

REGULATIONS OF THE HONG KONG SPECIAL ADMINISTRATIVE REGION 2016

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Noise Control (Hand Held Percussive Breakers) (Amendment) Regulation 2016	15. 4.2016	44	B803
《2016 年噪音管制 (手提撞擊式破碎 機) (修訂) 規例》	15. 4.2016	44	B802

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Declaration of Increase in Pensions Notice 2016	10. 6.2016	99	B2161
《2016 年宣布增加退休金公告》	10. 6.2016	99	B2160

Pharmacy and Poisons Ordinance (Cap. 138)—

《藥劑業及毒藥條例》(第 138 章)——

Pharmacy and Poisons (Amendment) Regulation 2016	11. 3.2016	40	B761
(No. 2) Regulation 2016	29. 4.2016	51	B1027
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2016 年 (第 2 號) 規例	29. 4.2016	51	B1026
2016 年 (第 3 號) 規例	20. 5.2016	83	B1932

Pilotage Ordinance (Cap. 84)—

《領港條例》(第 84 章)——

Pilotage (Dues) (Amendment) Order 2016	20. 5.2016	88	B1973
《2016 年領港 (費用) (修訂) 令》	20. 5.2016	88	B1972

**Port Control (Cargo Working Areas)
Ordinance (Cap. 81)—**

《港口管制 (貨物裝卸區) 條例》
(第 81 章)——

Port Control (Public Cargo Working Area) Order 2016	20. 5.2016	85	B1955
(No. 2) Order 2016	20. 5.2016	86	B1961
《2016 年港口管制 (公眾貨物裝卸區) 令》	20. 5.2016	85	B1954
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**Prevention and Control of Disease Ordinance
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《預防及控制疾病條例》(第 599 章)——

Prevention and Control of Disease Ordinance (Amendment of Schedule 1) Notice 2016	5. 2.2016	33	B671
《2016 年預防及控制疾病條例 (修訂附 表 1) 公告》	5. 2.2016	33	B670

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《防止賄賂條例》(第 201 章)——

Prevention of Bribery Ordinance (Amendment of Schedule 1) Order 2016	10. 6.2016	93	B2129
《2016 年防止賄賂條例 (修訂附表 1) 令》	10. 6.2016	93	B2128
Prevention of Bribery Ordinance (Amendment of Schedules 1 and 2) Order 2016	20. 5.2016	67	B1529
《2016 年防止賄賂條例 (修訂附表 1 及 2) 令》	20. 5.2016	67	B1528

**Property Management Services Ordinance
(10 of 2016)—**

《物業管理服務條例》(2016 年第 10 號)——

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Public Bus Services Ordinance (Cap. 230)—

《公共巴士服務條例》(第 230 章)——

Resolution excluding certain provisions relating to profit control scheme from applying to the franchise granted to Citybus Limited (城巴有限公司) to operate a public bus service	24. 6.2016	102	B2181
決議規定某些關於利潤管制計劃的條 文，不適用於批予城巴有限公司 (Citybus Limited) 經營公共巴士服務 的專營權	24. 6.2016	102	B2180

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Resolution excluding certain provisions relating to profit control scheme from applying to the franchise granted to New Lantao Bus Company (1973) Limited (新大嶼山巴士(1973)有限公司) to operate a public bus service	24. 6.2016	103	B2185
決議規定某些關於利潤管制計劃的條文，不適用於批予新大嶼山巴士(1973)有限公司(New Lantao Bus Company (1973) Limited)經營公共巴士服務的專營權	24. 6.2016	103	B2184

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United Nations Sanctions (Yemen) Regulation 2015 (Amendment) Regulation 2016	27. 5.2016	91	B2087
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《2015年高等法院訴訟人儲存金(修訂)規則》 (2015年第148號法律公告)在2016年4 月1日實施	22. 1.2016	15	B246
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Inland Revenue (Amendment) (No. 3) Ordinance 2015 (17 of 2015) in operation on 1 April 2016	15. 1.2016	6	B103
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《2016年刑事案件法律援助(修訂)規則》(2016 年第109號法律公告)在2016年11月14 日實施	30. 6.2016	110	B2356
Property Management Services Ordinance (10 of 2016)—			
The following provisions—			
(a) sections 1 and 2;			
(b) Part 7;			
(c) sections 66(2) and 68;			
(d) Schedules 3 and 5,			
in operation on 24 October 2016	10. 6.2016	98	B2159
《物業管理服務條例》(2016年第10號)——			
以下條文——			
(a) 第1及2條；			
(b) 第7部；			
(c) 第66(2)及68條；			
(d) 附表3及5，			
在2016年10月24日實施	10. 6.2016	98	B2158
Securities and Futures (Amendment) Ordinance 2014 (6 of 2014)—			
The following provisions—			
(a) section 9 in so far as it relates to the following provisions—			
(i) the new section 101A in so far as it relates to—			
(A) the new definitions of <i>clearing obligation</i> , <i>clearing rules</i> , <i>designated CCP</i> and <i>designation rules</i> ;			
(B) paragraph (a) of the new definition of <i>prescribed manner</i> ;			

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(C) paragraph (b) of the new definition of <i>prescribed person</i> ; and			
(D) paragraph (b) of the new definition of <i>specified OTC derivative transaction</i> ;			
(ii) the new section 101C;			
(iii) the new section 101F in so far as it relates to the contravention of the clearing obligation;			
(iv) the new section 101G in so far as it relates to the contravention of the clearing obligation;			
(v) the new section 101H in so far as it relates to the exemption from the clearing obligation;			
(vi) the new section 101I in so far as it relates to the guidelines on exemption from the clearing obligation;			
(vii) the new sections 101J and 101N;			
(viii) the new section 101Q, except—			
(A) paragraph (a)(ii);			
(B) paragraph (e) in so far as it relates to the new section 101K; and			
(C) paragraph (f) in so far as it relates to the new section 101K;			

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(b) section 18(5) in so far as it relates to the new section 182(1)(da) (in so far as it relates to the contravention of the clearing obligation);			
(c) section 20 in so far as it relates to the new section 184A (in so far as it relates to the contravention of the clearing obligation);			
(d) section 37 in so far as it relates to the new Division 4 of Part IX (in so far as it relates to the contravention of the clearing obligation);			
(e) section 52(3) in so far as it relates to the new definition of clearing obligation ;			
(f) section 53(1);			
(g) section 53(2) in so far as it relates to the new entry relating to Type 12 (in so far as it relates to paragraph (c) of the new definition of excluded services in Part 2 of Schedule 5);			
(h) section 53(9) in so far as it relates to the new paragraph (d) of the definition of automated trading services in Part 2 of Schedule 5;			
(i) section 53(10);			
(j) section 53(11) in so far as it relates to the new paragraph (d) of the definition of automated trading services in Part 2 of Schedule 5;			

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(k) section 53(12);			
(l) section 53(13) (except in so far as it relates to Type 7 regulated activity under the Securities and Futures Ordinance (Cap. 571));			
(m) section 53(14);			
(n) section 53(22) in so far as it relates to—			
(i) paragraph (c) of the new definition of <i>excluded services</i> ; and			
(ii) the new definition of <i>providing client clearing services for OTC derivative transactions</i> (in so far as it relates to paragraph (c) of the new definition of <i>excluded services</i>);			
(o) section 53(23) in so far as it relates to section 4(b) of the new Part 2A of Schedule 5 (in so far as it relates to the new definition of <i>providing client clearing services for OTC derivative transactions</i> in Part 2 of Schedule 5);			
(p) section 54(1) in so far as it relates to the new items 4C, 4D, 4E and 4F;			
(q) section 54(5) in so far as it relates to the new items 2A and 2B,			
in operation on 1 September 2016	5. 2.2016	27	B515

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《2014 年證券及期貨 (修訂) 條例》
(2014 年第 6 號)——

以下條文——

- (a) 第 9 條，但限於在該條關乎以下條文的範圍內——
 - (i) 新的第 101A 條，但限於在該條關乎以下條文的範圍內——
 - (A) 新的**指定中央對手方**、《**指定規則**》、《**結算規則**》及**結算責任**的定義；
 - (B) 新的**訂明方式**的定義的 (a) 段；
 - (C) 新的**訂明人士**的定義的 (b) 段；及
 - (D) 新的**指明場外衍生工具交易**的定義的 (b) 段；
 - (ii) 新的第 101C 條；
 - (iii) 新的第 101F 條，但限於在該條關乎違反結算責任的範圍內；
 - (iv) 新的第 101G 條，但限於在該條關乎違反結算責任的範圍內；
 - (v) 新的第 101H 條，但限於在該條關乎豁免履行結算責任的範圍內；
 - (vi) 新的第 101I 條，但限於在該條關乎豁免履行結算責任的指引的範圍內；
 - (vii) 新的第 101J 及 101N 條；

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(viii) 新的第 101Q 條，但以下 條文除外——			
(A) (a)(ii) 段；			
(B) (e) 段，但限於在該段 關乎新的第 101K 條 的範圍內；及			
(C) (f) 段，但限於在該段 關乎新的第 101K 條 的範圍內；			
(b) 第 18(5) 條，但限於在該條關乎 新的第 182(1)(da) 條 (在該第 182(1)(da) 條關乎違反結算責任 的範圍內) 的範圍內；			
(c) 第 20 條，但限於在該條關乎新 的第 184A 條 (在該第 184A 條 關乎違反結算責任的範圍內) 的範圍內；			
(d) 第 37 條，但限於在該條關乎新 的第 IX 部第 4 分部 (在該分部 關乎違反結算責任的範圍內) 的範圍內；			
(e) 第 52(3) 條，但限於在該條關乎 新的 結算責任 的定義的範圍內；			
(f) 第 53(1) 條；			
(g) 第 53(2) 條，但限於在該條關乎 新的與第 12 類有關的記項 (在 該記項關乎附表 5 第 2 部的新 的 辭除服務 的定義的 (c) 段的範 圍內) 的範圍內；			
(h) 第 53(9) 條，但限於在該條關乎 附表 5 第 2 部的 自動化交易服 務 的定義的新的 (d) 段的範圍 內；			
(i) 第 53(10) 條；			

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(j) 第 53(11) 條，但限於在該條關 乎附表 5 第 2 部的 自動化交易 服務 的定義的新的 (d) 段的範 圍內；			
(k) 第 53(12) 條；			
(l) 第 53(13) 條 (在該條關乎《證券 及期貨條例》(第 571 章) 所指 的第 7 類受規管活動的範圍內 除外) ；			
(m) 第 53(14) 條；			
(n) 第 53(22) 條，但限於在該條關 乎以下條文的範圍內——			
(i) 新的 豁除服務 的定義的 (c) 段；及			
(ii) 新的 為場外衍生工具交易 提供客戶結算服務 的定義 (在該定義關乎新的 豁除服 務 的定義的 (c) 段的範圍 內) ；			
(o) 第 53(23) 條，但限於在該條關 乎附表 5 新的第 2A 部第 4(b) 條 (在該第 4(b) 條關乎附表 5 第 2 部的新的 為場外衍生工具 交易提供客戶結算服務 的定義 的範圍內) 的範圍內；			
(p) 第 54(1) 條，但限於在該條關乎 新的第 4C、4D、4E 及 4F 項 的範圍內；			
(q) 第 54(5) 條，但限於在該條關乎 新的第 2A 及 2B 項的範圍內，			
在 2016 年 9 月 1 日實施	5. 2.2016	27	B514

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Securities and Futures (OTC Derivative Transactions—Reporting and Record Keeping Obligations) Rules (L.N. 96 of 2015)—			
Rule 15 in operation on 1 September 2016	5. 2.2016	29	B591
《證券及期貨(場外衍生工具交易——匯報及備存紀錄責任)規則》(2015年第96號法律公告)——			
第15條在2016年9月1日實施	5. 2.2016	29	B590
Small Claims Tribunal (Suitors' Funds) (Amendment) Rules 2015 (L.N. 152 of 2015) in operation on 1 April 2016	22. 1.2016	19	B255
《2015年小額錢債審裁處(訴訟人儲存金)(修訂)規則》(2015年第152號法律公告)在2016年4月1日實施	22. 1.2016	19	B254
Trainee Solicitors (Amendment) Rules 2015 (L.N. 174 of 2015) in operation on 3 May 2016	29. 1.2016	23	B447
《2015年實習律師(修訂)規則》(2015年第174號法律公告)在2016年5月3日實施	29. 1.2016	23	B446

**INDEX OF NEW SUBSIDIARY LEGISLATION AND AMENDMENTS
TO SUBSIDIARY LEGISLATION NOT YET PUBLISHED IN
THE LOOSE-LEAF EDITION OF THE LAWS OF
HONG KONG AS UPDATED BY ISSUE 53
(To 30.9.2016)**

This index lists new subsidiary legislation and amendments to subsidiary legislation which are not published in the Loose-leaf Edition as updated by the most recent issue (i.e. Issue 53). The index is published monthly, and for new subsidiary legislation or amendments to subsidiary legislation published later than the index, users should refer to the individual Legal Supplements to the Gazette.

2. Part 1 lists new subsidiary legislation. Part 2 lists subsidiary legislation that has been amended, repealed or otherwise affected; following each item is the Legal Notice or the Ordinance that effected the amendment or repeal, etc.

- N.B. (a) Items arising from legislation enacted in September 2016 are printed in bold type.
(b) Material is included whether or not it is in operation, but is not included when it is shown (as not yet in operation) in the pink Check Lists of the Loose-leaf Edition.
(c) Commencement notices are not included.

PART 1

NEW REGULATIONS, ETC.

(For amendments to these, see Part 2)

Declaration of Change of Titles (Communications and Technology Branch and Secretaries of Communications and Technology Branch) Notice 2015 (LN 230/2015)

Declaration of Increase in Pensions Notice 2016 (LN 99/2016)

Inland Revenue (Double Taxation Relief and Prevention of Fiscal Evasion with respect to Taxes on Income) (Romania) Order (LN 61/2016)

Inland Revenue (Double Taxation Relief and Prevention of Fiscal Evasion with respect to Taxes on Income) (Russian Federation) Order (LN 62/2016)

- International Organizations (Privileges and Immunities) (ASEAN+3 Macroeconomic Research Office) Order (LN 35/2016)
- International Organizations (Privileges and Immunities) (Asia Pacific Regional Office of the Hague Conference on Private International Law) Order (LN 25/2016)
- International Organizations (Privileges and Immunities) (Asian Infrastructure Investment Bank) Order (LN 52/2016)
- International Organizations (Privileges and Immunities) (Permanent Court of Arbitration) Order (LN 26/2016)
- Merchant Shipping (Prevention of Air Pollution) Regulation (LN 22/2016)
- Merchant Shipping (Safety) (IMSBC Code) Regulation (LN 55/2016)
- Merchant Shipping (Seafarers) (Working and Living Conditions) Regulation (LN 69/2016)
- Mutual Legal Assistance in Criminal Matters (Argentina) Order (LN 107/2016)
- Mutual Legal Assistance in Criminal Matters (Sweden) Order (LN 105/2016)
- Rating (Exemption) Order 2016 (LN 36/2016)
- Revenue (Reduction of Business Registration Fees) Order 2016 (LN 37/2016)
- Road Traffic (Public Light Buses: Limit on Number) Notice 2016 (LN 101/2016)
- Securities and Futures (OTC Derivative Transactions—Clearing and Record Keeping Obligations and Designation of Central Counterparties) Rules (LN 28/2016)
- Securities and Futures (OTC Derivative Transactions Reporting Obligation—Fees) Rules (LN 31/2016)
- Travel Agents (Fee Concessions) Regulation 2016 (LN 65/2016)
- United Nations Sanctions (Central African Republic) Regulation 2016 (LN 90/2016)
- United Nations Sanctions (Liberia) (No. 2) Regulation 2015 (LN 239/2015)
- West Kowloon Cultural District (Public Open Spaces) Bylaw (LN 113/2016)
- Widows and Orphans Pension (Increase) Notice 2016 (LN 100/2016)

PART 2

AMENDMENTS MADE TO REGULATIONS, ETC.

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- Antiquities and Monuments (Declaration of Monuments and Historical Buildings) (Consolidation) Notice (Cap. 53B)—LN 89/2016
- Antiquities (Excavation and Search) Regulations (Cap. 53A)—LN 9/2016
- Banking (Capital) Rules (Cap. 155L)—23 of 2016 ss. 212 & 213
- Bankruptcy (Fees and Percentages) Order (Cap. 6C)—1 of 2016 s. 15
- Bankruptcy (Forms) Rules (Cap. 6B)—1 of 2016 s. 13
- Bankruptcy Rules (Cap. 6A)—1 of 2016 ss. 8 to 11
- Business Registration Regulations (Cap. 310A)—16 of 2016 s. 44
- Chinese Permanent Cemeteries Rules (Cap. 1112A)—11 of 2016 ss. 10 to 33 & Sch.
- Companies (Disqualification Orders) Regulation (Cap. 32I)—14 of 2016 s. 174, 16 of 2016 s. 24
- Companies (Fees and Percentages) Order (Cap. 32C)—14 of 2016 s. 119
- Companies Registry Trading Fund (Cap. 430B)—16 of 2016 s. 45
- Companies (Reports on Conduct of Directors) Regulation (Cap. 32J)—14 of 2016 s. 175
- Companies (Winding-up) Rules (Cap. 32H)—14 of 2016 ss. 120 to 173, 178 & 179
- Coroners Rules (Cap. 504B)—18 of 2016 s. 30
- Dangerous Goods (Consignment by Air) (Safety) Regulations (Cap. 384A)—LN 95/2016
- Designation of Libraries Order (Cap. 132O)—LN 87/2016
- Education (Exemption) (Private Schools Offering Non-Formal Curriculum) Order (Cap. 279F)—6 of 2016 Sch. s. 5
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- Election Committee (Appeals) Regulation (Cap. 569A)—15 of 2016 ss. 28 to 31
- Election Committee (Registration) (Voters for Subsectors) (Members of Election Committee) (Appeals) Regulation (Cap. 569B)—15 of 2016 ss. 32 to 35
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- Electoral Affairs Commission (Registration of Electors) (Rural Representative Election) Regulation (Cap. 541K)—LN 12/2016
- Electoral Procedure (Chief Executive Election) Regulation (Cap. 541J)—15 of 2016 ss. 21, 43 to 47, 54, 59, 64, 65, 70 & 71
- Electronic Transactions (Exclusion) Order (Cap. 553B)—15 of 2016 ss. 48 & 49
- Fixed Penalty (Criminal Proceedings) Regulations (Cap. 240A)—18 of 2016 s. 18
- Fixed Penalty (Public Cleanliness Offences) Regulation (Cap. 570A)—4 of 2016 ss. 6 & 7 (Now Fixed Penalty (Public Cleanliness and Obstruction) Regulation)
- Fixed Penalty (Traffic Contraventions) Regulations (Cap. 237A)—18 of 2016 s. 16
- Fugitive Offenders (Netherlands) Order (Cap. 503A)—LN 38/2016
- Hong Kong Court of Final Appeal Rules (Cap. 484A)—18 of 2016 s. 27
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- Inland Revenue Rules (Cap. 112A)—12 of 2016 ss. 19 to 23
- Labour Tribunal (Suitors' Funds) Rules (Cap. 25D)—LN 151/2015, 18 of 2016 s. 10
- Land Survey (Fees) Regulation (Cap. 473A)—LN 2/2016
- Legal Aid in Criminal Cases Rules (Cap. 221D)—LN 108/2016, LN 109/2016
- Mandatory Provident Fund Schemes (General) Regulation (Cap. 485A)—9 of 2016 ss. 12 to 26
- Mass Transit Railway (Transport Interchange) Bylaw (Cap. 556D)—18 of 2016 ss. 31 & 32
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- Merchant Shipping (Local Vessels) (Amount of Insurance Cover) Notice (Cap. 548K)—LN 48/2016
- Merchant Shipping (Prevention and Control of Pollution) (Fees) Regulation (Cap. 413L)—LN 20/2016
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- Merchant Shipping (Safety) (High Speed Craft) Regulation (Cap. 369AW)—LN 56/2016
- Merchant Shipping (Safety) (Signals of Distress and Prevention of Collisions) Regulations (Cap. 369N)—LN 53/2016, LN 94/2016

- Merchant Shipping (Safety) (Signals of Distress and Prevention of Collisions) (Amendment) Regulation 2016 (LN 53/2016)—LN 94/2016
- Merchant Shipping (Seafarers) (Allotments) Regulation (Cap. 478A)—LN 70/2016
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- Merchant Shipping (Seafarers) (Fees) Regulation (Cap. 478AB)—LN 82/2016
- Merchant Shipping (Seafarers) (Health and Safety: General Duties) Regulation (Cap. 478C)—LN 71/2016
- Merchant Shipping (Seafarers) (Hours of Work) Regulation (Cap. 478D)—LN 72/2016 (Now Merchant Shipping (Seafarers) (Hours of Rest) Regulation)
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- Merchant Shipping (Seafarers) (Repatriation) Regulation (Cap. 478Q)—LN 76/2016
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- Pilotage (Dues) Order (Cap. 84D)—LN 88/2016
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- Public Health and Municipal Services (Fees and Charges) (Museums)
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- United Nations Sanctions (Iran) Regulation (Cap. 537AF)—LN 8/2016
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- Waste Disposal (Charges for Disposal of Construction Waste) Regulation (Cap. 354N)—LN 50/2016, LN 60/2016
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