

L.N. 144 of 2022

Interpretation and General Clauses Ordinance

Resolution of the Legislative Council

Resolution made and passed by the Legislative Council under section 54A of the Interpretation and General Clauses Ordinance (Cap. 1) on 15 June 2022.

Resolved that—

- (1) with effect from 1 July 2022—
 - (a) the functions exercisable by the Chief Secretary for Administration under each enactment specified in column 2 of Part 1 of Schedule 1 be transferred to the public officer specified opposite to that enactment in column 3 of that Part, and to give full effect to the transfer, the enactments specified in Part 2 of Schedule 1 be amended as set out in that Part;
 - (b) the functions exercisable by the Secretary for Commerce and Economic Development under each enactment specified in column 2 of Part 1 of Schedule 2 be transferred to the public officer specified opposite to that enactment in column 3 of that Part, and to give full effect to the transfer, the enactments specified in Part 2 of Schedule 2 be amended as set out in that Part;
 - (c) the functions exercisable by the Secretary for the Environment under each enactment specified in column 2 of Part 1 of Schedule 3 be transferred to the public officer specified opposite to that enactment in column 3 of that Part, and to give full effect to the

- transfer, the enactments specified in Part 2 of Schedule 3 be amended as set out in that Part;
- (d) the functions exercisable by the Secretary for Food and Health under each enactment specified in column 2 of Part 1 of Schedule 4 be transferred to the public officer specified opposite to that enactment in column 3 of that Part, and to give full effect to the transfer, the enactments specified in Part 2 of Schedule 4 be amended as set out in that Part;
 - (e) the functions exercisable by the Permanent Secretary for Food and Health (Health) under each enactment specified in column 2 of Part 1 of Schedule 5 be transferred to the public officer specified opposite to that enactment in column 3 of that Part, and to give full effect to the transfer, the enactments specified in Part 2 of Schedule 5 be amended as set out in that Part;
 - (f) the functions exercisable by the Secretary for Home Affairs under each enactment specified in column 2 of Part 1 of Schedule 6 be transferred to the public officer specified opposite to that enactment in column 3 of that Part, and to give full effect to the transfer, the enactments specified in Part 2 of Schedule 6 be amended as set out in that Part;
 - (g) the functions exercisable by The Secretary for Home Affairs Incorporated under each enactment specified in column 2 of Part 1 of Schedule 7 be transferred to the public officer specified opposite to that enactment in column 3 of that Part, and to give full effect to the transfer, the enactments specified in Part 2 of Schedule 7 be amended as set out in that Part;
 - (h) the functions exercisable by the Deputy Secretary for Home Affairs (Culture and Sport) under the

enactment specified in column 2 of Part 1 of Schedule 8 be transferred to the public officer specified opposite to that enactment in column 3 of that Part, and to give full effect to the transfer, the enactment specified in Part 2 of Schedule 8 be amended as set out in that Part; and

- (i) the functions exercisable by the Secretary for Transport and Housing under each enactment specified in column 2 of Part 1 of Schedule 9 be transferred to the public officer specified opposite to that enactment in column 3 of that Part, and to give full effect to the transfer, the enactments specified in Part 2 of Schedule 9 be amended as set out in that Part;
- (2) in addition to and without derogating from section 23 of the Interpretation and General Clauses Ordinance (Cap. 1)—
- (a) anything lawfully done before 1 July 2022 by, or in relation to, a public officer from whom any function is transferred under this Resolution (*former officer*) pursuant to or in connection with that function is, on and from that date, to be regarded, in so far as necessary for the purpose or in consequence of that transfer, as done by or in relation to (as the case may be) the public officer to whom that function is transferred (*new officer*);
 - (b) anything that, immediately before 1 July 2022, may be done and is in the process of being done by, or in relation to, a former officer pursuant to or in connection with any function transferred under this Resolution may, on and from that date, be continued by or in relation to (as the case may be) the new officer;

- (c) anything that, immediately before 1 July 2022, is required to be done and is in the process of being done by, or in relation to, a former officer pursuant to or in connection with any function transferred under this Resolution is, on and from that date, to be continued by or in relation to (as the case may be) the new officer;
- (d) without limiting subparagraphs (a), (b) and (c), and in so far as necessary for the purpose or in consequence of the transfer of functions under this Resolution—
 - (i) any document, agreement or arrangement creating or giving rise to legal rights or obligations that—
 - (A) refers to a former officer, or was prepared, made or entered into by a former officer on behalf of the Government; and
 - (B) is in force immediately before, or is to come into force on or after, 1 July 2022, is, on and from that date, to be construed as if the references to the former officer included references to the new officer;
 - (ii) in any legal proceedings—
 - (A) in which a former officer is a party; and
 - (B) that are subsisting immediately before 1 July 2022, the new officer is, on and from that date, to substitute for the former officer as that party;
 - (iii) any—
 - (A) right of appeal against a decision of a former officer; or

- (B) right to have the decision reviewed, that is subsisting immediately before 1 July 2022 may, on and from that date, be exercised as if the decision were a decision of the new officer;
- (iv) any right of appeal to a former officer that is subsisting immediately before 1 July 2022 is, on and from that date, to be treated as being a right of appeal to the new officer;
- (v) any right to have anything reviewed by a former officer that is subsisting immediately before 1 July 2022 is, on and from that date, to be treated as being a right to have that thing reviewed by the new officer; and
- (vi) any form that is specified or prescribed before 1 July 2022 for use in connection with any function of a former officer that is transferred under this Resolution may, on and from that date, be used despite the fact that it contains references to the former officer, and those references are to be construed as references to the new officer; and
- (e) without limiting subparagraphs (a), (b) and (c), and in so far as necessary for the purpose or in consequence of the transfer of functions under this Resolution, any document, agreement or arrangement that—
- (i) contains any reference to a public officer or a policy bureau (*former officer or bureau*) specified in column 1 of Schedule 10;
- (ii) was prepared, made or entered into by any public officer on behalf of the Government;

- (iii) does not create or give rise to any legal right or obligation; and
 - (iv) is in force immediately before, or is to come into force on or after, 1 July 2022,
 - is, on and from that date, to have effect as if the reference were substituted by a reference to the public officer or policy bureau specified opposite to the former officer or bureau in column 2 of Schedule 10 in so far as the substitution is necessary for or conducive to the attainment of the purposes of the document, agreement or arrangement; and
- (3) in addition to and without derogating from section 23 of the Interpretation and General Clauses Ordinance (Cap. 1)—
- (a) the corporation sole known as “The Secretary for Home and Youth Affairs Incorporated” constituted under section 2 of the Secretary for Home Affairs Incorporation Ordinance (Cap. 1044) as amended by this Resolution (*new corporation*) is taken to be a continuation of and the same legal entity as the corporation sole known as “The Secretary for Home Affairs Incorporated” (*former corporation*) constituted under that section before 1 July 2022;
 - (b) all property, rights and liabilities to which the former corporation was entitled or subject immediately before 1 July 2022 are, on and from that date, taken to be vested, without any actual transfer or conveyance, in the new corporation;
 - (c) this Resolution does not affect the legality and validity of anything done by the former corporation before 1 July 2022;
 - (d) without limiting subparagraphs (a), (b) and (c)—

- (i) a reference to the former corporation—
 - (A) in any agreement, arrangement or contract or in any deed, bond or any other instrument;
 - (B) in any process or other document issued, prepared or employed for the purpose of a proceeding before a court, tribunal or similar body; and
 - (C) in any other document (except an enactment) relating to or affecting any property, rights or liabilities of the former corporation that vests in the new corporation under subparagraph (b),
is, on and from 1 July 2022, taken to be referring to the new corporation;
- (ii) the record of property of the former corporation immediately before 1 July 2022 that is in the form of an entry in the books of a bank, company or other corporation is, on and from that date, to be transferred in those books to the new corporation by the bank, company or other corporation on the new corporation's request;
- (iii) if the former corporation is the trustee of a trust, the new corporation is, on and from 1 July 2022, to continue as the trustee of that trust in substitution of the former corporation;
- (iv) the new corporation may sue on, recover or enforce any property or rights vested in it under subparagraph (b) and may be sued for any liabilities to which it is subject under that subparagraph;

- (v) the new corporation may sue on, recover or enforce a chose in action vested in it under subparagraph (b) without having to give a notice of transfer to the person bound by the chose in action;
 - (vi) any claim by, or against, the former corporation in any judicial or administrative proceedings that are subsisting immediately before 1 July 2022 does not abate by reason of the making and passing of this Resolution and may be continued or enforced by, or against, the new corporation; and
 - (vii) in any judicial or administrative proceedings that are subsisting immediately before 1 July 2022 to which the former corporation is a party, the new corporation is, on and from that date, to substitute for the former corporation as that party; and
- (e) in this paragraph, a reference to property, rights and liabilities of the former corporation is a reference to the following of the former corporation—
- (i) property and assets of every description (whether tangible or intangible) and rights and liabilities of every description (whether present or future, actual or contingent); and
 - (ii) property wherever situated or rights and liabilities under the law of any place.
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Schedule 1

[para. (1)(a)]

**Transfer of Functions of Chief Secretary for
Administration****Part 1****Enactments and Public Officers**

Column 1	Column 2	Column 3
Item	Enactment under which functions are transferred	Public officer to whom functions are transferred
1.	Public Bus Services Ordinance (Cap. 230)	Financial Secretary
2.	Shipping and Port Control Ordinance (Cap. 313)	Financial Secretary
3.	Kowloon-Canton Railway Corporation Ordinance (Cap. 372)	Financial Secretary
4.	Merchant Shipping (Registration) Ordinance (Cap. 415)	Financial Secretary
5.	Airport Authority Ordinance (Cap. 483)	Financial Secretary

Part 2

Amendments Effecting Transfer to Financial Secretary

1. **“Financial Secretary” substituted for “Chief Secretary for Administration”**

(1) The following provisions—

- (a) Public Bus Services Ordinance (Cap. 230), section 6(2);
- (b) Shipping and Port Control Ordinance (Cap. 313), section 66(1);
- (c) Kowloon-Canton Railway Corporation Regulations (Cap. 372 sub. leg. A), regulations 4(1), (2) and (3)(a) and (b), 5(1), (3) and (4) and 9(c);
- (d) Merchant Shipping (Registration) Ordinance (Cap. 415), sections 75 and 79(2)(c);
- (e) Airport Authority Ordinance (Cap. 483), sections 2(3), 21(7)(a) and (d), 35(3)(a), 36(5)(b) and 39(1)—

Repeal

“Chief Secretary for Administration” (wherever appearing)

Substitute

“Financial Secretary”.

(2) The following provisions—

- (a) Kowloon-Canton Railway Corporation Regulations (Cap. 372 sub. leg. A), regulation 5, heading;
- (b) Airport Authority Ordinance (Cap. 483), section 39, heading—

Repeal

“Chief Secretary for Administration” (wherever appearing)

Substitute

“Financial Secretary”.

2. Amendments to Kowloon-Canton Railway Corporation Ordinance

- (1) Kowloon-Canton Railway Corporation Ordinance (Cap. 372), section 17, heading—

Repeal

“Chief Secretary for Administration”

Substitute

“Financial Secretary”.

- (2) Kowloon-Canton Railway Corporation Ordinance (Cap. 372), section 17(1) and (4)—

Repeal

“Chief Secretary for Administration” (wherever appearing)

Substitute

“Financial Secretary”.

- (3) Kowloon-Canton Railway Corporation Ordinance (Cap. 372), section 34(1)—

Repeal

“Council, Chief Secretary for Administration”

Substitute

“Council”.

- (4) Kowloon-Canton Railway Corporation Ordinance (Cap. 372), section 34(2)—

Repeal

“made, by the Chief Executive in Council, Chief Secretary for Administration”

Substitute

“made by the Chief Executive in Council”.

- (5) Kowloon-Canton Railway Corporation Ordinance (Cap. 372), Third Schedule, paragraph 5(2)—

Repeal

“Chief Secretary for Administration” (wherever appearing)

Substitute

“Financial Secretary”.

Schedule 2

[para. (1)(b)]

**Transfer of Functions of Secretary for Commerce and
Economic Development****Part 1****Enactments and Public Officers**

Column 1	Column 2	Column 3
Item	Enactment under which functions are transferred	Public officer to whom functions are transferred
1.	Travel Agents Ordinance (Cap. 218)	Secretary for Culture, Sports and Tourism
2.	Peak Tramway Ordinance (Cap. 265)	Secretary for Culture, Sports and Tourism
3.	Hong Kong Tourism Board Ordinance (Cap. 302)	Secretary for Culture, Sports and Tourism
4.	Ocean Park Corporation Ordinance (Cap. 388)	Secretary for Culture, Sports and Tourism
5.	Entertainment Special Effects Ordinance (Cap. 560)	Secretary for Culture, Sports and Tourism

Column 1	Column 2	Column 3
Item	Enactment under which functions are transferred	Public officer to whom functions are transferred
6.	Tung Chung Cable Car Ordinance (Cap. 577)	Secretary for Culture, Sports and Tourism
7.	Travel Industry Ordinance (Cap. 634)	Secretary for Culture, Sports and Tourism
8.	Ocean Park Corporation (Amendment) Ordinance 2021 (26 of 2021)	Secretary for Culture, Sports and Tourism

Part 2

Amendments Effecting Transfer to Secretary for Culture, Sports and Tourism

1. “Secretary for Culture, Sports and Tourism” substituted for “Secretary for Commerce and Economic Development”
 - (1) The following provisions—
 - (a) Travel Agents Ordinance (Cap. 218)—
 - (i) sections 32G(2), 32H(2)(c)(ii), 32I(1)(b), 32K(1) and (2)(b), 32L(5), 32M(1), (3) and (5) and 32N(2);
 - (ii) section 32N(4), definition of *specified*; and
 - (iii) sections 32O(1), 32P(1) and (2), 32Q, 50(1) and 53;
 - (b) Peak Tramway Ordinance (Cap. 265), section 2, definition of *Secretary*;

- (c) Hong Kong Tourism Board Ordinance (Cap. 302), sections 17B(1), (2)(b) and (8) and 19(2);
- (d) Ocean Park Corporation Ordinance (Cap. 388), section 31(a)(ii);
- (e) Entertainment Special Effects Ordinance (Cap. 560), section 2, definition of *Secretary*;
- (f) Tung Chung Cable Car Ordinance (Cap. 577), section 2(1), definition of *Secretary*;
- (g) Travel Industry Ordinance (Cap. 634)—
 - (i) section 1(2); and
 - (ii) section 2(1), definition of *Secretary*;
- (h) Ocean Park Corporation (Amendment) Ordinance 2021 (26 of 2021), section 1(3)—

Repeal

“Secretary for Commerce and Economic Development”
(wherever appearing)

Substitute

“Secretary for Culture, Sports and Tourism”.

- (2) Travel Agents Ordinance (Cap. 218)—
 - (a) section 32O, heading; and
 - (b) section 53, heading—

Repeal

“Secretary for Commerce and Economic Development”

Substitute

“Secretary for Culture, Sports and Tourism”.

Schedule 3

[para. (1)(c)]

Transfer of Functions of Secretary for the Environment**Part 1****Enactments and Public Officers**

Column 1	Column 2	Column 3
Item	Enactment under which functions are transferred	Public officer to whom functions are transferred
1.	Gas Safety Ordinance (Cap. 51)	Secretary for Environment and Ecology
2.	Forests and Countryside Ordinance (Cap. 96)	Secretary for Environment and Ecology
3.	Wild Animals Protection Ordinance (Cap. 170)	Secretary for Environment and Ecology
4.	Air Pollution Control Ordinance (Cap. 311)	Secretary for Environment and Ecology
5.	Waste Disposal Ordinance (Cap. 354)	Secretary for Environment and Ecology
6.	Water Pollution Control Ordinance (Cap. 358)	Secretary for Environment and Ecology

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Schedule 3—Part 1

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Column 1	Column 2	Column 3
Item	Enactment under which functions are transferred	Public officer to whom functions are transferred
7.	Noise Control Ordinance (Cap. 400)	Secretary for Environment and Ecology
8.	Ozone Layer Protection Ordinance (Cap. 403)	Secretary for Environment and Ecology
9.	Electricity Ordinance (Cap. 406)	Secretary for Environment and Ecology
10.	Sewage Tunnels (Statutory Easements) Ordinance (Cap. 438)	Secretary for Environment and Ecology
11.	Environment and Conservation Fund Ordinance (Cap. 450)	Secretary for Environment and Ecology
12.	Sewage Services Ordinance (Cap. 463)	Secretary for Environment and Ecology
13.	Dumping at Sea Ordinance (Cap. 466)	Secretary for Environment and Ecology
14.	Marine Parks Ordinance (Cap. 476)	Secretary for Environment and Ecology

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Schedule 3—Part 1

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Column 1	Column 2	Column 3
Item	Enactment under which functions are transferred	Public officer to whom functions are transferred
15.	Environmental Impact Assessment Ordinance (Cap. 499)	Secretary for Environment and Ecology
16.	Protection of Endangered Species of Animals and Plants Ordinance (Cap. 586)	Secretary for Environment and Ecology
17.	Hazardous Chemicals Control Ordinance (Cap. 595)	Secretary for Environment and Ecology
18.	Energy Efficiency (Labelling of Products) Ordinance (Cap. 598)	Secretary for Environment and Ecology
19.	Product Eco-responsibility Ordinance (Cap. 603)	Secretary for Environment and Ecology
20.	Genetically Modified Organisms (Control of Release) Ordinance (Cap. 607)	Secretary for Environment and Ecology
21.	Buildings Energy Efficiency Ordinance (Cap. 610)	Secretary for Environment and Ecology

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Schedule 3—Part 2
Section 1

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Column 1	Column 2	Column 3
Item	Enactment under which functions are transferred	Public officer to whom functions are transferred
22.	Motor Vehicle Idling (Fixed Penalty) Ordinance (Cap. 611)	Secretary for Environment and Ecology
23.	District Cooling Services Ordinance (Cap. 624)	Secretary for Environment and Ecology
24.	Mercury Control Ordinance (Cap. 640)	Secretary for Environment and Ecology
25.	Promotion of Recycling and Proper Disposal (Product Container) (Amendment) Ordinance 2016 (13 of 2016)	Secretary for Environment and Ecology
26.	Waste Disposal (Charging for Municipal Solid Waste) (Amendment) Ordinance 2021 (25 of 2021)	Secretary for Environment and Ecology

Part 2

Amendments Effecting Transfer to Secretary for Environment and Ecology

1. **“Secretary for Environment and Ecology”** substituted for **“Secretary for the Environment”**
 - (1) The following provisions—

- (a) Gas Safety Ordinance (Cap. 51), section 2, definition of *Secretary*;
- (b) Forests and Countryside Ordinance (Cap. 96), section 2, definition of *Secretary*;
- (c) Wild Animals Protection Ordinance (Cap. 170), section 22(1) and (2);
- (d) Air Pollution Control Ordinance (Cap. 311), section 2, definition of *Secretary*;
- (e) Air Pollution Control (Appeal Board) Regulations (Cap. 311 sub. leg. D), regulation 2, definition of *Secretary*;
- (f) Air Pollution Control (Specified Processes) Regulations (Cap. 311 sub. leg. F)—
 - (i) Second Schedule, Form 5; and
 - (ii) Fourth and Fifth Schedules;
- (g) Waste Disposal Ordinance (Cap. 354), section 2(1), definition of *Secretary*;
- (h) Waste Disposal (Charges for Disposal of Construction Waste) Regulation (Cap. 354 sub. leg. N), section 1;
- (i) Water Pollution Control Ordinance (Cap. 358), section 2(1), definition of *Secretary*;
- (j) Noise Control Ordinance (Cap. 400), section 2, definition of *Secretary*;
- (k) Noise Control (Appeal Board) Regulations (Cap. 400 sub. leg. B), the Schedule, Forms 1, 2 and 2A;
- (l) Ozone Layer Protection Ordinance (Cap. 403), section 2, definition of *Secretary*;

- (m) Electricity Ordinance (Cap. 406), sections 36(1)(a), 38(1), 39(1) and (3), 43(3), 44(1), 45(1), (2) and (5) and 59(6);
- (n) Electricity Supply Lines (Protection) Regulation (Cap. 406 sub. leg. H), section 13(1)(b);
- (o) Sewage Tunnels (Statutory Easements) Ordinance (Cap. 438), section 2, definition of *Secretary*;
- (p) Sewage Services Ordinance (Cap. 463), section 13(1);
- (q) Sewage Services (Trade Effluent Surcharge) Regulation (Cap. 463 sub. leg. B), section 4(1);
- (r) Dumping at Sea Ordinance (Cap. 466), sections 1(2) and 4(2);
- (s) Marine Parks Ordinance (Cap. 476), section 20(1);
- (t) Marine Parks and Marine Reserves Regulation (Cap. 476 sub. leg. A), section 18(1);
- (u) Environmental Impact Assessment Ordinance (Cap. 499), Schedule 1, definition of *Secretary*;
- (v) Protection of Endangered Species of Animals and Plants Ordinance (Cap. 586), section 2(1), definition of *Secretary*;
- (w) Hazardous Chemicals Control Ordinance (Cap. 595), section 2(1), definition of *Secretary*;
- (x) Energy Efficiency (Labelling of Products) Ordinance (Cap. 598), section 2, definition of *Secretary*;
- (y) Product Eco-responsibility Ordinance (Cap. 603), section 3(1), definition of *Secretary*;
- (z) Genetically Modified Organisms (Control of Release) Ordinance (Cap. 607), section 2(1), definition of *Secretary*;

- (za) Buildings Energy Efficiency Ordinance (Cap. 610), section 2, definition of *Secretary*;
- (zb) Motor Vehicle Idling (Fixed Penalty) Ordinance (Cap. 611), sections 31 and 32;
- (zc) District Cooling Services Ordinance (Cap. 624), section 2, definition of *Secretary*;
- (zd) Mercury Control Ordinance (Cap. 640), section 2, definition of *Secretary*;
- (ze) Waste Disposal (Designated Waste Disposal Facility) (Amendment) Regulation 2004 (L.N. 165 of 2004), section 1;
- (zf) Promotion of Recycling and Proper Disposal (Product Container) (Amendment) Ordinance 2016 (13 of 2016), section 1(2);
- (zg) Waste Disposal (Charging for Municipal Solid Waste) (Amendment) Ordinance 2021 (25 of 2021), section 1(2)—

Repeal

“Secretary for the Environment” (wherever appearing)

Substitute

“Secretary for Environment and Ecology”.

- (2) Water Pollution Control (Appeal Board) Regulations (Cap. 358 sub. leg. C), the Schedule, Form 1—

Repeal

“*Secretary for the Environment*”

Substitute

“*Secretary for Environment and Ecology*”.

2. Amendments to Environment and Conservation Fund Ordinance

- (1) Environment and Conservation Fund Ordinance (Cap. 450), section 2, definition of *Secretary*—

Repeal

“Secretary for the Environment”

Substitute

“Secretary for Environment and Ecology”.

- (2) Environment and Conservation Fund Ordinance (Cap. 450), section 10(b)—

Repeal

“; and”

Substitute a semicolon.

- (3) Environment and Conservation Fund Ordinance (Cap. 450), section 10(c)—

Repeal

everything after “1 July 2007”

Substitute

“but before 1 July 2022 as if done by the Secretary for the Environment; and”.

- (4) Environment and Conservation Fund Ordinance (Cap. 450), after section 10(c)—

Add

“(d) on and after 1 July 2022 as if done by the Secretary for Environment and Ecology.”.

Schedule 4

[para. (1)(d)]

Transfer of Functions of Secretary for Food and Health

Part 1

Enactments and Public Officers

Division 1—Health

Column 1	Column 2	Column 3
Item	Enactment under which functions are transferred	Public officer to whom functions are transferred
1.	Inland Revenue Ordinance (Cap. 112)	Secretary for Health
2.	Hospital Authority Ordinance (Cap. 113)	Secretary for Health
3.	Public Health and Municipal Services Ordinance (Cap. 132), section 55(6)(b)(ii) and (d)(ii)	Secretary for Health
4.	Mental Health Ordinance (Cap. 136)	Secretary for Health

Resolution of the Legislative Council

Schedule 4—Part 1—Division 1

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Column 1	Column 2	Column 3
Item	Enactment under which functions are transferred	Public officer to whom functions are transferred
5.	Pharmacy and Poisons Ordinance (Cap. 138)	Secretary for Health
6.	Dentists Registration Ordinance (Cap. 156)	Secretary for Health
7.	Medical Registration Ordinance (Cap. 161)	Secretary for Health
8.	Midwives Registration Ordinance (Cap. 162)	Secretary for Health
9.	Nurses Registration Ordinance (Cap. 164)	Secretary for Health
10.	Medical Clinics Ordinance (Cap. 343)	Secretary for Health
11.	Supplementary Medical Professions Ordinance (Cap. 359)	Secretary for Health
12.	Smoking (Public Health) Ordinance (Cap. 371)	Secretary for Health
13.	Hong Kong Council on Smoking and Health Ordinance (Cap. 389)	Secretary for Health

Resolution of the Legislative Council

Schedule 4—Part 1—Division 1

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Column 1	Column 2	Column 3
Item	Enactment under which functions are transferred	Public officer to whom functions are transferred
14.	Chiropractors Registration Ordinance (Cap. 428)	Secretary for Health
15.	Human Organ Transplant Ordinance (Cap. 465)	Secretary for Health
16.	Coroners Ordinance (Cap. 504)	Secretary for Health
17.	Chinese Medicine Ordinance (Cap. 549)	Secretary for Health
18.	Human Reproductive Technology Ordinance (Cap. 561)	Secretary for Health
19.	Prevention and Control of Disease Ordinance (Cap. 599)	Secretary for Health
20.	Fixed Penalty (Smoking Offences) Ordinance (Cap. 600)	Secretary for Health
21.	Electronic Health Record Sharing System Ordinance (Cap. 625)	Secretary for Health

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Schedule 4—Part 1—Division 1

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Column 1	Column 2	Column 3
Item	Enactment under which functions are transferred	Public officer to whom functions are transferred
22.	Private Healthcare Facilities Ordinance (Cap. 633)	Secretary for Health
23.	Tung Wah Group of Hospitals Ordinance (Cap. 1051)	Secretary for Health
24.	Pok Oi Hospital Incorporation Ordinance (Cap. 1068)	Secretary for Health
25.	Yan Chai Hospital Ordinance (Cap. 1106)	Secretary for Health
26.	Nurses Registration (Amendment) Ordinance 1997 (82 of 1997)	Secretary for Health

**Division 2—Environmental Hygiene, Food Safety,
Agriculture and Fisheries, and Veterinary Public Health,
etc.**

Column 1	Column 2	Column 3
Item	Enactment under which functions are transferred	Public officer to whom functions are transferred
27.	Dutiable Commodities Ordinance (Cap. 109)	Secretary for Environment and Ecology
28.	Public Health and Municipal Services Ordinance (Cap. 132), except section 55(6)(b)(ii) and (d)(ii)	Secretary for Environment and Ecology
29.	Pesticides Ordinance (Cap. 133)	Secretary for Environment and Ecology
30.	Dogs and Cats Ordinance (Cap. 167)	Secretary for Environment and Ecology
31.	Fisheries Protection Ordinance (Cap. 171)	Secretary for Environment and Ecology
32.	Agricultural Products (Marketing) Ordinance (Cap. 277)	Secretary for Environment and Ecology
33.	Animals (Control of Experiments) Ordinance (Cap. 340)	Secretary for Environment and Ecology

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Schedule 4—Part 1—Division 2

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Column 1	Column 2	Column 3
Item	Enactment under which functions are transferred	Public officer to whom functions are transferred
34.	Rabies Ordinance (Cap. 421)	Secretary for Environment and Ecology
35.	Plant Varieties Protection Ordinance (Cap. 490)	Secretary for Environment and Ecology
36.	Whaling Industry (Regulation) Ordinance (Cap. 496)	Secretary for Environment and Ecology
37.	Veterinary Surgeons Registration Ordinance (Cap. 529)	Secretary for Environment and Ecology
38.	Fixed Penalty (Public Cleanliness and Obstruction) Ordinance (Cap. 570)	Secretary for Environment and Ecology
39.	Food Safety Ordinance (Cap. 612)	Secretary for Environment and Ecology
40.	Private Columbaria Ordinance (Cap. 630)	Secretary for Environment and Ecology
41.	Conservation of Antarctic Marine Living Resources Ordinance (Cap. 635)	Secretary for Environment and Ecology

Part 2

Amendments Effecting Transfer

Division 1—Transfer to Secretary for Health

1. **“Secretary for Health” substituted for “Secretary for Food and Health”**

(1) The following provisions—

- (a) Inland Revenue Ordinance (Cap. 112), section 26I(1), definitions of *qualifying premiums* and *VHIS policy*;
- (b) Hospital Authority Ordinance (Cap. 113)—
 - (i) sections 4(d), 5(l) and (n), 8(2) and (3), 9(2), 10(4), 16, 17 and 18(6); and
 - (ii) Schedule 3, paragraphs 6(1) and 18(1) and (2)(b);
- (c) Public Health and Municipal Services Ordinance (Cap. 132), section 55(6)(b)(ii) and (d)(ii);
- (d) Mental Health Regulations (Cap. 136 sub. leg. A), the Schedule, Form 12;
- (e) Pharmacy and Poisons Ordinance (Cap. 138), sections 29(1B) and 30(10);
- (f) Dentists Registration Ordinance (Cap. 156), section 29(1A) and (1C);
- (g) Medical Registration Ordinance (Cap. 161)—
 - (i) sections 14F(4), 14I, 33(3) and (5) and 36(2); and
 - (ii) Schedule 5, Table 1, item 6, column 2;
- (h) Midwives Registration Ordinance (Cap. 162), section 23(2) and (3);

- (i) Nurses Registration Ordinance (Cap. 164), section 27(2) and (3);
- (j) Medical Clinics Ordinance (Cap. 343), section 15(1);
- (k) Supplementary Medical Professions Ordinance (Cap. 359), section 29(1A), (1B) and (3);
- (l) Smoking (Public Health) Ordinance (Cap. 371), section 2(1), definition of *Secretary*;
- (m) Hong Kong Council on Smoking and Health Ordinance (Cap. 389), sections 16 and 17(4) and (6);
- (n) Chiropractors Registration Ordinance (Cap. 428), the Schedule, section 4(6);
- (o) Human Organ Transplant Ordinance (Cap. 465), section 2, definition of *Secretary*;
- (p) Human Organ Transplant (Appeal Board) Regulation (Cap. 465 sub. leg. B), section 18(1);
- (q) Coroners Ordinance (Cap. 504), section 5(1);
- (r) Chinese Medicine Ordinance (Cap. 549)—
 - (i) section 1(2); and
 - (ii) section 2(1), definition of *Secretary*;
- (s) Human Reproductive Technology Ordinance (Cap. 561), sections 1(2), 2(2) and (10), 4(2)(j) and (4), 5(1)(a), 6(5), 45(1) and 46;
- (t) Prevention and Control of Disease Ordinance (Cap. 599), sections 7(1), (2)(x) and (4) and 17(b);
- (u) Compulsory Quarantine of Certain Persons Arriving at Hong Kong Regulation (Cap. 599 sub. leg. C), section 2, definition of *Secretary*;
- (v) Compulsory Quarantine of Persons Arriving at Hong Kong from Foreign Places Regulation (Cap. 599 sub. leg. E), section 2, definition of *Secretary*;

- (w) Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation (Cap. 599 sub. leg. F), section 2, definition of *Secretary*;
- (x) Prevention and Control of Disease (Prohibition on Gathering) Regulation (Cap. 599 sub. leg. G), section 2, definition of *Secretary*;
- (y) Prevention and Control of Disease (Regulation of Cross-boundary Conveyances and Travellers) Regulation (Cap. 599 sub. leg. H), section 5(1);
- (z) Prevention and Control of Disease (Wearing of Mask) Regulation (Cap. 599 sub. leg. I), section 3(1);
- (za) Prevention and Control of Disease (Compulsory Testing for Certain Persons) Regulation (Cap. 599 sub. leg. J), section 2(1), definition of *Secretary*;
- (zb) Prevention and Control of Disease (Use of Vaccines) Regulation (Cap. 599 sub. leg. K), section 2, definition of *Secretary*;
- (zc) Fixed Penalty (Smoking Offences) Ordinance (Cap. 600), sections 2(3)(a) and (b), 16 and 17(1);
- (zd) Fixed Penalty (Smoking Offences) (Specification of Authorities and Public Officers) Notice (Cap. 600 sub. leg. B), the Schedule;
- (ze) Electronic Health Record Sharing System Ordinance (Cap. 625)—
 - (i) section 1(2); and
 - (ii) section 2(1), definition of *Secretary*;
- (zf) Private Healthcare Facilities Ordinance (Cap. 633)—
 - (i) section 1(2); and
 - (ii) section 2(1), definition of *Secretary*;

- (zg) Tung Wah Group of Hospitals Ordinance (Cap. 1051), the Schedule, paragraphs 19(2)(aa) and (7) and 20(3);
- (zh) Pok Oi Hospital Incorporation Ordinance (Cap. 1068), section 4(4), proviso;
- (zi) Yan Chai Hospital Ordinance (Cap. 1106)—
 - (i) section 3(1), (2) and (3); and
 - (ii) section 7(1), proviso;
- (zj) Nurses Registration (Amendment) Ordinance 1997 (82 of 1997), section 1(2)—

Repeal

“Secretary for Food and Health” (wherever appearing)

Substitute

“Secretary for Health”.

- (2) The following provisions—
 - (a) Hospital Authority Ordinance (Cap. 113)—
 - (i) section 16, heading; and
 - (ii) section 17, heading;
 - (b) Prevention and Control of Disease (Regulation of Cross-boundary Conveyances and Travellers) Regulation (Cap. 599 sub. leg. H), section 5, heading;
 - (c) Prevention and Control of Disease (Wearing of Mask) Regulation (Cap. 599 sub. leg. I), section 3, heading—

Repeal

“Secretary for Food and Health” (wherever appearing)

Substitute

“Secretary for Health”.

2. Amendments to Mental Health Ordinance

(1) Mental Health Ordinance (Cap. 136)—

- (a) section 42B(6)(c);
- (b) section 59ZA, definition of *special treatment*; and
- (c) sections 59ZC(1) and 72(1)—

Repeal

“Secretary for Food and Health”

Substitute

“Secretary for Health”.

(2) Mental Health Ordinance (Cap. 136), Chinese text, section 74(4)(a)—

Repeal

“ ; 及 ”

Substitute a semicolon.

(3) Mental Health Ordinance (Cap. 136), section 74(4)(b)—

Repeal

“ ; and ”

Substitute a semicolon.

(4) Mental Health Ordinance (Cap. 136), section 74(4)(c)—

Repeal

everything after “1 July 2007”

Substitute

“but before 1 July 2022, as if they had been made by the Secretary for Food and Health; and”.

- (5) Mental Health Ordinance (Cap. 136), after section 74(4)(c)—

Add

“(d) on and after 1 July 2022, as if they had been made by the Secretary for Health.”.

3. Amendments to Prevention and Control of Disease (Vaccine Pass) Regulation

- (1) Prevention and Control of Disease (Vaccine Pass) Regulation (Cap. 599 sub. leg. L), section 2(1), definition of *Secretary*—

Repeal

“Secretary for Food and Health”

Substitute

“Secretary for Health”.

- (2) Prevention and Control of Disease (Vaccine Pass) Regulation (Cap. 599 sub. leg. L), section 3(5)(a)—

Repeal

“Food and Health Bureau”

Substitute

“Health Bureau”.

Division 2—Transfer to Secretary for Environment and Ecology

4. “Secretary for Environment and Ecology” substituted for “Secretary for Food and Health”

- (1) The following provisions—

(a) Dutiable Commodities Ordinance (Cap. 109), sections 6(4A)(a) and 6A;

- (b) Dutiable Commodities (Liquor) Regulations (Cap. 109 sub. leg. B)—
 - (i) regulation 2(1), definition of *prescribed fee*; and
 - (ii) regulations 2A(5) and (6) and 43(1);
- (c) Public Health and Municipal Services Ordinance (Cap. 132)—
 - (i) sections 55(6)(b)(i) and (d)(i), 125I(1) and (2) and 128D(6) and (20); and
 - (ii) Third Schedule, entries relating to sections 15, 26, 28, 29, 35, 42, 49, 77, 80, 83A, 92B, 94A, 104, 113A, 116, 123, 123C, 124E and 124I;
- (d) Milk Regulation (Cap. 132 sub. leg. AQ), section 4;
- (e) Pesticides Ordinance (Cap. 133), sections 3A(3), (5), (6) and (7), 19(1B) and (1C) and 19A(1);
- (f) Dogs and Cats Ordinance (Cap. 167), section 2, definition of *Secretary*;
- (g) Fisheries Protection Ordinance (Cap. 171), section 2, definition of *Secretary*;
- (h) Agricultural Products (Marketing) Ordinance (Cap. 277), section 4(6);
- (i) Animals (Control of Experiments) Ordinance (Cap. 340), section 13(1) and (4);
- (j) Rabies Ordinance (Cap. 421), section 2, definition of *Secretary*;
- (k) Plant Varieties Protection Ordinance (Cap. 490), sections 4(2) and 42(1);
- (l) Whaling Industry (Regulation) Ordinance (Cap. 496)—
 - (i) section 2, definition of *licensing authority*; and

- (ii) sections 4(5) and 5(1);
- (m) Fixed Penalty (Public Cleanliness and Obstruction) Ordinance (Cap. 570), section 17;
- (n) Food Safety Ordinance (Cap. 612), section 2(1), definition of *Secretary*;
- (o) Private Columbaria Ordinance (Cap. 630), section 2(1), definition of *Secretary*;
- (p) Conservation of Antarctic Marine Living Resources Ordinance (Cap. 635), section 2, definition of *Secretary*—

Repeal

“Secretary for Food and Health” (wherever appearing)

Substitute

“Secretary for Environment and Ecology”.

- (2) The following provisions—
 - (a) Dutiable Commodities Ordinance (Cap. 109), section 6A, heading;
 - (b) Pesticides Ordinance (Cap. 133), section 19A, heading—

Repeal

“Secretary for Food and Health” (wherever appearing)

Substitute

“Secretary for Environment and Ecology”.

5. Amendments to Veterinary Surgeons Registration Ordinance

- (1) Veterinary Surgeons Registration Ordinance (Cap. 529), English text—
 - (a) section 2, definition of *Election Regulation*;

- (b) sections 3A(1)(a) and (b) and (2)(c), 3C(2), 3D(2), 4(2), 5(h), 7(1), 28(1) and (1A) and 29(2); and
- (c) Schedule 1, sections 2A(1) and (3), 2B(1), 2C(1) and 3(6)—

Repeal

“Secretary for Food and Health” (wherever appearing)

Substitute

“Secretary for Environment and Ecology”.

- (2) Veterinary Surgeons Registration Ordinance (Cap. 529), Chinese text, section 2, definition of 局長—

Repeal

“食物及衛生局局長”

Substitute

“環境及生態局局長”.

- (3) Veterinary Surgeons Registration Ordinance (Cap. 529), English text—
 - (a) Schedule 1, section 2B, heading; and
 - (b) Schedule 1, section 2C, heading—

Repeal

“Secretary for Food and Health”

Substitute

“Secretary for Environment and Ecology”.

6. Amendments to Veterinary Surgeons Board (Election of Members) Regulation

- (1) Veterinary Surgeons Board (Election of Members) Regulation (Cap. 529 sub. leg. B), Chinese text, section 49, definition of 檢討委員會—

Repeal the full stop

Substitute a semicolon.

- (2) Veterinary Surgeons Board (Election of Members) Regulation (Cap. 529 sub. leg. B), section 49—

Repeal the definition of *S for FH*.

- (3) Veterinary Surgeons Board (Election of Members) Regulation (Cap. 529 sub. leg. B), section 49—

Add in alphabetical order

“*S for EE* (環生局局長) means the Secretary for Environment and Ecology.”.

- (4) Veterinary Surgeons Board (Election of Members) Regulation (Cap. 529 sub. leg. B), sections 50(2)(c), 51(2) and (3), 53(4)(d), 54(1) and (2) and 60(b)—

Repeal

“S for FH” (wherever appearing)

Substitute

“S for EE”.

Schedule 5

[para. (1)(e)]

Transfer of Functions of Permanent Secretary for Food and Health (Health)

Part 1

Enactments and Public Officers

Column 1	Column 2	Column 3
Item	Enactment under which functions are transferred	Public officer to whom functions are transferred
1.	Medical Registration Ordinance (Cap. 161)	Permanent Secretary for Health
2.	Electronic Health Record Sharing System Ordinance (Cap. 625)	Permanent Secretary for Health

Part 2

Amendments Effecting Transfer to Permanent Secretary for Health

1. “Permanent Secretary for Health” substituted for “Permanent Secretary for Food and Health (Health)”

The following provisions—

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- (a) Medical Registration Ordinance (Cap. 161), section 2(1), definition of *Permanent Secretary*;
- (b) Electronic Health Record Sharing System Ordinance (Cap. 625), section 54(2)(a)—

Repeal

“Permanent Secretary for Food and Health (Health)”
(wherever appearing)

Substitute

“Permanent Secretary for Health”.

Schedule 6

[para. (1)(f)]

Transfer of Functions of Secretary for Home Affairs**Part 1****Enactments and Public Officers****Division 1—Culture, Arts and Sports**

Column 1	Column 2	Column 3
Item	Enactment under which functions are transferred	Public officer to whom functions are transferred
1.	Public Health and Municipal Services Ordinance (Cap. 132), except sections 2(1) and 118(4)	Secretary for Culture, Sports and Tourism
2.	Books Registration Ordinance (Cap. 142)	Secretary for Culture, Sports and Tourism
3.	Dangerous Goods (Control) Regulation (Cap. 295 sub. leg. G)	Secretary for Culture, Sports and Tourism
4.	Lord Wilson Heritage Trust Ordinance (Cap. 425)	Secretary for Culture, Sports and Tourism

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Column 1	Column 2	Column 3
Item	Enactment under which functions are transferred	Public officer to whom functions are transferred
5.	Hong Kong Arts Development Council Ordinance (Cap. 472)	Secretary for Culture, Sports and Tourism
6.	West Kowloon Cultural District Authority Ordinance (Cap. 601)	Secretary for Culture, Sports and Tourism

Division 2—Home and Youth Affairs

Column 1	Column 2	Column 3
Item	Enactment under which functions are transferred	Public officer to whom functions are transferred
7.	Probate and Administration Ordinance (Cap. 10)	Secretary for Home and Youth Affairs
8.	Intestates' Estates Ordinance (Cap. 73)	Secretary for Home and Youth Affairs
9.	New Territories Ordinance (Cap. 97)	Secretary for Home and Youth Affairs
10.	Betting Duty Ordinance (Cap. 108)	Secretary for Home and Youth Affairs

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Column 1	Column 2	Column 3
Item	Enactment under which functions are transferred	Public officer to whom functions are transferred
11.	Estate Duty Ordinance (Cap. 111)	Secretary for Home and Youth Affairs
12.	Miscellaneous Licences Ordinance (Cap. 114)	Secretary for Home and Youth Affairs
13.	Rating Ordinance (Cap. 116)	Secretary for Home and Youth Affairs
14.	Land Registration Fees Regulations (Cap. 128 sub. leg. B)	Secretary for Home and Youth Affairs
15.	Public Health and Municipal Services Ordinance (Cap. 132), sections 2(1) and 118(4)	Secretary for Home and Youth Affairs
16.	Gambling Ordinance (Cap. 148)	Secretary for Home and Youth Affairs
17.	Societies Ordinance (Cap. 151)	Secretary for Home and Youth Affairs
18.	Chinese Temples Ordinance (Cap. 153)	Secretary for Home and Youth Affairs
19.	Man Mo Temple Ordinance (Cap. 154)	Secretary for Home and Youth Affairs

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Schedule 6—Part 1—Division 2

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Column 1	Column 2	Column 3
Item	Enactment under which functions are transferred	Public officer to whom functions are transferred
20.	Places of Public Entertainment Ordinance (Cap. 172)	Secretary for Home and Youth Affairs
21.	Juvenile Offenders Ordinance (Cap. 226)	Secretary for Home and Youth Affairs
22.	Summary Offences Ordinance (Cap. 228)	Secretary for Home and Youth Affairs
23.	Building Management Ordinance (Cap. 344)	Secretary for Home and Youth Affairs
24.	Hotel and Guesthouse Accommodation Ordinance (Cap. 349)	Secretary for Home and Youth Affairs
25.	Clubs (Safety of Premises) Ordinance (Cap. 376)	Secretary for Home and Youth Affairs
26.	Queen Elizabeth Foundation for the Mentally Handicapped Ordinance (Cap. 399)	Secretary for Home and Youth Affairs
27.	Amusement Game Centres Ordinance (Cap. 435)	Secretary for Home and Youth Affairs

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Schedule 6—Part 1—Division 2

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Column 1	Column 2	Column 3
Item	Enactment under which functions are transferred	Public officer to whom functions are transferred
28.	Administrative Appeals Board Ordinance (Cap. 442)	Secretary for Home and Youth Affairs
29.	Bedspace Apartments Ordinance (Cap. 447)	Secretary for Home and Youth Affairs
30.	Amusement Rides (Safety) Ordinance (Cap. 449)	Secretary for Home and Youth Affairs
31.	New Territories Land (Exemption) Ordinance (Cap. 452)	Secretary for Home and Youth Affairs
32.	Sex Discrimination Ordinance (Cap. 480)	Secretary for Home and Youth Affairs
33.	Government Rent (Assessment and Collection) Ordinance (Cap. 515)	Secretary for Home and Youth Affairs
34.	Electoral Procedure (Rural Representative Election) Regulation (Cap. 541 sub. leg. L)	Secretary for Home and Youth Affairs
35.	Karaoke Establishments Ordinance (Cap. 573)	Secretary for Home and Youth Affairs

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Schedule 6—Part 1—Division 2

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Column 1	Column 2	Column 3
Item	Enactment under which functions are transferred	Public officer to whom functions are transferred
36.	Rural Representative Election Ordinance (Cap. 576)	Secretary for Home and Youth Affairs
37.	Land Titles Ordinance (Cap. 585)	Secretary for Home and Youth Affairs
38.	Property Management Services Ordinance (Cap. 626)	Secretary for Home and Youth Affairs
39.	Private Columbaria Ordinance (Cap. 630)	Secretary for Home and Youth Affairs
40.	Po Leung Kuk Ordinance (Cap. 1040)	Secretary for Home and Youth Affairs
41.	Secretary for Home Affairs Incorporation Ordinance (Cap. 1044)	Secretary for Home and Youth Affairs
42.	Tung Wah Group of Hospitals Ordinance (Cap. 1051)	Secretary for Home and Youth Affairs
43.	Grantham Scholarships Fund Ordinance (Cap. 1076)	Secretary for Home and Youth Affairs

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Schedule 6—Part 1—Division 2

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Column 1	Column 2	Column 3
Item	Enactment under which functions are transferred	Public officer to whom functions are transferred
44.	Brewin Trust Fund Ordinance (Cap. 1077)	Secretary for Home and Youth Affairs
45.	Heung Yee Kuk Ordinance (Cap. 1097)	Secretary for Home and Youth Affairs
46.	Sir Robert Black Trust Fund Ordinance (Cap. 1101)	Secretary for Home and Youth Affairs
47.	Li Po Chun Charitable Trust Fund Ordinance (Cap. 1110)	Secretary for Home and Youth Affairs
48.	Chinese Permanent Cemeteries Ordinance (Cap. 1112)	Secretary for Home and Youth Affairs
49.	Sir Edward Youde Memorial Fund Ordinance (Cap. 1140)	Secretary for Home and Youth Affairs

Part 2

Amendments Effecting Transfer

Division 1—Transfer to Secretary for Culture, Sports and Tourism

1. “Secretary for Culture, Sports and Tourism” substituted for “Secretary for Home Affairs”

(1) The following provisions—

- (a) Specification of Public Offices Notice (Cap. 1 sub. leg. C), the Schedule, entry relating to the Secretary for Home Affairs specified for the purposes of the Books Registration Ordinance (Cap. 142);
- (b) Public Health and Municipal Services Ordinance (Cap. 132), Third Schedule, entries relating to sections 42, 92AA, 92B, 105D, 105I, 105L, 105O, 109, 124J and 124L;
- (c) Lord Wilson Heritage Trust Ordinance (Cap. 425), section 4(2)(b);
- (d) Hong Kong Arts Development Council Ordinance (Cap. 472), section 3(3)(d);
- (e) West Kowloon Cultural District Authority Ordinance (Cap. 601), sections 21(3)(b), (4) and (5)(a), 32(1) and (2), 33(1) and (2), 34(2)(e)(i) and (ii) and 36(1)—

Repeal

“Secretary for Home Affairs” (wherever appearing)

Substitute

“Secretary for Culture, Sports and Tourism”.

- (2) The following provisions—
- (a) Public Health and Municipal Services Ordinance (Cap. 132), Schedule 16, heading;
 - (b) West Kowloon Cultural District Authority Ordinance (Cap. 601), section 36, heading—

Repeal

“Secretary for Home Affairs” (wherever appearing)

Substitute

“Secretary for Culture, Sports and Tourism”.

2. Amendments to Books Registration Ordinance

- (1) Books Registration Ordinance (Cap. 142), English text, section 2, definition of *Secretary*—

Repeal

“Secretary for Home Affairs”

Substitute

“Secretary for Culture, Sports and Tourism”.

- (2) Books Registration Ordinance (Cap. 142), Chinese text, section 3, heading—

Repeal

“民政事務局局長”

Substitute

“文化體育及旅遊局局長”.

- (3) Books Registration Ordinance (Cap. 142), Chinese text, sections 3(1) and (2), 4 and 5(1) and (2)—

Repeal

“民政事務局局長” (wherever appearing)

Substitute

“文化體育及旅遊局局長”。

3. Amendments to Dangerous Goods (Control) Regulation

- (1) Dangerous Goods (Control) Regulation (Cap. 295 sub. leg. G), English text, section 2(1), definition of *Secretary*—

Repeal

“Secretary for Home Affairs”

Substitute

“Secretary for Culture, Sports and Tourism”。

- (2) Dangerous Goods (Control) Regulation (Cap. 295 sub. leg. G), Chinese text, sections 72(2) and (3), 73(1) and (3), 74(3)(e) and (4), 75, 90(3)(a), 91(3) and 156(2)—

Repeal

“民政事務局局長” (wherever appearing)

Substitute

“文化體育及旅遊局局長”。

- (3) Dangerous Goods (Control) Regulation (Cap. 295 sub. leg. G), section 156(2)—

Repeal

“Home Affairs Bureau”

Substitute

“Culture, Sports and Tourism Bureau”。

- (4) Dangerous Goods (Control) Regulation (Cap. 295 sub. leg. G), Chinese text, section 157(7), definition of *規管當局*, paragraph (b)—

Repeal

“民政事務局局長”

Substitute

“文化體育及旅遊局局長”。

**Division 2—Transfer to Secretary for Home and Youth
Affairs**

**4. “Secretary for Home and Youth Affairs” substituted for
“Secretary for Home Affairs”**

(1) The following provisions—

(a) Specification of Public Offices Notice (Cap. 1 sub. leg. C), the Schedule—

- (i) entry relating to the Secretary for Home Affairs specified for the purposes of the Probate and Administration Ordinance (Cap. 10);
- (ii) entry relating to the Secretary for Home Affairs specified for the purposes of the New Territories Ordinance (Cap. 97);
- (iii) entry relating to the Secretary for Home Affairs specified for the purposes of the Hotel and Guesthouse Accommodation Ordinance (Cap. 349);
- (iv) entry relating to the Secretary for Home Affairs specified for the purposes of the Clubs (Safety of Premises) Ordinance (Cap. 376);
- (v) entry relating to the Secretary for Home Affairs specified for the purposes of the New Territories Land (Exemption) Ordinance (Cap. 452); and

- (vi) entry relating to the Secretary for Home Affairs specified for the purposes of the Heung Yee Kuk Ordinance (Cap. 1097);
- (b) Probate and Administration Ordinance (Cap. 10), section 2, definition of *Secretary*;
- (c) Intestates' Estates Ordinance (Cap. 73), Schedule 1, paragraph 5(3);
- (d) Betting Duty Ordinance (Cap. 108), section 1A(1), definition of *Secretary*;
- (e) Estate Duty Ordinance (Cap. 111), section 10(f);
- (f) Miscellaneous Licences Ordinance (Cap. 114), section 3(1)(i);
- (g) Miscellaneous Licences Regulations (Cap. 114 sub. leg. A), First Schedule;
- (h) Rating Ordinance (Cap. 116)—
 - (i) section 36(4), definition of *New Territories resident*; and
 - (ii) section 40A(1);
- (i) Land Registration Fees Regulations (Cap. 128 sub. leg. B), regulation 4(2);
- (j) Gambling Ordinance (Cap. 148), sections 16E(2)(c) and 22(1), (3), (4), (5), (5B) and (5C);
- (k) Gambling Regulations (Cap. 148 sub. leg. A)—
 - (i) regulations 4, 5 and 6;
 - (ii) Schedule 1, Forms 1, 2, 3, 4, 5, 6, 7 and 8; and
 - (iii) Schedule 2, Forms 1A, 2A, 3A, 4A and 5A;
- (l) Societies Ordinance (Cap. 151)—
 - (i) sections 6(1) and (2) and 9(1)(d); and
 - (ii) the Schedule, item (11);

- (m) Chinese Temples Ordinance (Cap. 153), sections 5(2), 7(2)(a) and 14(1);
- (n) Man Mo Temple Ordinance (Cap. 154), section 5(b);
- (o) Places of Public Entertainment Ordinance (Cap. 172)—
 - (i) section 2, definition of *licensing authority*; and
 - (ii) sections 3A(1), 3B and 7(1) and (4);
- (p) Juvenile Offenders Ordinance (Cap. 226), section 3B(2);
- (q) Summary Offences Ordinance (Cap. 228), section 4(17)(ii);
- (r) Building Management Ordinance (Cap. 344), section 2, definition of *Authority*;
- (s) Hotel and Guesthouse Accommodation Ordinance (Cap. 349), section 2(1), definition of *Secretary*;
- (t) Clubs (Safety of Premises) (Exclusion) Order (Cap. 376 sub. leg. C), the Schedule, item 2;
- (u) Queen Elizabeth Foundation for the Mentally Handicapped Ordinance (Cap. 399), section 5(b);
- (v) Amusement Game Centres (Appeal Board) Regulation (Cap. 435 sub. leg. A), the Schedule, Forms 1, 2 and 3;
- (w) Administrative Appeals Board Ordinance (Cap. 442), the Schedule, items 10 and 47;
- (x) New Territories Land (Exemption) Ordinance (Cap. 452), section 12(a), (b) and (c);
- (y) Sex Discrimination Ordinance (Cap. 480), section 35(5);
- (z) Government Rent (Assessment and Collection) Ordinance (Cap. 515), section 33;

- (za) Electoral Procedure (Rural Representative Election) Regulation (Cap. 541 sub. leg. L), section 67(1)(b)(iii);
- (zb) Karaoke Establishments Ordinance (Cap. 573), section 2(1), definition of *licensing authority*, paragraphs (a) and (c);
- (zc) Rural Representative Election Ordinance (Cap. 576), section 2(1), definition of *Secretary*;
- (zd) Land Titles Ordinance (Cap. 585), Schedule 3, section 31;
- (ze) Property Management Services Ordinance (Cap. 626)—
 - (i) section 1(2); and
 - (ii) section 2, definition of *Secretary*;
- (zf) Private Columbaria Ordinance (Cap. 630), section 57(2), (4), (6), (7), (9)(b) and (10);
- (zg) Po Leung Kuk Ordinance (Cap. 1040), the Schedule, paragraphs 1(ea), 4(2)(b), 18(2)(a) and (7) and 19(3);
- (zh) Tung Wah Group of Hospitals Ordinance (Cap. 1051), the Schedule, paragraphs 1(i), 4(2)(b), 19(2)(a) and (7) and 20(3);
- (zi) Grantham Scholarships Fund Ordinance (Cap. 1076), section 4(1)(a);
- (zj) Brewin Trust Fund Ordinance (Cap. 1077), section 5(2);
- (zk) Heung Yee Kuk Ordinance (Cap. 1097)—
 - (i) sections 3(2)(b) and (c)(iii) and (3)(a)(ii) and (d)(i), 10(1)(d), 11(1) and 14(2);
 - (ii) First Schedule, paragraph 6; and

- (iii) Second Schedule, paragraphs 1, 2, 4(3), 5(2) and 7(2);
- (zl) Sir Robert Black Trust Fund Ordinance (Cap. 1101), section 5(2)(a);
- (zm) Li Po Chun Charitable Trust Fund Ordinance (Cap. 1110), section 5(1)(a) and (7);
- (zn) Chinese Permanent Cemeteries Ordinance (Cap. 1112)—
 - (i) section 2, definition of *Chairman*; and
 - (ii) section 3(2)(a)(i) and (3);
- (zo) Sir Edward Youde Memorial Fund Ordinance (Cap. 1140), section 4(3)(b)—

Repeal

“Secretary for Home Affairs” (wherever appearing)

Substitute

“Secretary for Home and Youth Affairs”.

- (2) The following provisions—
 - (a) Rating Ordinance (Cap. 116), section 40A, heading;
 - (b) Places of Public Entertainment Ordinance (Cap. 172), section 3B, heading;
 - (c) Government Rent (Assessment and Collection) Ordinance (Cap. 515), section 33, heading—

Repeal

“Secretary for Home Affairs” (wherever appearing)

Substitute

“Secretary for Home and Youth Affairs”.

- (3) Heung Yee Kuk Ordinance (Cap. 1097), section 3(3)(d)(ii)—

Repeal

“Secretary for Home Affairs” (wherever appearing)

Substitute

“Secretary for Home and Youth Affairs”.

5. Amendments to New Territories Ordinance

- (1) New Territories Ordinance (Cap. 97), section 2, definition of *Secretary for Home Affairs*—

Repeal

“*Secretary for Home Affairs* (民政事務局局長)”

Substitute

“*Secretary for Home and Youth Affairs* (民政及青年事務局局長)”.

- (2) New Territories Ordinance (Cap. 97), sections 3(1) and (2) and 5—

Repeal

“Secretary for Home Affairs”

Substitute

“Secretary for Home and Youth Affairs”.

- (3) New Territories Ordinance (Cap. 97), section 9, heading—

Repeal

“Secretary for Home Affairs”

Substitute

“Secretary for Home and Youth Affairs”.

- (4) New Territories Ordinance (Cap. 97), section 9(1)—

Repeal

“Secretary for Home Affairs”

Substitute

“Secretary for Home and Youth Affairs”.

- (5) New Territories Ordinance (Cap. 97), sections 15, 16, 18 and 44—

Repeal

“Secretary for Home Affairs” (wherever appearing)

Substitute

“Secretary for Home and Youth Affairs”.

6. Amendments to Public Health and Municipal Services Ordinance

- (1) Public Health and Municipal Services Ordinance (Cap. 132), section 2(1), definition of *Secretary for Home Affairs*—

Repeal

“*Secretary for Home Affairs* (民政事務局局長)”

Substitute

“*Secretary for Home and Youth Affairs* (民政及青年事務局局長)”.

- (2) Public Health and Municipal Services Ordinance (Cap. 132), section 118(4), proviso—

Repeal

“Secretary for Home Affairs”

Substitute

“Secretary for Home and Youth Affairs”.

7. Amendments to Clubs (Safety of Premises) Ordinance

- (1) Clubs (Safety of Premises) Ordinance (Cap. 376), English text, section 2, definition of *Secretary*—

Repeal

“Secretary for Home Affairs”

Substitute

“Secretary for Home and Youth Affairs”.

- (2) Clubs (Safety of Premises) Ordinance (Cap. 376), Chinese text, sections 3(1), 4(2)(a) and (b), 5(1) and (2), 6(1)(a), (2), (3), (4) and (5), 7(2) and (3)(a), 8(1)(a), (2), (4) and (5), 9(2), (3), (5) and (6), 10, 11(1) and (2), 12(2) and (3)(a), 13(1) and (2), 15(2) and (9), 18(1), 19(1), 20(1), (2)(a) and (b), (3)(b) and (4), 21(1) and (4)(b) and (e) and 22(1)(b), (2)(a), (b) and (c) and (3)—

Repeal

“民政事務局局長” (wherever appearing)

Substitute

“民政及青年事務局局長”.

- (3) Clubs (Safety of Premises) Ordinance (Cap. 376), Chinese text, section 19, heading—

Repeal

“民政事務局局長”

Substitute

“民政及青年事務局局長”.

8. Amendments to Clubs (Safety of Premises) (Appeal Board) Regulations

- (1) Clubs (Safety of Premises) (Appeal Board) Regulations (Cap. 376 sub. leg. A), Chinese text—

- (a) sections 4, 5, 7, 9, 10(b), 11(2), 12(3) and (4), 13(a), (b) and (c), 14(d) and 15; and
- (b) the Schedule, Forms 1, 2 and 3—

Repeal

“民政事務局局長” (wherever appearing)

Substitute

“民政及青年事務局局長”.

- (2) Clubs (Safety of Premises) (Appeal Board) Regulations (Cap. 376 sub. leg. A), Chinese text—
 - (a) section 13, heading; and
 - (b) section 15, heading—

Repeal

“民政事務局局長”

Substitute

“民政及青年事務局局長”.

9. Amendment to Clubs (Safety of Premises) (Fees) Regulations

Clubs (Safety of Premises) (Fees) Regulations (Cap. 376 sub. leg. B), Chinese text, section 6—

Repeal

“民政事務局局長”

Substitute

“民政及青年事務局局長”.

10. Amendments to Amusement Game Centres Ordinance

- (1) Amusement Game Centres Ordinance (Cap. 435), English text, section 2(1), definition of *Secretary*—

Repeal

“Secretary for Home Affairs”

Substitute

“Secretary for Home and Youth Affairs”.

- (2) Amusement Game Centres Ordinance (Cap. 435), Chinese text, section 2(1), definition of *獲委公職人員*—

Repeal

“民政事務局局長”

Substitute

“民政及青年事務局局長”.

- (3) Amusement Game Centres Ordinance (Cap. 435), Chinese text, sections 2(3) and 3(1)—

Repeal

“民政事務局局長”

Substitute

“民政及青年事務局局長”.

11. Amendments to Bedspace Apartments Ordinance

- (1) Bedspace Apartments Ordinance (Cap. 447), English text, section 2, definition of *Secretary*—

Repeal

“Secretary for Home Affairs”

Substitute

“Secretary for Home and Youth Affairs”.

- (2) Bedspace Apartments Ordinance (Cap. 447), Chinese text, sections 4(1) and 35(1)—

Repeal

“民政事務局局長”

Substitute

“民政及青年事務局局長”。

12. Amendments to Amusement Rides (Safety) Ordinance

- (1) Amusement Rides (Safety) Ordinance (Cap. 449), English text, section 2(1), definition of *Secretary*—

Repeal

“Secretary for Home Affairs”

Substitute

“Secretary for Home and Youth Affairs”。

- (2) Amusement Rides (Safety) Ordinance (Cap. 449), Chinese text, sections 23(2), 24(1) and (4), 25(1) and 47(1)—

Repeal

“民政事務局局長” (wherever appearing)

Substitute

“民政及青年事務局局長”。

- (3) Amusement Rides (Safety) Ordinance (Cap. 449), section 51A—

Repeal

“Secretary for Home Affairs”

Substitute

“Secretary for Home and Youth Affairs”。

13. Amendments to Secretary for Home Affairs Incorporation Ordinance

- (1) Secretary for Home Affairs Incorporation Ordinance (Cap. 1044), the long title—

Repeal

“Secretary for Home Affairs”

Substitute

“Secretary for Home and Youth Affairs”.

- (2) Secretary for Home Affairs Incorporation Ordinance (Cap. 1044), section 2—

Repeal the heading

Substitute

“2. Secretary for Home and Youth Affairs constituted a corporation sole”.

- (3) Secretary for Home Affairs Incorporation Ordinance (Cap. 1044), section 2—

Repeal

“of Secretary for Home Affairs”

Substitute

“of Secretary for Home and Youth Affairs”.

- (4) Secretary for Home Affairs Incorporation Ordinance (Cap. 1044), section 10(4)—

Repeal

“Secretary for Home Affairs”

Substitute

“Secretary for Home and Youth Affairs”.

14. “Home and Youth Affairs Bureau” substituted for “Home Affairs Bureau”

Bedspace Apartments (Appeal Board) Regulation (Cap. 447 sub. leg. A)—

- (a) section 14(1); and

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(b) the Schedule, Form 1—

Repeal

“Home Affairs Bureau”

Substitute

“Home and Youth Affairs Bureau”.

Schedule 7

[para. (1)(g)]

Transfer of Functions of The Secretary for Home Affairs Incorporated**Part 1****Enactments and Public Officers**

Column 1	Column 2	Column 3
Item	Enactment under which functions are transferred	Public officer to whom functions are transferred
1.	Stamp Duty Ordinance (Cap. 117)	The Secretary for Home and Youth Affairs Incorporated
2.	Chinese Temples Ordinance (Cap. 153)	The Secretary for Home and Youth Affairs Incorporated
3.	Secretary for Home Affairs Incorporation Ordinance (Cap. 1044)	The Secretary for Home and Youth Affairs Incorporated
4.	Brewin Trust Fund Ordinance (Cap. 1077)	The Secretary for Home and Youth Affairs Incorporated

Column 1	Column 2	Column 3
Item	Enactment under which functions are transferred	Public officer to whom functions are transferred
5.	Sir Robert Black Trust Fund Ordinance (Cap. 1101)	The Secretary for Home and Youth Affairs Incorporated
6.	Li Po Chun Charitable Trust Fund Ordinance (Cap. 1110)	The Secretary for Home and Youth Affairs Incorporated
7.	Sir Murray MacLehose Trust Fund Ordinance (Cap. 1118)	The Secretary for Home and Youth Affairs Incorporated

Part 2

Amendments Effecting Transfer to The Secretary for Home and Youth Affairs Incorporated

1. “Secretary for Home and Youth Affairs Incorporated” substituted for “Secretary for Home Affairs Incorporated” and “Secretary for Home and Youth Affairs Incorporation Ordinance” substituted for “Secretary for Home Affairs Incorporation Ordinance”

The following provisions—

- (a) Stamp Duty Ordinance (Cap. 117), section 38, definition of *incorporated public officer*, paragraph (d);
- (b) Chinese Temples Ordinance (Cap. 153), sections 7(1), (6), (9), (10) and (11) and 12(5);

- (c) Brewin Trust Fund Ordinance (Cap. 1077), section 3(1);
- (d) Sir Robert Black Trust Fund Ordinance (Cap. 1101), section 3(1);
- (e) Li Po Chun Charitable Trust Fund Ordinance (Cap. 1110)—
 - (i) section 2, definition of *trustee*; and
 - (ii) section 4(1);
- (f) Sir Murray MacLehose Trust Fund Ordinance (Cap. 1118), sections 2(3) and 5(1)—

Repeal

“Secretary for Home Affairs” (wherever appearing)

Substitute

“Secretary for Home and Youth Affairs”.

2. Amendments to Secretary for Home Affairs Incorporation Ordinance

- (1) Secretary for Home Affairs Incorporation Ordinance (Cap. 1044), section 2—

Repeal

““The Secretary for Home Affairs Incorporated””

Substitute

““The Secretary for Home and Youth Affairs Incorporated””.

- (2) Secretary for Home Affairs Incorporation Ordinance (Cap. 1044)—

Repeal

“Secretary for Home Affairs Incorporation Ordinance”

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Substitute

“Secretary for Home and Youth Affairs Incorporation Ordinance”.

Schedule 8

[para. (1)(h)]

Transfer of Functions of Deputy Secretary for Home Affairs (Culture and Sport)

Part 1

Enactment and Public Officer

Column 1	Column 2	Column 3
Item	Enactment under which functions are transferred	Public officer to whom functions are transferred
1.	Lord Wilson Heritage Trust Ordinance (Cap. 425)	Deputy Secretary for Culture, Sports and Tourism

Part 2

Amendment Effecting Transfer to Deputy Secretary for Culture, Sports and Tourism

1. “Deputy Secretary for Culture, Sports and Tourism” substituted for “Deputy Secretary for Home Affairs (Culture and Sport)”
Lord Wilson Heritage Trust Ordinance (Cap. 425), section 7(2)(b)—
Repeal
“Deputy Secretary for Home Affairs (Culture and Sport)”

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Schedule 8—Part 2
Section 1

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Substitute

“Deputy Secretary for Culture, Sports and Tourism”.

Schedule 9

[para. (1)(i)]

Transfer of Functions of Secretary for Transport and Housing

Part 1

Enactments and Public Officers

Division 1—Transport and Logistics

Column 1	Column 2	Column 3
Item	Enactment under which functions are transferred	Public officer to whom functions are transferred
1.	Lands Tribunal Rules (Cap. 17 sub. leg. A)	Secretary for Transport and Logistics
2.	Port Control (Cargo Working Areas) Ordinance (Cap. 81)	Secretary for Transport and Logistics
3.	Pilotage Ordinance (Cap. 84)	Secretary for Transport and Logistics
4.	Ferry Services Ordinance (Cap. 104)	Secretary for Transport and Logistics
5.	Tramway Regulations (Cap. 107 sub. leg. B)	Secretary for Transport and Logistics

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Column 1	Column 2	Column 3
Item	Enactment under which functions are transferred	Public officer to whom functions are transferred
6.	Specification of Arrangements (Swiss Federal Council) (Avoidance of Double Taxation on Income from Aircraft Operation) Order (Cap. 112 sub. leg. AQ)	Secretary for Transport and Logistics
7.	Specification of Arrangements (Government of the Republic of Iceland) (Avoidance of Double Taxation on Income from Aircraft Operation) Order (Cap. 112 sub. leg. AU)	Secretary for Transport and Logistics
8.	Specification of Arrangements (Government of the Hashemite Kingdom of Jordan) (Avoidance of Double Taxation on Income from Aircraft Operation) Order (Cap. 112 sub. leg. AV)	Secretary for Transport and Logistics
9.	Public Bus Services Ordinance (Cap. 230)	Secretary for Transport and Logistics

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Column 1	Column 2	Column 3
Item	Enactment under which functions are transferred	Public officer to whom functions are transferred
10.	Fixed Penalty (Traffic Contraventions) Ordinance (Cap. 237)	Secretary for Transport and Logistics
11.	Fixed Penalty (Criminal Proceedings) Ordinance (Cap. 240)	Secretary for Transport and Logistics
12.	Merchant Shipping Ordinance (Cap. 281)	Secretary for Transport and Logistics
13.	Shipping and Port Control Ordinance (Cap. 313)	Secretary for Transport and Logistics
14.	Road Tunnels (Government) Ordinance (Cap. 368)	Secretary for Transport and Logistics
15.	Merchant Shipping (Safety) Ordinance (Cap. 369)	Secretary for Transport and Logistics
16.	Roads (Works, Use and Compensation) Ordinance (Cap. 370)	Secretary for Transport and Logistics
17.	Kowloon-Canton Railway Corporation Ordinance (Cap. 372)	Secretary for Transport and Logistics

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Schedule 9—Part 1—Division 1

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Column 1	Column 2	Column 3
Item	Enactment under which functions are transferred	Public officer to whom functions are transferred
18.	Road Traffic Ordinance (Cap. 374)	Secretary for Transport and Logistics
19.	Merchant Shipping (Prevention and Control of Pollution) Ordinance (Cap. 413)	Secretary for Transport and Logistics
20.	Western Harbour Crossing Ordinance (Cap. 436)	Secretary for Transport and Logistics
21.	Hong Kong Civil Aviation (Investigation of Accidents) Regulations (Cap. 448 sub. leg. B)	Secretary for Transport and Logistics
22.	Tai Lam Tunnel and Yuen Long Approach Road Ordinance (Cap. 474)	Secretary for Transport and Logistics
23.	Merchant Shipping (Seafarers) Ordinance (Cap. 478)	Secretary for Transport and Logistics
24.	Airport Authority (Automated People Mover) (Safety) Regulation (Cap. 483 sub. leg. C)	Secretary for Transport and Logistics

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Column 1	Column 2	Column 3
Item	Enactment under which functions are transferred	Public officer to whom functions are transferred
25.	Tsing Ma Control Area Ordinance (Cap. 498)	Secretary for Transport and Logistics
26.	Freight Containers (Safety) Ordinance (Cap. 506)	Secretary for Transport and Logistics
27.	Railways Ordinance (Cap. 519)	Secretary for Transport and Logistics
28.	Discovery Bay Tunnel Link Ordinance (Cap. 520)	Secretary for Transport and Logistics
29.	Merchant Shipping (Local Vessels) Ordinance (Cap. 548)	Secretary for Transport and Logistics
30.	Mass Transit Railway Ordinance (Cap. 556)	Secretary for Transport and Logistics
31.	Merchant Shipping (Security of Ships and Port Facilities) Ordinance (Cap. 582)	Secretary for Transport and Logistics
32.	Tsing Sha Control Area Ordinance (Cap. 594)	Secretary for Transport and Logistics
33.	Sailors Home and Mission to Seafarers Incorporation Ordinance (Cap. 1042)	Secretary for Transport and Logistics

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Schedule 9—Part 1—Division 2

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Column 1	Column 2	Column 3
Item	Enactment under which functions are transferred	Public officer to whom functions are transferred
34.	Resolution made and passed by the Legislative Council under section 72A(10) of the Road Traffic Ordinance and section 4(3) of the Road Traffic (Driving-offence Points) Ordinance on 29 May 2013 (L.N. 100 of 2013)	Secretary for Transport and Logistics

Division 2—Housing

Column 1	Column 2	Column 3
Item	Enactment under which functions are transferred	Public officer to whom functions are transferred
35.	Landlord and Tenant (Consolidation) Ordinance (Cap. 7)	Secretary for Housing
36.	Housing Ordinance (Cap. 283)	Secretary for Housing
37.	Estate Agents Ordinance (Cap. 511)	Secretary for Housing
38.	Residential Properties (First-hand Sales) Ordinance (Cap. 621)	Secretary for Housing

Part 2

Amendments Effecting Transfer

Division 1—Transfer to Secretary for Transport and Logistics

1. **“Secretary for Transport and Logistics” substituted for “Secretary for Transport and Housing”**
 - (1) The following provisions—
 - (a) Specification of Public Offices Notice (Cap. 1 sub. leg. C), the Schedule—
 - (i) entry relating to the Secretary for Transport and Housing specified for the purposes of the Merchant Shipping (Safety) Ordinance (Cap. 369); and
 - (ii) entry relating to the Secretary for Transport and Housing specified for the purposes of the Roads (Works, Use and Compensation) Ordinance (Cap. 370);
 - (b) Lands Tribunal Rules (Cap. 17 sub. leg. A), the Schedule, Forms 10 and 11;
 - (c) Port Control (Cargo Working Areas) Ordinance (Cap. 81), section 3(1);
 - (d) Pilotage Ordinance (Cap. 84), section 19A(2);
 - (e) Ferry Services Ordinance (Cap. 104), sections 22(2), 28(7)(a) and (b) and 41(1);
 - (f) Tramway Regulations (Cap. 107 sub. leg. B), regulation 2, definition of *Secretary*;

- (g) Public Bus Services Ordinance (Cap. 230), sections 6(2A), 12A(1), (2), (3) and (4), 33(1) and 35(1);
- (h) Fixed Penalty (Traffic Contraventions) Ordinance (Cap. 237), section 25;
- (i) Fixed Penalty (Criminal Proceedings) Ordinance (Cap. 240), section 11;
- (j) Merchant Shipping Ordinance (Cap. 281), section 118(1), proviso;
- (k) Shipping and Port Control Ordinance (Cap. 313), section 56;
- (l) Road Tunnels (Government) Ordinance (Cap. 368), section 9A(1);
- (m) Merchant Shipping (Safety) Ordinance (Cap. 369), section 2(1), definition of **Secretary**;
- (n) Merchant Shipping (Safety) (Passenger Ship Construction and Survey) (Ships Built On or After 1 September 1984) Regulations (Cap. 369 sub. leg. AM), regulation 1(2), definition of **Government Surveyor**;
- (o) Roads (Works, Use and Compensation) Ordinance (Cap. 370), section 2(1), definition of **Secretary**;
- (p) Kowloon-Canton Railway Corporation Ordinance (Cap. 372)—
 - (i) sections 4(1)(a) and 30(1);
 - (ii) Second Schedule, paragraph 8, proviso;
 - (iii) Second Schedule, paragraph 14; and
 - (iv) Third Schedule, paragraphs 1(2) and 2;
- (q) Kowloon-Canton Railway Corporation Regulations (Cap. 372 sub. leg. A), regulation 1A, definition of **Secretary**;

- (r) Road Traffic Ordinance (Cap. 374), section 2, definition of *Secretary*;
- (s) Merchant Shipping (Prevention and Control of Pollution) Ordinance (Cap. 413), section 3(2) and (5)(vii);
- (t) Western Harbour Crossing Ordinance (Cap. 436)—
 - (i) section 2(1), definition of *Secretary*; and
 - (ii) section 38(2)(b);
- (u) Hong Kong Civil Aviation (Investigation of Accidents) Regulations (Cap. 448 sub. leg. B), regulations 8(3), 10(4) and 14(6);
- (v) Tai Lam Tunnel and Yuen Long Approach Road Ordinance (Cap. 474)—
 - (i) section 2(1), definition of *Secretary*; and
 - (ii) sections 17(1) and 32(3)(b);
- (w) Merchant Shipping (Seafarers) Ordinance (Cap. 478), sections 2A(2), 5(2), 6(2), (4), (5), (6) and (9), 17, 18(3), 19(1)(c), 72(1), 73(1), 80(5), 81, 82(1), 86, 89(1), (2) and (3), 95(2), 96(1), 97(1), 100(1), 104(1), 107(1), 119(2), 120(e), 121(1) and 125(4);
- (x) Airport Authority (Automated People Mover) (Safety) Regulation (Cap. 483 sub. leg. C)—
 - (i) section 1, definition of *automated people mover premises*, paragraph (b); and
 - (ii) sections 5(1) and (2), 6(1), (3) and (4) and 11;
- (y) Tsing Ma Control Area Ordinance (Cap. 498), section 2, definition of *Secretary*;
- (z) Freight Containers (Safety) Ordinance (Cap. 506), section 2(1), definition of *Secretary*;

- (za) Railways Ordinance (Cap. 519), section 2, definition of *Secretary*;
- (zb) Discovery Bay Tunnel Link Ordinance (Cap. 520), section 2(1), definition of *Secretary*;
- (zc) Merchant Shipping (Local Vessels) Ordinance (Cap. 548), sections 17(3), 72(3)(c) and (d) and 89(1) and (2);
- (zd) Mass Transit Railway Ordinance (Cap. 556), section 2(1), definition of *Secretary*;
- (ze) Merchant Shipping (Security of Ships and Port Facilities) Ordinance (Cap. 582), section 3(1), definition of *Secretary*;
- (zf) Tsing Sha Control Area Ordinance (Cap. 594), section 2(1), definition of *Secretary*;
- (zg) Sailors Home and Mission to Seafarers Incorporation Ordinance (Cap. 1042), section 3(2);
- (zh) Resolution made and passed by the Legislative Council under section 72A(10) of the Road Traffic Ordinance and section 4(3) of the Road Traffic (Driving-offence Points) Ordinance on 29 May 2013 (L.N. 100 of 2013), paragraph (d);
- (zi) Merchant Shipping (Seafarers) (Working and Living Conditions) (Amendment) Regulation 2019 (L.N. 173 of 2019), section 1;
- (zj) Merchant Shipping (Seafarers) (Allotments) (Amendment) Regulation 2019 (L.N. 174 of 2019), section 1;
- (zk) Road Tunnels (Government) Ordinance (Amendment of Schedule 1) Notice 2020 (L.N. 34 of 2020), section 1(2);

- (zl) Road Tunnels (Government) (Amendment) Regulation 2020 (L.N. 35 of 2020), section 1(2);
- (zm) Road Traffic (Public Service Vehicles) (Amendment) Regulation 2020 (L.N. 36 of 2020), section 1—

Repeal

“Secretary for Transport and Housing” (wherever appearing)

Substitute

“Secretary for Transport and Logistics”.

- (2) The following provisions—
 - (a) Public Bus Services Ordinance (Cap. 230), section 35, heading;
 - (b) Airport Authority (Automated People Mover) (Safety) Regulation (Cap. 483 sub. leg. C), section 6, heading—

Repeal

“Secretary for Transport and Housing” (wherever appearing)

Substitute

“Secretary for Transport and Logistics”.

2. “Transport and Logistics Bureau” substituted for “Transport and Housing Bureau”

The following provisions—

- (a) Specification of Arrangements (Swiss Federal Council) (Avoidance of Double Taxation on Income from Aircraft Operation) Order (Cap. 112 sub. leg. AQ), section 2, note;

- (b) Specification of Arrangements (Government of the Republic of Iceland) (Avoidance of Double Taxation on Income from Aircraft Operation) Order (Cap. 112 sub. leg. AU), section 2, note;
- (c) Specification of Arrangements (Government of the Hashemite Kingdom of Jordan) (Avoidance of Double Taxation on Income from Aircraft Operation) Order (Cap. 112 sub. leg. AV), section 2, note;
- (d) Hong Kong Civil Aviation (Investigation of Accidents) Regulations (Cap. 448 sub. leg. B), regulation 8(2)—

Repeal

“Transport and Housing Bureau” (wherever appearing)

Substitute

“Transport and Logistics Bureau”.

Division 2—Transfer to Secretary for Housing**3. “Secretary for Housing” substituted for “Secretary for Transport and Housing”**

- (1) The following provisions—
 - (a) Landlord and Tenant (Consolidation) Ordinance (Cap. 7), section 120AA(1), definition of *Secretary*;
 - (b) Housing Ordinance (Cap. 283), sections 14(4) and 15(2);
 - (c) Estate Agents Ordinance (Cap. 511)—
 - (i) section 1(2); and
 - (ii) section 2(1), definition of *Secretary*;

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(d) Residential Properties (First-hand Sales) Ordinance
(Cap. 621), section 2(1), definition of *Secretary*—

Repeal

“Secretary for Transport and Housing” (wherever appearing)

Substitute

“Secretary for Housing”.

(2) Residential Properties (First-hand Sales) Ordinance (Cap. 621), section 90, heading—

Repeal

“Secretary for Transport and Housing”

Substitute

“Secretary for Housing”.

Schedule 10

[para. (2)(e)]

Substitution of References to Public Officers and Policy Bureaux

Column 1	Column 2
Chief Secretary for Administration	Financial Secretary
Secretary for Commerce and Economic Development	Secretary for Culture, Sports and Tourism
Commerce and Economic Development Bureau	Culture, Sports and Tourism Bureau
Secretary for the Environment	Secretary for Environment and Ecology
Environment Bureau	Environment and Ecology Bureau
Secretary for Food and Health	Secretary for Health or Secretary for Environment and Ecology, as may be appropriate in the circumstances
Permanent Secretary for Food and Health (Health)	Permanent Secretary for Health

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Column 1

Column 2

Food and Health Bureau

Health Bureau or Environment and Ecology Bureau, as may be appropriate in the circumstances

Secretary for Home Affairs

Secretary for Culture, Sports and Tourism or Secretary for Home and Youth Affairs, as may be appropriate in the circumstances

The Secretary for Home Affairs Incorporated

The Secretary for Home and Youth Affairs Incorporated

Deputy Secretary for Home Affairs (Culture and Sport)

Deputy Secretary for Culture, Sports and Tourism

Home Affairs Bureau

Culture, Sports and Tourism Bureau or Home and Youth Affairs Bureau, as may be appropriate in the circumstances

Secretary for Transport and Housing

Secretary for Transport and Logistics or Secretary for Housing, as may be appropriate in the circumstances

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Schedule 10

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Column 1

Column 2

Transport and Housing Bureau

Transport and Logistics Bureau or
Housing Bureau, as may be
appropriate in the circumstances

Kenneth CHEN Wei-on
Clerk to the Legislative Council

15 June 2022

Explanatory Note

As from 1 July 2022, this Resolution—

- (a) effects the transfer of—
 - (i) some of the statutory functions exercisable by the Chief Secretary for Administration to the Financial Secretary;
 - (ii) some of the statutory functions exercisable by the Secretary for Commerce and Economic Development to the Secretary for Culture, Sports and Tourism;
 - (iii) the statutory functions exercisable by the Secretary for the Environment to the Secretary for Environment and Ecology;
 - (iv) some of the statutory functions exercisable by the Secretary for Food and Health to the Secretary for Health;
 - (v) some of the statutory functions exercisable by the Secretary for Food and Health to the Secretary for Environment and Ecology;
 - (vi) the statutory functions exercisable by the Permanent Secretary for Food and Health (Health) to the Permanent Secretary for Health;
 - (vii) some of the statutory functions exercisable by the Secretary for Home Affairs to the Secretary for Culture, Sports and Tourism;
 - (viii) some of the statutory functions exercisable by the Secretary for Home Affairs to the Secretary for Home and Youth Affairs;

- (ix) the statutory functions exercisable by The Secretary for Home Affairs Incorporated to The Secretary for Home and Youth Affairs Incorporated;
 - (x) the statutory functions exercisable by the Deputy Secretary for Home Affairs (Culture and Sport) to the Deputy Secretary for Culture, Sports and Tourism;
 - (xi) some of the statutory functions exercisable by the Secretary for Transport and Housing to the Secretary for Transport and Logistics; and
 - (xii) some of the statutory functions exercisable by the Secretary for Transport and Housing to the Secretary for Housing; and
- (b) amends references to the titles in certain enactments affected by the transfers accordingly.