

LC: Speech by Secretary for Justice in moving
second reading of Statute Law (Miscellaneous Provisions)
Bill 2017

Following is the speech by the Secretary for Justice, Mr Rimsky Yuen, SC, in moving the second reading of the Statute Law (Miscellaneous Provisions) Bill 2017 at the Legislative Council meeting today (June 14):

Mr President,

I move that the Statute Law (Miscellaneous Provisions) Bill 2017 be read the second time.

It has been the practice of the Department of Justice to introduce, at regular intervals, to the Legislative Council a Statute Law (Miscellaneous Provisions) Bill, proposing minor amendments that are largely technical and non-controversial to various Ordinances for the purpose of updating or further enhancing the relevant legislation.

The last Statute Law (Miscellaneous Provisions) Bill was enacted in 2014. The Government finds it necessary to introduce another omnibus bill so as to make miscellaneous amendments to various Ordinances. The amendments are set out in Parts 2 to 9 of the Bill. The key elements can be outlined as follows.

Part 2 of the Bill seeks to amend the Criminal Procedure Ordinance and the Live Television Link and Video Recorded Evidence Rules to give the court a discretion to permit complainants of specified sexual offences to give evidence in proceedings by way of a live television link, in order to enhance the protection for such complainants.

Part 3 of the Bill seeks to clarify the powers of temporary registrars of different ranks appointed to the High Court, the District Court and the Competition Tribunal. The amendments concerned are proposed by the Judiciary for

the sake of clarity. Through the amendments, temporary registrars appointed to such courts and tribunal will be given the same jurisdiction and powers of the registrars at the respective ranks.

Parts 4 and 8 of the Bill seek to amend the District Court Ordinance. The amendments are also proposed by the Judiciary. Part 4 seeks to provide for representation of the Secretary for Justice at the District Court Rules Committee, while the amendment in Part 8 seeks to enable the jurisdiction limit of the amount of claim for costs in "costs-only proceedings" may be amended by resolution of the Legislative Council. Both these amendments aim to align the practice in question with other similar arrangements.

Part 5 of the Bill seeks to clarify the reference point for the calculation of the period of residence for the purpose of admission as a solicitor in Hong Kong in response to the proposal of the Law Society of Hong Kong. With this amendment, a person is required to have resided in Hong Kong for at least three months immediately before the date on which the person applied for a certificate of eligibility for admission, but not the date of the applicant's admission as a solicitor as it currently stands.

Part 6 of the Bill amends the English text of the Mainland Judgments (Reciprocal Enforcement) Ordinance by replacing the references to "Basic People's Court(s)" in the Mainland therein by "Primary People's Court(s)" so as to maintain consistency with the English usage of the same term in the Mainland, and thereby avoiding confusion of the meaning of the relevant term.

Part 7 of the Bill amends the Laws (Loose-leaf Publication) Ordinance 1990 and the Legislation Publication Ordinance to streamline laws compilation and editorial amendment work.

Part 9 of the Bill contains miscellaneous and technical amendments to various legislative provisions for different purposes, including to reinstate consequential amendments that were omitted in previous legislative amendment exercises, to formally repeal legislation that has ceased to have effect, to remove obsolete references to repealed provisions from certain legal provisions, to achieve consistency in certain expressions, to update a reference to the title of an item of subsidiary legislation, and to make provisions for correcting other minor errors.

Mr President, as I pointed out at the beginning of this speech, the Bill deals with a number of amendments to various areas in a consolidated manner, which is part of the continuing efforts of the Government to collate Hong Kong's legislation. By dealing with the amendments in one go by way of the Bill, the relevant legislative provisions can be further improved in an efficient manner.

With these remarks, I urge Members to support the Bill.

Thank you, President.

Ends/Wednesday, June 14, 2017