

**L.N. 226 of 2021**

**Electronic Transactions (Exclusion) (Amendment) (No. 2)  
Order 2021**

(Made by the Permanent Secretary for Innovation and Technology  
under section 11(1) of the Electronic Transactions Ordinance (Cap.  
553))

**1. Commencement**

- (1) Subject to subsections (2) and (3), this Order comes into operation on 31 March 2022.
- (2) Section 3(2) comes into operation on the day on which Part 3 of the Building (Administration) (Amendment) Regulation 2021 (*Regulation*) comes into operation.
- (3) Sections 3(3) and 4(2) come into operation on the day on which Part 4 of the Regulation comes into operation.

**2. Electronic Transactions (Exclusion) Order amended**

The Electronic Transactions (Exclusion) Order (Cap. 553 sub. leg. B) is amended as set out in sections 3 and 4.

**3. Schedule 1 amended (provisions excluded from application of section 5 of Ordinance)**

- (1) Schedule 1—  
**Repeal items 9 and 10**  
**Substitute**

- “9. Buildings Ordinance (Cap. 123) Column B in the table to section 17(1) (to the extent to which the conditions and requirements set out in that Column relate to a document specified under regulation 6A(1)(b) of the Building (Administration) Regulations (Cap. 123 sub. leg. A)), sections 20(2) and 21(2)
10. Building (Administration) Regulations (Cap. 123 sub. leg. A) Regulation 6(1) (to the extent to which it relates to a document specified under regulation 6A(1)(b))”.

(2) Schedule 1—

**Repeal item 11**

**Substitute**

- “11. Building (Planning) Regulations (Cap. 123 sub. leg. F)

Regulation 51(1)”.

(3) Schedule 1—

**Repeal items 9, 10 and 11.**

**4. Schedule 2 amended (provisions excluded from application of section 6 of Ordinance)**

(1) Schedule 2—

**Repeal item 5**

**Substitute**

“5. Building (Administration) Regulations (Cap. 123 sub. leg. A) Regulation 12(1), (2), (3) and (5) (to the extent to which it relates to a document specified under regulation 6A(1)(c))”.

(2) Schedule 2—

**Repeal item 5.**

Annie CHOI Suk-han  
Permanent Secretary for Innovation  
and Technology

2 September 2021

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## Explanatory Note

Section 5 of the Electronic Transactions Ordinance (Cap. 553) (***Ordinance***) allows the use of an electronic record to satisfy a rule of law that requires or permits information to be or given in writing. Schedule 1 to the Electronic Transactions (Exclusion) Order (Cap. 553 sub. leg. B) (***principal Order***) specifies the provisions that are excluded from the application of that section.

2. Section 6 of the Ordinance allows the use of an electronic signature or digital signature to satisfy a rule of law that requires a signature. Schedule 2 to the principal Order specifies the provisions that are excluded from the application of that section.
3. This Order amends Schedules 1 and 2 to the principal Order to remove by stages the exclusion of the relevant provisions of the following enactments—
  - (a) the Buildings Ordinance (Cap. 123);
  - (b) the Building (Administration) Regulations (Cap. 123 sub. leg. A);
  - (c) the Building (Planning) Regulations (Cap. 123 sub. leg. F).
4. Eventually, no provision of the enactments mentioned in paragraph 3 will be specified in Schedule 1 or 2 to the principal Order.