

立法會 *Legislative Council*

LC Paper No. CB(2)273/18-19

Ref. : CB2/H/13/1

Report No. 4/18-19 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments

Purpose

This report gives the outcome of the consideration of the House Committee on subsidiary legislation the period for amendment of which will expire at the Council meeting of 21 November 2018.

Subsidiary legislation considered

2. The House Committee has considered the following items of subsidiary legislation:

<u>Item Number</u>	<u>Title of Subsidiary Legislation</u>	<u>Date of House Committee meeting(s)</u>
(1)	Air Pollution Control (Non-road Mobile Machinery) (Emission) (Amendment) Regulation 2018 (L.N. 173/2018)	26 October 2018
(2)	Pharmacy and Poisons (Amendment) (No. 5) Regulation 2018 (L.N. 191/2018)	26 October 2018
(3)	Designation of Libraries (Amendment) Order 2018 (L.N. 192/2018)	26 October 2018
(4)	Registration of Persons (Application for New Identity Cards) Order 2018 (L.N. 193/2018)	26 October 2018 16 November 2018
(5)	Registration of Persons (Application for New Identity Cards) Order (Repeal) Order (L.N. 194/2018)	26 October 2018 16 November 2018

<u>Item Number</u>	<u>Title of Subsidiary Legislation</u>	<u>Date of House Committee meeting(s)</u>
(6)	Statute Law (Miscellaneous Provisions) Ordinance 2018 (Commencement) Notice (L.N. 197/2018)	26 October 2018 2 November 2018
(7)	Import and Export (Electronic Cargo Information) (Amendment) Regulation 2017 (Commencement) Notice (L.N. 203/2018)	26 October 2018
(8)	Road Traffic (Registration and Licensing of Vehicles) (Amendment) Regulation 2017 (Commencement) Notice 2018 (L.N. 204/2018)	26 October 2018

3. The House Committee formed a subcommittee to study items (4) and (5) in detail at its meeting on 26 October 2018. The Subcommittee provided Members with a written report vide LC Paper No. CB(2)239/18-19 on 13 November 2018, and reported its deliberations at the House Committee meeting on 16 November 2018.

4. In respect of items (1) to (3) and (6) to (8), the House Committee considered it not necessary to form any subcommittee to study these six items of subsidiary legislation.

Note: (a) The House Committee formed a subcommittee to study the following two items of subsidiary legislation at its meeting on 19 October 2018. The Council passed at its meeting on 14 November 2018 a resolution moved by Hon Jeffrey LAM, Chairman of the Subcommittee, to extend the period for amending these two items of subsidiary legislation to the Council meeting of 12 December 2018. Details of these two items of subsidiary legislation are as follows:

- *Peak Tramway (Safety) (Amendment) Regulation 2018 (L.N. 171/2018)*
- *Peak Tramway Ordinance (Amendment of Section 3(3)) Notice 2018 (L.N. 172/2018)*

(b) *The House Committee formed a subcommittee to study the following 17 items of subsidiary legislation at its meeting on 26 October 2018. The Council passed at its meeting on 14 November 2018 a resolution moved by Hon James TO, Chairman of the Subcommittee, to extend the period for amending these 17 items of subsidiary legislation to the Council meeting of 12 December 2018. Details of these 17 items of subsidiary legislation are as follows:*

- *Merchant Shipping (Seafarers) (Working and Living Conditions) (Amendment) Regulation 2018 (L.N. 174/2018)*
- *Merchant Shipping (Seafarers) (Official Log Books) (Amendment) Regulation 2016 (Amendment) Regulation 2018 (L.N. 175/2018)*
- *Merchant Shipping (Seafarers) (Amendment) Ordinance 2013 (Commencement) Notice 2018 (L.N. 176/2018)*
- *Merchant Shipping (Seafarers) (Working and Living Conditions) Regulation (Commencement) Notice (L.N. 177/2018)*
- *Merchant Shipping (Seafarers) (Allotments) (Amendment) Regulation 2016 (Commencement) Notice (L.N. 178/2018)*
- *Merchant Shipping (Seafarers) (Health and Safety: General Duties) (Amendment) Regulation 2016 (Commencement) Notice 2018 (L.N. 179/2018)*
- *Merchant Shipping (Seafarers) (Hours of Work) (Amendment) Regulation 2016 (Commencement) Notice (L.N. 180/2018)*
- *Merchant Shipping (Seafarers) (Crew Accommodation) (Amendment) Regulation 2016 (Commencement) Notice (L.N. 181/2018)*
- *Merchant Shipping (Seafarers) (Official Log Books) (Amendment) Regulation 2016 (Commencement) Notice (L.N. 182/2018)*
- *Merchant Shipping (Seafarers) (Repatriation) (Amendment) Regulation 2016 (Commencement) Notice (L.N. 183/2018)*

- *Merchant Shipping (Seafarers) (Safety Officials and Reporting of Accidents and Dangerous Occurrences) (Amendment) Regulation 2016 (Commencement) Notice (L.N. 184/2018)*
 - *Merchant Shipping (Seafarers) (Medical Stores) (Amendment) Regulation 2016 (Commencement) Notice (L.N. 185/2018)*
 - *Merchant Shipping (Seafarers) (Code of Safe Working Practices) (Amendment) Regulation 2016 (Commencement) Notice (L.N. 186/2018)*
 - *Merchant Shipping (Seafarers) (Provisions and Water) Regulation (Repeal) Regulation (Commencement) Notice (L.N. 187/2018)*
 - *Merchant Shipping (Seafarers) (Ships' Doctors) Regulation (Repeal) Regulation (Commencement) Notice (L.N. 188/2018)*
 - *Merchant Shipping (Seafarers) (Fees) (Amendment) Regulation 2016 (Commencement) Notice (L.N. 189/2018)*
 - *Administrative Appeals Board Ordinance (Amendment of Schedule) Order 2016 (Commencement) Notice (L.N. 190/2018)*
- (c) *The House Committee formed three subcommittees to study the following seven items of subsidiary legislation at its meeting on 26 October 2018. The President has given permission for the Chairmen of the three relevant Subcommittees to move proposed resolutions respectively at the Council meeting of 21 November 2018 to extend the period for amending these seven items of subsidiary legislation to the Council meeting of 12 December 2018. Details are as follows:*
- (i) *Proposed resolution to be moved by Hon CHAN Chun-ying to extend the period for amending the following item of subsidiary legislation:*
 - *Financial Institutions (Resolution) (Loss-absorbing Capacity Requirements—Banking Sector) Rules (L.N. 195/2018)*
 - (ii) *Proposed resolution to be moved by Hon Christopher CHEUNG to extend the period for amending the following item of subsidiary legislation:*

- *Securities and Futures (Financial Resources) (Amendment) Rules 2018 (L.N. 196/2018)*

(iii) *Proposed resolution to be moved by Hon Frankie YICK to extend the period for amending the following five items of subsidiary legislation:*

- *Closed Area (Hong Kong-Zhuhai-Macao Bridge Hong Kong Port and Hong Kong Link Road) Order (Commencement) Notice (L.N. 198/2018)*
- *Cross-boundary Movement of Physical Currency and Bearer Negotiable Instruments Ordinance (Amendment of Schedule 1) (No. 3) Notice 2018 (L.N. 199/2018)*
- *Hong Kong-Zhuhai-Macao Bridge Hong Kong Port and Hong Kong Link Road Closed Area (Permission to Enter) Notice (Commencement) Notice (L.N. 200/2018)*
- *Immigration (Places of Detention) (Amendment) Order 2017 (Commencement) Notice (L.N. 201/2018)*
- *Immigration Service (Designated Places) (Amendment) Order 2017 (Commencement) Notice (L.N. 202/2018)*

Council Business Division 2
Legislative Council Secretariat
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