

77C. Authorized vehicle emission testing centres

(1) The Commissioner may, in writing, designate any place (including any place designated under section 88C as a car testing centre or any place designated as a vehicle examination centre) as a vehicle emission testing centre and may impose such conditions relating to that designation as he thinks fit.

(2) Where a place is designated as a vehicle emission testing centre under subsection (1), such designation—

- (a) shall authorize the person specified in the designation as the proprietor of that place, to operate that place as a vehicle emission testing centre in accordance with—
 - (i) a code of practice;
 - (ii) Schedule 10; and
 - (iii) such conditions as may be specified by the Commissioner in the designation; and
 - (b) shall not be valid except on payment of the fee specified in paragraph 6(a) of Schedule 10.
- (3) Without prejudice to the generality of subsection (2)(a)—
- (a) the fee specified in paragraph 6(b) of Schedule 10 shall be payable by the registered owner of a motor vehicle to the proprietor of a vehicle emission testing centre in respect of a test carried out under this Part;
 - (b) the conditions that may be specified in a designation under subsection (2)(a)(iii) may include conditions relating to—
 - (i) the supply by the Commissioner to the proprietor specified in the designation of any document or form to be used for the purposes of this Part; and
 - (ii) the fee as specified in paragraph 6(c) of Schedule 10, payable by that proprietor in respect of such supply and the refund of such fee.
- (4) The Commissioner shall cause notice of the designation of a place as a vehicle emission testing centre to be published in the Gazette.
- (5) Subject to section 77D, a designation—
- (a) shall be valid for a period of 3 years from such date as shall be specified in the designation;
 - (b) may, on application made to the Commissioner not less than 6 months before the date of its expiration and on payment of the fee specified in paragraph 6(a) of Schedule 10, be renewed in writing by the Commissioner.
- (6) A renewal of a designation under subsection (5) shall—
- (a) not be valid except on payment of the fee specified in paragraph 6(a) of Schedule 10; and
 - (b) be valid for a period of 3 years from such date as the Commissioner shall specify in the renewal.

77C. 認可車輛廢氣測試中心

(1) 署長可以書面指定任何地方(包括任何根據第 88C 條被指定為車輛測試中心的地方或任何被指定為驗車中心的地方)為車輛廢氣測試中心,並可就該項指定施加任何其認為適當的條件。

(2) 凡某地方根據第 (1) 款指定為車輛廢氣測試中心,則該項指定——

- (a) 得授權指定內指明為該地方東主的人,在遵從以下各事項下,經營該地方為車輛廢氣測試中心——
 - (i) 實務守則;
 - (ii) 附表 10; 及
 - (iii) 署長在該指定內指明的條件; 及
 - (b) 不屬有效,除非附表 10 第 6(a) 段指明的費用已獲繳付。
- (3) 在不損害第 (2)(a) 款的概括性的原則下——
- (a) 汽車的登記車主須就根據本部進行的測試,向車輛廢氣測試中心的東主,繳付附表 10 第 6(b) 段指明的費用;
 - (b) 根據第 (2)(a)(iii) 款在指定內可指明的條件,可包括與以下有關的條件——
 - (i) 署長向該指定內指明的東主供應為施行本部而使用的文件或表格; 及
 - (ii) 該東主就上述供應所須繳付附表 10 第 6(c) 段指明的費用,以及該等費用的退回。
- (4) 署長須安排於憲報刊登有關某地方被指定為車輛廢氣測試中心的公告。
- (5) 除第 77D 條另有規定外,一項指定——
- (a) 有效期為 3 年,由該項指定內指明的日期起計;
 - (b) 如在屆滿日期不少於 6 個月前向署長申請,並繳付附表 10 第 6(a) 段指明的費用,可由署長以書面續期。
- (6) 根據第 (5) 款對指定所作的續期——
- (a) 不屬有效,除非附表 10 第 6(a) 段指明的費用已獲繳付; 及
 - (b) 有效期為 3 年,由署長在續期內指明的日期起計。

77II. Amendment of Schedule 10

(1) The Governor may by order published in the Gazette amend Schedule 10.

(2) The Financial Secretary may by order published in the Gazette amend the fees set out in paragraph 6 of Schedule 10.

88C. Authorized car testing centres

(1) The Commissioner may, in writing, designate any place (including any place designated under section 77C(1) as a vehicle emission testing centre) as a car testing centre and may impose such conditions relating to that designation as he thinks fit. (*Amended 3 of 1991 s. 12*)

(2) Where a place is designated as a car testing centre under subsection (1), such designation—

(a) shall authorize the person specified in the designation as the proprietor of that place, to operate that place as a car testing centre in accordance with—

(i) any code of practice for the time being in force issued, and from time to time revised, by the Commissioner under section 88F(1)(a);

(ii) Schedule 8; and

(iii) such conditions as may be specified by the Commissioner in the designation;

(b) shall not be valid except on payment of the fee specified in paragraph 6(a) of Schedule 8.

(3) Without prejudice to the generality of subsection (2)(a)—

(a) the fees specified in paragraph 6(b) of Schedule 8 shall be payable by the registered owner of a private car or a light goods vehicle to the proprietor of a car testing centre in respect of an examination carried out under this Part; (*Amended 36 of 1990 s. 6*)

(b) the conditions that may be specified in a designation under subsection (2)(a)(iii) may include conditions relating to—

(i) the supply by the Commissioner to the proprietor specified in the designation of any document or form to be used for the purposes of this Part; and

(ii) the fees as specified in paragraph 6(c) of Schedule 8, payable by that proprietor in respect of such supply and the refund of such fees.

(4) The Commissioner shall cause notice of the designation of a place as a car testing centre to be published in the Gazette.

(5) Subject to section 88D, a designation—

(a) shall be valid for a period of 3 years from such date as shall be specified in the designation;

(b) may, on application made to the Commissioner not less than 6 months before the date of its expiration and on payment of the fee specified in paragraph 6(a) of Schedule 8, be renewed in writing by the Commissioner.

(6) A renewal of a designation under subsection (5) shall—

(a) be valid for a period of 3 years from such date as shall be specified in paragraph

77II. 附表 10 的修訂

(1) 總督可藉憲報刊登的命令，修訂附表 10。

(2) 財政司司長可藉憲報刊登的命令，修訂附表 10 第 6 段列出的費用。(由 1997 年第 362 號法律公告修訂)

88C. 認可車輛測試中心

(1) 署長可以書面指定任何地方(包括任何根據第 77C(1) 條被指定為車輛廢氣測試中心的地方)為車輛測試中心，並可就該項指定施加任何其認為適當的條件。(由 1991 年第 3 號第 12 條修訂)

(2) 凡某地方根據第 (1) 款指定為車輛測試中心，該項指定——

(a) 得授權指定內指明為該地方東主的人，在遵從以下各事項下，經營該地方為車輛測試中心——

(i) 署長根據第 88F(1)(a) 條發出並不時予以修訂而當其時有效的實務守則；

(ii) 附表 8；及

(iii) 署長在該指定內指明的條件；

(b) 不屬有效，除非附表 8 第 6(a) 段指明的費用已獲繳付。

(3) 在不損害第 (2)(a) 款的概括性的原則下——

(a) 私家車或輕型貨車的登記車主須就根據本部所進行的檢驗，向車輛測試中心的東主繳付附表 8 第 6(b) 段指明的費用；(由 1990 年第 36 號第 6 條修訂)

(b) 根據第 (2)(a)(iii) 款在指定內指明的條件，可包括與以下有關的條件——

(i) 署長向該指定內指明的東主供應為施行本部而使用的文件或表格；及

(ii) 該東主就上述供應所須繳付附表 8 第 6(c) 段指明的費用，以及該等費用的退回。

(4) 署長須安排於憲報刊登有關某地方被指定為車輛測試中心的公告。

(5) 除第 88D 條另有規定外，一項指定——

(a) 有效期為 3 年由該項指定內指明的日期起計；

(b) 如在屆滿日期不少於 6 個月前向署長申請，並繳付附表 8 第 6(a) 段指明的費用，可由署長以書面續期。

(6) 根據第 (5) 款對指定所作的續期——

(a) 不屬有效，除非附表 8 第 6(a) 段指明的費用已獲繳付；及

(b) 有效期為 3 年，由署長在續期內指明的日期起計。

88H. Amendment of Schedule 8

(1) The Governor may by order published in the Gazette amend Schedule 8.

(2) The Financial Secretary may by order published in the Gazette amend the fees set out in paragraph 6 of Schedule 8.

88K. Authorized driving school

(1) The Commissioner may, in writing, designate any place as a driving school and may impose such conditions relating to that designation as he thinks fit.

(2) Where a place is designated as a driving school under subsection (1), such designation—

(a) shall authorize the person specified in the designation as the proprietor of that place, to operate that place as a driving school in accordance with—

(i) Schedule 9; and

(ii) such conditions as may be specified by the Commissioner in the designation; and

(b) shall not be valid except on payment of the fee specified in Schedule 9.

(3) Without prejudice to the generality of subsection (2)(a)—

(a) the fees charged by the proprietor of a driving school for a driving instruction course and the issue of a course certificate or a duplicate copy of a course certificate in respect of motor cycles or motor tricycles shall be subject to the approval of the Commissioner;

(b) the conditions that may be specified in a designation under subsection (2)(a)(ii) may include conditions relating to the issue of a course certificate, or a duplicate copy of a course certificate in respect of motor cycles or motor tricycles.

(4) The Commissioner shall cause notice of a designation under subsection (1) to be published in the Gazette.

(5) Subject to section 88L, a designation under subsection (1)—

(a) shall be valid for a maximum period of 5 years from such date as shall be specified in the designation;

(b) may, on application made to the Commissioner not less than 3 months before the date of its expiration and on payment of the fee specified in Schedule 9, be renewed in writing by the Commissioner.

(6) A renewal of a designation under subsection (5) shall—

(a) be valid for a maximum period of 5 years from such date as the Commissioner shall specify; and

(b) not be valid except on payment of the fee specified in Schedule 9.

(7) The Commissioner may, if he considers that it would be in the public interest to do so, exempt any person from the payment of the fee specified in Schedule 9.

88P. Amendment of Schedule 9

88H. 附表 8 的修訂

(1) 總督可藉憲報刊登的命令，修訂附表 8。

(2) 財政司司長可藉憲報刊登的命令，修訂附表 8 第 6 段列出的費用。
1997 年第 362 號法律公告修訂

88K. 認可駕駛學校

(1) 署長可以書面指定任何地方為駕駛學校，並可就該項指定施加任何其認為適當的條件。

(2) 凡某地方根據第 (1) 款指定為駕駛學校，則該項指定——

(a) 得授權指定內指明為該地方東主的人，在遵從以下各事項下，經營該地方為駕駛學校——

(i) 附表 9；及

(ii) 署長在該指定內指明的條件；及

(b) 不屬有效，除非附表 9 指明的費用已獲繳付。

(3) 在不損害第 (2)(a) 款的概括性的原則下——

(a) 駕駛學校的東主對駕駛訓練課程以及就電單車或機動三輪車發出課程證書或課程證書複本所收取的費用，須以署長所批准者為準；

(b) 根據第 (2)(a)(ii) 款在指定內可指明的條件，可包括有關就電單車或機動三輪車發出課程證書或課程證書複本的條件。

(4) 署長須安排於憲報刊登有關根據第 (1) 款所作指定的公告。

(5) 除第 88L 條另有規定外，根據第 (1) 款所作的指定——

(a) 有效期最長為 5 年，由該項指定內指明的日期起計；

(b) 如在屆滿日期不少於 3 個月前向署長申請，並繳付附表 9 內指明的費用，可由署長以書面續期。

(6) 根據第 (5) 款對指定所作的續期——

(a) 有效期最長為 5 年，由署長指明的日期起計；及

(b) 不屬有效，除非附表 9 指明的費用已獲繳付。

(7) 署長如認為豁免任何人繳付附表 9 指明的費用，會符合公眾利益，他可作此項豁免。

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88P. 附表 9 的修訂

總督可藉憲報刊登的命令，修訂附表 9。

REQUIREMENTS APPLICABLE TO CAR TESTING CENTRES

1. A car testing centre shall be equipped, staffed, operated and maintained, and examinations of private cars and light goods vehicles shall be conducted, in accordance with the code of practice issued and from time to time revised by the Commissioner under section 88F(1)(a). (*Amended L.N. 207 of 1990*)
 2. Examinations of private cars and light goods vehicles at the car testing centre shall be carried out only by an approved car tester, and under the general supervision of a responsible person. (*Amended L.N. 207 of 1990*)
 3. Notice shall be given by the proprietor to the Commissioner forthwith of any change—
 - (a) of an approved car tester employed at the car testing centre;
 - (b) of a responsible person employed at the car testing centre; and
 - (c) in the ownership of the car testing centre, or the financial status of the proprietor, or any other matter specified by the Commissioner.
 4. Subject to any practice laid down in the code of practice, the car testing centre shall examine any private car or light goods vehicle produced to it for examination for the purposes of Part 1XA of the Ordinance. (*Amended L.N. 207 of 1990*)
 5. Notices in a form approved by the Commissioner shall be prominently displayed at the car testing centre indicating and stating—
 - (a) that the place is a car testing centre;
 - (b) the hours that the car testing centre is open for business;
 - (c) the names of the approved car testers, and of the responsible person at the car testing centre;
 - (d) the fees that are charged at the car testing centre;
 - (e) the addresses of other car testing centres within Hong Kong;
 - (f) the circumstances under which the issue of a certificate of roadworthiness may be refused;
 - (g) the procedure that may be followed upon a refusal to issue a certificate of roadworthiness; and
 - (h) a warning against the commission of offences under the Prevention of Bribery Ordinance (Cap. 201) and the Independent Commission Against Corruption Ordinance (Cap. 204). (*Amended 71 of 1991 s. 7*)
- Fees
- | | |
|---|----------|
| 6. (a) Fee payable for designation or renewal of designation of a place as a car testing centre. (<i>Amended L.N. 529 of 1996; L.N. 35 of 1998; L.N. 146 of 1998</i>) | \$12,100 |
| (b) Fees to be charged in respect of an examination— | |
| (i) Initial examination— | |
| (A) Private car | \$530 |
| (B) Light goods vehicle | \$630 |
| (ii) Re-examination where made within 14 days of initial examination— | |
| (A) Private car | \$165 |
| (B) Light goods vehicle | \$210 |
| (iii) Issue of a duplicate copy of a certificate of roadworthiness— | |
| (A) Private car | \$165 |
| (B) Light goods vehicle (<i>Replaced L.N. 453 of 1995. Amended L.N. 513 of 1995</i>) | \$210 |
| (c) Fee payable for supply of each form of a certificate of roadworthiness— | |
| (i) Private car | \$58 |
| (ii) Light goods vehicle | \$58 |
- (*Added L.N. 50 of 1998*)

(Schedule 8 added 65 of 1985 s. 4)

車輛測試中心適用的規定

1. 車輛測試中心的裝備、職員人手、經營及運作，以及私家車與輕型貨車的檢查均須按照署長根據第 88F(1)(a) 條所發出及不時修訂的實務守則的規定。(由 1990 年第 207 號法律公告修訂)
2. 於車輛測試中心檢驗的私家車及輕型貨車，僅可由認可車輛測試員以及在負責人的一般監督下進行。(由 1990 年第 207 號法律公告修訂)
3. 東主須就任何下列的變更立即向署長發出通知——
 - (a) 該車輛測試中心所僱用的認可車輛測試員；
 - (b) 該車輛測試中心所僱用的負責人；及
 - (c) 該車輛測試中心的擁有權、東主的財政狀況或署長所指明的任何其他事項。
4. 除實務守則內訂定的守則有其他規定外，車輛測試中心須檢驗任何就本條例第 1XA 部的規定，交予其檢驗的私家車或輕型貨車。(由 1990 年第 207 號法律公告修訂)
5. 採用署長所批准格式的告示，須展示於車輛測試中心顯眼處，並顯示及說明——
 - (a) 該地方為車輛測試中心；
 - (b) 該車輛測試中心開放營業的時間；
 - (c) 認可車輛測試員的姓名，以及該車輛測試中心負責人的姓名；
 - (d) 該車輛測試中心所收取的費用；
 - (e) 香港其他車輛測試中心的地址；
 - (f) 在何種情況下可拒發宜於道路上使用證明書；
 - (g) 拒發宜於道路上使用證明書後可依循的程序；及
 - (h) 有關《防止賄賂條例》(第 201 章)及《總督特派廉政專員公署條例》(第 204 章)所訂罪行的警告。(由 1991 年第 71 號第 7 條修訂)
6. 費用
 - (a) 指定或續期指定某地方為車輛測試中心的費用。(由 1996 年第 529 號法律公告修訂；由 1998 年第 35 號法律公告修訂；由 1998 年第 146 號法律公告修訂) \$12,100
 - (b) 檢驗車輛一次收費——
 - (i) 初步檢驗——

(A) 私家車	\$530
(B) 輕型貨車	\$630
 - (ii) 初步檢驗後 14 天內再作檢驗——

(A) 私家車	\$165
(B) 輕型貨車	\$210
 - (iii) 發出宜於道路上使用證明書的複本——

(A) 私家車	\$165
(B) 輕型貨車 (由 1995 年第 453 號法律公告代替。由 1995 年第 513 號法律公告修訂)	\$210
 - (c) 供應車輛宜於道路上使用證明書表格每份須繳付的費用——

(i) 私家車	\$58
(ii) 輕型貨車	\$58

 (由 1998 年第 50 號法律公告增補)

(附表 8 由 1985 年第 65 號第 4 條增補)

REQUIREMENTS APPLICABLE TO DESIGNATED DRIVING SCHOOLS

- Driving instructors giving driving instruction courses shall be holders of valid driving instructors' licences issued under regulation 22 of the Road Traffic (Driving Licences) Regulations (Cap. 374 sub. leg.) and a person who is not the holder of such a licence shall not give such a course.
- Notice shall be given by the proprietor of the driving school to the Commissioner forthwith—
 - of any change of persons employed at the driving school who are authorized to sign course certificates under section 88N(b);
 - of any change in the proprietorship of the driving school, or any other matter specified by the Commissioner; and
 - if grounds exist for a creditor to present a bankruptcy petition against the proprietor or he has entered into liquidation or has entered into any voluntary arrangement with his creditors or has suffered any distress or execution to be levied upon his goods. (Amended 37 of 1998 s. 6)
- The fee payable for designation, or renewal of designation, of a driving school shall be \$21,000.

(Schedule 9 added 27 of 1989 s. 3)

SCHEDULE 10

[ss. 77C, 77D,
77F & 77H]REQUIREMENTS APPLICABLE TO VEHICLE
EMISSION TESTING CENTRES

- A vehicle emission testing centre shall be equipped, staffed, operated and maintained, and the testing of motor vehicles shall be conducted, in accordance with any code of practice issued and from time to time revised by the Commissioner under section 77F(1)(a).
- Testing of motor vehicles at the vehicle emission testing centre shall be carried out only by an approved vehicle emission tester, and under the general supervision of a responsible person.
- Notice shall be given by the proprietor to the Commissioner forthwith of any change—
 - of an approved vehicle emission tester employed at the vehicle emission testing centre;
 - of a responsible person employed at the vehicle emission testing centre; and
 - in the ownership of the vehicle emission testing centre, or the financial status of the proprietor, or any other matter specified by the Commissioner.
- Subject to any practice laid down in the code of practice, the vehicle emission testing centre shall test any motor vehicle produced to it for testing for the purposes of Part VIII A of the Ordinance.
- Notices in a form approved by the Commissioner shall be prominently displayed at the vehicle emission testing centre indicating and stating—
 - that the place is a vehicle emission testing centre;
 - the hours that the vehicle emission testing centre is open for business;
 - the names of the approved vehicle emission testers, and of the responsible person at the vehicle emission testing centre;
 - the fees that are charged at the vehicle emission testing centre;
 - the addresses of other vehicle emission testing centres within Hong Kong;
 - the circumstances under which the issue of a certificate of compliance may be refused;
 - the procedure that may be followed upon a refusal to issue a certificate of compliance; and
 - a warning against the commission of offences under the Prevention of Bribery Ordinance (Cap. 201) and the Independent Commission Against Corruption Ordinance (Cap. 204).

Fees

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| (a) Fee payable for designation or renewal of designation of a place as a vehicle emission testing centre. | \$2,840 |
| (b) Fee to be charged in respect of a test of a motor vehicle. | \$310 |
| (c) Fee payable for supply of form of certificate of | \$30 for each form of |

指定駕駛學校適用的規定

- 教授駕駛訓練課程的駕駛教師，須為根據《道路交通(駕駛執照)規例》(第 374 章，附屬法例)第 22 條所發駕駛教師執照的持有人，而不屬該等執照持有人者，不得教授駕駛訓練課程。
- 駕駛學校的東主須就以下情況立即向署長發出通知——
 - 該駕駛學校所僱用根據第 88N(b) 條獲授權簽發課程證書的人有任何變更；
 - 該駕駛學校的東主所有權有任何變更，或署長所指明的任何其他事項有任何變更；及
 - 債權人具有針對該東主而提出破產呈請的理由，或該東主曾進行清盤，曾與其債權人訂立自願安排，或其貨物遭扣押或會有人針對其貨物執行判決。(由 1998 年第 37 號第 6 條修訂)
- 駕駛學校的指定、或指定的續期所須繳的費用為 \$21,000。
(附表 9 由 1989 年第 27 號第 3 條增補)

附表 10

[第 77C、77D、
77F 及 77H 條]

車輛廢氣測試中心適用的規定

- 車輛廢氣測試中心的裝備、職員人手、經營及運作，以及汽車測試的進行，均須按照署長根據第 77F(1)(a) 條所發出及不時修訂的實務守則的規定。
- 於車輛廢氣測試中心測試的汽車，僅可由認可車輛廢氣測試員以及在負責人的一般監督下進行。
- 東主須就任何下列的變更立即向署長發出通知——
 - 該車輛廢氣測試中心所僱用的認可車輛廢氣測試員；
 - 該車輛廢氣測試中心所僱用的負責人；及
 - 該車輛廢氣測試中心的擁有權、東主的財政狀況或署長所指明的任何其他事項。
- 除實務守則內訂定的守則有其他規定外，車輛廢氣測試中心須測試任何就本條例第 VIII A 部的規定，交予其測試的汽車。
- 採署長所批准格式的告示，須展示於車輛廢氣測試中心顯眼處，並顯示及列明——
 - 該地方為車輛廢氣測試中心；
 - 該車輛廢氣測試中心開放營業的時間；
 - 認可車輛廢氣測試員的姓名，以及該車輛廢氣測試中心負責人的姓名；
 - 該車輛廢氣測試中心所收取的費用；
 - 香港其他車輛廢氣測試中心的地址；
 - 在何種情況下可拒發合格證明書；
 - 拒發合格證明書後可依循的程序；及
 - 有關《防止賄賂條例》(第 201 章)及《總督特派廉政專員公署條例》(第 204 章)所訂罪行的警告。
- 費用

(a) 指定或續期指定某地方為車輛廢氣測試中心的費用。	\$2,840
(b) 測試一部汽車一次的收費。	\$310
(c) 提供合格證明書表格收費每份證明書表格。	\$30

 (由 1994 年第 273 號法律公告修訂；由 1996 年第 500 號法律公告修訂；由 1997 年第 585 號法律公告修訂)

(附表 10 由 1991 年第 3 號第 13 條增補)