

**Ordinances/provisions of ordinances enacted in 2013 or before but not yet in operation  
(Position as at 11 October 2013)**

**A. Ordinances to be brought into operation**

<b>Item</b>	<b>Year in which ordinance was enacted</b>	<b>Ordinance</b>	<b>Provisions</b>	<b>Main purpose of the Provisions</b>	<b>Expected commencement date</b>	<b>Reason(s) for not having come into operation</b>	<b>Responsible/ Instructing Bureau</b>
1	1995	(81 of 1995) Personal Data (Privacy) Ordinance (Cap. 486)	Section 33	Section 33 seeks to prohibit a data user from transferring personal data to a place outside Hong Kong except to a place which has laws substantially similar to or serving the purposes as Cap.486; the Section also provides that the Privacy Commissioner for Personal Data (PCPD) may specify	-	As the commencement of section 33 would have significant implications on the transfer of personal data to places outside Hong Kong, Constitutional and Mainland Affairs Bureau is working with PCPD in mapping out the way forward, including, inter alia, the readiness of the PCPD to gazette places with legislation substantially similar to	Constitutional and Mainland Affairs Bureau

Item	Year in which ordinance was enacted	Ordinance	Provisions	Main purpose of the Provisions	Expected commencement date	Reason(s) for not having come into operation	Responsible/ Instructing Bureau
				such places by gazette.		Cap. 486.	
2	1997	(94 of 1997) Legal Services Legislation (Miscellaneous Amendments) Ordinance 1997	Sections 2 to 6, 15 and 21 (in respect of sections 1, 5 and 6 of Schedule 2 only)	The provisions (as amended by the Statute Law (Miscellaneous Provisions) Ordinance 2012) relate to the establishment of solicitor corporations and foreign lawyer corporations as legal practice entities.	-	The Law Society is empowered under section 73(1)(a)(i) of the Legal Practitioners Ordinance (Cap. 159) to prepare rules relating to the establishment of solicitors corporations and foreign lawyers corporations. The Law Society is now working on the proposed Solicitor Corporation Rules in consultation with Department of Justice and other stakeholders as well as the Panel on Administration of Justice and Legal Services of the Legislative Council. The provisions will be brought into force after	Department of Justice

Item	Year in which ordinance was enacted	Ordinance	Provisions	Main purpose of the Provisions	Expected commencement date	Reason(s) for not having come into operation	Responsible/ Instructing Bureau
						completion of the proposed Rules.	
3	2000	(17 of 2000) International Organizations (Privileges and Immunities) Ordinance (Cap. 558)	Sections 6(a), 7(a), 9(a), 10, 11, 12 and 13	The provisions seek to repeal those provisions of International Organizations and Diplomatic Privileges Ordinance (IODPO) (Cap. 190) which deal with privileges and immunities notifications in respect of international organizations.	-	Cap. 558 was introduced to provide a framework to give effect in Hong Kong to the privileges and immunities conferred upon international organizations by international agreements. It seeks to gradually replace the relevant sections of Cap. 190. As and when the HKSARG or the Central People's Government concludes international agreements on additional privileges and immunities applicable to international organisations in Hong Kong, new orders under Cap. 558 will be made and the corresponding	Administration Wing

Item	Year in which ordinance was enacted	Ordinance	Provisions	Main purpose of the Provisions	Expected commencement date	Reason(s) for not having come into operation	Responsible/ Instructing Bureau
						sections in Cap. 190 will be repealed.	
4	2003	(14 of 2003) Law Amendment and Reform (Miscellaneous Provisions) Ordinance 2003	Sections 2 and 3	<p>Section 2 of this Ordinance amends section 6 of the Legal Practitioners Ordinance (Cap. 159) to provide that the Law Society may require an applicant for the first issue of a solicitor's practising certificate to have successfully completed a mandatory course in practice management provided or approved by the Law Society.</p> <p>Section 3 relates to the establishment of solicitor corporations and foreign lawyer corporations as legal practice entities.</p>	-	<p>On section 2, the Law Society would like to allow more time for the mandatory Risk Management Education (RME) requirements, which are implemented in phases, to settle in with the profession before proceeding with another set of mandatory programme. The Law Society considers that section 2 should not take effect until the mandatory practice management course is in place.</p> <p>Section 3 will come into operation when section 4 of the Legal Services Legislation (Miscellaneous Amendments) Ordinance</p>	Department of Justice

Item	Year in which ordinance was enacted	Ordinance	Provisions	Main purpose of the Provisions	Expected commencement date	Reason(s) for not having come into operation	Responsible/ Instructing Bureau
						1997 commences (see item 2 above).	
5	2003	(23 of 2003) Evidence (Miscellaneous Amendments) Ordinance 2003	Sections 12 to 19, 23 and 24	The provisions amend several ordinances to provide, among others, that in criminal proceedings, a witness outside Hong Kong may give evidence to the court via live TV link; and a court or tribunal outside Hong Kong may obtain evidence by the examination of a witness in Hong Kong via live TV link.	-	Department of Justice has obtained approval in principle from the relevant authorities on the requisite subsidiary legislation, namely the Live Television Link (Witnesses Outside Hong Kong) Rules; and the Rules of the High Court (Amendment) Rules for bringing the outstanding provisions into operation. Department of Justice is liaising with court users with regard to some operational issues with a view to bringing the provisions into operation.	Department of Justice

Item	Year in which ordinance was enacted	Ordinance	Provisions	Main purpose of the Provisions	Expected commencement date	Reason(s) for not having come into operation	Responsible/ Instructing Bureau
6	2004	(18 of 2004) Construction Workers Registration Ordinance (Cap. 583)	(a) Section 3(2), (3) and (4)  (b) Section 4  (c) Section 5 (in so far as it relates to employing a person to personally carry out on a construction site construction work in contravention of sections 3(2), (3) or (4))  (d) Section 6(1) (in so far as it relates to the contravention of sections 3(2), (3) or (4))	The provisions stipulate the requirement of registration of construction workers and related matters.	A phased approach has been adopted to implement the provisions in the Construction Workers Registration Ordinance (CWRO). The first phase covering most of the provisions of the Ordinance was implemented in 2007.  As some stakeholders would encounter difficulties upon implementation of the remaining phase of	Two years after commencement of the amendment bill	Development Bureau

Item	Year in which ordinance was enacted	Ordinance	Provisions	Main purpose of the Provisions	Expected commencement date	Reason(s) for not having come into operation	Responsible/ Instructing Bureau
			<p>(e) Section 6(2) (in so far as it relates to the contravention of section 5 (to the extent that it is in operation under paragraph (c)))</p> <p>(f) Section 6(4)(in so far as it relates to the contravention of sections 3(2), (3) or (4) or the contravention of section 5 (to the extent that it is in operation under paragraph</p>		<p>provisions, e.g. registration problems of workers carrying out small scale works, scope of applicability of CWRO and senior workers registration arrangement, it has yet to be in operation.</p> <p>In January 2010, Development Bureau and The Construction Workers Registration Authority (CWRA)<sup>1</sup></p>		

---

<sup>1</sup> CWRA comprising representatives from government and key stakeholders of the construction industry was established under CWRO for the administration of the Ordinance. Upon amalgamation of the CWRA with CIC on 1 January 2013, CIC established a Construction

Item	Year in which ordinance was enacted	Ordinance	Provisions	Main purpose of the Provisions	Expected commencement date	Reason(s) for not having come into operation	Responsible/ Instructing Bureau
			<p>(c))</p> <p>(g) Sections 6(8)(b), (c) and (d)</p> <p>(h) Sections 48(1)(b), (c) and (d)</p>		<p>jointly established a working group to study the problems. It was concluded that prior to the implementation of the remaining phase of provisions, it would be necessary to amend CWRO to address the issues of concern. CWRA then established a “Committee on Review of CWRO” in January 2011 to</p>		

---

Workers Registration Board also comprising representatives from government and key stakeholders of the construction industry to undertake the registration functions under CWRO.



<b>Item</b>	<b>Year in which ordinance was enacted</b>	<b>Ordinance</b>	<b>Provisions</b>	<b>Main purpose of the Provisions</b>	<b>Expected commencement date</b>	<b>Reason(s) for not having come into operation</b>	<b>Responsible/ Instructing Bureau</b>
					<p>study and discuss in detail with the relevant stakeholders to formulate the proposed amendments. An initial proposal was completed in January 2012. From February to June 2012, Development Bureau jointly with CWRA consulted the relevant stakeholders on the proposed amendments.</p> <p>Subsequently in August 2012, Development Bureau</p>		

Item	Year in which ordinance was enacted	Ordinance	Provisions	Main purpose of the Provisions	Expected commencement date	Reason(s) for not having come into operation	Responsible/ Instructing Bureau
					<p>established a “Task Force on Amendments to CWRO” to review and finalize the proposed amendments taking into account stakeholders’ views collected during the consultation.</p> <p>Development Bureau jointly with the Construction Industry Council (CIC) are conducting industry-wide briefing in September – October 2013 to</p>		

Item	Year in which ordinance was enacted	Ordinance	Provisions	Main purpose of the Provisions	Expected commencement date	Reason(s) for not having come into operation	Responsible/ Instructing Bureau
					inform stakeholders of the proposed amendments. It is planned to introduce an amendment bill into Legislative Council in 2014.		
7	2007	(15 of 2007) Copyright (Amendment) Ordinance 2007	(a) Section 6(1) (insofar as it relates to the new section 25(1)(e) and	To add a new exclusive rental right for comic books.	-	Copyright owners are encouraged to work out a licensing scheme for comic books with relevant stakeholders so	Commerce and Economic Development Bureau

Item	Year in which ordinance was enacted	Ordinance	Provisions	Main purpose of the Provisions	Expected commencement date	Reason(s) for not having come into operation	Responsible/ Instructing Bureau
			<p>(f), (2) and (4))</p> <p>(b) Section 47(2) (insofar as it relates to paragraphs (e) and (f) of the new definition of rental right in section 198(1))</p> <p>(c) Section 75 (insofar as it relates to Part 3 of the new Schedule 7 but only to the extent that Part 3 of the new Schedule 7 relates to the transitional provisions and savings in relation to the amendments effected by section 6</p>			<p>that the rental shops could carry on with their business in a lawful manner upon commencement of the relevant provisions. As there is no agreed arrangement on licensing scheme at this stage, the relevant provisions have not been brought into operation.</p>	

Item	Year in which ordinance was enacted	Ordinance	Provisions	Main purpose of the Provisions	Expected commencement date	Reason(s) for not having come into operation	Responsible/ Instructing Bureau
			(insofar as it relates to the new section 25(1)(e) and (f))				
8	2009	(10 of 2009) Merchant Shipping (Safety) (Amendment) Ordinance 2009	Sections 3(1), (2), (3), (4) and (6), 4, 5, 9, 10, 11, 12, 14, 15, 16, 17, 30(8), 33, 34(1), 37, 42(3), 43, 44(1), (2) and (4), 45, 46(2) and 47 and Part 4	These provisions are mainly technical amendments made to sections relating to “Interpretation”, “Issue or endorsement of certificate”, “Certificate of Convention ships not registered in Hong Kong”, “Issue and display of load line certificate” and “Valid Convention certificates” of the Ordinance to bring the relevant requirements in line with the International Convention for the Safety of Life at Sea	The Government is preparing 10 pieces of subsidiary legislation under the Ordinance for implementing SOLAS and ILLC After completion of law drafting and then enactment by the Legislative Council, the 10 pieces of subsidiary legislation, together with the uncommenced provisions in the	The Government has taken time to prepare the 10 pieces of subsidiary legislation in order to ensure consistency among provisions in the Ordinance as well as its subsidiary legislation for implementing SOLAS and ILLC.	Transport and Housing Bureau

<b>Item</b>	<b>Year in which ordinance was enacted</b>	<b>Ordinance</b>	<b>Provisions</b>	<b>Main purpose of the Provisions</b>	<b>Expected commencement date</b>	<b>Reason(s) for not having come into operation</b>	<b>Responsible/ Instructing Bureau</b>
				(SOLAS) and the International Convention on Load Lines (ILLC). In addition, there are some other minor and consequential amendments.	Ordinance, are expected to commence operation in 2015.		
9	2011	(13 of 2011) Legislation Publication Ordinance (Cap. 614)	The Ordinance (other than Part 1, Part 5, Part 6 (except section 22) and Division 1, Division 2 (except section 27), Division 4 (except section 29) and Divisions 5 and 6 of Part 7)	To provide for the legal framework for the operation of a verified legislation database with official status	Late 2015	The construction of the database is under way according to the timetable announced when the Bill was scrutinised by the Legislative Council.	Department of Justice
10	2011	(24 of 2011) Road Traffic (Amendment)	Section 14 in so far as it relates to the new section 39N	The provision seeks to empower the Police to conduct a Rapid Oral Fluid	Once the suitable device has been identified by the	When the relevant bill was submitted to the Legislative Council, the Government had said that	Transport and Housing Bureau

Item	Year in which ordinance was enacted	Ordinance	Provisions	Main purpose of the Provisions	Expected commencement date	Reason(s) for not having come into operation	Responsible/ Instructing Bureau
		Ordinance 2011		Test (ROFT).	departments concerned, the Government will complete the relevant legislative procedures to bring the provision into operation.	the provision should only commence at a suitable time having regard to factors including the availability and reliability of ROFT devices. In order to identify suitable ROFT devices, the Police, Government Laboratory and Hospital Authority are carrying out stringent tests on the device samples provided by the suppliers.	
11	2012	(3 of 2012) Banking (Amendment) Ordinance 2012	The Ordinance other than the following sections — (a) sections 1, 2 and 3(1), (2) and (3) (b) section 3(5) (except in so far	Not applicable	The sections of the Ordinance specified in items (a) to (i) in the “Provisions” column of this table have commenced operation starting from 1	Not applicable	Financial Services and the Treasury Bureau

Item	Year in which ordinance was enacted	Ordinance	Provisions	Main purpose of the Provisions	Expected commencement date	Reason(s) for not having come into operation	Responsible/ Instructing Bureau
			<p>as it relates to the addition of the new definition of liquidity requirement rule)</p> <p>(c) sections 4, 5(1), 6 and 7</p> <p>(d) section 8 (except in so far as it relates to the addition of the new Part XVIB and to the new section 97H(1) in the new Part XVIC)</p> <p>(e) sections 9, 10 and 11</p> <p>(f) section 12 (except in so far as it relates to the new</p>		<p>January 2013, in line with the timetable prescribed by the Basel Committee on Banking Supervision (BCBS) for implementing the first phase of the Basel III capital standards.</p> <p>The remaining sections of this Ordinance related to liquidity requirements will not commence operation until 1 January 2015. This is also to align with the</p>		



Item	Year in which ordinance was enacted	Ordinance	Provisions	Main purpose of the Provisions	Expected commencement date	Reason(s) for not having come into operation	Responsible/ Instructing Bureau
			<p>sections 97H(5), 97J(3) and 97K(7))</p> <p>(g) section 15(2) (except in so far as it relates to section 104(2) of the Banking Ordinance (Cap. 155))</p> <p>(h) section 15(3) (except in so far as it relates to liquidity ratio and section 105(1) of the Banking Ordinance (Cap. 155))</p> <p>(i) sections 18(1), (2) and (4), 19, 20, 21 and 22</p>		BCBS timetable for implementing the Liquidity Coverage Ratio under the Basel III liquidity framework, which is at a later date compared to the Basel III capital standards		

Item	Year in which ordinance was enacted	Ordinance	Provisions	Main purpose of the Provisions	Expected commencement date	Reason(s) for not having come into operation	Responsible/ Instructing Bureau
12	2012	(6 of 2012) Road Traffic (Amendment) Ordinance 2012	Part 4	The provision seeks to implement the requirement for public light bus drivers to attend and complete pre-service course.	The Government aims to submit the necessary commencement notice to the Legislative Council within 2013.	The Government is undertaking the preparatory works for the provision of the pre-service course, including the selection and designation of training schools and formulation of the relevant Code of Practice.	Transport and Housing Bureau
13	2012	(8 of 2012) Lifts and Escalators Ordinance (Cap. 618)	Sections 8(2), 9(2), 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26 of Schedule 16	The provisions are for sequential termination of transitional arrangements relating to lift engineers, escalator engineers, lift workers and escalator workers	It is scheduled to commence the operation of sections 8(2), 9(2), 11, 12, 13, 16, 17, 18 and 22 of Schedule 16 in January 2014; sections 14, 15, 19, 20, 21, 23, 25 and 26 of Schedule 16 in early 2018 ; and	The transitional arrangements, including the related termination timetable, have been deliberated in detail in the Bills Committee on Lifts and Escalators Bill (“the Bills Committee”).  The objectives of sequential termination of the concerned transitional arrangements are to avoid jeopardizing the	Development Bureau

Item	Year in which ordinance was enacted	Ordinance	Provisions	Main purpose of the Provisions	Expected commencement date	Reason(s) for not having come into operation	Responsible/ Instructing Bureau
					review the timetable to commence the operation of section 24 of Schedule 16 in early 2018	livelihood of the concerned practitioners, and to ensure sufficient manpower resources in the trade to provide services when the Ordinance comes into operation.	
14	2012	(14 of 2012) Competition Ordinance (Cap. 619)	The Ordinance other than the following provisions— (a) sections 1, 2, 35, 38, 40 and 59 (b) Parts 8, 9 and 10 (c) Divisions 1 and 2 of Part 12 (d) section 176 (e) Schedule 5 (f) Part 6 of Schedule 7 (g) Parts 3, 5 and 7	The objective of the Competition Ordinance (“Ordinance”) is to prohibit anti-competitive agreements and abuse of market power which has the object or effect of preventing, restricting and distorting competition in Hong Kong. The Ordinance also has a merger control regime which	With the enactment of the Ordinance, the Government is working on its phased implementation. The provisions relating to the Competition Commission (“Commission”) came into operation on 18 January 2013, while those relating to the Competition	Not applicable	Commerce and Economic Development Bureau

Item	Year in which ordinance was enacted	Ordinance	Provisions	Main purpose of the Provisions	Expected commencement date	Reason(s) for not having come into operation	Responsible/ Instructing Bureau
			and section 32 of Schedule 8	applies only to carrier licences granted under the Telecommunications Ordinance (Cap. 106).	Tribunal (“Tribunal”) came into operation on 1 August 2013. The major tasks of the Commission leading to the full commencement of the Ordinance include the preparation of regulatory guidelines and the promotion of public understanding of the		

<b>Item</b>	<b>Year in which ordinance was enacted</b>	<b>Ordinance</b>	<b>Provisions</b>	<b>Main purpose of the Provisions</b>	<b>Expected commencement date</b>	<b>Reason(s) for not having come into operation</b>	<b>Responsible/ Instructing Bureau</b>
					<p>Ordinance.</p> <p>Meanwhile, the Judiciary is also in the process of formulating Tribunal Rules relating to the operations and proceedings of the Tribunal, and making other necessary administrative arrangements to prepare for the full operation of the Tribunal.</p>		

Item	Year in which ordinance was enacted	Ordinance	Provisions	Main purpose of the Provisions	Expected commencement date	Reason(s) for not having come into operation	Responsible/ Instructing Bureau
					The Ordinance will be brought into full operation when all the relevant preparatory work in respect of the Commission and Tribunal is completed.		
15	2012	(22 of 2012) Legal Practitioners (Amendment) Ordinance 2012	The Ordinance	To allow law firms in Hong Kong to operate in the form of a limited liability partnership.	-	The Law Society is empowered under the new section 73A(3)(fa) of the Legal Practitioners Ordinance (Cap. 159) to prepare new indemnity rules relating to the “top up insurance” requirements for limited	Department of Justice

Item	Year in which ordinance was enacted	Ordinance	Provisions	Main purpose of the Provisions	Expected commencement date	Reason(s) for not having come into operation	Responsible/ Instructing Bureau
						liability partnerships. The Ordinance will be brought into operation after the Law Society has completed the proposed indemnity rules.	
16	2012	(26 of 2012) Statute Law (Miscellaneous Provisions) Ordinance 2012	Division 1 of Part 8 comes into operation on the day on which section 2 of the Legal Services Legislation (Miscellaneous Amendments) Ordinance 1997 (94 of 1997) comes into operation	The provisions provide for consequential amendments relating to legal practice entities including solicitor corporations and foreign lawyers corporations.	-	The Law Society is empowered under section 73(1)(a)(i) of the Legal Practitioners Ordinance (Cap. 159) to prepare rules relating to the establishment of solicitor corporations and foreign lawyer corporations. The Law Society is now working on the proposed Solicitor Corporation Rules in consultation with Department of Justice and	Department of Justice

Item	Year in which ordinance was enacted	Ordinance	Provisions	Main purpose of the Provisions	Expected commencement date	Reason(s) for not having come into operation	Responsible/ Instructing Bureau
						<p>other stakeholders as well as the Panel on Administration of Justice and Legal Services of the Legislative Council. The provisions will be brought into force after completion of the proposed Rules.</p>	
17	2012	(28 of 2012) Companies Ordinance (Cap. 622)	The Ordinance	The Ordinance provides a modernised legal framework for the incorporation and operation of companies in Hong Kong.	The Ordinance (save certain specified provisions) is planned for commencement in the first quarter of 2014.	<p>The Ordinance cannot be brought into operation until after the legislative process for enacting all relevant subsidiary legislation has completed.</p> <p>Assuming that the relevant legislative exercise (including enactment of the Commencement Notice for the Ordinance) will be completed by end 2013, we will bring the Ordinance into operation</p>	Financial Services and the Treasury Bureau



Item	Year in which ordinance was enacted	Ordinance	Provisions	Main purpose of the Provisions	Expected commencement date	Reason(s) for not having come into operation	Responsible/ Instructing Bureau
						in the first quarter of 2014.	
18	2013	(2 of 2013) Pilotage (Amendment) Ordinance 2013	Section 5	To add a new subsection (5) to section 10D of the Ordinance to provide that an applicant for an exemption from compulsory pilotage under section 10D(2) or (3) of the Ordinance must pay a prescribed fee to the Marine Department (MD) if an officer of the MD has visited a ship or other site for considering whether or not to grant the exemption.	On 1.12.2013	Awaiting for completion of negative vetting of the amendment to Regulation 6 of Pilotage Regulations (Cap. 84A) to stipulate the prescribed fee.	Transport and Housing Bureau

Item	Year in which ordinance was enacted	Ordinance	Provisions	Main purpose of the Provisions	Expected commencement date	Reason(s) for not having come into operation	Responsible/ Instructing Bureau
19	2013	(3 of 2013) District Councils (Amendment) Ordinance 2013	The Ordinance	The Ordinance seeks to amend the District Councils Ordinance (Cap. 547) to abolish the system of appointing members to the District Councils (“DCs”) with effect from 1.1.2016 which is the commencement date of the fifth term of office of the DCs.	On 1.1.2016	The current-term DCs with appointed members will expire on 31.12.2015. The Ordinance shall only come into operation on 1.1.2016.	Constitutional and Mainland Affairs Bureau
20	2013	(7 of 2013) Arbitration (Amendment) Ordinance 2013	Sections 3, 9(1), 18 and 22(3), (6) and (9)	To implement the Arrangement Concerning Recognition and Enforcement of Arbitral Awards between Hong Kong and Macao dated 7 January 2013.	The commencement notice for the relevant provisions will be gazetted on 11 October 2013 and tabled at the Legislative Council on 16 October 2013.	Article 13 of the Arrangement provides that the Governments of Hong Kong and Macao shall in writing notify each other of the completion of the internal procedures required to bring the Arrangement into force. Department of Justice has just	Department of Justice

<b>Item</b>	<b>Year in which ordinance was enacted</b>	<b>Ordinance</b>	<b>Provisions</b>	<b>Main purpose of the Provisions</b>	<b>Expected commencement date</b>	<b>Reason(s) for not having come into operation</b>	<b>Responsible/ Instructing Bureau</b>
					The provisions are targeted to commence on 16 December 2013 after completion of the negative vetting procedure.	received notice from the Macao side on 7 October 2013 on the completion of their internal procedures. Taking into account the time required for negative vetting of the commencement notice for the relevant provisions in Hong Kong, the two sides have agreed that the Arrangement shall enter into force on 16 December 2013.	
21	2013	(12 of 2013) Air Pollution Control (Amendment) Ordinance 2013	The Ordinance	To set out updated Air Quality Objectives, provide for their periodic review and make transitional provisions.	On 1.1.2014	Not applicable (Commencement date provided in the Ordinance)	Environmental Protection Department
22	2013	(13 of 2013) Trust Law	The Ordinance	The Ordinance seeks to bolster the	On 1.12.2013	The commencement date is set out in the	Financial Services and the

Item	Year in which ordinance was enacted	Ordinance	Provisions	Main purpose of the Provisions	Expected commencement date	Reason(s) for not having come into operation	Responsible/ Instructing Bureau
		(Amendment) Ordinance 2013		competitiveness of Hong Kong's trust services industry and attract settlers to set up trusts in Hong Kong, which will in turn enhance Hong Kong's status as an international asset management centre.		Ordinance.	Treasury Bureau
23	2013	(14 of 2013) Pesticides (Amendment) Ordinance 2013	The Ordinance	The Ordinance seeks to provide for the registration and control of pesticides and for matters connected therewith, and the implementation of the requirements of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain	On 27.1.2014	The Amendment Ordinance comes into operation 6 months after the day on which it is published in the Gazette. This will provide sufficient time for traders to adapt to the new regulatory requirements.	Food and Health Bureau

Item	Year in which ordinance was enacted	Ordinance	Provisions	Main purpose of the Provisions	Expected commencement date	Reason(s) for not having come into operation	Responsible/ Instructing Bureau
				Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention on Persistent Organic Pollutants.			

**B. Ordinances to be repealed**

Item	Year in which ordinance was enacted	Ordinance	Provisions	Main purpose of the Provisions	Reason(s) for not having come into operation	Timetable to repeal the provisions	Responsible/ Instructing Bureau
24	1962	(38 of 1962) Boilers and Pressure Vessels Ordinance (Cap. 56)	Sections 19, 20, 21, 31, 49(3) and 50(3)	The provisions seek to govern the safe use of pressurised fuel containers (commonly known as “kerosene stove”).	-	After taking into account the relevant policy considerations, Labour and Welfare Bureau considers that the provisions are no longer required and can be repealed when an opportunity arises.	Labour and Welfare Bureau
25	1995	(56 of 1995) Wills (Amendment) Ordinance 1995	Sections 8 (new Part IIA) and 10	The provisions seek to implement the “Convention Providing a Uniform Law on the Form of an	-	After taking into account the relevant policy considerations, Home Affairs Bureau considers that the provisions are no	Home Affairs Bureau

Item	Year in which ordinance was enacted	Ordinance	Provisions	Main purpose of the Provisions	Reason(s) for not having come into operation	Timetable to repeal the provisions	Responsible/ Instructing Bureau
				International Will” concluded at Washington on 26 October 1973.		longer required and will be repealed when an opportunity arises.	
26	1999	(47 of 1999) Chinese Medicine Ordinance (Cap. 549)	(a) Section 90(8), (b) Section 158(4) (other than in so far as it relates to a listed Chinese medicine practitioner) (c) Section 158(6) (in relation to a proprietary Chinese medicine which is compounded	The provisions seek to provide for the interim arrangements pending the full implementation of the mandatory registration of proprietary Chinese medicines, and Chinese medicine practitioners.	Since the relevant provisions were put in place as transitional arrangements, Food and Health Bureau considers that the provisions are no longer required and can be repealed when an opportunity arises.	-	Food and Health Bureau

Item	Year in which ordinance was enacted	Ordinance	Provisions	Main purpose of the Provisions	Reason(s) for not having come into operation	Timetable to repeal the provisions	Responsible/ Instructing Bureau
			<p>by or under the supervision of a person who continues to practise Chinese medicine by virtue of section 90(7) or which is individually prepared or compounded in accordance with a prescription given by such a person)</p> <p>(d) Section 164(a)(iii) (other than to the extent that new section 28(3)(h) of the</p>				



Item	Year in which ordinance was enacted	Ordinance	Provisions	Main purpose of the Provisions	Reason(s) for not having come into operation	Timetable to repeal the provisions	Responsible/ Instructing Bureau
			<p>Medical Registration Ordinance (Cap. 161) relates to a Chinese medicine practitioner registered or listed under the Chinese Medicine Ordinance (Cap. 549))</p> <p>(e) Section 165 (other than to the extent that new section 31 of the Medical Registration Ordinance (Cap.</p>				

Item	Year in which ordinance was enacted	Ordinance	Provisions	Main purpose of the Provisions	Reason(s) for not having come into operation	Timetable to repeal the provisions	Responsible/ Instructing Bureau
			<p>161) relates to any Chinese medicine practitioner registered or listed under the Chinese Medicine Ordinance (Cap. 549))</p> <p>(f) Section 168(a) (other than to the extent that new section 5(1)(d) of the Undesirable Medical Advertisements Ordinance (Cap. 231) relates to Chinese</p>				

Item	Year in which ordinance was enacted	Ordinance	Provisions	Main purpose of the Provisions	Reason(s) for not having come into operation	Timetable to repeal the provisions	Responsible/ Instructing Bureau
			<p>medicine practitioners registered or listed under the Chinese Medicine Ordinance (Cap. 549))</p> <p>(g) Section 170(a) (other than to the extent that new paragraph (f) of the definition of “clinic” in section 2 of the Medical Clinics Ordinance (Cap. 343) relates to a Chinese medicine</p>				

Item	Year in which ordinance was enacted	Ordinance	Provisions	Main purpose of the Provisions	Reason(s) for not having come into operation	Timetable to repeal the provisions	Responsible/ Instructing Bureau
			<p>practitioner registered or listed under the Chinese Medicine Ordinance (Cap. 549))</p> <p>(h) Section 170(b) (other than in respect of new paragraph (c) of the definition of “medical treatment” in section 2 of the Medical Clinics Ordinance (Cap. 343), and new paragraph (d) of that definition but</p>				

Item	Year in which ordinance was enacted	Ordinance	Provisions	Main purpose of the Provisions	Reason(s) for not having come into operation	Timetable to repeal the provisions	Responsible/ Instructing Bureau
			only to the extent it relates to a Chinese medicine practitioner registered or listed under the Chinese Medicine Ordinance (Cap. 549))				
27	2010	(12 of 2010) Companies (Amendment) Ordinance 2010	Part 7	The Part amends the Companies Ordinance, the Companies (Winding-up) Rules (Cap.32 sub. leg. H) and the Securities and Futures Ordinance (Cap. 571) to remove obstacles to the introduction of	We have identified and are following up other necessary amendments to the Securities and Futures Ordinance (Cap. 571), the new Companies Ordinance (Cap. 622) and the Stamp Duty Ordinance (Cap. 117) in order to	Upon the commencement of the new Companies Ordinance (Cap.622), targeted for the first quarter of 2014.	Financial Services and the Treasury Bureau

<b>Item</b>	<b>Year in which ordinance was enacted</b>	<b>Ordinance</b>	<b>Provisions</b>	<b>Main purpose of the Provisions</b>	<b>Reason(s) for not having come into operation</b>	<b>Timetable to repeal the provisions</b>	<b>Responsible/ Instructing Bureau</b>
				paperless holding and transfer of shares and debentures.	enable the introduction of an uncertificated securities regime.		

**C. Ordinances under review**

<b>Item</b>	<b>Year in which ordinance was enacted</b>	<b>Ordinance</b>	<b>Provisions</b>	<b>Main purpose of the Provisions</b>	<b>Reason(s) for not having come into operation</b>	<b>Expected commencement date</b>	<b>Responsible/ Instructing Bureau</b>
28	1975	(55 of 1975) Labour Relations Ordinance (Cap. 55)	Part V	This part seeks to empower the Chief Executive in Council to make a cooling-off period order, where necessary and when there is a clear need, when a major labour dispute is seriously affecting the welfare and livelihood of the public.	When Cap. 55 was passed in 1975, it was decided in the then Legislative Council that while Part V should be legislated, it should be brought into operation only when there was a clear and publicly recognised need to do so. As Cap. 55 has laid down certain pre-requisites for the imposition of a cooling-off period and there are yet circumstances to warrant the move, Part V of Cap. 55 has not yet been brought	-	Labour and Welfare Bureau

<b>Item</b>	<b>Year in which ordinance was enacted</b>	<b>Ordinance</b>	<b>Provisions</b>	<b>Main purpose of the Provisions</b>	<b>Reason(s) for not having come into operation</b>	<b>Expected commencement date</b>	<b>Responsible/ Instructing Bureau</b>
					into operation. Labour and Welfare Bureau will continue to keep the commencement of Part V under review.		



<b>Item</b>	<b>Year in which ordinance was enacted</b>	<b>Ordinance</b>	<b>Provisions</b>	<b>Main purpose of the Provisions</b>	<b>Reason(s) for not having come into operation</b>	<b>Expected commencement date</b>	<b>Responsible/ Instructing Bureau</b>
29	1988	(75 of 1988) Noise Control Ordinance (Cap. 400)	Sections 7, 13(1)(b) and 14(3)	The provisions are “catch-all” type of provisions complementing those noise control-related provisions already in operation, empowering the relevant authority to control noise problems caused by construction work, industrial and commercial activities and noisy products unforeseen during the making of Cap. 400.	These provisions provide the necessary reserve power for the authority to deal with unforeseen circumstances in protecting people from being affected by noise disturbance. Subsidiary legislation is required to be made to supplement the implementation of these provisions. Environment Bureau will keep the issues in view and consideration will be given to bringing these sections into operation when there are specific circumstances in which the noise problem could not be adequately addressed under the existing control.	Bringing the provision into operation would depend on the need, having regard to the control already in place.	Environment Bureau

<b>Item</b>	<b>Year in which ordinance was enacted</b>	<b>Ordinance</b>	<b>Provisions</b>	<b>Main purpose of the Provisions</b>	<b>Reason(s) for not having come into operation</b>	<b>Expected commencement date</b>	<b>Responsible/ Instructing Bureau</b>
30	1994	(105 of 1994) Sewage Services Ordinance (Cap. 463)	Section 3(5)	Section 3(5) seeks to empower the Water Authority to increase the amount of water deposit required to pay by a customer with a view to covering any charge due arising from sewage charge.	The Administration has reviewed the amount of water deposit from time to time and considered that there is presently no need to increase it in the context of covering the payment arising from sewage charge. Nevertheless, the level of water deposit will remain subject to regular review in the context of section 3(5) of the Ordinance. Environment Bureau will consider bringing the section into operation as and when the need arises.	Environment Bureau will consider bringing the section into operation as and when the need arises.	Environment Bureau

<b>Item</b>	<b>Year in which ordinance was enacted</b>	<b>Ordinance</b>	<b>Provisions</b>	<b>Main purpose of the Provisions</b>	<b>Reason(s) for not having come into operation</b>	<b>Expected commencement date</b>	<b>Responsible/ Instructing Bureau</b>
31	1995	(18 of 1995) Dumping at Sea Ordinance (Cap. 466)	Part V	Part V of Cap. 466 seeks to control marine pollution arising from maritime works activities related to dumping substances at sea.	All major maritime works that would be covered by Part V are already covered by the Environmental Impact Assessment Ordinance (EIAO) (Cap. 499) enacted in 1998. Other maritime works are also covered by relevant administrative measures. Environment Bureau will continue to monitor the situation and keep under review the need for introducing Part V.	Environment Bureau will continue to monitor the situation and keep under review the need for introducing Part V.	Environment Bureau

<b>Item</b>	<b>Year in which ordinance was enacted</b>	<b>Ordinance</b>	<b>Provisions</b>	<b>Main purpose of the Provisions</b>	<b>Reason(s) for not having come into operation</b>	<b>Expected commencement date</b>	<b>Responsible/ Instructing Bureau</b>
32	1997	(48 of 1997) Estate Agents Ordinance (Cap. 511)	Sections 36, 37 and 44 to 48 (other than for the purposes of the application of those sections to and in relation to any property in Hong Kong used wholly or primarily for human habitation)	The provisions seek to provide for the regulation of the day-to-day practices of licensed estate agents in respect of property transactions.	<p>When the legislative proposal was introduced into the Legislative Council, the Administration made clear that the licensing and regulatory system would be introduced in a gradual and planned manner. In line with the policy intention, Estate Agents Ordinance was brought into operation in stages.</p> <p>Regulatory work on the estate agency practices for residential properties, in particular for uncompleted first-hand residential properties, is the area of</p>	-	Transport and Housing Bureau

Item	Year in which ordinance was enacted	Ordinance	Provisions	Main purpose of the Provisions	Reason(s) for not having come into operation	Expected commencement date	Responsible/ Instructing Bureau
					<p>primary concern to the public. Priority has therefore been given to regulation of estate agent practices in residential property transactions.</p> <p>Transport and Housing Bureau does not have a definite timetable on extending the provisions to cover local non-residential properties and non-local properties, and will continue to keep in view the issue.</p>		
33	1997	(82 of 1997) Nurses	Section 5 to 8, 10 to 12, 14 to 19 and 24	The provisions seek to provide the Nursing	Subsidiary legislation is required to be made to	Food and Health Bureau is	Food and Health Bureau

<b>Item</b>	<b>Year in which ordinance was enacted</b>	<b>Ordinance</b>	<b>Provisions</b>	<b>Main purpose of the Provisions</b>	<b>Reason(s) for not having come into operation</b>	<b>Expected commencement date</b>	<b>Responsible/ Instructing Bureau</b>
		Registration (Amendment) Ordinance 1997		Council with additional powers relating to the registration and enrolment of nurses, and the better control of nursing.	supplement the implementation of the amended provisions. In addition, some additional amendments to the Nursing Registration Ordinance (Cap. 164) are also required in relation to the enabling provisions of Cap. 164 to make the relevant subsidiary legislation effective. Food and Health Bureau is now considering how to take forward the legislative exercise in the light of the current overall review of the professional statutory bodies in the health sector.	conducting a strategic review on healthcare manpower planning and professional development which covers, among other things, the future development of the nursing profession and for that matter the related legislation. We will take forward the legislative exercise as appropriate upon	

Item	Year in which ordinance was enacted	Ordinance	Provisions	Main purpose of the Provisions	Reason(s) for not having come into operation	Expected commencement date	Responsible/ Instructing Bureau
						completion of the review.	
34	1997	(87 of 1997) Mutual Legal Assistance in Criminal Matters Ordinance (Cap. 525)	Sections 3, 11 and 15 of Schedule 3	The provisions seek to repeal those provisions on the enforcement of external confiscation orders related to drug trafficking, including those in the Drug Trafficking (Recovering of Proceeds) Ordinance (Cap. 405).	Cap. 525 does not apply to the provision or obtaining of assistance in criminal matters between Hong Kong and any other part of the Mainland. The relevant provisions in Cap. 405 are the only legal means to enforce external confiscation orders for drug cases issued by the Mainland authorities. Before a mutual legal assistance agreement could be concluded with the Mainland, repealing the	-	Security Bureau

Item	Year in which ordinance was enacted	Ordinance	Provisions	Main purpose of the Provisions	Reason(s) for not having come into operation	Expected commencement date	Responsible/ Instructing Bureau
					relevant provisions in Cap. 405 by bringing into operation the provisions of Cap. 525 will render HKSARG unable to enforce an external confiscation order issued by a Mainland authority and will increase the risk of drug money flowing into Hong Kong. Security Bureau will continue to keep the provisions under review.		
35	1997	(89 of 1997) Crimes (Amendment) (No. 2) Ordinance 1997	The Ordinance	Apart from the adaptation and technical amendments, the Ordinance 1997 makes two substantive	The Crimes (Amendment) (No. 2) Ordinance 1997 deals with treason and sedition, but does not address secession and	-	Security Bureau



Item	Year in which ordinance was enacted	Ordinance	Provisions	Main purpose of the Provisions	Reason(s) for not having come into operation	Expected commencement date	Responsible/ Instructing Bureau
				<p>changes to the Crimes Ordinance :</p> <p>(a) deletion of treasonable offences, but leaving intact the offence of treason; and</p> <p>(b) qualifying the offence of sedition by including the element of “intention of causing violence of creating public disorder or a public disturbance”.</p>	<p>subversion as required under Article 23 of the Basic Law (BL23). Offences under the Crimes (Amendment) (No. 2) Ordinance 1997 should preferably be dealt with in the context of BL23 legislation, although there is no specific timetable for the latter.</p>		
36	2000	(47 of 2000) Human Reproductive Technology	Section 33(4)(a)	Section 33(4) provides that an adult may enquire with the Council of Human Reproductive	Food and Health Bureau and the Council on Human Reproductive Technology consider that no additional information other than	-	Food and Health Bureau

<b>Item</b>	<b>Year in which ordinance was enacted</b>	<b>Ordinance</b>	<b>Provisions</b>	<b>Main purpose of the Provisions</b>	<b>Reason(s) for not having come into operation</b>	<b>Expected commencement date</b>	<b>Responsible/ Instructing Bureau</b>
		Ordinance (Cap. 561)		Technology (the Council) whether he was born out of reproductive technology procedures through donated gametes. Section 33(4)(a) provides that, apart from the information already prescribed in the Ordinance, the Secretary for Food and Health may also prescribe by regulations other information concerning the gamete donors that the adult may ask from the Council.	those already prescribed by the Ordinance is required at this stage because it takes 16 years for a person who was born out of reproductive technology procedures through donated gametes to become an adult and, thus, can make request for information. Food and Health Bureau will consider if any regulation has to be made at a later stage as and when changes in societal circumstances warrants it.		

<b>Item</b>	<b>Year in which ordinance was enacted</b>	<b>Ordinance</b>	<b>Provisions</b>	<b>Main purpose of the Provisions</b>	<b>Reason(s) for not having come into operation</b>	<b>Expected commencement date</b>	<b>Responsible/ Instructing Bureau</b>
37	2000	(56 of 2000) Adaptation of Laws (No. 9) Ordinance 2000	Sections 9 and 10 of Schedule 1	The provisions seek to replace “Governor” and “Governor in Council” with “Chief Executive” and “Chief Executive in Council” respectively in sections 35 and 36 of the Labour Relations Ordinance (Cap. 55).	The provisions will be brought into operation when sections 35 and 36 of Cap. 55 commence (see item 28 above).	-	Labour and Welfare Bureau
38	2002	(4 of 2002) Dangerous Goods (Amendment) Ordinance 2002	The Ordinance	The Ordinance seeks to improve the regulatory framework of dangerous goods and bring it in line with	The Legislative Council passed two pieces of subsidiary legislation under the Ordinance in 2012 including the Dangerous	Dependent on progress of the review of the relevant subsidiary	Security Bureau

Item	Year in which ordinance was enacted	Ordinance	Provisions	Main purpose of the Provisions	Reason(s) for not having come into operation	Expected commencement date	Responsible/ Instructing Bureau
				commonly adopted international standards.	Goods (Application and Exemption) Regulation 2012 and Dangerous Goods (Shipping) Regulation 2012. The two other pieces of subsidiary legislation are still under review and subject to further drafting. The Ordinance could only come into operation upon the passage of all relevant subsidiary legislation.	legislation.	
39	2004	(26 of 2004) Land Titles Ordinance (Cap. 585)	The Ordinance	The Ordinance seeks to introduce a system for registration of title to land in place of the deeds registration	Consultation with major stakeholders is still underway. The consultation is related to various changes to the	Dependent on progress of the consultation and enactment of amending	Development Bureau

<b>Item</b>	<b>Year in which ordinance was enacted</b>	<b>Ordinance</b>	<b>Provisions</b>	<b>Main purpose of the Provisions</b>	<b>Reason(s) for not having come into operation</b>	<b>Expected commencement date</b>	<b>Responsible/ Instructing Bureau</b>
				system now operating under the Land Registration Ordinance (Cap 128).	rectification, indemnity and conversion arrangements stipulated in existing provisions of the Ordinance for the new title registration system.	legislation to give effect to the necessary changes to the new system.	

- End -