

Ordinances/provisions of ordinances enacted in 2019 or before but not yet in operation

A. Ordinances to be brought into operation or under review

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 (if applicable)	Responsible/ Instructing Bureau
1.	1975	(55 of 1975) Labour Relations Ordinance (Cap. 55)	Part V (sections 35 to 37)	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 the Labour Relations Ordinance (Cap. 55) was passed in 1975, it was decided in the then-Legislative Council (LegCo) 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 prerequisites 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 into operation. The Labour and Welfare Bureau (LWB) will continue to keep the commencement of Part V under review.	LWB
2.	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	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. The Environment Bureau (ENB) 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.	ENB

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 (if applicable)	Responsible/ Instructing Bureau
				and noisy products unforeseen during the making of Cap. 400.		
3.	1994	(105 of 1994) Sewage Services Ordinance (Cap. 463)	Section 3(5)	This provision 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 Government 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. ENB will consider bringing the section into operation as and when the need arises.	ENB
4.	1995	(18 of 1995) Dumping at Sea Ordinance (Cap. 466)	Part V	This part 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 (Cap. 499) enacted in 1998. Other maritime works are also covered by relevant administrative measures. ENB will continue to monitor the situation and keep under review the need for introducing Part V.	ENB
5.	1995	(81 of 1995) Personal Data (Privacy) Ordinance (Cap. 486)	Section 33	This provision prohibits the transfer of personal data to places outside Hong Kong unless one of a number of specified conditions is met. The purpose of the cross-border transfer restriction is to	As the commencement of section 33 would have significant implications on the transfer of personal data to places outside Hong Kong, the Constitutional and Mainland Affairs Bureau (CMAB) commissioned a consultant to conduct a business impact assessment to study the compliance measures that data users would have to adopt in order to fulfil the requirements under section 33. After the completion of the business impact assessment, the Office of the Privacy	CMAB

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 (if applicable)	Responsible/ Instructing Bureau
				ensure that the transferred personal data will be afforded a level of protection comparable to that under the Ordinance.	Commissioner for Personal Data (PCPD) is further studying the consultancy report on the issues regarding the implementation of section 33. The Government will formulate the way forward in the light of the results of PCPD's study.	
6.	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 LegCo, the Government stated that the licensing and regulatory system would be introduced in a gradual and planned manner. In line with the policy intention, the Estate Agents Ordinance (Cap. 511) was brought into operation in stages.</p> <p>Regulatory work on the estate agency practices for local residential properties, in particular uncompleted first-hand residential properties, is the area of primary concern to the public. Priority has therefore been given to regulation of estate agent practices in local residential property transactions.</p> <p>While there is no definite timetable on extending the provisions to cover local non-residential properties and non-local properties, the Transport and Housing Bureau (THB) will continue to monitor and review the situation taking into account any latest developments.</p>	THB
7.	1997	(82 of 1997) Nurses Registration	Sections 5 to 8, 10 to 12, 14 to 19 and 24	The provisions seek to provide the Nursing Council of Hong Kong with additional powers	Subsidiary legislation is required to be made to supplement the implementation of the amended provisions. Some additional amendments to the Nurses Registration Ordinance (Cap. 164) are also	FHB

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 (if applicable)	Responsible/ Instructing Bureau
		(Amendment) Ordinance 1997		relating to the registration and enrolment of nurses, and the better control of the nursing profession.	required in relation to the enabling provisions therein to make the relevant subsidiary legislation effective. In 2017, Food and Health Bureau (FHB) published the report on the strategic review on healthcare manpower planning and professional development. Ten recommendations have been made by the review, which cover, among other things, the future development of the nursing profession. As the implementation of the recommendations in the review may also necessitate amendments to Cap. 164, it is FHB's plan to have a holistic review of Cap. 164 in one go.	
8.	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).	Relevant provisions in the Drug Trafficking (Recovering of Proceeds) Ordinance (Cap. 405) provide specific legal basis for execution of external confiscation orders related to drug trafficking. It is necessary to keep the relevant provisions in Cap. 405 at this stage to allow the HKSAR Government to enforce drug trafficking-related external confiscation orders issued by jurisdictions outside Hong Kong including other parts of China. The Security Bureau (SB) will continue to keep the relevant mechanism under review as appropriate.	SB
9.	1997	(89 of 1997) Crimes (Amendment)	The Ordinance	Apart from the adaptation and technical amendments, the Ordinance 1997	The Crimes (Amendment) (No. 2) Ordinance 1997 intended to deal with treason and sedition, but did not address other acts endangering national security	SB

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 (if applicable)	Responsible/ Instructing Bureau
		(No. 2) Ordinance 1997		<p>makes two substantive 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>prescribed in Article 23 of the Basic Law (BL23).</p> <p>Offences under the Crimes (Amendment) (No. 2) Ordinance 1997 should be dealt with in the holistic context of BL23 legislation.</p>	
10.	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	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. Section 73(2) of Cap. 159 requires that every rule made by the Council of the Law Society under Cap. 159 shall be subject to the prior approval of the Chief Justice (CJ) of the Court of Final Appeal	DoJ

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 (if applicable)	Responsible/ Instructing Bureau
				corporations as legal practice entities.	(CFA). The Law Society is now working on the proposed Solicitor Corporation Rules and Foreign Lawyers Corporation Rules (the Rules) and the consequential amendments to various pieces of subsidiary legislation under Cap. 159 in consultation with the Department of Justice (DoJ) and other stakeholders. The provisions will be brought into force in accordance with the relevant legislative procedures after The Law Society's completion of the Rules and the consequential amendments to Cap. 159, as well as obtaining the final approval by the CJ of the CFA. The implementation date wholly depends on The Law Society's progress in completing the relevant law drafting, as well as the timing of obtaining final approval of the relevant Rules from the CJ of the CFA.	
11.	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 (Cap. 190) which deal with privileges and immunities notifications in respect of international organisations.	The International Organizations (Privileges and Immunities) Ordinance (Cap. 558) was introduced to provide a framework to give effect in Hong Kong to the privileges and immunities conferred upon international organisations by international agreements. It seeks to gradually replace the relevant sections of Cap. 190. As and when the Central People's Government or the Hong Kong Special Administrative Region Government (HKSAR 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 notifications in Cap. 190 will be repealed.	Administration Wing

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 (if applicable)	Responsible/ Instructing Bureau
12.	2000	(47 of 2000) Human Reproductive Technology Ordinance (Cap. 561)	Section 33(4)(a)	Section 33(4) provides that an adult may enquire with the Council of Human Reproductive Technology (the Council) whether he/she 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.	The first eligible data access request under section 33(4) of the Human Reproductive Technology Ordinance (i.e. when a person who was born out of reproductive technology procedures through donated gametes attains the age of 16) may only emerge in August 2025 the earliest. FHB and the Council on Human Reproductive Technology would kickstart the process of formulating the relevant data access guidelines in due course and consider if any regulation has to be made.	FHB
13.	2000	(56 of 2000) Adaptation of Laws (No. 9)	Sections 9 and 10 of Schedule 1	The provisions seek to replace “Governor” and “Governor in Council” with “Chief	The provisions will be brought into operation when sections 35 and 36 of the Labour Relations Ordinance (Cap. 55) commence (see item 1 above).	LWB

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 (if applicable)	Responsible/ Instructing Bureau
		Ordinance 2000		Executive” and “Chief Executive in Council” respectively in sections 35 and 36 of the Labour Relations Ordinance (Cap. 55).		
14.	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 indicated that there are still some technical and administrative details to be resolved before the mandatory course in practice management could be brought into operation. The Government would decide on the commencement date of section 2 once those issues are settled.</p> <p>Section 3 will come into operation when section 4 of the Legal Services Legislation (Miscellaneous Amendments) Ordinance 1997 commences (see item 10 above).</p>	DoJ
15.	2004	(26 of 2004)	The Ordinance	The Ordinance seeks to	Key stakeholders have yet to reach consensus on the	Development

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 (if applicable)	Responsible/ Instructing Bureau
		Land Titles Ordinance (Cap. 585)		introduce a system for registration of title to land in place of the deeds registration system now operating under the Land Registration Ordinance (Cap. 128).	mechanism for converting existing land from deeds registration system to title registration system. To enable early implementation of title registration system in Hong Kong, it is suggested to implement title registration on newly granted land first (viz. "new land first" proposal). In-principle support has been obtained from all key stakeholders on the proposal. The Government will take forward the preparatory work for the major proposed legislative amendments required for the "new land first" proposal, with a view to consulting the Panel on Development of the LegCo on the proposal in Q3 2022.	Bureau (DEVB)
16.	2011	(13 of 2011) Legislation Publication Ordinance (Cap. 614)	Sections 27 and 28	The provisions seek to repeal the Laws (Loose-leaf Publication) Ordinance 1990 and the Revised Edition of the Laws Ordinance 1965 respectively.	DoJ is progressively publishing verified copies of legislation on Hong Kong e-Legislation (HKeL). In parallel, the printed Loose-leaf Edition is being phased out. DoJ will review the repeal arrangement after we have completed the verification programme.	DoJ

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 (if applicable)	Responsible/ Instructing Bureau
17.	2012	(8 of 2012) Lifts and Escalators Ordinance (Cap. 618)	Section 24 of Schedule 16	The provision seeks to substitute the transitional qualification requirements under section 1 of both Parts 1 and 4 of Schedule 9 for registration as lift engineers and escalator engineers with a new provision with the higher qualification requirements for registration as lift engineers and escalator engineers respectively.	The trade is not ready and there is yet any candidate seeking registration as lift engineers or escalator engineers with the higher qualifications of registered professional engineer. The Government has been liaising with the Hong Kong Institution of Engineers to facilitate trade practitioners to acquire professional status for the higher registration qualification requirements under the Lifts and Escalators Ordinance (Cap. 618), making it possible to activate the remaining non-commenced provision, viz. section 24 of Schedule 16 to Cap. 618. Subject to a review to be conducted in end 2022 and the result of the consultation with the trade, the Government plans to report to the Panel on Development of the LegCo in 2023 for starting of the process for commencement of the remaining non-commenced provision in end 2027.	DEVB
18.	2012	(26 of 2012) Statute Law (Miscellaneous Provisions) Ordinance 2012	Division 1 of Part 8	The provisions contain amendments relating to legal practice entities under the Legal Practitioners Ordinance (Cap. 159) and are required to be made so as to enable the relevant provisions of the Legal Services Legislation (Miscellaneous Amendments) Ordinance 1997 (94 of 1997) to be brought	The Legal Services Legislation (Miscellaneous Amendments) Ordinance 1997 (94 of 1997) (the 1997 Ordinance) allows solicitors and foreign lawyers to incorporate their practices as solicitor corporations and foreign lawyer corporations respectively. Statute Law (Miscellaneous Provisions) Ordinance (SL(MP)O) enacted in July 2012 makes various amendments to bring the relevant provisions relating to solicitor corporations up to date. For the reasons as specified in item 10 above, the relevant provisions under the 1997 Ordinance have not yet been brought into force. Pursuant to section 1(3) of the SL(MP)O, Division 1 of Part 8 of the SL(MP)O will come into operation on the day on which section 2 of	DoJ

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 (if applicable)	Responsible/ Instructing Bureau
				into operation.	the 1997 Ordinance comes into force (see item 10 above).	
19.	2014	(6 of 2014) Securities and Futures (Amendment) Ordinance 2014	(a) Section 9 in so far as it relates to section 101A on the definitions of – (i) “deregistration”; (ii) “designated trading platform”; (iii) “notification”; (iv) “notification level”; (v) “notification requirement”; (vi) “notification rules”; (vii) paragraph (b) of “prescribed manner”; (viii) paragraph (c) of “prescribed person”; (ix) “registered Systemically Important	The provisions mainly provide for – (i) the trading obligation; (ii) the regulation of SIP; (iii) the introduction and transitional provisions for new and expanded regulated activities; (iv) the expansion of the definition of “Automated Trading Services” (trading limb); and (v) the expansion of insolvency override (by expanding the definition of “market contract”).	In line with the international trend, the OTC derivatives regulatory regime is being implemented in Hong Kong in phases. The respective reasons for specific provisions not having come into operation (as categorised by the main purpose of the provisions) are set out below – (i) The relevant provisions will come into operation when the trading obligation is implemented. At present, the Hong Kong Monetary Authority (HKMA) and the Securities and Futures Commission (SFC) are considering the implementation details of the obligation, including how best to implement the obligation. The implementation timetable is still under review. (ii) The relevant provisions will come into operation when the SIP regime is implemented. The implementation timetable is still under review. (iii) The relevant transitional provisions will come into operation when the new and expanded regulated activities are introduced. The SFC has consulted the public on further refinement to the new and expanded regulated activities as well as relevant codes, guidelines and rules amendments to support the regime for the new and expanded regulated activities. The relevant Bill encompassing these	Financial Services and the Treasury Bureau (FSTB)

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 (if applicable)	Responsible/ Instructing Bureau
			<p>Participants (SIP”;</p> <p>(x) “SIP register”;</p> <p>(xi) “specific class”;</p> <p>(xii) paragraph (c) of “specified over-the-counter (OTC) derivative transaction”;</p> <p>(xiii) “SIP”;</p> <p>(xiv) “trading obligation”;</p> <p>and</p> <p>(xv) “trading rules”;</p> <p>as well as sections 101D, 101K, 101O and 101R to 101Z;</p> <p>(b) Section 10;</p> <p>(c) Section 12(1);</p> <p>(d) Sections 18(2) to 18(4); 18(5) in so far as it relates to section 182(1)(db); and 18(6) except in so far as it relates to</p>		<p>amendments was passed in June 2021. To deal with the operational and technical matters relating to the OTC licensing regime, further amendments to subsidiary legislation are necessary before the regime can be implemented.</p> <p>(iv) The relevant provisions will come into operation when the trading obligation is implemented. Please see (i) above.</p> <p>(v) Implementation details to be determined after the SFC’s further consultation on the issue of insolvency override for authorized automated trading services providers and study on similar treatments in other jurisdictions.</p>	

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 (if applicable)	Responsible/ Instructing Bureau
			<p>the new section 182(1)(db);</p> <p>(e) Section 27(2) in so far as it relates to the definition of paragraph (a) of “disciplinary power”;</p> <p>(f) Section 29;</p> <p>(g) Sections 31(2) to 31(4);</p> <p>(h) Sections 32(1) to 32(5);</p> <p>(i) Sections 34(2) and 34(4), as well as 34(5) in so far as section 101Y is concerned;</p> <p>(j) Sections 49 to 51;</p> <p>(k) Section 52(2) in so far as it relates to paragraph (c) of the definition of “market contract”, Section 52(3) in so far as it relates to the definitions of –</p>			

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 (if applicable)	Responsible/ Instructing Bureau
			<p>(i) “advising on OTC derivative products”;</p> <p>(ii) “dealing in OTC derivative products”;</p> <p>(iii) “providing client clearing services for OTC derivative transactions”;</p> <p>(iv) “registered SIP”;</p> <p>(v) “SIP register”;</p> <p>and</p> <p>(vi) “trading obligation”;</p> <p>as well as section 52(5);</p> <p>(l) Sections 53(2)(in so far as it relates to Type 11), 53(3), 53(5), 53(8), 53(15), 53(16), 53(20), and 53(21) in so far as it relates to paragraph (xia), certain parts under</p>			

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 (if applicable)	Responsible/ Instructing Bureau
			<p>sections 53(22) and 53(23);</p> <p>(m) Sections 54(1) in so far as it relates to items 4G to 4M; 54(3); and 54(5) in so far as it relates to items 2C to 2F; and</p> <p>(n) Section 55.</p>			
20.	2015	(15 of 2015) Electronic Health Record Sharing System Ordinance (Cap. 625)	<p>Section 3(3)(e); Section 3(5)(g); Section 3(5)(h); Division 4 of Part 2; Section 29; Divisions 2 and 3 of Part 3; Section 46; Section 49(1)(g); Division 2 of Part 6; and Section 58(c).</p>	The relevant provisions provide for the use of the sharing restriction feature of the Electronic Health Record Sharing System (eHRSS) and the use of electronic health records (eHRs) for research and statistics purposes.	<p>Sharing restriction is one of the features being developed under the five-year (2017-22) Stage Two Development of eHRSS. Subject to stakeholders' further views, we expect it can be launched in around 2022. The provisions on sharing restrictions are expected to come into operation in 2022 the earliest.</p> <p>The research and statistics function under the eHRSS is meant to provide health data from both the public and private sectors for researchers' use. The eHRSS is still in its initial years of operation and we expect some time is needed to build up a critical mass of data (especially those from the private sector) that will be meaningful for research and statistical purposes.</p>	FHB
21.	2016	(13 of 2016) Promotion of Recycling and	The Ordinance	An Ordinance to amend the Product Eco-responsibility Ordinance to provide	The Government has completed the drafting of the subsidiary legislation for the PRS. However, due to the social events in 2019 and the outbreak of COVID-19 pandemic since early 2020, the introduction of the	ENB

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 (if applicable)	Responsible/ Instructing Bureau
		Proper Disposal (Product Container) (Amendment) Ordinance 2016		for the collection of a recycling levy on the containers of certain products; to amend the Waste Disposal Ordinance to regulate the disposal of such containers; and to provide for related matters, with a view to providing a regulatory framework for the producer responsibility scheme (PRS) on glass beverage containers.	subsidiary legislation has been put on hold. With the epidemic situation stabilized and the economic activities gradually recovering in an orderly manner, we plan to submit the subsidiary legislation to LegCo within this legislative year with a view to commencing the Ordinance and the PRS fully in 2023 the earliest. Some provisions of the Ordinance will commence first after the passage of the subsidiary legislation in 2023 for starting the preparation of the PRS.	
22.	2016	(23 of 2016) Financial Institutions (Resolution) Ordinance (Cap. 628)	Part 8 (sections 144 to 148)	This part relates to the clawback of remuneration including the application to the Court of First Instance (CFI) for a clawback order applied by a resolution authority pursuant to section 145 against an officer of a within scope financial institution of which a resolution has been initiated.	This part should come into operation after CJ has made rules pursuant to section 145(8), regulating the practice and procedure of the Court in connection with applications made under section 145.	FSTB

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 (if applicable)	Responsible/ Instructing Bureau
			Section 192	This section relates to the requirement of notifying the resolution authority of the intention to present a winding up petition of a within scope financial institution of the Ordinance or its holding company to the CFI.	This section should come into operation after CJ has made rules, pursuant to section 192(3), regulating the practice and procedure of the Court for giving effect to section 192(1) in relation to the presentation of a winding up petition.	
23.	2017	(1 of 2017) Fire Services (Amendment) Ordinance 2017	The Ordinance	The Ordinance seeks to empower the Chief Executive in Council to make regulations for a scheme for fire safety risk assessment, and certification on compliance with fire safety requirements, by registered fire engineers for certain premises and for regulating registered fire engineers.	There are some key issues to be resolved in drafting the new regulation for the Registered Fire Engineer (RFE) Scheme (including conflict of interests, need of the Fire Services Department (FSD) to endorse fire safety requirements formulated by RFEs, etc). The FSD is studying the relevant experiences in other countries in order to solve these issues.	SB
24.	2017	(6 of 2017) Arbitration and Mediation	(a) Section 3, in so far as it relates to the application of Divisions 3 and 5	The provisions seek to amend the Mediation Ordinance (Cap. 620) to ensure that third	DoJ is in continuous discussion with the relevant stakeholders on the issues in relation to third party funding of mediation. The commencement of the	DoJ

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 (if applicable)	Responsible/ Instructing Bureau
		Legislation (Third Party Funding) (Amendment) Ordinance 2017	of the new Part 10A in relation to a mediation mentioned in section 7A of the Mediation Ordinance (Cap. 620); and (b) Section 4, in so far as it relates to the new section 7A(c) and (d)	party funding of mediation is not prohibited by the common law doctrines of maintenance and champerty; and to provide for related measures and safeguards.	relevant provisions is to be confirmed.	
25.	2018	(34 of 2018) Private Healthcare Facilities Ordinance (Cap. 633)	The Ordinance except the following provisions – (a) Part 1; (b) Section 10(1) (in so far as it relates to a private healthcare facility that is a hospital and a day procedure centre) and (3) ¹ ; (c) Section 11;	The provisions to be brought into operation concern the regulatory regimes for clinics and health services establishments, as well as related matters such as penalty etc.	As stated by the Government to the LegCo during the legislative process, the Department of Health (DH) will be implementing the Ordinance in phases based on the types of private healthcare facilities (including hospitals, day procedure centres (DPCs), clinics and health services establishments) and their risk levels. For private healthcare facilities with higher risks, the licences for all private hospitals and the first batch of licences for DPCs have taken effect on 1 January 2021 and the penalty provisions regarding operation of DPCs without licences will commence on 30 June 2022. For the commencement notice of the latter, the relevant LegCo brief issued by the FHB in	FHB

¹ Section 10(1) and (3)(a) of the Ordinance came into operation on 1 January 2021 in so far as it relates to a private healthcare facility that is a hospital; whereas section 10(1) and (3)(b) will come into operation on 30 June 2022 in so far as it relates to a private healthcare facility that is a day procedure centre.

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 (if applicable)	Responsible/ Instructing Bureau
			<p>(d) Sections 13(1), (2)(a) and (b), (3)(a) and (b), 14(1) and (3), 15, 16, 17 (except subsection (2)(c)), 18 and 19(1) and (2);</p> <p>(e) Divisions 2, 3, 4, 5 (except section 32(2)(b)), 6 and 7 of Part 3;</p> <p>(f) Divisions 1, 2 (except sections 50 and 53(2), (4)(b) and (c) and (5)), 3 (except sections 56(2) and 57(5)(a)) and 4 of Part 5;</p> <p>(g) sections 64 and 65 (in so far as it relates to a private healthcare</p>		<p>August 2021 specifies that, taking into account the current manpower situation of DH, particularly the need for redeploying staff for COVID-19 related duties, it is expected that the applications for clinic licences and request for letters of exemption would commence in 2023 the earliest.</p>	

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 (if applicable)	Responsible/ Instructing Bureau
			<p>facility that is a hospital and a day procedure centre);</p> <p>(h) Division 6 of Part 5 (except sections 66(2)(a), 67(2)(a) and 68(1)(b) and (c));</p> <p>(i) Part 6 (in so far as it relates to a private healthcare facility that is a hospital and a day procedure centre);</p> <p>(j) Part 7 (except section 92);</p> <p>(k) Part 8 (except sections 107(1)(b) and (3)(b));</p> <p>(l) Divisions 1, 2 and 3 of Part 9;</p>			

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 (if applicable)	Responsible/ Instructing Bureau
			<p>(m) Sections 135, 137 (in so far as it relates to a provisional day procedure centre licence) and 139;</p> <p>(n) Part 10;</p> <p>(o) Part 11;</p> <p>(p) Division 1 of Part 12;</p> <p>(q) Divisions 1, 2, 3 and 4 of Part 13;</p> <p>(r) Section 159 (except subsection (2));</p> <p>(s) Division 8 of Part 13;</p> <p>(t) Sections 162 and 163(1);</p> <p>(u) Divisions 10, 11, 12 and 13 of Part 13;</p> <p>(v) Sections 175(1) and (2), 176(1), (2) and (3) (in so far as it relates to items 8 and 9),</p>			

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 (if applicable)	Responsible/ Instructing Bureau
			<p>177(1), (2), (3), (4) and (5) (in so far as it relates to items 5 and 6), 178(1), (2), (3), (4) and (5) (in so far as it relates to items 8 and 9) and 179(1), (2), (3), (4) and (5) (in so far as it relates to items 7 and 8);</p> <p>(w) Divisions 19, 20, 21, 23, 24 and 26 of Part 13;</p> <p>(x) Sections 189 (except subsection (3)) and 190(2);</p> <p>(y) Divisions 29, 30 and 31 of Part 13;</p> <p>(z) Section 196(1);</p> <p>(za) Schedules 1, 2, 3, 4, 5, 6, 7, 9 and 10</p>			

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
26.	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, LWB considers that the provisions are no longer required.	The provisions can be repealed when an opportunity arises.	LWB
27.	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 International Will” concluded at Washington on 26 October 1973.	After taking into account the relevant policy considerations, the Home Affairs Bureau (HAB) considers that the provisions are no longer required.	The provisions can be repealed when an opportunity arises.	HAB
28.	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	The provisions seek to provide for the interim arrangements pending the full implementation of the mandatory registration of Chinese medicine practitioners.	Since the relevant provisions were put in place as transitional arrangements, FHB considers that the provisions are no longer required.	The provisions can be repealed when an opportunity arises.	FHB

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>which is compounded 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 Medical Registration Ordinance (Cap. 161) relates to a Chinese medicine practitioner registered or listed under Cap. 549)</p> <p>(e) Section 165 (other</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>than to the extent that new section 31 of Cap. 161 relates to any Chinese medicine practitioner registered or listed under 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 medicine practitioners registered or listed under 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</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>to a Chinese medicine practitioner registered or listed under 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 Cap. 343, and new paragraph (d) of that definition but only to the extent it relates to a Chinese medicine practitioner registered or listed under Cap. 549)</p>				
29.	2007	(15 of 2007) Copyright (Amendment) Ordinance 2007	<p>(a) Section 6(1) (insofar as it relates to the new section 25(1)(e) and (f), (2) and (4)</p> <p>(b) Section 47(2)</p>	To add a new exclusive rental right for comic books.	The provisions are considered by the comic book industry to be outdated and no longer required.	CEDB proposes to repeal the provisions through the amendment bill to update the Copyright Ordinance (Cap. 528), which is targeted to be introduced into the LegCo in	CEDB

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
			(insofar as it relates to paragraphs (e) and (f) of the new definition of rental right in section 198(1)) (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 (insofar as it relates to the new section 25(1)(e) and (f))		After taking into account the response from the industry and the relevant policy considerations, the Commence and Economic Development Bureau (CEDB) considers that the provisions are no longer required.	June 2022.	
30.	2012	(28 of 2012) Companies Ordinance (Cap. 622)	(a) In Part 2:- (i) Section 27(3), (4), (5) and (6) insofar as it relates to a director or reserve director;	<u>Provision (b)</u> The provisions seek to take forward the uncertificated securities market (USM) initiative by allowing for uncertificated	<u>Provision (a)</u> These provisions have been replaced by new provisions introduced during last year's legislative exercise for the implementation of	<u>Provision (a)</u> The provisions will be considered for repeal at an appropriate juncture. <u>Provision (b)</u> The provisions will be	FSTB

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>and</p> <p>(ii) Sections 47, 49, 50, 51 and 52 and Subdivision 2 of Division 7 Section 54(1)(a)(ii)</p> <p>(b) Section 908 & Schedule 8</p>	<p>securities under the Companies Ordinance (Cap. 622).</p>	<p>the enacted but non-commenced new inspection regime of the Companies Register under the Companies Ordinance (Cap. 622).</p> <p><u>Provision (b)</u></p> <p>The operational model for implementing the USM regime has been revised having considered the latest market feedback. The Securities and Futures and Companies Legislation (Amendment) Ordinance 2021 was enacted by the LegCo in June 2021 to provide the legal framework for the implementation of the USM regime and repeal Section 908 & Schedule 8 of Cap. 622.</p>	<p>repealed when the Securities and Futures and Companies Legislation (Amendment) Ordinance 2021 commences operation to implement the unscripted securities market.</p>	
31.	2015	(5 of 2015) Securities and Futures and Companies	<p>(a) Sections 2(2) and (3);</p> <p>(b) Part 2 (Except section 17(7));</p>	<p>The Ordinance seeks to facilitate the establishment and implementation of an USM regime in Hong</p>	<p>The operational model for implementing the USM regime has been further revised having considered the latest</p>	<p>The non-commenced provisions of the 2015 Ordinance will be repealed when the Securities and Futures and Companies</p>	FSTB

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
		Legislation (Uncertificated Securities Market Amendment) Ordinance 2015 (2015 Ordinance)	(c) Part 3; and (d) Part 4	Kong.	market feedback further to the enactment of the 2015 Ordinance. The Securities and Futures and Companies Legislation (Amendment) Ordinance 2021 was enacted by the LegCo in June 2021 to provide the legal framework for the implementation of the USM regime under the revised operational model and to repeal the non-commenced provisions of the 2015 Ordinance.	Legislation (Amendment) Ordinance 2021 commences operation to implement the unscripted securities market.	
32.	2016	(14 of 2016) Companies (Winding Up and Miscellaneous Provisions) (Amendment) Ordinance 2016	Division 7 of Part 8 (sections 190-192)	Division 7 of Part 8 (sections 190-192) are technical provisions designed for use only in the scenario where the relevant provisions of the Insurance Companies (Amendment) Ordinance (12 of 2015) (IC(A)O) would be brought into operation	As the Companies (Winding Up and Miscellaneous Provisions) (Amendment) Ordinance 2016 (14 of 2016) commenced before the relevant provisions of the IC(A)O, the provisions in Division 7 of Part 8 need not come into	The provisions can be repealed when an opportunity arises.	FSTB

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
				before the commencement of the Companies (Winding Up and Miscellaneous Provisions) (Amendment) Ordinance 2016.	operation.		
33.	2016	(23 of 2016) Financial Institutions (Resolution) Ordinance (FIRO) (Cap. 628)	Division 10 of Part 15 (sections 228 to 232)	Division 10 contains technical provisions to make consequential amendments to the Insurance Companies (Amendment) Ordinance 2015 (IC(A)O) and the FIRO in relation to the renaming of Insurance Companies Ordinance (Cap. 41) as Insurance Ordinance (Cap. 41). It should only be adopted if the FIRO commences operation before certain provisions of the IC(A)O for the purpose of taking over the existing regulatory functions of the Office of the Commissioner of	As Stage 2 Provisions of the IC(A)O commenced operation on 26 June 2017 (i.e. earlier than the commencement of the FIRO), it is not necessary to adopt division 10.	The provisions can be repealed when an opportunity arises.	FSTB

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
				Insurance by the independent Insurance Authority (Stage 2 Provisions).			