

## 第 614 章

## Chapter 614

## 《法例發布條例》

## Legislation Publication Ordinance

本條例旨在就設立一個法例電子資料庫，並認可一個可將該資料庫內的資料發布及供人取覽的網站，訂定條文；給予在認可網站發布的法例文本法律地位；就對條例作出編輯修訂及修正的權力，訂定條文；就為編製香港法例活頁版增訂編輯權力，訂定條文；就相關事宜，訂定條文；以及作出相應修訂。

An Ordinance to provide for the establishment of an electronic database of legislation and approval of a website on which the information in the database may be published and accessed; to give legal status to copies of the legislation published on an approved website; to provide for powers to make editorial amendments and revisions to Ordinances; to provide for additional editorial powers for preparation of the loose-leaf edition of the Laws of Hong Kong; to provide for related matters; and to make consequential amendments.

[ 第 1 部、第 5 部及第 7 部第 1 分部、第 2 分部 (第 27 條除外)、第 4 分部 (第 29 及 30 條除外) 及第 5 分部	}	2011 年 6 月 30 日
第 6 部 (第 22 條除外)、第 30 條及第 7 部第 6 分部		
	}	2012 年 1 月 16 日
		2011 年第 164 號法律公告]

[Part 1, Part 5 and Division 1, Division 2 (except section 27), Division 4 (except sections 29 and 30) and Division 5 of Part 7	}	30 June 2011
Part 6 (except section 22), section 30 and Division 6 of Part 7		
	}	16 January 2012
		L.N. 164 of 2011]

(略去制定語式條文——2012 年第 1 號編輯修訂紀錄)

(Enacting provision omitted—E.R. 1 of 2012)

**第 1 部****Part 1****導言****Preliminary****1. 簡稱及生效日期**

- (1) 本條例可引稱為《法例發布條例》。
- (2) 除第(3)款另有規定外，本條例自律政司司長以憲報公告指定的日期起實施。
- (3) (已失時效而略去——2012年第1號編輯修訂紀錄)

**1. Short title and commencement**

- (1) This Ordinance may be cited as the Legislation Publication Ordinance.
- (2) Subject to subsection (3), this Ordinance comes into operation on a day to be appointed by the Secretary for Justice by notice published in the Gazette.
- (3) (Omitted as spent—E.R. 1 of 2012)

**2. 釋義**

- (1) 在本條例中——

**刊憲文本** (gazetted copy) 就某條例而言，指該條例最初制定、訂立或作出時於憲報刊登的文本；

**官方核證標記** (official verification mark) 指法律草擬專員為施行第2部而在認可網站指明的符號、字或詞句或任何符號、字或詞句的組合；

**許可修訂** (permitted amendment) 就某條例而言，指——

- (a) 另一條例對該條例作出的修訂；
- (b) 對該條例作出的編輯修訂；或
- (c) 根據《1990年法例(活頁版)條例》(1990年第51號)第2A(1)條對該條例作出的修訂；

**經核證文本** (verified copy)——見第5(1)條；

**資料庫** (database) 指根據第3(a)條設立的在香港適用的法例的電子資料庫；

**資料庫文書** (database instrument) 指條例、《基本法》、在香港實施的全國性法律或第4(2)(b)條所提述的材料或資料；

**2. Interpretation**

- (1) In this Ordinance—

**approved website** (認可網站) means a website approved under section 3(b);

**consolidated copy** (編訂文本), in relation to an Ordinance, means a copy of the Ordinance showing its text as amended by all permitted amendments that have taken effect as at a date specified in the copy;

**database** (資料庫) means the electronic database of the legislation applying in Hong Kong established under section 3(a);

**database instrument** (資料庫文書) means an Ordinance, the Basic Law, a national law applying in Hong Kong or an item of materials or information referred to in section 4(2)(b);

**editorial amendment** (編輯修訂) means an amendment to an Ordinance made under section 12;

**gazetted copy** (刊憲文本), in relation to an Ordinance, means a copy of the Ordinance as originally enacted or made, and published in the Gazette;

**認可網站** (approved website) 指根據第 3(b) 條認可的網站；

**編訂文本** (consolidated copy) 就某條例而言，指顯示該條例的以下版本的內文的文本：經所有於該文本中指明的日期已生效的許可修訂所修訂的內文；

**編輯修訂** (editorial amendment) 指根據第 12 條對某條例作出的修訂。

- (2) 凡某資料庫文書的文本或其文本的複製本除指明日期外，亦有指明當日的某時間，則在本條例中提述該文書於指明日期的版本，亦包括提述該文書於該日期及該時間的版本。

(編輯修訂——2012 年第 1 號編輯修訂紀錄)

**official verification mark** (官方核證標記) means a symbol, word or statement, or a combination of any of them, specified by the Law Draftsman on an approved website for the purposes of Part 2;

**permitted amendment** (許可修訂), in relation to an Ordinance, means—

- (a) an amendment to the Ordinance made by another Ordinance;
- (b) an editorial amendment to the Ordinance; or
- (c) an amendment to the Ordinance made under section 2A(1) of the Laws (Loose-leaf Publication) Ordinance 1990 (51 of 1990);

**verified copy** (經核證文本)—see section 5(1).

- (2) In this Ordinance, a reference to a database instrument as at a date specified in a copy or reproduction of a copy of the instrument includes, if a time on that date is specified in the copy or reproduction, a reference to the instrument as at that time on that date.

## 第 2 部

### 法例資料庫

#### 3. 資料庫的設立

律政司司長可——

- (a) 設立一個在香港適用的法例的電子資料庫，並維持其運作；及
- (b) 認可一個可將資料庫內的資料發布及供人取覽的網站。

#### 4. 資料庫的內容

(1) 資料庫須載有——

- (a) 已根據第 11(a) 條獲編配章號的條例的編訂文本；
- (b) 於本部生效當日或之後於憲報刊登的條例的刊憲文本；
- (c) 《基本法》；
- (d) 在香港實施的全國性法律；及
- (e) 根據第 15 條編訂的編輯修訂紀錄。

(2) 資料庫亦可載有——

- (a) 將提交或已提交立法會的條例草案；及
- (b) 律政司司長認為對認可網站的使用者有用的其他材料及資料。

## Part 2

### Database of Legislation

#### 3. Establishment of database

The Secretary for Justice may—

- (a) establish and maintain an electronic database of the legislation applying in Hong Kong; and
- (b) approve a website on which the information in the database may be published and accessed.

#### 4. Contents of database

(1) The database is to contain—

- (a) consolidated copies of Ordinances that have been given chapter numbers under section 11(a);
- (b) gazetted copies of Ordinances published in the Gazette on or after the date on which this Part comes into operation;
- (c) the Basic Law;
- (d) national laws applying in Hong Kong; and
- (e) the record of editorial amendments compiled under section 15.

(2) The database may also contain—

- (a) bills to be introduced or introduced into the Legislative Council; and
- (b) other materials and information that the Secretary for Justice considers useful to users of an approved website.

**5. 資料庫文書的經核證文本的地位**

- (1) 資料庫文書的文本如——
- (a) 是在認可網站發布的，或是直接從認可網站列印的；及
  - (b) 註有官方核證標記，  
即屬該文書的經核證文本。
- (2) 除非相反證明成立，否則資料庫文書的經核證文本，須推定為該文書於該文本中的指明日期的版本的正確表述。

**6. 證據條文**

- (1) 除非相反證明成立，否則任何網站凡宣稱屬認可網站，須推定為認可網站。
- (2) 除非相反證明成立，否則任何文件凡看來是某資料庫文書的經核證文本，須推定為該文書的經核證文本。
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**5. Status of verified copies of database instruments**

- (1) A copy of a database instrument—
- (a) that is published on or printed directly from an approved website; and
  - (b) that bears an official verification mark,  
is a verified copy of the instrument.
- (2) A verified copy of a database instrument is presumed, unless the contrary is proved, to correctly state the instrument as at the date specified in the copy.

**6. Evidential provisions**

- (1) A website purporting to be an approved website is presumed, unless the contrary is proved, to be an approved website.
- (2) A document purporting to be a verified copy of a database instrument is presumed, unless the contrary is proved, to be a verified copy of the instrument.
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## 第 3 部

## Part 3

## 資料庫文書的經核證文本的複製本

## Reproduction of Verified Copies of Database Instruments

## 7. 釋義

在本部中——

**官方單行本** (official booklet) 指根據第 8(1) 條而發行的單行本；

**官方儲存器** (official storage medium) 指根據第 9(1) 條而發行的儲存器；

**儲存器** (storage medium) 指符合以下說明的媒介——

- (a) 儲存關於資料庫文書的經核證文本的電子數據；及
- (b) 可從中將資料庫文書的經核證文本複製重現。

## 7. Interpretation

In this Part—

**official booklet** (官方單行本) means a booklet published under section 8(1);

**official storage medium** (官方儲存器) means a storage medium published under section 9(1);

**storage medium** (儲存器) means a medium—

- (a) in which electronic data relating to verified copies of database instruments are stored; and
- (b) from which verified copies of database instruments are capable of being reproduced.

## 8. 官方單行本的發行

- (1) 律政司司長可安排以單行本的形式，發行資料庫文書的經核證文本的複製本。
- (2) 除非相反證明成立，否則資料庫文書的經核證文本的複製本，如屬官方單行本所載者，須推定為該文書於該複製本中的指明日期的版本的正確表述。

## 8. Publication of official booklets

- (1) The Secretary for Justice may cause reproductions of verified copies of database instruments to be published in the form of booklets.
- (2) A reproduction of a verified copy of a database instrument contained in an official booklet is presumed, unless the contrary is proved, to correctly state the instrument as at the date specified in the reproduction.

## 9. 官方儲存器的發行

- (1) 律政司司長可安排發行儲存器。

## 9. Publication of official storage media

- (1) The Secretary for Justice may cause storage media to be published.

- (2) 除非相反證明成立，否則資料庫文書的經核證文本的電子或印刷複製本，如屬直接從官方儲存器取覽或列印者，須推定為該文書於該複製本中的指明日期的版本的正確表述。

#### 10. 證據條文

- (1) 除非相反證明成立，否則任何文件凡看來是某資料庫文書的經核證文本的複製本，並看來屬官方單行本所載者，須推定為該等複製本。
- (2) 除非相反證明成立，否則任何文件凡看來是某資料庫文書的經核證文本的電子或印刷複製本，並看來屬直接從官方儲存器取覽或列印者，須推定為該等複製本。
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- (2) An electronic or printed reproduction of a verified copy of a database instrument accessed or printed directly from an official storage medium is presumed, unless the contrary is proved, to correctly state the instrument as at the date specified in the reproduction.

#### 10. Evidential provisions

- (1) A document purporting to be a reproduction of a verified copy of a database instrument contained in an official booklet is presumed, unless the contrary is proved, to be such a reproduction.
- (2) A document purporting to be an electronic or printed reproduction of a verified copy of a database instrument accessed or printed directly from an official storage medium is presumed, unless the contrary is proved, to be such a reproduction.
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## 第 4 部

## Part 4

### 編輯修訂及紀錄

### Editorial Amendments and Record

#### 第 1 分部——編輯權力

#### Division 1—Editorial Powers

##### 11. 編配章號等權力

##### 11. Powers to give chapter numbers etc.

律政司司長可——

The Secretary for Justice may—

- (a) 編配章號予任何條例，以及修改其簡稱或引稱；及
- (b) 在資料庫中，將其內所載的資料庫文書，按類集合及編排序列。

- (a) give a chapter number to an Ordinance and alter the short title or citation of the Ordinance; and
- (b) in the database, arrange the grouping and sequence of database instruments.

##### 12. 作出編輯修訂的權力

##### 12. Powers to make editorial amendments

律政司司長可在任何條例中——

The Secretary for Justice may, in an Ordinance—

- (a) 在另一條例的簡稱或引稱根據第 11(a) 條被修改的情況下，以修改後的簡稱或引稱，取代對該另一條例的簡稱或引稱的提述；
- (b) 改正文法、文書或排印上的錯誤；
- (c) 改變提述或表達數目、年份、日期、時間、金額、數量或計量的方式；
- (d) 修改某條文的內文，以反映根據另一條文當作已對該條文作出的修訂；
- (e) 略去任何制定語式條文或有效期已屆滿或已失時效的條文；
- (f) 改變定義的次序，或列表中沒有編號的項目的次序；

- (a) replace a reference to the short title or citation of another Ordinance that has been altered under section 11(a), by the altered short title or citation;
- (b) correct a grammatical, clerical or typographical error;
- (c) change the way of referring to or expressing a number, year, date, time, amount of money, quantity or measurement;
- (d) alter the text of a provision to reflect an amendment to the provision deemed to have been made by another provision;
- (e) omit any enacting, expired or spent provision;
- (f) change the sequence of definitions, or of unnumbered items in a list;



- (g) 在一種法定語文的文本所載的列表中的某個項目之後，加入該項目的另一法定語文的對應詞；
- (h) 改變格式、內容鋪排、印刷文體或任何其他版面方面的安排；及
- (i) 就任何根據本條（本段除外）作出的修訂，作出相應的修訂。

**13. 編輯修訂不得改變條例的法律效力**

第 12 條不容許作出會改變任何條例的法律效力的編輯修訂。

**14. 編輯修訂的效力**

- (1) 在第 16 條的規限下，如某條例根據第 12 條被修訂，則在發布日期當日及之後，就所有目的而言，該經修訂的條例在猶如有關修訂是由在發布日期生效的另一條例作出的情況下，具有效力。
- (2) 在認可網站發布的上述經修訂的條例的文本，須在適當位置示明有關條例已根據第 12 條被修訂。
- (3) 在本條中——

**發布日期** (publication date) 就某根據第 12 條被修訂的條例而言，指該條例的在內文顯示有關修訂的編訂文本首次在認可網站發布的日期。

- (g) insert, after an item in a list appearing in the text of one official language, the equivalent of that item in the other official language;
- (h) change the format, layout, printing style or any other presentational aspect; and
- (i) make an amendment that is consequential on any amendment made under this section (other than this paragraph).

**13. Editorial amendments not to change legal effect of Ordinances**

Section 12 does not permit any editorial amendment that would change the legal effect of any Ordinance.

**14. Effect of editorial amendments**

- (1) Subject to section 16, an Ordinance that is amended under section 12 has effect for all purposes, on and after the publication date, as if the amendment had been made by another Ordinance that commenced on the publication date.
- (2) A copy of the amended Ordinance, as published on an approved website, must indicate in a suitable place the fact that it has been amended under section 12.
- (3) In this section—

**publication date** (發布日期), in relation to an Ordinance amended under section 12, means the date on which a consolidated copy of the Ordinance showing the amendment in its text is first published on an approved website.

## 第 2 分部——編輯修訂紀錄

## Division 2—Record of Editorial Amendments

### 15. 律政司司長須編訂編輯修訂紀錄

### 15. Secretary for Justice to compile record of editorial amendments

- (1) 律政司司長須編訂一份載有下述各項資料的紀錄——
  - (a) 對已作出的編輯修訂的描述；
  - (b) 將對編輯修訂作出的每項描述記入該紀錄內的日期及時間；及
  - (c) 律政司司長認為對該紀錄的使用者有用的其他資料。
- (2) 上述紀錄須以律政司司長認為適當的形式備存。

- (1) The Secretary for Justice must compile a record containing—
  - (a) descriptions of editorial amendments made;
  - (b) the time and date on which each description of editorial amendments is entered in the record; and
  - (c) other information that the Secretary for Justice considers useful to users of the record.
- (2) The record is to be kept in a form that the Secretary for Justice considers appropriate.

### 16. 編輯修訂如非載於紀錄內即屬無效

### 16. Editorial amendments without effect if not contained in record

除非第 15(1)(a) 及 (b) 條所指明的關乎某編輯修訂的資料已載於根據第 15 條編訂的紀錄內，否則該修訂不具有效力。

An editorial amendment does not have effect unless the information relating to it as specified in section 15(1)(a) and (b) is contained in the record compiled under section 15.

**第 5 部****Part 5****對條例的修正****Revisions to Ordinances****17. 作出修正的權力****17. Powers to make revisions**

律政司司長可藉在憲報刊登的命令——

The Secretary for Justice may, by order in the Gazette—

- (a) 為確使某條例本身或與另一條例在表達方面得以統一，修改首述條例；
- (b) 藉著移轉字句、將某條例的條文的全部或部分與該條例的另一條文或其他條文結合，或將某條例的條文分為款，修改有關條文的格式或編排；
- (c) 將任何條例中的保留或過渡性條文，移轉至該條文所關乎的另一條例中；
- (d) 在不改變條文次序的前提下，將某條例的條文編集成組及為各組條文編號及定標題；
- (e) 修訂某條例中任何條文的標題或任何一組條文的標題，以反映該條文或該組條文的內容；
- (f) 在某部門、職位、人員或地方的名稱、職稱、地點或地址有所改變的情況下，修改任何條例中的該名稱、職稱、地點或地址，以反映有關改變；
- (g) 修訂任何條例，以達致以有關實際公曆日期取代採用描述形式的對日期的提述；
- (h) 修訂任何條例，以達致以下述項目取代對另一條例的概括性的提述——

- (a) make an alteration to an Ordinance for the purpose of securing uniformity in expression within the Ordinance or with another Ordinance;
- (b) alter the form or arrangement of a section of an Ordinance, by transferring words, by combining it in whole or in part with another section or other sections of the Ordinance or by dividing it into subsections;
- (c) transfer a saving or transitional provision in an Ordinance to another Ordinance to which that provision relates;
- (d) organize the provisions of an Ordinance into, and assign numbers and headings to, groups of provisions, without changing the sequence of those provisions;
- (e) amend the heading of a provision or a group of provisions in an Ordinance to reflect the contents of the provision or the group of provisions;
- (f) if the name, title, location or address of a department, office, officer or place has changed, make an alteration to that name, title, location or address appearing in an Ordinance to reflect the change;
- (g) amend an Ordinance to effect the replacement of a reference to a date in the form of a description by the actual calendar date;
- (h) amend an Ordinance to effect the replacement of a general reference to another Ordinance by—

- (i) 該另一條例的簡稱或引稱；
- (ii) 該另一條例在制定、訂立或作出年份的各條例中排列的編號；或
- (iii) 根據第 11(a) 條而編配予該另一條例的章號；
- (i) 以無性別色彩的字或詞句取代任何條例中示明性別或可視為示明性別的字或詞句；
- (j) 修訂任何條例，以改變提述條文的方式；及
- (k) 就任何根據本條（本段除外）作出的修訂，對任何條例作出相應的修訂。

#### 18. 修正命令的生效日期

根據第 17 條作出的命令，在可按照《釋義及通則條例》（第 1 章）第 34 條通過訂定將該命令修訂的決議的期限屆滿之前，不得生效。

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- (i) the short title or citation of that other Ordinance;
- (ii) its number among the Ordinances of the year in which it was enacted or made; or
- (iii) the chapter number given to it under section 11(a);
- (i) replace a word or expression in an Ordinance indicating gender or that could be taken to indicate gender by a gender-neutral word or expression;
- (j) amend an Ordinance to change the way of referring to a provision; and
- (k) make an amendment to an Ordinance that is consequential on any amendment made under this section (other than this paragraph).

#### 18. Commencement of revision order

An order made under section 17 is not to come into operation before the expiry of the period within which a resolution providing for the amendment of the order may be passed in accordance with section 34 of the Interpretation and General Clauses Ordinance (Cap. 1).

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## 第 6 部

### 就活頁版增訂編輯權力

#### 19. 修訂《1990 年法例 (活頁版) 條例》

《1990 年法例 (活頁版) 條例》(1990 年第 51 號) 現予修訂，修訂方式列於第 20、21 及 22 條。

20–21. (已失時效而略去——2012 年第 1 號編輯修訂紀錄)

#### 22. 加入第 3A 條

在第 3 條之後——

加入

##### “3A. 略去條例

- (1) 律政司司長可在活頁版中，略去任何經核證的條例。
- (2) 就第 (1) 款而言，如某條例在認可網站發布的編訂文本註有官方核證標記，該條例即屬經核證。
- (3) 在本條中——

**官方核證標記** (official verification mark) 具有《法例發布條例》(第 614 章) 第 2(1) 條給予該詞的涵義；

**認可網站** (approved website) 具有《法例發布條例》(第 614 章) 第 2(1) 條給予該詞的涵義；

**編訂文本** (consolidated copy) 具有《法例發布條例》(第 614 章) 第 2(1) 條給予該詞的涵義。”。

## Part 6

### Additional Editorial Powers for Loose-leaf Edition

#### 19. Laws (Loose-leaf Publication) Ordinance 1990 amended

The Laws (Loose-leaf Publication) Ordinance 1990 (51 of 1990) is amended as set out in sections 20, 21 and 22.

20–21. (Omitted as spent—E.R. 1 of 2012)

#### 22. Section 3A added

After section 3—

Add

##### “3A. Omission of Ordinances

- (1) The Secretary for Justice may omit a verified Ordinance from the loose-leaf edition.
- (2) For the purposes of subsection (1), an Ordinance is verified if a consolidated copy of the Ordinance, as published on an approved website, bears an official verification mark.
- (3) In this section—

**approved website** (認可網站) has the meaning given by section 2(1) of the Legislation Publication Ordinance (Cap. 614);

**consolidated copy** (編訂文本) has the meaning given by section 2(1) of the Legislation Publication Ordinance (Cap. 614);

**official verification mark** (官方核證標記) has the meaning given by section 2(1) of the Legislation Publication Ordinance (Cap. 614).”。

## 第 7 部

## Part 7

### 廢除及相應修訂

### Repeals and Consequential Amendments

#### 第 1 分部——修訂成文法則

#### Division 1—Enactments Amended

23. 修訂成文法則

第 2、3、4、5 及 6 分部所指明的成文法則現予修訂，修訂方式列於該等分部。

23. Enactments amended

The enactments specified in Divisions 2, 3, 4, 5 and 6 are amended as set out in those Divisions.

#### 第 2 分部——對《1990 年法例 (活頁版) 條例》 (1990 年第 51 號) 的修訂

#### Division 2—Amendments to Laws (Loose-leaf Publication) Ordinance 1990 (51 of 1990)

24–26. (已失時效而略去——2012 年第 1 號編輯修訂紀錄)

24–26. (Omitted as spent—E.R. 1 of 2012)

27. 廢除《1990 年法例 (活頁版) 條例》

《1990 年法例 (活頁版) 條例》(1990 年第 51 號)——  
廢除該條例。

27. Laws (Loose-leaf Publication) Ordinance 1990 repealed

The Laws (Loose-leaf Publication) Ordinance 1990 (51 of 1990)—

Repeal the Ordinance.

#### 第 3 分部——對《1965 年法例編正版條例》 (1965 年第 53 號) 的修訂

#### Division 3—Amendment to Revised Edition of the Laws Ordinance 1965 (53 of 1965)

28. 廢除《1965 年法例編正版條例》

《1965 年法例編正版條例》(1965 年第 53 號)——  
廢除該條例。

28. Revised Edition of the Laws Ordinance 1965 repealed

The Revised Edition of the Laws Ordinance 1965 (53 of 1965)—

Repeal the Ordinance.

**第 4 分部——對《釋義及通則條例》(第 1 章)的修訂**

**29. 修訂第 13 條 (條例的引稱)**

第 13(1) 條——

廢除 (c) 段

代以

“(c) 該條例根據以下條例的授權而獲合法編配的章號——

- (i) 《法例發布條例》(第 614 章); 或
- (ii) 任何其他就印行香港法例編正版或其他版本而訂定條文的條例。”。

30–33. (已失時效而略去——2012 年第 1 號編輯修訂紀錄)

**第 5 分部——(已失時效而略去——2012 年  
第 1 號編輯修訂紀錄)**

34–35. (已失時效而略去——2012 年第 1 號編輯修訂紀錄)

**第 6 分部——(已失時效而略去——2012 年  
第 1 號編輯修訂紀錄)**

36. (已失時效而略去——2012 年第 1 號編輯修訂紀錄)  
(格式變更——2012 年第 1 號編輯修訂紀錄)

**Division 4—Amendments to Interpretation and  
General Clauses Ordinance (Cap. 1)**

**29. Section 13 amended (Citation of Ordinance)**

Section 13(1)—

**Repeal paragraph (c)**

**Substitute**

“(c) any chapter number lawfully given to it under the authority of—

- (i) the Legislation Publication Ordinance (Cap. 614);  
or
- (ii) any other Ordinance providing for the issue of a revised or other edition of the laws of Hong Kong.”.

30–33. (Omitted as spent—E.R. 1 of 2012)

**Division 5——(Omitted as spent—E.R. 1 of 2012)**

34–35. (Omitted as spent—E.R. 1 of 2012)

**Division 6——(Omitted as spent—E.R. 1 of 2012)**

36. (Omitted as spent—E.R. 1 of 2012)  
(Format changes—E.R. 1 of 2012)