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**Report of the Bills Committee on  
Statute Law (Miscellaneous Provisions) Bill 2025**

**Purpose**

This paper reports on the deliberations of the Bills Committee on Statute Law (Miscellaneous Provisions) Bill 2025 (“the Bills Committee”).

**Background**

2. According to the Administration,<sup>1</sup> it 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. In the Administration’s view, it has since become necessary to introduce another omnibus bill to make miscellaneous amendments to various enactments.<sup>2</sup> The Statute Law (Miscellaneous Provisions) Bill 2025 (“the Bill”) involves amendments which can be broadly categorized into two groups: (a) amendments arising from the Systematic Review of Statutory Laws of Hong Kong (“the Systematic Review”); and (b) amendments not arising from the Systematic Review. The Systematic Review, which has been spearheaded by the Secretariat of the Law Reform Commission of Hong Kong (“LRC”) since

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<sup>1</sup> Please refer to the information paper provided by the Administration to the Panel on Administration of Justice and Legal Services on 28 February 2025 (LC Paper No. CB(2)395/2025(01)).

<sup>2</sup> Paragraph 2 of the Legislative Council Brief (File ref.: CPA 3/00/17C) issued in April 2025.

2022, consists of work mainly in three aspects, i.e. (a) adaptation of laws;<sup>3</sup> (b) consolidation of laws; and (c) repeal of obsolete laws.

### **Statute Law (Miscellaneous Provisions) Bill 2025**

4. 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 legislation (including subsidiary legislation) to bring them into conformity with the 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”;
  - (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.

### **The Bills Committee**

5. At its meeting held on 25 April 2025, the House Committee agreed to form a Bills Committee to scrutinize the Bill. The membership list of the Bills

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<sup>3</sup> 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 and the status of Hong Kong as a Special Administrative Region of the People’s Republic of China (“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.

Committee is in [Appendix 1](#). The Bills Committee has held three meetings with the Administration, and has invited written submissions on the Bill. A list of organizations/individuals which/who have made written submissions to the Bills Committee is in [Appendix 2](#).<sup>4</sup>

## **Deliberations of the Bills Committee**

6. The Bill proposes to amend various Ordinances and subsidiary legislation which are under the purview of different bureaux and government departments. During the clause-by-clause examination of the Bill by the Bills Committee, representatives of the relevant bureaux and departments took turns to introduce the policy issues relating to the amendments under their respective purview and lead members in examining the relevant clauses. The Bills Committee's concerns and views about the policy issues relating to the Bill and its individual clauses are summarized below.

### Overall policy aspect of the Bill

7. While appreciating the Administration's tabling of a new round of proposed amendments by way of an omnibus bill within a short period of time following the introduction of the Statute Law (Miscellaneous Provisions) Bill 2024 into LegCo last year, members have pointed out that some of the legislation proposed to be amended by the Bill is clearly obsolete. For instance, clause 103 of the Bill proposes to amend regulation 4 of the Road Traffic (Expressway) Regulations (Cap. 374Q) by repealing the reference therein to the Urban Council and the Regional Council which were dissolved many years ago; and clause 27 of the Bill proposes to amend regulation 3(a) of the Immigration Regulations (Cap. 115A) by repealing the reference therein to "a certificate of nationality and a certificate of identity" because of the fact that the Immigration Department has ceased to issue these two types of certificates since July 1997. Members have urged the Administration to step up efforts in examining whether there are other obsolete provisions that need to be repealed or amended.

8. To expedite the work on adaptation of laws and repeal of obsolete laws, some members have suggested that the Administration should more proactively coordinate and liaise with different bureaux and departments in reviewing the legislation under their respective purview, and should also consider using artificial intelligence ("AI") technologies to help identify obsolete legislation that needs to be updated. The Administration has advised that while the Systematic Review includes the repeal of obsolete laws, the top priority at this stage is the work on adaptation of laws, and if other legislation which is clearly obsolete or in need of

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<sup>4</sup> Please refer to the [written submissions and the Administration's response](#) for details.

repeal or updating is identified during the adaptation of laws exercise, the LRC Secretariat will notify the responsible bureaux and departments and ask them to follow up with a view to making amendments as soon as possible. When it comes to the current Bill, the proposed legislative amendments already include repealing or updating numerous pieces of obsolete legislation.

9. As for some members' suggestion for making use of technologies as far as possible to help identify legislation that needs to be updated, the Administration has pointed out that the LRC Secretariat welcomes and keeps an open mind on the use of technologies, and will try out generative AI technologies and participate in the research and development of such technologies, subject to compliance with the requirements in terms of accuracy, security, etc. In addition, leveraging the search engine of the Hong Kong e-Legislation ("HKeL") also goes a long way towards assisting bureaux and departments in identifying all the provisions or references to be amended or repealed in the legislation under their purview.

10. Some members have urged the Administration to explain in a simple and easy-to-understand way the relationship between the Bill and the public, as well as the benefits to be brought by the Bill. The Administration has explained that as some existing legislation is outdated or uses terms with colonial overtones, the public may find it difficult to understand such legislation and will also need to refer to the substitution principles set out in the Interpretation and General Clauses Ordinance (Cap. 1) in order to understand the obsolete references. Moreover, the substitution principles may not be directly applicable in the light of the context of individual provisions. The objective of the Government in introducing the Bill is to replace the relevant terms with appropriate expressions or references, so that members of the public or the legal sector will no longer need to refer to the substitution principles in Cap. 1 when reading the provisions, thus making the legislation more comprehensible and enhancing the accessibility of the law, while helping to reduce the possibility of legal disputes.

#### Part 1 of the Bill—Commencement

11. Under clause 1 of the Bill, the provisions of the Bill (if passed) other than those listed in clause 1(3) would come into operation on the expiry of 30 days beginning on the day on which the enacted Ordinance is published in the Gazette. As noted by members, the provisions listed in clause 1(3) would come into operation on a day to be appointed by the Secretary for Transport and Logistics by notice published in the Gazette, and the related amendments are about revising the English reference to "港澳碼頭" from "Hong Kong-Macau Ferry Terminal" to "Hong Kong-Macao Ferry Terminal" and making consequential amendments to its associated references.

12. Members have expressed concern about the timing of commencement of the provisions listed in clause 1(3) of the Bill. The Legal Adviser to the Bills

Committee (“Legal Adviser”) has also asked the Administration to clarify the reasons for proposing such commencement arrangements. The Administration has advised that after the passage of the Bill, it would be necessary to allow time for making the relevant administrative arrangements, such as updating the name of the Hong Kong-Macau Ferry Terminal in the related forms, road signs, newly issued licences and permits.

13. Subsequent to the relevant responsible bureaux’s further review of the need for making other amendments to the remaining laws in the light of the renaming of the Hong Kong-Macau Ferry Terminal, the Administration will propose amendments to add the proposed new clauses 68A, 68B and 101A to the Bill to amend the Public Health and Municipal Services Ordinance (Cap. 132), the Air Passenger Departure Tax Ordinance (Cap. 140) and the Smoking (Public Health) (Designation of No Smoking Areas) Notice (Cap. 371D) respectively by changing the English name of “澳門” from “Macau” to “Macao” in respect of the references to “Hong Kong-Macau Ferry Terminal” or “Macau Ferry” in these pieces of legislation.

14. Having regard to members’ concern, the time required for making the administrative arrangements for the renaming of the Hong Kong-Macau Ferry Terminal, and the fact that the responsible bureaux now manage to propose amendments to the remaining references relating to “Hong Kong-Macau Ferry Terminal”, the Administration will propose an amendment to include, inter alia, the proposed new clauses 68A, 68B and 101A of the Bill as part of the provisions covered by clause 1(3) of the Bill, and to change the date of commencement of the provisions listed in clause 1(3) of the Bill to 1 January 2026.

#### Clauses of the Bill in relation to the Development Bureau

##### *Part 14 of the Bill*

15. Part 14 of the Bill proposes to amend the Crown Lease (Pok Fu Lam) Ordinance (Cap. 118), including proposing to delete sections 3 to 10 of the Ordinance. Given that there are only 11 sections in Cap. 118, and that only three sections would remain after the deletion of those sections mentioned above, the Administration has been requested to explain the rationale and the criteria adopted for retaining Cap. 118.

16. The Administration has explained that Cap. 118 makes provision for the better establishment of the identity of certain portions of ground situated at Pok Fu Lam with the parcels and plots of ground at Pok Fu Lam that were demised under a Crown Lease dated 1 January 1893. Sections 3 to 7 of Cap. 118 provide for the legal basis for the preparation and approval of a plan to replace the original plan of Pok Fu Lam mentioned in the aforesaid Lease, whereas sections 8 to 10 of it provide for a mechanism for interested parties to resort to the then District

Court (including further appeal therefrom) for proposed amendments to the plan. Sections 3 to 10 of Cap. 118 are considered to have already served their useful purpose since the original plan has been conclusively replaced with effect from 25 October 1969 following the statutory process stipulated in those provisions. On the other hand, the option of retaining sections 3 to 10 of Cap. 118 would require the removal of terms with colonial connotations and involve a rewrite of these sections. Given that these sections can no longer be invoked since as long ago as 1969 and are in effect already spent, the Administration proposes to repeal them. As for section 11 of Cap. 118, the Administration considers it necessary to retain this section with consequential amendments to allow members of the public and the relevant parties (especially the relevant property owners) to verify the legality of the plan as approved or amended, as the case may be, to take the place of the original plan, so as to avoid any doubts.

17. Members have also enquired whether the proposed approach of and criteria adopted for amending Cap. 118 as mentioned above are equally applicable when the Administration considers repealing provisions in other existing Ordinances. According to the Administration, as a matter of general principles, an important consideration in pursuing the adaptation of laws exercise is to have any provisions which contravene the Basic Law or are inconsistent with the constitutional framework of Hong Kong as a Special Administrative Region of PRC repealed or amended as necessary, while still reflecting the relevant policy intent of those provisions having regard to their context and purpose. There are circumstances where, instead of a mere substitution of certain terms, it would be necessary to suitably replace or rewrite the whole provision while having due regard to the continuity of the operation of the provision and its coherence with the relevant law as applicable. The responsible bureaux, in consultation with the Department of Justice, would review the different pieces of legislation under their purview on a case-by-case basis to decide whether and how amendments should be proposed.

18. The Legal Adviser has suggested that the Administration should amend the English text of the proposed amended definition of “Lease” in section 2 of Cap. 118 (under clause 36(1) of the Bill) for consistency with its Chinese text. The Administration agrees to the Legal Adviser’s suggestion, and will propose an amendment to amend that accordingly.

#### *Part 17 of the Bill*

19. Noticing that the proposed amendment to the Foreshore and Sea-bed (Reclamations) Ordinance (Cap. 127) under clause 66 of the Bill does not include substituting actual commencement dates for the references to the commencement of Ordinances in section 20 of Cap. 127, some members have pointed out that this is different from the approach adopted in clause 6 of the Bill, which proposes an amendment to section 9(3)(a) of the Government Leases Ordinance (Cap. 40) to replace the reference to “the commencement of the Crown Leases (Amendment)

Ordinance 1978 (56 of 1978)” with the actual date of “7 July 1978”. Members take the view that the proposed amendment in clause 6 of the Bill would make the amended provision more comprehensible, and have requested the Administration to explain the reasons for the difference in the ways the two Ordinances are to be amended.

20. The Administration has explained that the purpose of the proposed amendment to section 9(3)(a) of Cap. 40 is to deal with the term “Crown Leases” in the reference to “the commencement of the Crown Leases (Amendment) Ordinance 1978 (56 of 1978)”. As far as Cap. 127 is concerned, an editorial note has already been added under section 20 of Cap. 127 to indicate the actual commencement dates of the relevant Ordinances for the benefit of the reader to address the issue that at the time of the drafting and scrutiny of the section, the corresponding commencement dates were not yet certain. The Administration takes the view that the proposed amended section 20(2) of Cap. 127 (in which the term “Crown lease” is replaced with “Government lease”) is sufficiently clear to maintain clarity and readability without the need to make any further amendment to the reference to “the commencement of this Ordinance”. Any amendment to “the commencement of this Ordinance” referred to in section 20(2) of Cap. 127 would also necessitate consequential amendments to sections 20(1) and 20(3), which are intended to be kept intact. Taking the above into consideration, the Administration does not consider it necessary to amend “the commencement of this Ordinance” referred to in section 20(2) to the actual date of commencement (i.e. 9 August 1985, which is already stated in the editorial note).

#### *Part 36 of the Bill*

21. In respect of the proposed amendment to the definition of “pleadings” in rule 2(1) of the Partition Rules (Cap. 352A) under clause 100 of the Bill, some members have enquired about the Administration’s rationale for proposing to amend the English rendition of “狀書” from “pleadings” to “pleading”. The Administration has advised that the proposed amendment seeks to define the term “pleading” by reference to the meaning given to it in Order 1, rule 4(1) of the Rules of the High Court (Cap. 4A). For this reason, the defined term for “狀書” in rule 2(1) of Cap. 352A should be the same as that used in Order 1, rule 4(1) of Cap. 4A (i.e. “pleading” as opposed to “pleadings”). Clause 100 of the Bill therefore proposes to amend “pleadings” in rule 2(1) of Cap. 352A by replacing it with “pleading”.

#### *Part 47 of the Bill*

22. Division 1 of Part 47 of the Bill proposes to replace various references to “Block Crown Lease” with “Government Lease” or “Lease” in the Block Crown Lease (Cheung Chau) Ordinance (Cap. 488). Noting that the term “Block Crown

Lease” has its historical background, some members are concerned that the proposed amendments may deprive members of the public and the legal sector of the knowledge that Cap. 488 relates to matters about the Block Crown Lease of Cheung Chau, and obliterate the historical background of Cap. 488 in relation to Wong Wai Tsak Tong. Enquiries have been raised about the Administration’s rationale for proposing the amendments, and whether consideration will be given to retaining the word “Block” in section 1(1) of Cap. 488 (i.e. the short title of Cap. 488).

23. The Administration has explained that in the light of the land title disputes in Cheung Chau arising from the Block Crown Lease which granted land to Wong Wai Tsak Tong in 1905 (“BCL 1905”), Cap. 488 was enacted to terminate BCL 1905 and to deem all sub-lessees and sub-leases under it to be Government lessees and Government leases respectively until the expiry of 30 June 2047. According to the Administration, it acknowledges the fact that “Block Crown Lease” covers a particular type of land lease which has its unique historical background in Hong Kong, and will continue to be referred to when necessary. The term “Block Crown Lease” is hence retained as a historical reference in the long title of Cap. 488 and the interpretation of “Lease” under section 2 thereof, where BCL 1905 will continue to be referred to in Cap. 488 after adaptation.

24. The Administration has pointed out that the proposed amendments under the Bill to the references to “Block Crown Lease” in Cap. 488 will not affect the nature of BCL 1905 which has already been terminated pursuant to section 3 of Cap. 488, whereas the sub-leases and other lots under it as dealt with under the relevant sections of Cap. 488 are already deemed to be granted by the Government of the Hong Kong Special Administrative Region (“HKSAR Government”) after 30 June 1997. The Administration therefore considers it appropriate to replace “Block Crown Lease” (with “Government Lease” in the short title of Cap. 488 and “Lease” elsewhere in Cap. 488), except in the long title and the interpretation of “Lease” under section 2 where the term appearing therein is to be retained as a historical reference. Besides, the proposed amended short title can better reflect the generic nature of such sub-leases under the current constitutional order.

25. There is concern about the possible impact of the relevant amendments (including the amendment to the short title of Cap. 488 for replacing “Block Crown Lease (Cheung Chau) Ordinance” with “Government Lease (Cheung Chau) Ordinance”) on the legal profession and members of the public. According to the Administration, given that the scope of applicability of Cap. 488 is confined to the leases in Cheung Chau and the substance of the law remains unchanged, the proposed adaptations will not affect the effect of the existing legal records which make reference to the old name of the Ordinance. Furthermore, the proposed adaptations are not expected to have any significant impact on the operations of the conveyancing industry and the understanding of the Ordinance by lawyers and the public alike in the light of the retention of the term “Block Crown Lease” in



the long title and the interpretation of “Lease” under section 2, as well as the backgrounds of the relevant terms and the Ordinance as mentioned above. On the contrary, the proposed adaptations would keep the relevant laws up-to-date and commensurate with Hong Kong’s status under the constitutional framework of “one country, two systems”, and remove any doubt as to the nature of land and natural resources under Article 7 of the Basic Law (i.e. being State property and for the management, use and development of which, including their lease or grant to individuals, legal persons or organizations for use or development, the HKSAR Government is responsible) when consulting local legislation.

### Clauses of the Bill in relation to the Environment and Ecology Bureau

#### *Part 23 of the Bill*

26. Clause 76 of the Bill proposes to amend regulation 14 of the Prevention of Cruelty to Animals Regulations (Cap. 169A) to adapt the expression “territorial waters of Hong Kong” in its English text by deleting the word “territorial”. Some members have expressed concern as to whether there are other Ordinances still containing the word “territorial”, and urged the Administration to make relevant amendments as soon as possible.

27. The Administration has explained that the word “territorial” is no longer used in new legislation drafted after Hong Kong’s return to the motherland, and the relevant references in the old provisions have been deleted one after another. If there are still Ordinances which have yet to get this word deleted, it is to be construed in accordance with Schedule 9 to Cap. 1 (which provides that “territorial waters (領海) has the same meaning as waters of Hong Kong”) for the time being.

#### *Parts 40 to 42 of the Bill*

28. Clauses 104 to 110 of the Bill propose to amend the Electricity Supply Regulations (Cap. 406A), the Electricity (Wiring) Regulations (Cap. 406E) and the Electrical Products (Safety) Regulation (Cap. 406G) to adopt the electrical safety standards published by the International Electrotechnical Commission (“IEC”), which has wider recognition worldwide, in place of those published by the British Standards Institution as the requisite safety standards for relevant electrical products or equipment. As for clause 105(1) of the Bill which proposes to amend regulation 13(2) of Cap. 406A to change the specification for erection of line conductors from compliance with the standards of the British Engineering Standards Association (“BESA”) to compliance with the standards of IEC or any equivalent body recognized by the Director of Electrical and Mechanical Services, some members have enquired whether there is any difference between BESA’s standards and IEC’s standards, and why clauses 104(1) and 104(3) of the Bill propose to amend the original standards for the sectional area of a wire as set out

in section 4(1) of Cap. 406A (the respective existing provisions being “No. 22 standard wire gauge” and “No. 16 standard wire gauge”) to actual dimensions (i.e. 0.0006 sq. in. and 0.0032 sq. in. respectively), rather than proposing amendments to adopt IEC’s standards.

29. The Administration has explained that the proposed amendments will not affect the safety specifications for any electrical equipment since the international technical standards set by IEC are equivalent to the technical requirements set by BESA as currently adopted. Regarding the standards for the sectional area of a wire, as there is no direct match in IEC’s standards, the Administration proposes to amend them to the corresponding numerical values.

#### Clause of the Bill in relation to the Judiciary

##### *Part 45 of the Bill*

30. Section 49(1) of the Hong Kong Court of Final Appeal Ordinance (Cap. 484) provides that any appeal in respect of which the Judicial Committee of the Privy Council or the Court of Appeal has granted leave to appeal to that Judicial Committee and the appeal has not been finally disposed of by 30 June 1997 shall proceed in the Court of Final Appeal, which was newly established at the time when Cap. 484 came into effect. Given that section 49 of Cap. 484, being a transitional provision, has outlived its usefulness, the Administration proposes to repeal section 49 of Cap. 484 as a transitional provision by way of clause 116 of the Bill.

31. Despite their understanding of the Administration’s approach of repealing the transitional provision after the end of the transitional period, members have expressed concern as to whether there is a uniform approach or overall policy consideration in dealing with transitional provisions in other existing legislation (e.g. repealing such a provision within a specific time frame after the end of the transitional period).

32. The Administration has pointed out that it is not necessarily the case that a transitional provision in legislation will naturally become invalid after a certain number of days. As far as section 49 of Cap. 484 is concerned, it is proposed to be repealed because the Judiciary has confirmed that there are no longer any cases where this section needs to be invoked, and it would be inappropriate to retain the reference to the Privy Council of the United Kingdom in this section in the context of adaptation of laws.

Clauses of the Bill in relation to the Financial Services and the Treasury Bureau

*Part 5 of the Bill*

33. Clauses 7(1), 8(1) and 9(1) of the Bill propose to replace the references to “Mainland China” with “China (excluding Hong Kong, Macao and Taiwan)” in Table 11 of rule 68(7)(a) of, and Table 10 of Schedule 7 and Table 3 of Schedule 8 to, the Insurance (Valuation and Capital) Rules (Cap. 41R). The Administration is of the view that when the Mainland is mentioned in relation to “Hong Kong”, the more appropriate usage is to adopt the term “內地” as the corresponding term, whereas the term “大陸” should be reserved for contexts in which “Mainland” is mentioned in relation to “Taiwan”. In the case of Cap. 41R, as “Mainland China” is listed alongside “Hong Kong”, “Macao” and “Taiwan” in Table 11 of rule 68(7)(a), Table 10 of Schedule 7 and Table 3 of Schedule 8, the Bill proposes to replace the references to “Mainland China” with “China (excluding Hong Kong, Macao and Taiwan)”.

34. Some members are concerned that replacing the references to “中國大陸” with “中國(香港、澳門及台灣除外)” in the Chinese texts of the relevant provisions of Cap. 41R, and replacing the references to “Mainland China” with “China (excluding Hong Kong, Macao and Taiwan)” in their English texts, may easily give the false impression that “Hong Kong, Macao and Taiwan” are not part of China. In view of this, members have suggested retaining the existing references to “Mainland China”(中國大陸) in the relevant provisions of Cap. 41R, or amending the relevant Chinese term to “中國內地” while retaining the existing English term (i.e. “Mainland China”).

35. In this regard, the Administration proposed at the Bills Committee meeting held on 6 June 2025 that the relevant references might be revised as “the part of China other than Hong Kong, Macao and Taiwan” (whereas the corresponding Chinese text might be revised as “香港、澳門及台灣以外的中國其他部分”). Subsequently, in the light of members’ views and to ensure that the provisions are concise and still readily comprehensible, the Administration has, after further consideration, recommended retaining the references to the term “Mainland China”(中國大陸) in Cap. 41R given that Hong Kong, Macao and Taiwan in the present context are set out side by side. To this end, the Administration will propose amendments to delete clauses 7(1), 8(1) and 9(1) of the Bill.

*Part 15 of the Bill*

36. Clause 57 of the Bill proposes to repeal item 12 of Schedule 1 to the Audit Ordinance (Cap. 122), the effect of which is that the World Refugee Year Loan Fund would no longer be subject to audit by the Director of Audit. The Legal Adviser has asked the Administration to clarify the reasons for proposing this

amendment. The Administration has explained that when the Director of Audit audits the General Revenue Account pursuant to section 12 of Cap. 122, the transactions of the World Refugee Year Loan Fund will also be audited. As there is no need for the Director of Audit to conduct a separate audit of the Fund, the Fund is proposed to be removed from Schedule 1 to Cap. 122.

### *Part 55 of the Bill*

37. Part 55 of the Bill proposes to amend various references to “overseas” in the Securities and Futures Ordinance (Cap. 571) and its subsidiary legislation, as well as the Securities and Futures (Amendment) Ordinance 2014 (Ord. No. 6 of 2014), by replacing them with “non-Hong Kong”, “outside Hong Kong” or “non-local”. In this respect, some members have enquired whether the meanings of the references to “overseas” in the relevant existing provisions cover Mainland China, and about the considerations and rationale for proposing the amendments.

38. According to the Administration, the references to “overseas” (and the corresponding Chinese references to “海外” or “境外”) in the existing provisions of the legislation concerned are all intended to cover certain matters and persons that are or from outside Hong Kong, including those in or from Mainland China. As the use of the “overseas” label in these provisions may not accurately reflect their intended meanings, Part 55 of the Bill proposes to replace the references to “overseas” in these provisions with “non-Hong Kong” in general, and to amend its Chinese rendition from “海外” or “境外” to “非香港” correspondingly. The Administration takes the view that the term “non-Hong Kong” can succinctly reflect the nature of the matters defined by the relevant defined terms, and is therefore a suitable substitute for the word “overseas”. This term is also used in defined terms that deal with similar matters in other legislation, e.g. the definition of “non-Hong Kong company” in section 2(1) of the Companies Ordinance (Cap. 622). The Administration has explained that the proposed amendments in Part 55 of the Bill will not affect the effect and operation of the relevant existing provisions.

39. Some members have pointed out that there may be inconsistency in the approach adopted in Part 55 of the Bill, which also proposes to replace certain references to “overseas” with “outside Hong Kong” or “non-local”. The Administration has explained that Part 55 of the Bill seeks to consistently adopt “non-Hong Kong” in the amendments as far as possible. However, in view of the circumstances and contexts of particular provisions, a few existing references to “overseas” in Part 55 are not proposed to be replaced with “non-Hong Kong”.<sup>5</sup>

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<sup>5</sup> As in clauses 167, 168, 172(1), 174, 175 and 176 of the Bill.

*Part 57 of the Bill*

40. Clause 180 of the Bill proposes to amend section 2(1) of the Accounting and Financial Reporting Council Ordinance (Cap. 588) by replacing “overseas entity” with “non-Hong Kong entity”, and the references to “境外” with “以外” in paragraphs (a) and (b) of the Chinese text of the definition of “non-Hong Kong entity”. The Administration has advised that the Companies (Amendment) (No. 2) Ordinance 2025 (Ord. No. 14 of 2025), which came into effect on 23 May 2025, amended the definition of “overseas entity” in section 2(1) of Cap. 588, after which the original paragraphs (a) and (b) of that definition became paragraph (a)(i) and (ii). In view of this, the Administration will propose an amendment to update the amendment location in clause 180(2) of the Bill from “paragraphs (a) and (b)” to “paragraph (a)(i) and (ii)” correspondingly for the amendment of replacing “境外” with “以外”.

41. Moreover, the Companies (Amendment) (No. 2) Ordinance 2025 added a new section 20ZUA to Cap. 588, and this new section contains references to “overseas entity”. In this regard, the Administration will propose an amendment to consequentially replace the references to “overseas entity” with “non-Hong Kong entity” in the new section 20ZUA.

Clauses of the Bill in relation to the Transport and Logistics Bureau

*Part 38 of the Bill*

42. Clause 102 of the Bill proposes to amend by-law 16A of the Kowloon-Canton Railway Corporation By-laws (Cap. 372B) by replacing the references to “mainland China” (中國大陸) therein with “Mainland China” (中國內地). Pointing out that Cap. 372B is related to the former Intercity Through Train service which was run by the Kowloon-Canton Railway Corporation but has now ceased to operate, members have enquired about the reasons for the retention of Cap. 372B and whether there is any plan to repeal the subsidiary legislation.

43. The Administration has advised that the proposed amendments in question seek to adapt the contents of the provisions of Cap. 372B. As to whether other amendments to Cap. 372B are needed in the light of changes in the railway service policy, a decision will be made after the relevant policy bureau has conducted a comprehensive review of the legislation.

44. An enquiry has been raised as to whether any amendments proposed to be made to the legislation concerned upon completion of the comprehensive review by the relevant policy bureau would be tabled by way of an omnibus bill. The Administration has advised that whether or not to incorporate such amendments into an omnibus bill would depend on the content and scope of the amendments.

Generally speaking, if the proposed amendments are minor or non-controversial, they can be dealt with collectively by way of an omnibus bill.

### *Part 54 of the Bill*

45. Clause 151 of the Bill proposes to amend the English text of the definition of “local vessel” in section 2 of the Merchant Shipping (Local Vessels) Ordinance (Cap. 548). Noticing that paragraph (e) of the existing English text of that definition contains references to “the Mainland of China” but clause 102 of the Bill proposes to use the term “Mainland China” in by-law 16A of Cap. 372B, some members have asked the Administration about the reasons for the inconsistency in the drafting of the relevant provisions. The Administration has explained that the proposed amendments to by-law 16A of Cap. 372B to replace the references to “mainland China” with “Mainland China” are intended to make minimal changes to the existing provisions. In this connection, some members are of the view that the Administration should endeavour to maintain consistency in the wording of legal provisions when making legislative amendments, and have urged the Administration to ensure consistency in the wording of the provisions when submitting amendment proposals in future.

### Clauses of the Bill in relation to the Home and Youth Affairs Bureau

### *Part 61 of the Bill*

46. Part 61 of the Bill proposes to amend the Church of England Trust Ordinance (Cap. 1014) and its subsidiary legislation, and to make a consequential amendment. The proposed amendments therein include numerous amendments to replace the references to “Church of England” with “English-speaking Anglican Church” in the English texts of Cap. 1014 and its subsidiary legislation (whereas the Chinese rendition “英語聖公會” is to remain unchanged).

47. It has come to some members’ attention that certain proposed amendments in Part 61 of the Bill (e.g. clause 202(5) of the Bill) involve using “Hong Kong Sheng Kung Hui” as the English rendition of “香港聖公會”. In this regard, members have asked the Administration about the reasons for not using “Anglican Church” as the English rendition of “香港聖公會”.

48. The Administration has explained that the “Hong Kong Sheng Kung Hui” and the “English-speaking Anglican Church” are two different organizations, and “Hong Kong Sheng Kung Hui” is the English equivalent of “香港聖公會” in other existing legislation (e.g. the Hong Kong Sheng Kung Hui Ordinance (《香港聖公會條例》) (Cap. 1157)). The amendments in question were proposed in consultation with the Hong Kong Sheng Kung Hui and, thereafter, with reference to such existing legislation.

49. Clause 203(2) of the Bill proposes to repeal section 3(2) of Cap. 1014, which empowers the Bishop of Victoria, Hong Kong<sup>6</sup> to give and revoke a dormant commission to any clergyman of the Church of England to be a trustee, and to act for the Bishop in accordance with the terms of the dormant commission, under specified circumstances, etc. The Legal Adviser has sought clarification from the Administration on the reasons for proposing to repeal the section.

50. The Administration has advised that the amendments to Cap. 1014 and its subsidiary legislation were proposed in consultation with the Hong Kong Sheng Kung Hui. It is proposed that section 3(2) of Cap. 1014 be repealed because the giving and revoking of a dormant commission by the Bishop of Victoria, Hong Kong (now the Archbishop of the Hong Kong Sheng Kung Hui (“Archbishop”)) has become obsolete. During the Archbishop’s absence or incapacity, or if the Archbishop’s office is vacant, the Archbishop’s power can now be delegated in accordance with the relevant provisions in the Constitution of the Hong Kong Sheng Kung Hui. It is thus considered unnecessary to retain the Archbishop’s power to give and revoke a dormant commission.

51. The Legal Adviser has also asked the Administration to clarify the reasons for proposing to repeal the definition of “commissary” in section 2 of Cap. 1014 (clause 202(6) of the Bill), and to repeal the references to “commissary” in sections 3, 7 and 8 of Cap. 1014 (clauses 203(3), 206, and 207(1), (2), (4) and (5) of the Bill) and regulation 16(6) of the Church of England Trust (Church Councils) Regulations (Cap. 1014A) (clause 217(6) of the Bill).

52. The Administration has explained that while Cap. 1014 envisages and permits the Bishop’s appointment of a commissary, in practice the Bishop, at least in the recent past, has never appointed a commissary to act for him or in his stead. Moreover, since the Constitution of the Hong Kong Sheng Kung Hui already contains provisions regulating the delegation of the powers of the Archbishop (which is proposed to be denoted by “Bishop” in Cap. 1014) if for whatever reason he cannot exercise those powers, the appointment of the Bishop’s commissary is therefore redundant and that the definition of and references to “commissary” should be removed from Cap. 1014.

#### Clauses of the Bill in relation to the Education Bureau

##### *Part 67 of the Bill*

53. Clause 232 of the Bill proposes to add a new section 6(4) to the St. Paul’s College Council Incorporation Ordinance (Cap. 1102) to provide that the

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<sup>6</sup> Clause 202 of the Bill proposes to replace “Bishop of Victoria, Hong Kong” with “Archbishop of the Hong Kong Sheng Kung Hui”.

regulations of the St. Paul's College Council would not be subsidiary legislation, which means that such regulations (including amendments thereto) would not be subject to scrutiny by LegCo under its negative vetting procedure set out in section 34 of Cap. 1. Clause 234(z) of the Bill consequentially proposes to repeal the St. Paul's College Council Regulations (Cap. 1102A). The Legal Adviser has asked the Administration to clarify whether these amendments were proposed because it is considered that the regulations of the St. Paul's College Council are currently not subsidiary legislation; and, if so, the reasons for that.

54. The Administration has explained that what appears now in Cap. 1102A was the first set of regulations reproduced in the Schedule to Cap. 1102 when that Ordinance was enacted as Ord. No. 16 of 1962. In the process of the preparation and publication of a revised edition of the laws of Hong Kong, invoking powers under the Revised Edition of the Laws Ordinance 1965 (Cap. 642), the Schedule was separately published and assigned the number "Cap. 1102A" under the revised edition of the laws of Hong Kong 1964 and has since been retained in the Laws of Hong Kong without any updates. This is, however, despite the terms of section 6 of Cap. 1102 that those regulations may be changed or amended from time to time by the St. Paul's College Council without any obligation to obtain the approval of the Chief Executive in Council or to have such regulations published. The way in which section 6(3) of Cap. 1102 is worded is strong indicia that the regulations of the St. Paul's College Council have never been intended to be subsidiary legislation. In order to remove any doubt which may be created by section 11 of Cap. 642<sup>7</sup> as to the legal status of the set of regulations now appearing as Cap. 1102A under HKeL and to clarify the position once and for all, it is proposed, after consultation with the Hong Kong Sheng Kung Hui, that Cap. 1102A should be repealed and that a specific provision declaring the position should be added to section 6 of Cap. 1102.

### **Proposed amendments to the Bill**

55. The Administration will propose amendments in respect of the matters discussed in paragraphs 13, 14, 18, 35, 40 and 41 above. The Bills Committee has no objection to the proposed amendments.

56. The Bills Committee will not propose any amendments to the Bill.

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<sup>7</sup> Section 11(2) of Cap. 642 reads "... the revised edition shall be deemed to be and shall be without any question whatsoever in all courts of justice and for all purposes whatsoever the sole and only proper laws of Hong Kong in respect of all Ordinances contained therein."



### **Resumption of Second Reading debate on the Bill**

57. The Bills Committee has completed the scrutiny of the Bill. The Administration has indicated its intention to resume the Second Reading debate on the Bill at the LegCo meeting of 16 July 2025. Subject to the moving of the relevant amendments by the Administration, the Bills Committee has no objection to that.

### **Consultation with the House Committee**

58. The Bills Committee reported its deliberations to the House Committee on 4 July 2025.

Council Business Divisions  
Legislative Council Secretariat  
11 July 2025

**Bills Committee on Statute Law (Miscellaneous Provisions) Bill 2025**

**Membership list**

**Chairman** Hon Maggie CHAN Man-ki, MH, JP

**Members** Prof Hon Priscilla LEUNG Mei-fun, GBS, JP  
Hon Paul TSE Wai-chun, JP  
Hon Holden CHOW Ho-ding, JP  
Hon Doreen KONG Yuk-foon  
Hon Dennis LEUNG Tsz-wing, MH  
Hon Benson LUK Hon-man  
Hon TANG Fei, MH

(Total: 8 members)

**Clerk** Mr Lemuel WOO

**Legal Adviser** Ms Yvonne WONG

**Bills Committee on Statute Law (Miscellaneous Provisions) Bill 2025**

**List of organizations/individuals which/who have made written submissions  
to the Bills Committee**

1. Chinese Dream Think Tank
2. LSK
3. Tyler HU