

LC: Speech by SJ in moving the committee stage amendments to the Domicile Bill
(New Clause)

Following is the speech by the Secretary for Justice, Mr Wong Yan Lung, SC, in moving the committee stage amendments to the Domicile Bill (New Clause) in the Legislative Council today (February 20):

Madam Chairman,

For the reasons given earlier today in my speech on the resumption of the Second Reading of this Bill, I move that new clause 10A as set out in the paper circulated to Members be read a second time.

The original clause 4(2) of the Bill provides that, in determining the domicile of a child based on the closest connection test, the court is required to take into account all relevant factors including the intention of the child. The Bills Committee suggested that a similar requirement should also apply in determining the domicile of an adult under disability under clause 8 and in determining the domicile of an adult in a country comprising two or more territories under clause 10, where both clauses 8 and 10 adopt the closest connection test. We have taken on board the Bills Committee's suggestion. The original clause 4(2) is deleted and the new clause 10A covers clauses 4, 8 and 10.

Madam President, I beg to move.

Ends/Wednesday, February 20, 2008