



立法會秘書處 法律事務部
LEGAL SERVICE DIVISION
LEGISLATIVE COUNCIL SECRETARIAT

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By Fax (2527 0790)

15 December 2015

Mr LIU Chun-kit, Jackie
Prin AS for Financial Services & the Treasury
(Financial Services)5
Financial Services and the Treasury Bureau
24/F, Central Government Offices
2 Tim Mei Avenue
Tamar
Hong Kong

Dear Mr LIU,

Re: Deposit Protection Scheme (Amendment) Bill 2015

We are scrutinizing the Bill with a view to advising Members on the legal and drafting aspects of it and would like to seek clarifications of the following matters:

Clause 5(1) - section 32(7)

- (a) In relation to the proposed section 32(7B), which provides that the Hong Kong Deposit Protection Board (the Board) must have regard to the matters the Board considers relevant in the circumstances in deciding whether to issue to the depositor a notice in hard copy form or in electronic form, and take reasonable steps to satisfy itself that a notice in electronic form will come to the attention of the depositor, please explain the meaning of "reasonable steps" and whether there would be any rules governing the steps to be taken in deciding the form of notice to be issued to the depositor.

Clause 5(3) - section 32(8)

- (b) In respect of the proposed definition of "in hard copy form" added to section 32(8), please clarify the meaning of "similar form".
- (c) In respect of the proposed definition of "electronic form" added to section 32(8), please clarify the meaning of "other medium" in part (b).
- (d) In relation to the Chinese rendition of the proposed definition of "electronic form" added to section 32(8), please consider amending "能在資訊系統內傳送" in part (a) to "能在一個資訊系統內傳送" to better reflect the transmission of electronic record within one information system.

To enable us to advise Members properly, we should be grateful if you could let us have your reply in both English and Chinese at your earliest convenience.

Yours sincerely,



(Rachel DAI)
Assistant Legal Adviser

cc. DoJ (Attn: Miss Bonita WONG, GC (By Fax: 3918 4613))
Clerk to Bills Committee