

# A BILL

## To

Amend the Ocean Park Corporation Ordinance to empower the Ocean Park Corporation to carry out functions relating to recreation, education and conservation in or outside Hong Kong; to repeal the Ocean Park Bylaw; and to provide for related matters.

Enacted by the Legislative Council.

### **Part 1**

#### **Preliminary**

##### **1. Short title and commencement**

- (1) This Ordinance may be cited as the Ocean Park Corporation (Amendment) Ordinance 2021.
  - (2) Subject to subsection (3), this Ordinance comes into operation on the day on which it is published in the Gazette.
  - (3) Section 9 comes into operation on a day to be appointed by the Secretary for Commerce and Economic Development by notice published in the Gazette.
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## Part 2

### Amendments to Ocean Park Corporation Ordinance

**2. Ocean Park Corporation Ordinance amended**

The Ocean Park Corporation Ordinance (Cap. 388) is amended as set out in this Part.

**3. Long title amended**

The long title, after “fund,”—

**Add**

“to empower that body corporate to carry out functions relating to recreation, education and conservation in or outside Hong Kong.”.

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

Section 2, definition of *Ocean Park*—

**Repeal**

“and educational”

**Substitute**

“, educational and conservational”.

**5. Section 17 amended (functions of the Corporation)**

(1) Section 17—

**Renumber the section as section 17(1).**

(2) Section 17(1)—

**Repeal paragraphs (a), (b) and (c)**

**Substitute**

- “(a) to develop, manage and control Ocean Park as a public recreational, educational and conservational park;
- (b) to provide, manage and control specified facilities, or other related facilities as it thinks fit, whether in or outside Hong Kong;
- (c) to organize programmes or activities, or to provide goods or services, whether in or outside Hong Kong—
- (i) for the promotion of Ocean Park; or
- (ii) for the purposes of recreation, education or conservation;
- (ca) to provide, whether in or outside Hong Kong, advisory services relating to—
- (i) recreation, education or conservation; or
- (ii) the development or management of specified facilities; and”.
- (3) Section 17(1)(d)—

**Repeal**

“paragraphs (a), (b) and (c)”

**Substitute**

“paragraph (a), (b), (c) or (ca)”.

- (4) After section 17(1)—

**Add**

“(2) In subsection (1)—

*specified facilities* (指明設施) means recreational, educational or conservational facilities.”.

**6. Section 18 amended (powers of the Corporation)**

Section 18—

**Repeal paragraph (b)**

**Substitute**

“(b) either alone or jointly with another person, enter into a contract or an arrangement (however described) with any other person in relation to the performance of its functions specified in section 17(1)(a), (b), (c) or (ca);”.

**7. Section 25 amended (power to borrow money)**

Section 25—

**Repeal**

“(a), (b) and (c)”

**Substitute**

“(1)(a), (b), (c) or (ca)”.

**8. Section 31 amended (application of the Fund)**

(1) Section 31(a)(ii)—

**Repeal**

“such other functions specified in section 17(a), (b) or (c) as the Chief Executive in Council”

**Substitute**

“any other functions specified in section 17(1)(a), (b), (c) or (ca) that the Secretary for Commerce and Economic Development”.

(2) Section 31(b)—

**Repeal**

“(a), (b) and (c)”

**Substitute**

“(1)(a), (b), (c) or (ca)”.

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## **Part 3**

### **Repeal of Ocean Park Bylaw**

**9. Ocean Park Bylaw repealed**

The Ocean Park Bylaw (Cap. 388 sub. leg. B) is repealed.

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## **Explanatory Memorandum**

The main objects of this Bill are to amend the Ocean Park Corporation Ordinance (Cap. 388) (*Ordinance*) to expand the functions of the Ocean Park Corporation (*Corporation*), and to repeal the Ocean Park Bylaw (Cap. 388 sub. leg. B) (*Bylaw*).

2. The Bill is divided into 3 Parts.

### **Part 1—Preliminary**

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

### **Part 2—Amendments to Ordinance**

4. Clause 3 amends the long title of the Ordinance to cater for the new initiatives of the Corporation.
5. Clause 4 amends section 2 of the Ordinance to expand the definition of *Ocean Park* to include the element of conservation.
6. Clause 5 amends section 17 of the Ordinance to expand certain functions of the Corporation to cover initiatives in or outside Hong Kong.
7. Clause 6 amends section 18(b) of the Ordinance to vary the powers of the Corporation.
8. Clause 7 amends section 25 of the Ordinance in consequence of the amendments in clause 5.

9. Clause 8 amends section 31 of the Ordinance to change the authority to approve the application of certain moneys and assets in the Ocean Park Trust Fund from the Chief Executive in Council to the Secretary for Commerce and Economic Development. Other amendments in that clause are consequential to the amendments in clause 5.

### **Part 3—Repeal of Bylaw**

10. Clause 9 repeals the Bylaw.