

# 立法會

## *Legislative Council*

LC Paper No. CB(2)415/18-19

Ref. : CB2/H/13/1

### **Report No. 7/18-19 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 12 December 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)	Peak Tramway (Safety) (Amendment) Regulation 2018 (L.N. 171/2018)	19 October 2018 30 November 2018
(2)	Peak Tramway Ordinance (Amendment of Section 3(3)) Notice 2018 (L.N. 172/2018)	19 October 2018 30 November 2018
(3)	Merchant Shipping (Seafarers) (Working and Living Conditions) (Amendment) Regulation 2018 (L.N. 174/2018)	26 October 2018 30 November 2018
(4)	Merchant Shipping (Seafarers) (Official Log Books) (Amendment) Regulation 2016 (Amendment) Regulation 2018 (L.N. 175/2018)	26 October 2018 30 November 2018
(5)	Merchant Shipping (Seafarers) (Amendment) Ordinance 2013 (Commencement) Notice 2018 (L.N. 176/2018)	26 October 2018 30 November 2018

<u>Item Number</u>	<u>Title of Subsidiary Legislation</u>	<u>Date of House Committee meeting(s)</u>
(6)	Merchant Shipping (Seafarers) (Working and Living Conditions) Regulation (Commencement) Notice (L.N. 177/2018)	26 October 2018 30 November 2018
(7)	Merchant Shipping (Seafarers) (Allotments) (Amendment) Regulation 2016 (Commencement) Notice (L.N. 178/2018)	26 October 2018 30 November 2018
(8)	Merchant Shipping (Seafarers) (Health and Safety: General Duties) (Amendment) Regulation 2016 (Commencement) Notice 2018 (L.N. 179/2018)	26 October 2018 30 November 2018
(9)	Merchant Shipping (Seafarers) (Hours of Work) (Amendment) Regulation 2016 (Commencement) Notice (L.N. 180/2018)	26 October 2018 30 November 2018
(10)	Merchant Shipping (Seafarers) (Crew Accommodation) (Amendment) Regulation 2016 (Commencement) Notice (L.N. 181/2018)	26 October 2018 30 November 2018
(11)	Merchant Shipping (Seafarers) (Official Log Books) (Amendment) Regulation 2016 (Commencement) Notice (L.N. 182/2018)	26 October 2018 30 November 2018
(12)	Merchant Shipping (Seafarers) (Repatriation) (Amendment) Regulation 2016 (Commencement) Notice (L.N. 183/2018)	26 October 2018 30 November 2018
(13)	Merchant Shipping (Seafarers) (Safety Officials and Reporting of Accidents and Dangerous Occurrences) (Amendment) Regulation 2016 (Commencement) Notice (L.N. 184/2018)	26 October 2018 30 November 2018

<u>Item Number</u>	<u>Title of Subsidiary Legislation</u>	<u>Date of House Committee meeting(s)</u>
(14)	Merchant Shipping (Seafarers) (Medical Stores) (Amendment) Regulation 2016 (Commencement) Notice (L.N. 185/2018)	26 October 2018 30 November 2018
(15)	Merchant Shipping (Seafarers) (Code of Safe Working Practices) (Amendment) Regulation 2016 (Commencement) Notice (L.N. 186/2018)	26 October 2018 30 November 2018
(16)	Merchant Shipping (Seafarers) (Provisions and Water) Regulation (Repeal) Regulation (Commencement) Notice (L.N. 187/2018)	26 October 2018 30 November 2018
(17)	Merchant Shipping (Seafarers) (Ships' Doctors) Regulation (Repeal) Regulation (Commencement) Notice (L.N. 188/2018)	26 October 2018 30 November 2018
(18)	Merchant Shipping (Seafarers) (Fees) (Amendment) Regulation 2016 (Commencement) Notice (L.N. 189/2018)	26 October 2018 30 November 2018
(19)	Administrative Appeals Board Ordinance (Amendment of Schedule) Order 2016 (Commencement) Notice (L.N. 190/2018)	26 October 2018 30 November 2018
(20)	Financial Institutions (Resolution) (Loss-absorbing Capacity Requirements—Banking Sector) Rules (L.N. 195/2018)	26 October 2018 30 November 2018
(21)	Securities and Futures (Financial Resources) (Amendment) Rules 2018 (L.N. 196/2018)	26 October 2018 30 November 2018

<u>Item Number</u>	<u>Title of Subsidiary Legislation</u>	<u>Date of House Committee meeting(s)</u>
(22)	Closed Area (Hong Kong-Zhuhai-Macao Bridge Hong Kong Port and Hong Kong Link Road) Order (Commencement) Notice (L.N. 198/2018)	26 October 2018 30 November 2018
(23)	Cross-boundary Movement of Physical Currency and Bearer Negotiable Instruments Ordinance (Amendment of Schedule 1) (No. 3) Notice 2018 (L.N. 199/2018)	26 October 2018 30 November 2018
(24)	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)	26 October 2018 30 November 2018
(25)	Immigration (Places of Detention) (Amendment) Order 2017 (Commencement) Notice (L.N. 201/2018)	26 October 2018 30 November 2018
(26)	Immigration Service (Designated Places) (Amendment) Order 2017 (Commencement) Notice (L.N. 202/2018)	26 October 2018 30 November 2018
(27)	Merchant Shipping (Safety) (INF Cargo) Regulation (L.N. 214/2018)	16 November 2018
(28)	Employment (Amendment) (No. 3) Ordinance 2018 (Commencement) Notice (L.N. 215/2018)	16 November 2018
(29)	Mines (Safety) (Amendment) (No. 2) Regulation 2018 (L.N. 217/2018)	23 November 2018
(30)	Dangerous Goods (General) (Amendment) (No. 2) Regulation 2018 (L.N. 218/2018)	23 November 2018

<u>Item Number</u>	<u>Title of Subsidiary Legislation</u>	<u>Date of House Committee meeting(s)</u>
(31)	Dangerous Goods (Government Explosives Depots) (Amendment) (No. 2) Regulation 2018 (L.N. 219/2018)	23 November 2018
(32)	Banking (Amendment) Ordinance 2018 (Commencement) (No. 2) Notice 2018 (L.N. 220/2018)	23 November 2018
(33)	Banking (Exposure Limits) Rules (L.N. 221/2018)	23 November 2018
(34)	Banking (Capital) (Amendment) Rules 2018 (L.N. 222/2018)	23 November 2018
(35)	Banking (Disclosure) (Amendment) (No. 2) Rules 2018 (L.N. 223/2018)	23 November 2018
(36)	Pharmacy and Poisons (Amendment) (No. 7) Regulation 2018 (L.N. 228/2018)	30 November 2018
(37)	Telecommunications (Carrier Licences) (Amendment) Regulation 2018 (L.N. 229/2018)	30 November 2018

3. The House Committee formed a subcommittee to study items (1) and (2) in detail at its meeting on 19 October 2018. The Subcommittee reported its deliberations at the House Committee meeting on 30 November 2018 vide LC Paper No. CB(4)257/18-19.

4. The House Committee formed four subcommittees to study items (3) to (19), item (20), item (21), as well as items (22) to (26) respectively in detail at its meeting on 26 October 2018. The first, third and fourth Subcommittees reported its deliberations at the House Committee meeting on 30 November 2018 vide LC Paper Nos. CB(4)258/18-19, CB(1)226/18-19 and CB(2)328/18-19 respectively. The second Subcommittee made a verbal report at the House Committee meeting on the same day, and provided Members with a written report vide LC Paper No. CB(1)265/18-19 on 5 December 2018.

5. A subcommittee was proposed to be formed to study items (32) to (35) in detail at the House Committee meeting on 23 November 2018. Since only two Members have signified to join the proposed subcommittee by the deadline for signification of membership, it cannot be formed by virtue of House Rules 21(b) and 26(f).

6. A subcommittee was proposed to be formed to study item (37) in detail at the House Committee meeting on 30 November 2018. Since no Member has signified to join the proposed subcommittee by the deadline for signification of membership, it cannot be formed by virtue of House Rules 21(b) and 26(f).

7. Regarding items (27) to (31) and (36), 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 Antiquities and Monuments (Declaration of Monuments and Historical Buildings) (Consolidation) (Amendment) Notice 2018 (L.N. 224/2018) at its meeting on 23 November 2018. The President has given permission for Dr Hon KWOK Ka-ki, Chairman of the Subcommittee, to move a proposed resolution at the Council meeting of 12 December 2018 to extend the period for amending this item of subsidiary legislation to the Council meeting of 9 January 2019.*

*(b) The House Committee formed a subcommittee to study the following three items of subsidiary legislation at its meeting on 7 December 2018. Hon Starry LEE, Chairman of the House Committee, has given notice to move a proposed resolution at the Council meeting of 12 December 2018 to extend the period for amending these three items of subsidiary legislation to the Council meeting of 23 January 2019. Details of these three items of subsidiary legislation are as follows:*

- Road Tunnels (Government) (Amendment) (No. 2) Regulation 2018 (L.N. 237/2018)*
- Tsing Ma Control Area (Tolls, Fees and Charges) (Amendment) Regulation 2018 (L.N. 238/2018)*
- Tsing Sha Control Area (Tolls, Fees and Charges) (Amendment) Regulation 2018 (L.N. 239/2018)*

- (c) *The House Committee formed a subcommittee to study the Fugitive Offenders (France) Order (L.N. 240/2018) at its meeting on 7 December 2018. Hon Starry LEE, Chairman of the House Committee, has given notice to move a proposed resolution at the Council meeting of 12 December 2018 to extend the period for repealing an order referred to in section 3(3) of the Fugitive Offenders Ordinance (Cap. 503) pursuant to section 3(5) of that Ordinance to the Council meeting of 23 January 2019.*

Council Business Division 2  
Legislative Council Secretariat  
7 December 2018