

## Statute Law (Miscellaneous Provisions) Bill to be Gazetted

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The Statute Law (Miscellaneous Provisions) Bill 2007, which seeks to make improvements to some existing laws, will be gazetted on Friday (March 23).

The proposed omnibus Bill was an efficient means by which to make improvements of a largely technical nature to a number of Ordinances and subsidiary legislation, a spokesman for the Department of Justice said today (March 20).

It would be inefficient to introduce individual Bills or subsidiary legislation for each Ordinance or subsidiary legislation that is to be amended, the spokesman said.

For example, he said, in accordance with an earlier Court of Final Appeal's Judgment, the Bill proposes to repeal section 30A (10)(b)(i) of the Bankruptcy Ordinance, in order not to unreasonably restrict the right to travel guaranteed under the Basic Law and the Hong Kong Bill of Rights.

"It is necessary to give effect to the Hong Kong Court of Final Appeal's earlier judgment in a case which held that 'public order (in the law and order sense)' should be severed from 'public order (ordre public)' in sections 14(1), 14(5) and 15(2) of the Public Order Ordinance (Cap. 245). There are similar provisions in the Societies Ordinance (Cap. 151) which need to be amended as a result of that decision," he said.

To reflect the abolition of the offence of suicide, it was proposed that the phrase, "killing himself or" be deleted from section 5(1) and (2) of the Homicide Ordinance, the spokesman said.

Having regard to the comments made by the Court of Appeal in a decided case, the spokesman said a section of the Criminal Procedure Ordinance was to be amended to raise the maximum penalty for the offence of perverting the course of public justice.

The comments of the Court of Appeal in another case also prompted the proposal to extend the power to make wasted costs orders

in criminal cases.

In addition, the Bill also proposed minor amendments to various ordinances including Fixed Penalty (Criminal Proceedings) Ordinance, Fire Services (Installation Contractors) Regulations, Pharmacy and Poisons Ordinance, Lifts and Escalators (Safety) Ordinance, Legal Practitioners Ordinance, Rules of the High Court, Prevention of Bribery Ordinance, Independent Commission Against Corruption Ordinance, Interpretation and General Clauses Ordinance and Certification for Employee Benefits (Chinese Medicine) (Miscellaneous Amendments) Ordinance 2006.

"The Bill is in conformity with the Basic Law, including the provisions concerning human rights," the spokesman said.

The spokesman said the Legislative Council's Panel on Administration of Justice and Legal Services had been consulted and it indicated that the bill would be referred to a Bills Committee.

The Bill will be tabled in the Legislative Council on April 25.

Ends/Tuesday, March 20, 2007

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