
  "任何海關副關長".
- Division 29—Industrial Training (Clothing Industry) Ordinance (Cap. 318)
- 113. Section 2 amended (interpretation) Section 2, Chinese text, definition of 關長— Repeal "香港" (wherever appearing).
- 114.Schedule 1 amended (clothing items)Schedule 1, Chinese text, paragraph 1(a)----

Repeal "香港海關關長" Substitute "海關關長". Part 14-Division 30

Clause 115

93

**Division 30—Protection of Non-Government Certificates of Origin Ordinance (Cap. 324)** 

Section 2 amended (interpretation) 115.

Section 2, Chinese text, definition of **周**長—

Repeal

"香港" (wherever appearing).

Division 31—Customs and Excise Service Ordinance (Cap. 342)

- Section 2 amended (interpretation) 116.
  - (1) Section 2, Chinese text, definition of 助理關長— Repeal

"香港".

(2) Section 2, Chinese text, definition of Repeal

"香港".

(3) Section 2, Chinese text, definition of  $\mathbf{BE}_{-}$ Repeal

"香港"

- Section 26 amended (transitional) 117.
  - (1) Section 26—

Renumber the section as section 26(1).

- After section 26(1)— (2)
  - Add

Statute Law (Miscellaneous Provisions) Bill 2014

#### Part 14—Division 32 Clause 118

- In any instrument, contract or legal proceedings issued. "(2) made or commenced before the commencement date of Part 14 of the Statute Law (Miscellaneous Provisions) Ordinance 2014 ( of 2014)----
  - (a) the titles of 香港海關關長 and 香港海關總監 are to be substituted by 海關關長;
  - (b) the titles of 香港海關副關長, 副海關關長 and 香 港海關副總監 are to be substituted by 海關副關 長; and
  - (c) the titles of 香港海關助理關長, 助理海關關長 and 香港海關助理總監 are to be substituted by 海 關助理關長.".

## **Division 32—Trade Descriptions Ordinance (Cap. 362)**

#### 118. Section 2 amended (interpretation)

- (1) Section 2(1), Chinese text, definition of  $\mathbf{I}_{\mathbf{E}}$ Repeal "香港海關關長" Substitute "海關關長". Section 2(1), Chinese text, definition of (2)

Repeal "香港海關的任何副關長"

## Substitute

"任何海關副關長".

Part 14—Division 33 Clause 119

95

## Division 33—Trade Descriptions (Place of Manufacture) (Textile Made-up Articles) Order (Cap. 362 sub. leg. I)

**119.** Section 2 amended (interpretation)

Section 2, Chinese text, definition of 協調制度編號—

Repeal

"香港海關關長"

Substitute

"海關關長".

## Division 34—Smoking (Public Health) Ordinance (Cap. 371)

#### 120. Section 10A amended (seizure and forfeiture)

(1) Section 10A(2), Chinese text—

Repeal

"香港".

(2) Section 10A(4), Chinese text—

#### Repeal

"香港海關關長"

Substitute

"海關關長".

Division 35—Smoking (Public Health) (Notices) Order (Cap. 371 sub. leg. B)

121. Paragraph 3 amended (health warning and indication of tar and nicotine yields on packet or retail container of cigarettes)

Paragraph 3(8)(b), Chinese text-

Repeal

Statute Law (Miscellaneous Provisions) Bill 2014

## Part 14—Division 36

#### Clause 124

"香港海關關長" Substitute "海關關長".

122. Paragraph 4A amended (health warning on retail container of cigar, pipe tobacco or cigarette tobacco (other than retail container containing one cigar))

Paragraph 4A(8), Chinese text---

Repeal "香港海關關長" Substitute

"海關關長".

123. Paragraph 4AA amended (health warning on retail container containing one cigar)

Paragraph 4AA(6), Chinese text-

Repeal "香港海關關長"

Substitute

"海關關長".

## Division 36—Toys and Children's Products Safety Ordinance (Cap. 424)

#### 124. Section 2 amended (interpretation)

(1) Section 2, Chinese text, definition of **關長**—

Repeal "副海關關長" Substitute

Part 14—Division 37

Clause 125

97

"海關副關長".

(2) Section 2, Chinese text, definition of **關長**—

Repeal

"助理海關關長"

Substitute

"海關助理關長".

Division 37—Administrative Appeals Board Ordinance (Cap. 442)

125. Schedule amended

The Schedule, Chinese text, item 30-

Repeal

"香港".

## Division 38—Consumer Goods Safety Ordinance (Cap. 456)

#### 126. Section 2 amended (interpretation)

(1) Section 2, Chinese text, definition of **關長**—

Repeal

"副海關關長"

Substitute

"海關副關長".

(2) Section 2, Chinese text, definition of 開長— Repeal

"助理海關關長"

Substitute

"海關助理關長".

Division 39—Weapons of Mass Destruction (Control of Provision of Services) Ordinance (Cap. 526)

- 127. Section 2 amended (interpretation) Section 2(1), Chinese text, definition of *關長*— Repeal "香港" (wherever appearing).
- Division 40—United Nations Sanctions (Iraq) Regulation (Cap. 537 sub. leg. B)
- 128. Section 1 amended (interpretation) Section 1(1), Chinese text, definition of 關長— Repeal "香港"(wherever appearing).
  - Division 41—United Nations Sanctions (Lebanon) Regulation (Cap. 537 sub. leg. AC)
- 129. Section 1 amended (interpretation) Section 1, Chinese text, definition of 關長— Repeal "香港" (wherever appearing).

Division 42—United Nations Sanctions (Democratic People's Republic of Korea) Regulation (Cap. 537 sub. leg. AE)

 130.
 Section 1 amended (interpretation)

 Section 1, Chinese text, definition of 關長

Clause 131

Repeal

"香港" (wherever appearing).

Division 43—United Nations Sanctions (Iran) Regulation (Cap. 537 sub. leg. AF)

131. Section 1 amended (interpretation)

Section 1, Chinese text, definition of **關長**—

Repeal

"香港" (wherever appearing).

Division 44—United Nations Sanctions (Somalia) Regulation (Cap. 537 sub. leg. AN)

 132.
 Section 1 amended (interpretation)

 Section 1, Chinese text, definition of 關長

Repeal

"香港" (wherever appearing).

- Division 45—United Nations Sanctions (Eritrea) Regulation (Cap. 537 sub. leg. AR)
- 133. Section 1 amended (interpretation)

Section 1, Chinese text, definition of 關長—

Repeal

"香港" (wherever appearing).

- Division 46—United Nations Sanctions (Libya) Regulation 2011 (Cap. 537 sub. leg. AW)
- 134. Section 1 amended (interpretation) Section 1, Chinese text, definition of 關長 Repeal "香港" (wherever appearing).
  - Division 47—United Nations Sanctions (Afghanistan) Regulation 2012 (Cap. 537 sub. leg. AX)
- 135. Section 2 amended (interpretation) Section 2, Chinese text, definition of 關長— Repeal "香港" (wherever appearing).
  - Division 48—Customs and Excise Service Children's Education Trust Fund Ordinance (Cap. 551)
- 136. Section 2 amended (interpretation)
  - Section 2, definition of *Commissioner*—
     Repeal
     "海關".
  - (2) Section 2, Chinese text, definition of *受託人*—
     Repeal
     "海關".
- **137.** Section 3 amended (establishment of the fund) Section 3(3)(a), Chinese text—

Part 14—Division 49

Clause 140

101

"海關".

138. Section 4 amended (incorporation of Commissioner as trustee)

(1) Section 4, Chinese text, heading-

Repeal

"海關".

(2) Section 4(1), Chinese text—

Repeal

"海關關長"

Substitute

"關長".

139. Section 6 amended (establishment of committee)

Section 6(2)(b), Chinese text—

Repeal

"海關".

Division 49—Consular Relations Ordinance (Cap. 557)

140. Section 5 amended (authorized refund of duties paid on hydrocarbon oils)

Section 5(1), Chinese text—

Repeal

"香港海關關長"

#### Substitute

"海關關長".

Statute Law (Miscellaneous Provisions) Bill 2014 Part 14—Division 50 Clause 141

Division 50—International Organizations (Privileges and Immunities) (Office of the Commission of the European Communities) Order (Cap. 558 sub. leg. A)

141. Section 4 amended (authorized refund of duties paid on hydrocarbon oils)

Section 4(1), Chinese text—

Repeal "香港海關關長" Substitute "海關關長".

Division 51—Chemical Weapons (Convention) Ordinance (Cap. 578)

142. Section 2 amended (interpretation) Section 2(1), Chinese text, definition of 關長— Repeal "香港" (wherever appearing).

Division 52—Anti-Money Laundering and Counter-Terrorist Financing (Financial Institutions) Ordinance (Cap. 615)

- 143. Section 26 amended (delegation of functions)
  - (1) Section 26(1), Chinese text—

Repeal "香港海關關長" Substitute Part 14—Division 53

Clause 146

103

"海關關長".

(2) Section 26(2), Chinese text—

Repeal

"香港".

#### 144. Section 51 amended (regulations)

Section 51, Chinese text-

Repeal

"香港".

#### 145. Schedule 1 amended (interpretation)

Schedule 1, Chinese text, Part 2, section 1, definition of 關長—

#### Repeal

"香港" (wherever appearing).

## Division 53—United Nations Sanctions (Sudan) Regulation 2013 (L.N. 145 of 2013)

146. Section 22 amended (power of authorized officers to enter and detain vehicles)

Section 22(4), Chinese text, definition of **E** 

#### Repeal

"香港" (wherever appearing).

## Part 15

## **Miscellaneous Amendments**

## Division 1—Allowances to Jurors Order (Cap. 3 sub. leg. A)

147. Section 2 amended (allowances to jurors)

Section 2(1), Chinese text-

#### Repeal

",按該人出任陪審員的每一天或不足一天的時間計,須 為\$410"

#### Substitute

"是每天\$410,按該人出任陪審員的每一天(不足一天亦作 一天論)計算".

## Division 2-Rules of the High Court (Cap. 4 sub. leg. A)

#### 148. Order 24, rule 14A amended (use of documents)

Order 24, Chinese text, rule 14A-

#### Repeal

"已向法庭讀出或已由法庭閱讀,或已在公開法庭上被提 述後"

#### Substitute

"已在公開法庭上,向法庭讀出、由法庭閱讀或被提述 後". Part 15—Division 3 Clause 149

Division 3—Law Amendment and Reform (Consolidation) Ordinance (Cap. 23)

#### 149. Section 20C amended (actions for loss of society or services)

#### (1) Section 20C(1)(a), English text—

Repeal

"preceding the date when"

#### Substitute

"before the date on which".

(2) Section 20C(1)(c)—

#### Repeal

"the deceased"

#### Substitute

"the injured person".

(3) Section 20C(1)(d)(i)—

#### Repeal

"the deceased in the same household immediately before the date of his death"

#### Substitute

"the injured person in the same household immediately before the date on which the cause of action accrued".

#### (4) Section 20C(1)(d)(ii)—

#### Repeal

"the deceased"

#### Substitute

"the injured person".

(5) Section 20C(1)(d), English text—

#### Statute Law (Miscellaneous Provisions) Bill 2014 Part 15—Division 3 Clause 149

#### Repeal

"of the deceased"

Substitute

"of the injured person".

(6) Section 20C(1)(e)---

#### Repeal

"the deceased" (wherever appearing)

#### Substitute

"the injured person".

(7) Section 20C(1)(f)

#### Repeal

"the deceased was at the date of his death"

#### Substitute

"the injured person was at the date on which the cause of action accrued".

106

(8) Section 20C(1)(f)—

#### Repeal

"treated the deceased"

#### Substitute

"treated the injured person".

(9) Section 20C(1)(g)—

#### Repeal

"the deceased"

#### Substitute

"the injured person".

(10) Section 20C(5), definition of *dependant*, paragraph (b)—

Part 15—Division 4

Clause 150

107

#### Repeal

"the deceased"

Substitute

"the injured person".

## Division 4—Legal Aid (Assessment of Resources and Contributions) Regulations (Cap. 91 sub. leg. B)

- 150. Schedule 3 amended (contributions)
  - (1) Schedule 3—

Repeal

"[regs. 8A, 13 & 14]"

#### Substitute

"[regs. 8A, 13, 14 & 16]".

(2) Schedule 3, Chinese text, Part 3, paragraph 5(a)—

## Repeal

"上訴聆訊的日期"

#### Substitute

"上訴聆訊開始的日期".

(3) Schedule 3, Chinese text, Part 3, paragraph 5(b)—

## Repeal

"上訴聆訊的日期"

#### Substitute

"上訴聆訊開始的日期".

## Division 5—Telecommunications (Telecommunications Apparatus) (Exemption from Licensing) Order (Cap. 106 sub. leg. Z)

151. Section 6 amended (exemption for hybrid telecommunications apparatus)

Section 6(4), English text—

Repeal

"telecommunication apparatus"

Substitute

"telecommunications apparatus".

## Division 6—Immigration Ordinance (Cap. 115)

152. Section 17C amended (carrying and production of proof of identity)

Section 17C(4)-

#### Repeal

"section 17B(b)(ii)"

#### Substitute

"paragraph (b)(ii) of the definition of *proof of identity* in section 17B(1)".

## Division 7—Public Health and Municipal Services Ordinance (Cap. 132)

## 153. Section 113 amended (public and private cemeteries)

(1) Section 113(1)—

## Repeal

Part 15—Division 8

Clause 154

......

109

"Parts 1 and III" Substitute

"Part 1".

(2) Section 113(2)—

Repeal

"Parts 2 and IV"

Substitute

"Part 2".

Division 8—Banking (Capital) Rules (Cap. 155 sub. leg. L)

154. Section 311 amended (othe	offsetting)
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(1) Section 311(1)(a), Chinese text—

Repeal

"該持倉"

Substitute

"該等持倉會".

(2) Section 311(1)(b), Chinese text—

Repeal

"該持倉"

Substitute

"該等持倉".

(3) Section 311(1)(c), Chinese text—

Repeal

"該持倉"

Substitute

"該等持倉".

	Statute Law (Miscellaneous Provisions) Bill 2014 —Division 9
Clause	155 110
D	ivision 9—Legal Practitioners Ordinance (Cap. 159)
155.	Section 74A amended (Standing Committee on Legal Education and Training)
	Section 74A(3)(a)(ix)
	Repeal
	"The Federation for Continuing Education in Tertiary Institutions"
	Substitute
	"the Federation for Self-financing Tertiary Education".
Div	ision 10—Barristers (Admission) Rules (Cap. 159 sub.
DIV	leg. AA)
156.	Schedule 2 amended (forms)
	Schedule 2, Form 2—
	Repeal
	"Approved this day of
	[Signed]
	Chief Justice".
D Ident	ivision 11—Registration of Persons (Invalidation of ity Cards) (Consolidation) Order (Cap. 177 sub. leg. C)

157. Registration of Persons (Invalidation of Identity Cards) (Consolidation) Order repealed

The Registration of Persons (Invalidation of Identity Cards) (Consolidation) Order (Cap. 177 sub. leg. C)---

Repeal the Order.

Division 12—Shipping and Port Control Ordinance (Cap. 313)

111

158. Section 17 amended (ships to anchor in ports)

Section 17(1), English text—

Repeal

"the Third Schedule"

Substitute

"Schedule 3".

## Division 13—Immigration Service Ordinance (Cap. 331)

#### 159. Schedule 2 amended (scheduled offences)

Schedule 2, Part I, item 1, column 2-

Repeal

"section 11"

Substitute

"section 12".

## Division 14—District Court Ordinance (Cap. 336)

160. Section 79 amended (procedure and practice of the Court in its criminal jurisdiction)

Section 79(2), Chinese text-

## Repeal

"《刑事訴訟程序條例》(第 221 章)附表 2 第 I 部所詳列的 條文"

### Substitute

Part 1	Statute Law (Miscellaneous Provisions) Bill 2014 5—Division 15
Clause	162 112
	"附表 2 第 1 部所詳列的《刑事訴訟程序條例》(第 221 章)的條文,".
161.	Schedule 2 amended
	Schedule 2, English text, Part 1—
	Repeal
	"the First Schedule"
	Substitute
	"Schedule 1".
Divi	sion 15—Rules of the District Court (Cap. 336 sub. leg. H)
162.	Order 24, rule 14A amended (use of documents)
	Order 24, rule 14A—
	Repeal
	"by the Court or referred to in open court"
	Substitute
	"by the Court, or referred to, in open court".
	Division 16—Employees Compensation Assistance Ordinance (Cap. 365)
163.	Section 8 amended (payments from the Fund)
	Section 8(c), Chinese text
	Repeal
	"貨款"
	Substitute
	"貸款".

Part 15—Division 17

Clause 164

113

## Division 17—Merchant Shipping (Safety) (Signals of Distress and Prevention of Collisions) Regulations (Cap. 369 sub. leg. N)

164. Schedule amended (International Regulations for Preventing Collisions at Sea 1972)

The Schedule, Chinese text, Annex I, paragraph 2(c)-

- Repeal
- "但不"
- Substitute
- "但".

Division 18—Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap. 374 sub. leg. E)

#### 165. Regulation 2 amended (interpretation)

Regulation 2(1), Chinese text, definition of 左軚車輛

Repeal

"信訊"

- Substitute
- "信號".
- 166. Schedule 14 amended (particulars to be contained in register of journeys)
  - (1) Schedule 14, Chinese text, item 7—

#### Repeal

"取得牌照持有人根據第 46A(4)條"

#### Substitute

"根據第 46A(4)條獲牌照持有人".

#### Statute Law (Miscellaneous Provisions) Bill 2014 Part 15—Division 19 Clause 167

(2) Schedule 14, Chinese text, item 7—
Repeal
"指定人士"
Substitute
"指定的人".

## Division 19—Tate's Cairn Tunnel By-laws (Cap. 393 sub. leg. B)

#### 167. Schedule amended

(1) The Schedule, English text, Figure No. 23—
 Repeal
 "company"

company

Substitute

"Company".

(2) The Schedule, English text, Figure No. 24-Repeal

"company" (wherever appearing)

Substitute

"Company".

## Division 20—Personal Data (Privacy) Ordinance (Cap. 486)

168. Section 35K amended (data user must not provide personal data for use in direct marketing without data subject's consent) Section 35K(1)(b), Chinese text—

> Repeal "當事人"

Part 15—Division 21

Clause 169

115

"資料使用者".

## Division 21—Securities and Futures Ordinance (Cap. 571)

169. Section 308 amended (interpretation of Part XV)

Section 308(1), Chinese text, definition of **股本衍生工具**, paragraph (d)—

Repeal

"股票期權合約"

Substitute

"股票期貨合約".

**Division 22—Competition Ordinance (Cap. 619)** 

170. Schedule 5 amended (Competition Commission)

(1) Schedule 5, English text, section 20—

Repeal

"is the period—

(a) beginning"

Substitute

"is—

(a) the period beginning".

(2) Schedule 5, section 21(a)—

Repeal

"Council;"

Substitute

"Council; and".

#### Statute Law (Miscellaneous Provisions) Bill 2014 Part 15—Division 22 Clause 171

## 171. Schedule 8 amended (consequential and related amendments)

(1) Schedule 8, Part 4—

**Repeal section 14** 

#### Substitute

"14. Part 5C heading amended

The heading of Part 5C is amended by repealing "Sections 7K, 7L, 7N and 7P" and substituting "Section 7Q".".

116

(2) Schedule 8, Part 4, section 15(2)-

Repeal

"repealing "7K, 7L, 7M or 7N" and substituting "7M or 7Q"." **Substitute** 

"repealing "7K, 7L or 7N or any licence condition relating to any such section" and substituting "7Q or any licence condition relating to section 7Q".".

(3) Schedule 8, Part 4, section 16(1)—

#### Repeal

"repealing "7K, 7L, 7M or 7N" and substituting "7M or 7Q"." **Substitute** 

"repealing "7K, 7L or 7N" and substituting "7Q".".

(4) Schedule 8, Part 4, after section 16(1)-

Add

"(1A) Section 32N(1) is amended by repealing "any such section" wherever it appears and substituting "that section"."

(5) Schedule 8, Part 4, section 18—

Repeal

Part 15—Division 23 Clause 172

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"repealing "7K, 7L, 7M or 7N" and substituting "7M or 7Q"." **Substitute** 

"repealing "7K, 7L or 7N" and substituting "7Q".".

## Division 23—Residential Properties (First-hand Sales) Ordinance (Cap. 621)

172. Section 71 amended (general requirements for advertisement)

Section 71(4), Chinese text—

Repeal

"的單位售價"

Substitute

"者".

Division 24—Buildings (Amendment) Ordinance 2011 (16 of 2011)

173. Sections 32 to 36 repealed

Sections 32, 33, 34, 35 and 36—

Repeal the sections.

#### **Explanatory Memorandum**

The purpose of this Bill is to make miscellaneous amendments to various Ordinances.

2. The Bill is divided into 15 Parts.

Part 1

3. Clause 1 sets out the short title and provides for commencement.

#### Part 2

4. Part 2 repeals and amends certain offence provisions in the Crimes Ordinance (Cap. 200) which were held by the courts as unconstitutional and provides for consequential amendments. This is to reflect the court rulings in *Leung T C William Roy v Secretary for Justice* (HCAL 160/2004 and CACV 317/2005) and the Court of Final Appeal's ruling in *Secretary for Justice v Yau Yuk Lung Zigo and Another* (FACC 12/2006).

#### Part 3

5. Part 3 makes various miscellaneous amendments to the Sex Discrimination Ordinance (Cap. 480) (*SDO*), the Disability Discrimination Ordinance (Cap. 487) (*DDO*), the Family Status Discrimination Ordinance (Cap. 527) (*FSDO*) and the Race Discrimination Ordinance (Cap. 602) (*RDO*).

6. Provisions are also added to the DDO and the FSDO to expressly provide protection from personal liability to members and employees of the Equal Opportunities Commission (*EOC*), members of a committee established by the EOC and conciliators in the performance or purported performance of any of the EOC's functions or in the exercise or purported exercise of any of the EOC's powers under the DDO and FSDO. Similar protection is

Explanatory Memorandum

Paragraph 7

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already provided under section 68 of the SDO and section 62 of the RDO.

#### Part 4

- Part 4 amends section 81 of the Evidence Ordinance (Cap. 8) to empower any member of the Lands Tribunal referred to in section 4(1)(a), (b), (c) or (d) of the Lands Tribunal Ordinance (Cap. 17) (*LTO*) to issue a warrant or order to bring up a person in lawful custody before the Lands Tribunal to give evidence.
- 8. Amendment is also made to the LTO to make it clear that a temporary member of the Lands Tribunal shall exercise all the powers and perform all the duties of a member of the Lands Tribunal.

#### Part 5

9. Part 5 amends the Rules of the High Court (Cap. 4 sub. leg. A), the Evidence Ordinance (Cap. 8) and the Rules of the District Court (Cap. 336 sub. leg. H) to provide that a notarial instrument may be received in evidence in civil proceedings, without further proof, as duly authenticated unless the contrary is proved.

#### Part 6

10. Part 6 amends the Evidence Ordinance (Cap. 8) (EO) and the Mutual Legal Assistance in Criminal Matters Ordinance (Cap. 525) (MLACMO) by specifying that a deposition received by the Secretary for Justice pursuant to a request under section 9(1) of the MLACMO includes an affidavit, affirmation or declaration made under an obligation to state the truth according to the law of the place where the affidavit, affirmation or declaration is made. The effect of the amendment is that such an affidavit, affirmation or declaration or declaration, together with any document or thing exhibited or annexed to it, received pursuant to such a request shall be admitted

in the criminal proceedings concerned in Hong Kong as prima facie evidence of any fact stated in them.

11. It further provides that, in respect of a deposition which is an affidavit, affirmation or declaration having any document that falls within section 77F(2)(c) of the EO exhibited or annexed to it, for such deposition, together with any such document exhibited or annexed thereto, to be admitted in the criminal proceedings concerned in Hong Kong as prima facie evidence of any fact stated in the deposition and in the document, the court must be satisfied that no unfairness is likely to occur in those criminal proceedings consequent upon the deposition and the document being admitted in evidence in those criminal proceedings.

### Part 7

12. Part 7 amends the Unsolicited Electronic Messages Ordinance (Cap. 593) (*UEMO*), mainly to add further modes of service under section 44 of the UEMO. At present, a notice required to be served on a person under section 34, 35, 36 or 38 of the UEMO has to be served by registered post under section 44 of the UEMO. The amendments provide that such notice may also be served by leaving it, or sending it by ordinary post to the person, at the person's usual or last known place of abode or business. If the person is an individual, it may also be served by delivering it to the person by hand.

## Part 8

13. Part 8 amends certain defence provisions in the Trade Descriptions Ordinance (Cap. 362) (*TDO*) to make it clear that only an evidential burden (but not a persuasive burden) is imposed on the person charged who wishes to rely on any of the grounds set out in those defence provisions (i.e. sections 12(2A)(a), 26(1), 26AA and 26AAB) in any proceedings for the offence concerned under the TDO. This is to reflect the Court of Final Appeal's rulings in *Lee* 

Explanatory Memorandum

Paragraph 14

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To Nei v HKSAR (FACC 5/2011) and Lau Hok Tung and Others v HKSAR (FACC 7/2011).

#### Part 9

Part 9 amends the Building Management Ordinance (Cap. 344) (*BMO*) mainly to provide that a person appointed as a member of a management committee of a building is required to make a statement (instead of a declaration under the existing regime) within 21 days after the appointment to state that the person is not ineligible for the appointment as specified in paragraph 4(1)(a) or (b) of Schedule 2 to the BMO.

#### Part 10

15. Part 10 repeals item 29 of Schedule 1 to the Legal Services Legislation (Miscellaneous Amendments) Ordinance 1997 (94 of 1997) to retain the definition of *controlled trust* for the purposes of Part IIA of and Schedule 2 to the Legal Practitioners Ordinance (Cap. 159).

#### Part 11

16. Part 11 amends section 8A of the Legal Practitioners Ordinance (Cap. 159) to empower the Council of the Law Society to revoke and restore a suspension of a solicitor's practice or a foreign lawyer's registration pending a decision of the Solicitors Disciplinary Tribunal. Amendments are also made to the Legal Services Legislation (Miscellaneous Amendments) Ordinance 1997 (94 of 1997) to provide for similar powers.

#### Part 12

Part 12 amends the Specification of Public Offices (Cap. 1 sub. leg.
C) (*Cap. 1C*) in order to consolidate, update and rearrange the specifications made under section 43 of the Interpretation and

## Explanatory Memorandum

#### Paragraph 18

General Clauses Ordinance (Cap. 1). It also rectifies a technical consolidation irregularity in respect of Cap. 1C.

#### Part 13

 Part 13 rectifies a technical consolidation irregularity in respect of the Antiquities and Monuments (Declaration of Monuments and Historical Buildings) (Consolidation) Notice (Cap. 53 sub. leg. B) and the Country Parks (Designation) (Consolidation) Order (Cap. 208 sub. leg. B).

#### Part 14

19. Part 14 makes amendments to various enactments in order to standardize the references to the Chinese titles of the "Commissioner of Customs and Excise", "Deputy Commissioner of Customs and Excise" and "Assistant Commissioner of Customs and Excise".

#### Part 15

- 20. Part 15 makes miscellaneous amendments of a minor or technical nature to the following enactments—
  - (a) the Allowances to Jurors Order (Cap. 3 sub. leg. A);
  - (b) the Rules of the High Court (Cap. 4 sub. leg. A);
  - (c) the Law Amendment and Reform (Consolidation) Ordinance (Cap. 23);
  - (d) the Legal Aid (Assessment of Resources and Contributions) Regulations (Cap. 91 sub. leg. B);
  - (e) the Telecommunications (Telecommunications Apparatus) (Exemption from Licensing) Order (Cap. 106 sub. leg. Z);
  - (f) the Immigration Ordinance (Cap. 115);

- (g) the Public Health and Municipal Services Ordinance (Cap. 132);
- (h) the Banking (Capital) Rules (Cap. 155 sub. leg. L);
- (i) the Legal Practitioners Ordinance (Cap. 159);
- (j) the Barristers (Admission) Rules (Cap. 159 sub. leg. AA);
- (k) the Registration of Persons (Invalidation of Identity Cards) (Consolidation) Order (Cap. 177 sub. leg. C);
- (l) the Shipping and Port Control Ordinance (Cap. 313);
- (m) the Immigration Service Ordinance (Cap. 331);
- (n) the District Court Ordinance (Cap. 336);
- (o) the Rules of the District Court (Cap. 336 sub. leg. H);
- (p) the Employees Compensation Assistance Ordinance (Cap. 365);
- (q) the Merchant Shipping (Safety) (Signals of Distress and Prevention of Collisions) Regulations (Cap. 369 sub. leg. N);
- (r) the Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap. 374 sub. leg. E);
- (s) the Tate's Cairn Tunnel By-laws (Cap. 393 sub. leg. B);
- (t) the Personal Data (Privacy) Ordinance (Cap. 486);
- (u) the Securities and Futures Ordinance (Cap. 571);
- (v) the Competition Ordinance (Cap. 619);
- (w) the Residential Properties (First-hand Sales) Ordinance (Cap. 621);
- (x) the Buildings (Amendment) Ordinance 2011 (16 of 2011).