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Transition

550 laws to change before handover

By S. Y. YUE

THE Government is to speed up the process of making local legislation compatible with the Basic Law.

John Wilson, who heads the Localisation and Adaptation of Laws Unit, said they would have to complete the adaptation of the 550 local ordinances before 1997.

The unit set up in 1988 had only two professional staff last year, but the number will be increased to six by next month.

Mr Wilson said different policy branches had started reviewing the statute books before the Basic Law was enacted in 1990.

After the initial review, the unit in the Legal Department started detailed analysis about 18 months ago.

The unit has finished reviewing 100 of the 550 ordinances involved and has made proposals on changes.

About 47 proposals have been submitted to the Chinese side to seek approval.

Mr Wilson said all 550 laws needed to be changed.

Some may require only a change in terminology concerning words like "Crown", "Royal" and "Commonwealth".

Titles such as Attorney-General, Chief Secretary and Chief Justice have to be changed to those used under the Basic Law.

More complicated changes will involve fundamental concepts like taking away the privileges enjoyed by Britain and other commonwealth countries.

Other changes may be highly controversial, such as the definition of a permanent resident.

Mr Wilson said they had to finish the programme before the handover.

"If the laws are not amended, it will be left up to the courts to decide if they should be struck down. It is this uncertainty that we are trying to avoid," Mr Wilson said.

Director of the Hong Kong and Macau Affairs Office, Lu Ping, told a Bar Association delegation last month that 108 ordinances in Hong Kong were considered compatible with the Basic Law.

Mr Wilson said they would like to know which ordinances Mr Lu meant.