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# Sailors Home and Missions to Seamen Incorporation (Amendment) Ordinance 2018

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**HONG KONG SPECIAL ADMINISTRATIVE REGION**

**ORDINANCE NO. 22 OF 2018**



Carrie LAM  
Chief Executive  
24 May 2018

An Ordinance to amend the Sailors Home and Missions to Seamen Incorporation Ordinance and the Sailors Home and Missions to Seamen Regulations to provide for the change of the corporate name of “The Sailors Home and Missions to Seamen” to “The Sailors Home and Mission to Seafarers”; to replace references to “Seamen” by “Seafarers” following the Maritime Labour Convention, 2006; to provide for the change in the composition and procedures of the committee; to replace references to “Church of England” by “Hong Kong Sheng Kung Hui” following the localization of the Church of England in Hong Kong in 1998; to adapt certain references to bring them into conformity with the status of Hong Kong as a Special Administrative Region of the People’s Republic of China; and to provide for related matters.

[25 May 2018]

Enacted by the Legislative Council.

## **Part 1**

### **Preliminary**

**1. Short title**

This Ordinance may be cited as the Sailors Home and Missions to Seamen Incorporation (Amendment) Ordinance 2018.

**2. Enactments amended**

- (1) The Sailors Home and Missions to Seamen Incorporation Ordinance (Cap. 1042) is amended as set out in Part 2.
  - (2) The Sailors Home and Missions to Seamen Regulations (Cap. 1042 sub. leg. A) are amended as set out in Part 3.
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## Part 2

### Amendments to Sailors Home and Missions to Seamen Incorporation Ordinance

**3. Long title amended**

The long title, English text—

**Repeal**

“Missions to Seamen”

**Substitute**

“Mission to Seafarers”.

**4. Section 1 amended (short title)**

Section 1, English text—

**Repeal**

“Missions to Seamen”

**Substitute**

“Mission to Seafarers”.

**5. Section 1A added**

After section 1—

**Add**

**“1A. Interpretation**

In this Ordinance—

*former section 2(1)* (原有第2(1)條) means section 2(1) of the Sailors Home and Missions to Seamen Incorporation Ordinance (Cap. 1042) that was in force immediately before the specified date;

*specified date* (指明日期) means the date on which the Sailors Home and Missions to Seamen Incorporation (Amendment) Ordinance 2018 (22 of 2018) comes into operation.”.

**6. Section 2 amended (incorporation)**

(1) Section 2(1)—

**Repeal**

everything before “and in that”

**Substitute**

“(1) On and after the specified date, the body corporate of the committee established under the former section 2(1) and known as “The Sailors Home and Missions to Seamen” immediately before that date is to be known as “The Sailors Home and Mission to Seafarers”.”.

(2) Section 2(2)—

**Repeal paragraph (a)**

**Substitute**

“(a) the Archbishop of the Hong Kong Sheng Kung Hui;”.

(3) Section 2(2)—

**Repeal paragraph (c)**

**Substitute**

“(c) a person nominated by Jardine Matheson Limited with power to such company to fill up any vacancy occurring from time to time;”.

(4) Section 2(2)(e)—

**Repeal**

“Missions to Seamen in London”

**Substitute**

“Mission to Seafarers”.

(5) Section 2(2)—

**Repeal paragraph (f)**

**Substitute**

“(f) a person nominated by Amalgamated Union of Seafarers, Hong Kong if the person is an elected officer for the time being of such union and such union continues to be a trade union duly registered under the Trade Unions Ordinance (Cap. 332), with power to such union to fill up any vacancy occurring from time to time;

(fa) a person nominated by Hong Kong Seamen’s Union if the person is an elected officer for the time being of such union and such union continues to be a trade union duly registered under the Trade Unions Ordinance (Cap. 332), with power to such union to fill up any vacancy occurring from time to time;

(fb) a person nominated by Merchant Navy Officers’ Guild—Hong Kong if the person is an elected officer for the time being of such guild and such guild continues to be a trade union duly registered under the Trade Unions Ordinance (Cap. 332), with power to such guild to fill up any vacancy occurring from time to time;”.

(6) Section 2(2)(g)—

**Repeal**

“the honorary treasurer of the corporation, not exceeding at any one time 4”



**Substitute**

“a partner of PricewaterhouseCoopers Hong Kong nominated by it to act as the honorary treasurer and secretary of the corporation, not exceeding at any one time 5”.

- (7) After section 2(3)—

**Add**

“(4) Despite the amendment of the former section 2(1), the body corporate established under that section continues in existence on and after the specified date. Accordingly, the rights, obligations and liabilities of that body corporate are not affected in any way by the change of the corporate name effected by subsection (1).”.

**7. Section 3 amended (appointment of members of committee)**

Section 3—

**Repeal subsection (1)**

**Substitute**

- “(1) For the purposes of the nomination mentioned in section 2(2)(c), a certificate from a director or the company secretary of Jardine Matheson Limited that a person has been nominated a member of the committee is sufficient.
- (1A) For the purposes of the nomination mentioned in section 2(2)(d) and (e), a certificate from the chairperson or the chief executive officer of The Hong Kong General Chamber of Commerce and a certificate from a member of the board of trustees or the secretary general of The Mission to Seafarers

respectively that a person has been nominated a member of the committee is sufficient.

(1B) For the purposes of the nomination mentioned in section 2(2)(f), (fa) and (fb), a certificate from the chairperson of Amalgamated Union of Seafarers, Hong Kong, Hong Kong Seamen's Union or Merchant Navy Officers' Guild—Hong Kong respectively that a person has been nominated a member of the committee is sufficient.

(1C) For the purposes of the nomination of the honorary treasurer and secretary mentioned in section 2(2)(g), a certificate from the senior partner of PricewaterhouseCoopers Hong Kong that a person has been nominated a member of the committee is sufficient.”.

**8. Section 4 amended (objects of corporation)**

(1) Section 4(1)—

**Repeal**

“Hong Kong,”

**Substitute**

“Hong Kong before the establishment of the body corporate under the former section 2(1),”.

(2) Section 4(1)—

**Repeal**

“Church of England”

**Substitute**

“Hong Kong Sheng Kung Hui”.

(3) Section 4(2)—

**Repeal**

“object”

**Substitute**

“objects”.

(4) Section 4(2)—

**Repeal**

“Church of England or within a Province of the Anglican Communion, the principles and received practice of that Province”

**Substitute**

“Hong Kong Sheng Kung Hui”.

**9. Section 6 amended (power to make regulations)**

(1) Section 6—

**Repeal**

“Governor in Council”

**Substitute**

“Chief Executive in Council”.

(2) Section 6—

**Repeal**

“Missions to Seamen in London”

**Substitute**

“Mission to Seafarers”.

**10. Section 7 repealed (nothing herein to affect the Chater Missions to Seamen Endowment Fund save as herein provided)**

Section 7—

**Repeal the section.**

**11. Section 8 amended (saving)**

Section 8—

**Repeal**

“Her Majesty the Queen, Her Heirs or Successors, or the rights of any body politic or corporate or of any other persons”

**Substitute**

“the Central Authorities or the Government of the Hong Kong Special Administrative Region under the Basic Law and other laws, or the rights of any body politic or corporate or of any other person”.

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## Part 3

### Amendments to Sailors Home and Missions to Seamen Regulations

**12. Title amended**

The title, English text—

**Repeal**

“MISSIONS TO SEAMEN”

**Substitute**

“MISSION TO SEAFARERS”.

**13. Regulation 1 amended (citation)**

Regulation 1, English text—

**Repeal**

“Missions to Seamen”

**Substitute**

“Mission to Seafarers”.

**14. Regulation 2 amended (interpretation)**

Regulation 2, definition of *committee*—

**Repeal**

“Missions to Seamen”

**Substitute**

“Mission to Seafarers”.

**15. Regulation 4 amended (time for holding general meetings, and  
business to be transacted thereat)**

(1) Regulation 4(1)—

**Repeal**

“in the month of February and”.

- (2) Regulation 4(2)—

**Repeal**

“The general meeting to be held in the month of February”

**Substitute**

“One of the general meetings to be held”.

- (3) Regulation 4(2), English text—

**Repeal**

“chairman”

**Substitute**

“chairperson”.

- (4) Regulation 4(2)—

**Repeal**

“, an honorary secretary, chartered accountants”.

- (5) Regulation 4(2), English text—

**Repeal**

“ensuring”

**Substitute**

“ensuing”.

**16. Regulation 5 amended (requisition to convene special meeting)**

Regulation 5—

**Repeal**

“not less than 4 members thereof”

**Substitute**

“the chairperson, or by not less than 4 members of the committee,”.

**17. Regulation 6 amended (power of chairman of the committee to convene meetings; chairman and quorum thereof)**

- (1) Regulation 6, English text, heading—

**Repeal**

“**chairman**” (wherever appearing)

**Substitute**

“**chairperson**”.

- (2) Regulation 6(1), English text—

**Repeal**

“chairman”

**Substitute**

“chairperson”.

- (3) Regulation 6(1)—

**Repeal**

“honorary secretary”

**Substitute**

“honorary treasurer and secretary”.

- (4) Regulation 6(1), English text—

**Repeal**

“the Colony”

**Substitute**

“Hong Kong”.

- (5) Regulation 6(2)—

**Repeal**

“a chairman”

**Substitute**

“the chairperson or, in the absence of the chairperson, a chairperson of the meeting”.

(6) Regulation 6(2)—

**Repeal**

“4”

**Substitute**

“6”.

**18. Regulation 7 amended (record of meetings)**

Regulation 7—

**Repeal**

“honorary secretary”

**Substitute**

“honorary treasurer and secretary”.

**19. Regulation 10 amended (use of institute; and powers of chaplain and business manager)**

Regulation 10(1)—

**Repeal**

“men of Her Majesty’s Navy and to officers and men of the Mercantile Marine”

**Substitute**

“seafarers”.

**20. Regulation 13 substituted**

Regulation 13—



**Repeal the regulation**

**Substitute**

**“13. Power of appointment and dismissal of chaplain**

The appointment or dismissal of the chaplain is to be made by The Mission to Seafarers, such appointment or dismissal being subject to the approval of the Archbishop of the Hong Kong Sheng Kung Hui and made after consultation with the committee.”.

**21. Regulation 15 amended (use of chapel)**

- (1) Regulation 15, English text, heading—

**Repeal**

“chapel”

**Substitute**

“church”.

- (2) Regulation 15, English text—

**Repeal**

“chapel”

**Substitute**

“church”.

- (3) Regulation 15—

**Repeal**

“Church of England”

**Substitute**

“Hong Kong Sheng Kung Hui”.

- (4) Regulation 15—

**Repeal**

“other Church”

**Substitute**

“other Christian denomination”.

**22. Regulation 17 repealed (appointment of chartered accountants and honorary secretary)**

Regulation 17—

**Repeal the regulation.**

**23. Regulation 20 amended (appointment of bankers)**

Regulation 20—

**Repeal**

“or”

**Substitute**

“and”.

**24. Regulation 23 substituted**

Regulation 23—

**Repeal the regulation**

**Substitute**

**“23. Cheques and payments**

Cheques and other payments of the corporation are to be signed or otherwise approved by a person or persons from time to time authorized by the committee.”.

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## **Part 4**

### **Saving**

#### **25. Saving**

Nothing in this Ordinance shall affect or be deemed to affect the rights of the Central Authorities or the Government of the Hong Kong Special Administrative Region under the Basic Law and other laws, or the rights of any body politic or corporate or of any other person except such as are mentioned in this Ordinance and those claiming by, from or under them.