

立法會 *Legislative Council*

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Bills Committee on Statute Law (Miscellaneous Provisions) Bill 2025

Background brief

Purpose

This paper provides background information on the Statute Law (Miscellaneous Provisions) Bill 2025 (“the Bill”), and summarizes the major views and concerns previously expressed by Members on the Systematic Review of Statutory Laws of Hong Kong (“the Systematic Review”) undertaken by the Secretariat of the Law Reform Commission of Hong Kong (“LRC Secretariat”), as well as the relevant legislative proposals.

Background

Effecting miscellaneous amendments to the statutory laws of Hong Kong by way of omnibus bills

2. An information paper on the major legislative proposals to be included in the Bill (i.e. LC Paper No. [CB\(2\)395/2025\(01\)](#)) was provided to the Panel on Administration of Justice and Legal Services on 28 February 2025. According to the information paper above, the Government has been using **omnibus bills** in appropriate cases as an efficient way of effecting **miscellaneous amendments to update or improve existing legislation**. The amendments involved are largely minor, technical and non-controversial in nature but are important for the purpose of updating or improving existing legislation. In addition, this arrangement avoids the need to make bids for separate legislative slots relating to each enactment, the amendments to which typically involve only a few clauses.

3. The last Statute Law (Miscellaneous Provisions) Ordinance (i.e. the Statute Law (Miscellaneous Provisions) Ordinance 2024 (Ord. No. 21 of 2024)) was enacted in 2024. The amendments included therein can be broadly categorized into: (a) amendments arising from the Systematic Review; and (b) amendments not arising from the Systematic Review.

Systematic Review of Statutory Laws of Hong Kong undertaken by the Secretariat of the Law Reform Commission of Hong Kong

4. In 2022, the LRC Secretariat spearheaded the Systematic Review which consists of work mainly in three aspects, i.e. (a) adaptation of laws¹; (b) consolidation of laws; and (c) repeal of obsolete laws. From the inception of the Systematic Review, the LRC Secretariat has accorded priority to the adaptation of laws as it is long overdue. In this regard, the LRC Secretariat discharges the following roles: (a) **managing the Systematic Review exercise**, including reviewing whether the proposed adaptation may be unsafe or in conflict with another responsible bureau's amendment proposals; (b) **monitoring the progress of the relevant adaptation work** to facilitate the responsible bureau's early issuance of drafting instructions in order to commence the legislative amendment process as soon as possible; and (c) **reporting on progress to the Panel** at suitable intervals.

Statute Law (Miscellaneous Provisions) Bill 2025

5. The Bill, which was published in the Gazette on 3 April 2025 and received its First Reading at the Legislative Council ("LegCo") meeting of 16 April 2025, seeks to make miscellaneous amendments to various Ordinances:

- (a) for amendments arising from the Systematic Review, amendments to numerous items of Ordinances (including subsidiary legislation) to bring them into conformity with the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China ("Basic Law") and with the status of Hong Kong as a Special Administrative Region of the People's Republic of China ("PRC"), make technical or consequential amendments, and repeal obsolete enactments, etc.; and
- (b) for amendments not arising from the Systematic Review, including:
 - (i) an amendment to the Police Force Ordinance (Cap. 232) to change the Chinese title of "police communications officer";

¹ The adaptation of laws refers to the process of (a) first identifying provisions or references in statute books that were in force in Hong Kong before 1 July 1997 but must, for the time being, be construed with such modifications, adaptations, limitations and exceptions as may be necessary in compliance with the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China ("PRC") and the status of Hong Kong as a Special Administrative Region of PRC, and (b) thereafter amending them as necessary to properly reflect the policy intent of the relevant policy bureaux in the light of the resumption of the exercise of sovereignty over Hong Kong by PRC.

- (ii) amendments to the Electricity Supply Regulations (Cap. 406A), the Electricity (Wiring) Regulations (Cap. 406E), and the Electrical Products (Safety) Regulation (Cap. 406G) to replace certain electrical safety standards; and
- (iii) amendments to the Protection of Endangered Species of Animals and Plants Ordinance (Cap. 586) to amend the Chinese names of certain species of animals, and of countries, regions or places.

6. The salient points of the legislative proposals in the Bill are set out in paragraphs 11 to 18 of the LegCo Brief (File ref.: [CPA 3/00/17C](#)) issued by the Department of Justice (“DoJ”) on 2 April 2025.

Major views and concerns of Members

Systematic Review of Statutory Laws of Hong Kong

Ways to take forward the adaptation of laws exercise

7. Members were of the view that the Administration could make use of **artificial intelligence and information technology** to identify references in existing Hong Kong legislation which were colonial in nature and required adaptation, thereby **enhancing the efficiency** of the adaptation of laws exercise. The Administration advised that while computer searches were conducive to identifying specific references in various provisions, meticulous efforts were still required to finalize the appropriate amendment proposals after such references were identified. For instance, in the case of references to “the Governor”, as these references might be related to certain matters or states of affairs prior to Hong Kong’s return to the motherland, they could not be mechanically replaced by certain references (such as “the Chief Executive”), and the finalized amendment proposals might even entail redrafting the relevant provisions. Moreover, as information on the pre-1965 laws of Hong Kong had yet to be digitalized, it was still necessary to rely on paper documents to carry out part of the work of tracing the development of the laws.

8. Regarding the LRC Secretariat’s approach of “**dealing with simple issues before the difficult ones**” in carrying out the adaptation of laws exercise, Members were concerned as to whether certain more difficult pieces of legislation to be adapted **would remain a non-starter** or even **be shelved eventually**. They enquired about the LRC Secretariat’s strategy for dealing with such legislation, and whether the bureaux or departments (“B/Ds”) responsible for such legislation had been identified. The LRC Secretariat explained that the approach of “dealing with simple issues before the difficult ones” was adopted to help identify those pieces of legislation for which a more concrete timetable for adaptation could be

set. Classifying a piece of legislation as difficult for adaptation only meant that a concrete timetable could not be set at this stage. The LRC Secretariat would certainly not leave those pieces of legislation idle. In fact, the LRC Secretariat had already identified (a) the B/Ds responsible for the relevant legislation, as well as (b) the specific issues and problems pertaining to such legislation, and was actively pursuing the appropriate solutions, including liaising with B/Ds and, if necessary, consulting the Central Authorities, with a view to setting a concrete legislative timetable as soon as practicable.

Consolidation of laws and repeal of obsolete laws

9. The question of how to make the contents of legislation easier to understand for the public through better drafting of laws had been an issue of concern to Members. In their view, well-written statutory laws **should be comprehensible to the public without a lawyer's aid**, which would be conducive to ensuring the rule of law and good governance. Referring to Singapore's initiation of a review of its statutory laws, Members suggested that the LRC Secretariat could draw reference from the following measures in carrying out the Systematic Review: (a) **improving the readability of the amended laws**; and (b) **adding examples and/or illustrations to new laws** to clarify difficult legal concepts. That apart, some Members opined that certain **English expressions** in the existing legislation that were too lengthy or outdated **should be replaced with simple and concise ones**, and enquired whether this kind of simplification was included in the consolidation of laws and repeal of obsolete laws.

10. In response, the LRC Secretariat advised that the Hong Kong e-Legislation database managed by DoJ provided the public with easy access to the statutory laws of Hong Kong, and DoJ was keen to improve the phrasing of legal provisions to improve their readability. While DoJ would carefully consider the suggestion of providing examples/illustrations in legislation, its preferred approach was to explain the application of legal provisions through other means such as public education. Besides, during the adaptation of laws, more contemporary language expressions that were easy for the general public to understand would be used, and the Law Drafting Division of DoJ was actively working on this by using plain and easy-to-read Chinese or English for law drafting.

Proposed amendments relating to "China", "Mainland" or similar references

11. Members noted that in **section 18 of Schedule 8 to the Interpretation and General Clauses Ordinance** (Cap. 1) ("IGCO"),² the Chinese rendition of the

² Section 2A of IGCO provides that in all laws previously in force (i.e. the common law, rules of equity, Ordinances, subsidiary legislation and customary law in force immediately before 1 July 1997 and adopted as laws of the Hong Kong Special Administrative Region) words and expressions listed in Schedule 8 to IGCO shall be construed according to that Schedule.

word “Mainland” was “大陸” rather than “內地”, which was contrary to the general perception in the community, as well as its use in the Safeguarding National Security Ordinance (Instrument A305) enacted by LegCo in 2024. Given that the Statute Law (Miscellaneous Provisions) Bill 2024 also proposed to replace the term “中國” in certain provisions with “內地”, Members suggested that the Administration should make a **consequential amendment** to section 18 of Schedule 8 to IGCO to **replace the term “大陸” therein with “內地”**.

12. The Administration responded that according to item 8 of Annex 3 to the Decision of the Standing Committee of the National People’s Congress on Treatment of the Laws Previously in Force in Hong Kong in Accordance with Article 160 of the Basic Law, which was adopted on 23 February 1997, in the case of any provision in which any reference was made to “the People’s Republic of China” or “China” or to a similar name or expression, such reference should be construed as a reference to PRC as including Taiwan, Hong Kong and Macao; and in the case of any provision in which any reference was made to such name or expression as the Mainland, Taiwan, Hong Kong or Macao, whether separately or concurrently, such reference should be construed respectively as a reference to the Mainland, Taiwan, Hong Kong or Macao, as a part of PRC. The Administration believed that when the Provisional LegCo amended IGCO back then with the addition of Schedule 8, it had presumably taken reference from the wording used in the Decision above. The Administration therefore had no intention of amending section 18 of Schedule 8 to IGCO for the time being.

13. With respect to regulation 40(2) of the Merchant Shipping (Minimum Passenger Space) Regulations (Cap. 369E), the Statute Law (Miscellaneous Provisions) Bill 2024 proposed to repeal the word “China” in the reference to “Hong Kong, the coast of China, Taiwan, Vietnam, Cambodia, Laos and the Philippine Islands” in the aforesaid regulation, and substitute “the Mainland”. Members were concerned that the proposed amendment did not cover ports in Macao and might easily give rise to legal loopholes and disputes. In this regard, they suggested that the Administration should consider replacing “Hong Kong, the coast of China, Taiwan” in the aforesaid reference with “China”. Having considered the actual circumstances, the Administration agreed to take on board Members’ suggestion and proposed corresponding amendments to the Bill.

Proposed amendments relating to such words as “territory”, “place” and “area”

14. Members noted that the Statute Law (Miscellaneous Provisions) Bill 2024 proposed to **repeal the words “or territory”** in section 8(b) of the Airport

Authority Ordinance (Cap. 483) (“AAO”)³ and **substitute the phrase “, territory or place”**. They enquired about the reasons for the Administration’s proposal to make the above amendment. The Administration advised that references to “territory” (which was the English rendition of “地區”) might have the implication of sovereignty in some cases. To make it clear that the geographical areas referred to in that section included places such as the Mainland, Macao and Taiwan, the words “or place” were proposed to be added to avoid any implication of sovereignty, with reference to the relevant amendments in previous Adaptation of Laws Ordinances.

15. Separately, it came to Members’ attention that in the amendment proposed by the Statute Law (Miscellaneous Provisions) Bill 2024 to section 189(3) of the Copyright Ordinance (Cap. 528), the English rendition of the term “地區或地方” was “territory or area”; however, in the amendment proposed by the above Bill to section 8(b) of AAO, the English rendition of the term “地區或地方” was “territory or place”. They requested the Administration to explain the **reasons for using different renditions for the same term**. According to the Administration, the use of “country, territory or area” as the English rendition of the term “國家、地區或地方” had been consistently adopted in the context of various domestic legislation relating to intellectual property protection. Given the aforesaid statutory context in the field of intellectual property, the Administration considered the proposed amendment to the Copyright Ordinance appropriate.

Commencement arrangement for the omnibus bill in question

16. In response to Members’ concern about the commencement arrangement for the Statute Law (Miscellaneous Provisions) Bill 2024, the Administration advised that the majority of the amendments made by the Bill would **come into operation on the expiry of 30 days beginning on the day on which the enacted Ordinance was published in the Gazette**. Given the **large number of amendments involved**, the arrangement was to allow a reasonable period for **editing, updating and publishing the amended legislation**, ensuring that the public could access the updated copies of them on Hong Kong e-Legislation in a timely manner.

³ Before the Statute Law (Miscellaneous Provisions) Bill 2024 was passed and enacted as law, section 8(b) of AAO provided that nothing in AAO should be construed as enabling the Airport Authority to “make any air service agreement or air service arrangement with the government of any country or territory outside Hong Kong, with a department or branch of any such government, with any government agency or undertaking in such a country or territory or with any other person”.

Relevant papers

17. A list of the relevant papers on the LegCo website is in the [Appendix](#).

Council Business Divisions
Legislative Council Secretariat
7 May 2025

Statute Law (Miscellaneous Provisions) Bill 2025

List of relevant papers

Committee	Date of meeting	Papers
Panel on Administration of Justice and Legal Services	23 May 2022	Agenda Item IV: Law Reform Commission Secretariat – Progress on Systematic Review of Statutory Laws of Hong Kong Minutes
	5 December 2022	Agenda Item II: Law Reform Commission Secretariat – Progress on the systematic review of statutory laws of Hong Kong Minutes
	24 July 2023	Agenda Item III: Law Reform Commission Secretariat – Progress on the Systematic Review of Statutory Laws of Hong Kong Minutes
	25 March 2024	Agenda Item III: Law Reform Commission Secretariat – Progress on the Systematic Review of Statutory Laws of Hong Kong Minutes
	16 December 2024	Agenda Item II: Law Reform Commission Secretariat – Progress on the Systematic Review of Statutory Laws of Hong Kong Minutes
	28 April 2025	Agenda Item II: Law Reform Commission Secretariat – Progress on the Systematic Review of Statutory Laws of Hong Kong

Committee	Date of meeting	Papers
Bills Committee on Statute Law (Miscellaneous Provisions) Bill 2024	5 July 2024*	Report of the Bills Committee

* Issue date

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