

Verification project for Hong Kong e-Legislation accomplished (with photos)

The verification of all the current consolidated Hong Kong legislation published on Hong Kong e-Legislation (HKeL) (www.elegislation.gov.hk) has been completed in the first quarter of this year. The hard copy loose-leaf edition of the Laws of Hong Kong is thus fully phased out by HKeL, which becomes the only official source of the current consolidated legislation of Hong Kong. This transition marks the successful finish of the years-long verification project for HKeL. The printing of the loose-leaf edition had ceased after its last issue was issued earlier this month.

Under the verification project for HKeL, all copies of the current consolidated Hong Kong legislation published on HKeL were subjected to a rigorous verification process, which included accuracy checking against official copies of legislation in the loose-leaf edition and the Government Gazette.

With the completion of the verification project, all verified copies published on HKeL have legal status. Users may now access and download all verified copies of legislation with legal status on HKeL for free with not only desktop computers, but also mobile phones, tablets or other portable devices anytime, anywhere.

Before the launch of HKeL, the official version of the consolidated legislation was published in loose-leaf format, known as the loose-leaf edition of the Laws of Hong Kong. With the advent of the Internet, the Department of Justice (DoJ) rolled out the Bilingual Laws Information System website in 1997 for accessing Hong Kong legislation online. However, the website's contents had no official status and were for information only. Therefore, the DoJ established HKeL in 2017 and embarked on the verification project with a view to modernising legislation publication in Hong Kong in the digital era.

To cater to the varying needs of users and to enhance user experience, the DoJ has been optimising the functions of HKeL. One example is the new "Get QR Code" feature, which enables users to generate a QR code for any HKeL content or make their own QR code for any specified chapter or provision as desired. Additionally, alongside its ongoing effort in taking forward the project of back-capturing past printed gazettes for uploading their electronic versions to HKeL, the department is gradually converting printed copies of the loose-leaf edition into electronic copies of portable document format (pdf), with a plan to make them available on HKeL in batches in the coming years for public access.



Two property owners fined over \$230,000 for not complying with statutory orders

Two property owners were convicted and fined over \$230,000 at the Tuen Mun Magistrates' Courts last month for failing to comply with statutory orders issued under the Buildings Ordinance (BO) (Cap. 123).

The first case involved the alteration of nine units into mini-storages in an industrial building on Hi Yip Street, Yuen Long. As the alteration and addition works were carried out without prior approval and consent from the Buildings Department (BD), and they obstructed the means of escape and means of access for fire fighting and rescue and affected the fire resisting construction of the building, contravening the Building (Planning) Regulations and the Building (Construction) Regulation, as well as rendering the building to become dangerous, a removal order and a repair order were served on the owner under section 24(1) and section 26 of the BO.

Failing to comply with the removal order and the repair order, the owner was prosecuted by the BD and were fined \$151,650 in total, of which \$34,650 was the fine for the number of days that the offences continued, upon conviction at the Tuen Mun Magistrates' Courts on February 28.

The second case involved an unauthorised structure with an area of about 70 square metres on the flat roof of a residential building on Hop Yick Road, Yuen Long. As the unauthorised building works (UBWs) were carried out without prior approval and consent from the BD, a removal order was served on the owner under section 24(1) of the BO.

Failing to comply with the removal order, the owner was prosecuted by the BD in 2023 and was fined \$13,200 upon conviction by the court. As the owner persisted in not complying with the removal order, the BD instigated prosecution again this year. The owner was subsequently fined \$86,680, of

which \$26,680 was the fine for the number of days that the offence continued, upon conviction at the Tuen Mun Magistrates' Courts on February 28.

A spokesman for the BD said today (March 21), "UBWs, including unauthorised alterations causing obstruction to the means of escape and means of access for fire fighting and rescue, or affecting the fire resisting construction of a building, may lead to serious consequences. The owners concerned must comply with the statutory orders issued by the BD without delay. The BD will continue to take enforcement action against owners who fail to comply with statutory orders, including instigation of prosecution, to ensure building safety."

Failure to comply with a removal order without reasonable excuse is a serious offence under the BO. The maximum penalty upon conviction is a fine of \$200,000 and one year's imprisonment, and a further fine of \$20,000 for each day that the offence continues. Moreover, failure to comply with a repair order without reasonable excuse is also a serious offence. The maximum penalty upon conviction is a fine of level 5 (\$50,000 at present) and one year's imprisonment, and a further fine of \$5,000 for each day that the offence continues.

[AFCD urges grave sweepers to prevent hill fires](#)

The Agriculture, Fisheries and Conservation Department (AFCD) today (March 21) reminded people paying tribute to ancestors at graveyards in the countryside during the Ching Ming Festival period to exercise caution and prevent hill fires.

An AFCD spokesman said it is an offence under the Forests and Countryside Ordinance (Cap. 96) to leave behind kindling or burn offerings without considering fire risks in the countryside. Any person who contravenes the ordinance may be prosecuted and is liable to a maximum fine of \$25,000 and one year's imprisonment upon conviction.

AFCD staff will step up patrols at graveyards in the countryside during the Ching Ming Festival period and take enforcement action against any irregularities.

The majority of hill fires in the countryside are caused by human negligence. Accidents can be prevented if grave sweepers observe some simple guidelines:

- * Remove weeds around graves with tools and never burn weeds;
- * Burning should only be done inside a container or iron bucket;
- * Never leave burning offerings unattended; and

* Make sure all kindling is put out before leaving.

The spokesman said that metal containers for burning offerings properly will be handed out to grave sweepers who have such a need at suitable locations in country parks during the Ching Ming Festival. The AFCD will also patrol hill fire black spots and distribute hill fire prevention leaflets together with the Civil Aid Service.

Members of the public are reminded to keep the countryside clean and properly clean up their offerings or rubbish.

[Government announces appointments to Communications Authority](#)

The Government today (March 21) announced that the Chief Executive has appointed Mr Jenkin Suen to succeed Ms Winnie Tam Wan-chi as the Chairperson of the Communications Authority (CA) for a term of two years with effect from April 1, 2025.

The Chief Executive has also reappointed the Permanent Secretary for Commerce and Economic Development as the Vice-chairperson of the CA. In addition, four incumbent members, i.e. Mr Nicholas Chan Hiu-fung, Mr Patrick Law Fu-yuen, Mr Michael Hui Wah-kit and Professor Leung Siu-fai have been reappointed, while Professor Anthony Fung Ying-him and Dr Patrick Tsie Kai-yiu have been appointed as new members. The tenure of the appointments is two years with effect from April 1, 2025.

Commenting on the appointments, the Secretary for Commerce and Economic Development, Mr Algernon Yau, said, "I am pleased that Mr Jenkin Suen has been appointed as the Chairperson of the CA. I believe with Mr Suen's legal background and wealth of experience in public services, he will be able to lead the CA to discharge its statutory functions as the communications and broadcasting regulator in Hong Kong, with the objectives of safeguarding the interests of the public and promoting the sustainable development of the telecommunications and broadcasting sectors. I would also like to welcome Professor Anthony Fung and Dr Patrick Tsie as new members of the CA. With their extensive experience and professional knowledge in the broadcasting and telecommunications fields respectively, they will surely provide valuable insights for the work of the CA. I am also grateful that Mr Nicholas Chan, Mr Patrick Law, Mr Michael Hui and Professor Leung Siu-fai have accepted reappointment to continue to contribute to the work of the CA.

"I extend my heartfelt gratitude to Ms Winnie Tam for her outstanding contributions during her tenure. Since taking up the chairmanship in 2018, Ms Tam has guided the CA in effectively fulfilling its regulatory functions and

roles with remarkable achievements. On the broadcasting front, during her tenure, the CA has relaxed a number of requirements under the broadcasting codes of practice to keep pace with the times, thereby creating a more conducive environment for the sustainable development of the broadcasting industry. In addition, the CA has continued to handle complaints in a fair, impartial and unbiased manner to safeguard public interest. On the communications front, with the rapid advancements in communications technologies over the past few years, the CA has continued to stay ahead in formulating policies to promote communications infrastructure and technology development while maintaining fair competition in the industry, contributing to a solid foundation for Hong Kong as a regional communications hub. I would also like to express my sincere appreciation to the outgoing members Professor Vincent Lau Kin-nang and Mr Simon Wong Kwong-yeung for their contributions to the CA over the past six years," Mr Yau added.

Brief profiles of the newly appointed Chairperson and non-official members are as follows:

Mr Jenkin Suen

Mr Suen was appointed as Senior Counsel in 2019 and is a barrister and an arbitrator in Des Voeux Chambers. He also sits as a Recorder of the Court of First Instance of the High Court. He is currently the Chairman of the Copyright Tribunal and the Pharmacy and Poisons Appeal Tribunal, the Deputy Chairman of the Administrative Appeals Board, and a member of the Criminal and Law Enforcement Injuries Compensation Boards and the Air Transport Licensing Authority. He was previously the Chairman of the Appeal Tribunal Panel (Buildings).

Professor Anthony Fung Ying-him

Professor Fung is the Dean of Social Science and the Director of the Hong Kong Institute of Asia-Pacific Studies at the Chinese University of Hong Kong. He is currently a co-opted member of the Broadcast Complaints Committee under the CA, as well as a member of the Standing Committee on Language Education and Research and the Steering Committee on Strategic Development of Information Technology in Education. He has formerly served as a member of the Citizens Advisory Committee on Community Relations of the Independent Commission Against Corruption as well as the Radio Television Hong Kong Board of Advisors.

Dr Patrick Tsie Kai-yiu

Dr Tsie was formerly the Senior Director of Technical Marketing at Qualcomm International, and has previously served as a member appointed on an ad personam basis of the Telecommunications Regulatory Affairs Advisory Committee of the Office of the Communications Authority.

The membership of the CA from April 1, 2025, will be as follows:

Chairperson

Mr Jenkin Suen

Vice-chairperson

Permanent Secretary for Commerce and Economic Development

Non-official members

Dr Hubert Chan Chung-yee

Mr Nicholas Chan Hiu-fung

Ms Amy Fung Dun-mi

Professor Anthony Fung Ying-him

Mr Michael Hui Wah-kit

Mr Patrick Law Fu-yuen

Professor Leung Siu-fai

Dr Patrick Tsie Kai-yiu

Ms Wendy Yuen Miu-ling

Official member

Director-General of Communications

Import and Export (Amendment) Bill 2025 gazetted

The Government published the Import and Export (Amendment) Bill 2025 in the Gazette today (March 21) to make technical amendments to the Import and Export Ordinance (Cap. 60) and other relevant pieces of legislation for the implementation of Phase 3 services of the Trade Single Window (TSW).

A spokesman for the Commerce and Economic Development Bureau said, "The Government is implementing the TSW in three phases to provide a one-stop electronic platform for the trade to lodge business-to-government trade documents for trade declaration and cargo clearance. The Bill aims to provide the legal basis for Phase 3 of the TSW, such that the trade can make use of the system to submit Import and Export Declaration (TDEC), Cargo Manifest as well as applications for Certificate of Origin (CO) and Permit for Dutiable Commodities (DCP)."

At present, the Government Electronic Trading Services (GETS) is the only electronic platform for the submission of TDEC, Cargo Manifest and applications for CO and DCP, which are governed by different pieces of legislation. To implement Phase 3 of the TSW, the Government proposes to make technical amendments to relevant existing legal provisions to replace GETS by

the TSW for the submission of those trade documents, and to remove GETS-related provisions from the legislation.

In addition, the Bill makes necessary legislative amendments for some of the Phase 3 services, including the introduction of value-added service provider and its regulatory framework, allowing the trade to submit pre-shipment TDEC and Cargo Manifest on a voluntary basis, the introduction of electronic road Cargo Manifest and the digitalisation of return of licences service. The Bill also includes provisions on transitional arrangements to allow parallel run of TSW Phase 3 and GETS for a certain period of time to provide sufficient time for the trade to migrate to the new system.

"The implementation of the TSW is a major business and operational process reengineering exercise. It overhauls and enhances the document submission workflows between participating government agencies and the trade. At the same time, it enhances the efficiency of cargo clearance in Hong Kong and helps maintain Hong Kong's status as an international trade centre and a logistics hub. The Government is developing the information system of Phase 3, with the target of rolling out the services by batches from 2026 onwards," the spokesman added.

The Bill will be introduced into the Legislative Council for first and second readings on April 2.