

L.N. 225 of 2021

**Electronic Transactions Ordinance (Amendment of
Schedule 3) (No. 2) Order 2021**

(Made by the Secretary for Innovation and Technology under section 50 of the Electronic Transactions Ordinance (Cap. 553))

1. Commencement

- (1) Subject to subsection (2), this Order comes into operation on 31 March 2022.
- (2) Section 3(2) comes into operation on the day on which Part 4 of the Building (Administration) (Amendment) Regulation 2021 comes into operation.

2. Electronic Transactions Ordinance amended

The Electronic Transactions Ordinance (Cap. 553) is amended as set out in section 3.

3. Schedule 3 amended (service of documents)

- (1) Schedule 3—

Add

“13. Buildings Ordinance
(Cap. 123)

Sections 3(11),
(11A)(b) and
(11C), 8C(6)(b)
and 35(1)(a) and
(b)

- 14. Building (Administration) Regulations (Cap. 123 sub. leg. A) Regulation 6(1) (to the extent to which it relates to a document that is not one specified under regulation 6A(1)(a))
- 15. Building (Minor Works) Regulation (Cap. 123 sub. leg. N) Section 46(2)(a)”.

(2) Schedule 3, item 14—
Repeal
 everything after “6(1)”.

Alfred SIT Wing-hang
 Secretary for Innovation and
 Technology

2 September 2021

Explanatory Note

Section 5A of the Electronic Transactions Ordinance (Cap. 553) (*Ordinance*) allows a rule of law that requires or permits a document to be served by personal service or by post to be satisfied by service of the document in the form of an electronic record. Schedule 3 to the Ordinance sets out the provisions to which that section applies.

2. Section 3(1) of this Order amends Schedule 3 to the Ordinance by adding the following provisions to that Schedule so that certain documents are allowed to be served in the form of an electronic record—
 - (a) sections 3(11), (11A)(b) and (11C), 8C(6)(b) and 35(1)(a) and (b) of the Buildings Ordinance (Cap. 123);
 - (b) regulation 6(1) of the Building (Administration) Regulations (Cap. 123 sub. leg. A) (*Administration Regulations*) (to the extent to which it relates to a document that is not one specified under regulation 6A(1)(a) of the Administration Regulations);
 - (c) section 46(2)(a) of the Building (Minor Works) Regulation (Cap. 123 sub. leg. N).
3. The new item relating to regulation 6(1) of the Administration Regulations will later be amended so that it will eventually cover any document prescribed by regulation 8, 9 or 33(1) of the Administration Regulations (section 3(2) of this Order).