

立法會
Legislative Council

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Tel : 3919 3329

Date : 21 April 2021

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 5 May 2021

**Proposed amendments to
Mainland Judgments in Matrimonial and Family Cases
(Reciprocal Recognition and Enforcement) Bill**

Further to LC Paper No. CB(3) 474/20-21 issued on 19 April 2021, the President has given permission for the Secretary for Justice to move amendments to the captioned Bill, subject to the Bill receiving Second Reading.

2. As directed by the President, the proposed amendments are attached for Members' consideration.

(Cindy FUNG)
for Clerk to the Legislative Council

Encl.

Mainland Judgments in Matrimonial and Family Cases (Reciprocal Recognition and Enforcement) Bill

Committee Stage

Amendments to be moved by the Secretary for Justice

<u>Clause</u>	<u>Amendment Proposed</u>
2	In the definition of <i>care-related order</i> , by deleting “攸關看顧命令” and substituting “看顧相關命令”.
2	In the definition of <i>maintenance-related order</i> , by deleting “攸關贍養命令” and substituting “贍養相關命令”.
2	In the definition of <i>status-related order</i> , by deleting “攸關狀況命令” and substituting “狀況相關命令”.
2	In the Chinese text, in the definition of 登記法院, by deleting “院。” and substituting “院；”.
8(1)	In the Chinese text, by deleting “攸關看顧” and substituting “看顧相關”.
8(2) and (3)	In the Chinese text, by deleting “攸關贍養” and substituting “贍養相關”.
11	In the heading, in the Chinese text, by deleting “攸關贍養” and substituting “贍養相關”.
11	By deleting subclauses (1), (2) and (3) and substituting— “(1) This section applies to a registration application in relation to a maintenance-related order requiring the payment of a sum of money or the performance of an act (whether periodically or not). (2) Subject to subsection (3), the registering court may only order under section 10(1) that the maintenance-related order is to be registered to the extent that it relates to a payment or an act, or a part of a payment or an act, that—

- (a) is required by the maintenance-related order to be made or performed by a date that falls before the date of the registration application (*application date*); and
 - (b) has not been made or performed.
- (3) If the maintenance-related order is an order requiring a payment or an act to be made or performed periodically, the registering court may, in addition, order that the maintenance-related order is also to be registered in relation to a payment or an act that—
 - (a) is required by the maintenance-related order to be made or performed by a date that falls on or after the application date; and
 - (b) has not been made or performed.”.

11	By deleting subclause (4).
16(2)	By deleting “child” (wherever appearing) and substituting “person”.
17(3)(b)	By deleting “child” and substituting “person”.
19	In the heading, in the Chinese text, by deleting “攸關看顧命令或攸關瞻養” and substituting “看顧相關命令或瞻養相關”.
19(1)	In the Chinese text, by deleting “攸關看顧命令或攸關瞻養” and substituting “看顧相關命令或瞻養相關”.
24	In the heading, in the Chinese text, by deleting “攸關狀況” and substituting “狀況相關”.
24(1)	In the Chinese text, by deleting “攸關狀況” and substituting “狀況相關”.
26(5)(b)	By deleting “child” and substituting “person”.
Schedule 2, Part 1	In the heading, in the Chinese text, by deleting “攸關看顧” and substituting “看顧相關”.
Schedule 2, Part 1, item 1	By deleting “child” and substituting “person”.

Schedule 2, Part 1, item 2	By deleting “child, whether or not under the age of 18 years,” and substituting “person aged 18 years or above”.
Schedule 2, Part 1, item 3	By deleting “child” and substituting “person”.
Schedule 2, Part 1, item 4	By deleting “child” and substituting “person”.
Schedule 2, Part 2	In the heading, in the Chinese text, by deleting “攸關狀況” and substituting “狀況相關”.
Schedule 2, Part 3	In the heading, in the Chinese text, by deleting “攸關贍養” and substituting “贍養相關”.
Schedule 2, Part 3, item 1	By deleting “child” and substituting “person”.
Schedule 2, Part 3, item 2	By deleting “child, whether or not under the age of 18 years,” and substituting “person aged 18 years or above”.
Schedule 3, item 12	By deleting “child” and substituting “person”.