

Statute Law (Miscellaneous Provisions) Bill 2024 to be introduced into LegCo

The Government will introduce the Statute Law (Miscellaneous Provisions) Bill 2024 into the Legislative Council (LegCo) to make miscellaneous amendments to various ordinances. Opportunity is also taken to make a straightforward adaptation of references which are inconsistent with the constitutional status of the Hong Kong Special Administrative Region and repeal obsolete provisions or references in various ordinances.

A spokesman for the Department of Justice said today (May 8) that the proposed amendments in the Bill are put forth by different policy bureaux and can be broadly categorised into two groups:

(1) Amendments without adaptation of laws elements

The proposed amendments are largely minor, technical and non-controversial but are useful for the purpose of updating or improving the relevant legislation.

(2) Amendments with adaptation of laws elements

The amendments are proposed with a view to keeping the laws of Hong Kong up-to-date and commensurate with its status as a modern society governed by the rule of law under the constitutional framework of "one country, two systems".

In 2022, the Law Reform Commission Secretariat spearheaded an exercise to conduct a systematic review of statutory laws of Hong Kong which consisted of work mainly in three aspects: (1) adaptation of laws; (2) consolidation of laws; and (3) repeal of obsolete laws. The adaptation of laws refers to the process of identifying and amending certain provisions or references in the ordinances and subsidiary legislation that were in force in Hong Kong before July 1, 1997, so that they are consistent with the Basic Law and the status of Hong Kong as a Special Administrative Region of the People's Republic of China, and properly reflect the policy intent of the relevant policy bureaux.

Most of the proposed amendments with adaptation of laws elements are terminological or technical in nature, such as references to "Her Majesty the Queen, Her Heirs or Successors", "Governor", "Crown", "Government of the United Kingdom" and "Secretary of State". Currently the Interpretation and General Clauses Ordinance (Cap. 1) has provided for the principles for interpretation of provisions and references not yet adapted unless the context requires otherwise.

The Department of Justice has issued an information paper to the LegCo Panel on Administration of Justice and Legal Services in February this year, briefing members of the Panel on the major legislative proposals to be included in the Bill. Relevant policy bureaux have consulted stakeholders on

their respective proposals, and no comment on or in-principle objection to the proposed amendments have been received from relevant bodies and organisations.

The Bill will be gazetted on Friday (May 10), and will be introduced into the LegCo on May 22.