

立法會
Legislative Council

LC Paper No. LS17/00-01

**Paper for the House Committee Meeting
of the Legislative Council
on 10 November 2000**

**Legal Service Division Report on
Subsidiary Legislation Gazetted on 3 November 2000**

Date of Tabling in LegCo : 8 November 2000

Amendment to be made by : 6 December 2000 (or 13 December 2000 if
extended by resolution)

**Control of Obscene and Indecent Articles Ordinance (Cap. 390)
Control of Obscene and Indecent Articles (Amendment) Regulation 2000
(L.N. 288)**

This Notice is made by the Secretary for the Treasury by virtue of section 29A of the Interpretation and General Clauses Ordinance (Cap. 1) ("IGCO") under section 46 of the Control of Obscene and Indecent Articles Ordinance (Cap. 390) ("the Ordinance"). It seeks to increase the various fees payable to the Registrar of the High Court under the Ordinance by amending the Schedule to the Control of Obscene and Indecent Articles Regulations (Cap. 390 sub. leg.) as follows:

in item	Repealing (HK\$)	Replacing (HK\$)
1	1,940	2,100
2	970	1,050
3	1,940	2,100
4	30	33
5	127	140
6	385	420

The Notice is to come into operation on 15 December 2000. Its legal and drafting aspects are in order. Members may wish to refer to the LegCo Brief (Ref. ITBB/FS 258/21 (00)) issued by the Information Technology and Broadcasting Bureau and dated 1 November 2000 for background information.

Public Health and Municipal Services Ordinance (Cap. 132)
Public Health and Municipal Services (Fees and Charges) (Museums) Regulation
(L.N. 289)

By this Regulation made by the Secretary for Home Affairs pursuant to section 124J of the Public Health and Municipal Services Ordinance (Cap. 132), the admission fees payable for the Hong Kong Heritage Museum ("HKHM") and the fees and charges payable for a museum pass for one year, 6 months, one month or one week for admission to the museums listed in the Schedule to the Designation of Museums Order (Cap. 132 sub. Leg.) are prescribed as follows:

The Hong Kong Heritage Museum Admission Fees (except for Wednesday) for	(i) a full-time student, disabled person or a person aged 60 or above	\$5
	(ii) a group of 20 or more persons	\$7 per person
	(iii) any other person aged 4 or above	\$10

	for one year for an unlimited number of entries for (i) a full-time student, disabled person or a person aged 60 or above (ii) member of the same family, up to a maximum of 4 persons (iii) any other persons	\$50 \$200 \$100
Pass for Designated Museums (except Space Theatre of the Hong Kong Space Museum)	for 6 months for an unlimited number of entries for (i) a full-time student, disabled person or a person aged 60 or above (ii) any other persons	\$25 \$50
	for one month for an unlimited number of entries for one person	\$50
	for one week for an unlimited number of entries for one person	\$30

The admission fees for HKHM are set at a level in line with other fee-charging museums pending an overall review of museum charges. The fees for yearly pass, half yearly pass and monthly pass are the same as the existing fees set by the Provisional Urban Council. Members may wish to refer to the LegCo Brief (Ref. HAB/C 30/23/3) issued by the Home Affairs Bureau and dated 1 November 2000 for detailed information.

The legal and drafting aspects of the Notice are in order. It is to come into effect on 10 December 2000.

Road Traffic Ordinance (Cap. 374)
Road Traffic (Village Vehicles) (Amendment) Regulation 2000 (L.N. 290)

By this Amendment Regulation made by the Secretary for Transport under section 12A(1)(*da*) of the Road Traffic Ordinance (Cap. 374), regulation 18 of the Road Traffic (Village Vehicles) Regulations (Cap. 374 sub. leg.) ("the Regulations") is amended and a new Schedule 3 is added to the Regulations.

The new Schedule 3 includes the specified roads in Discovery Bay within the scope of restricted roads in order that Regulation 18(7A) of the Regulations shall apply to them. Regulation 18(7A) itself is amended so that a holder of a learner's driving licence as defined in regulation 2 of the Road Traffic (Driving Licences) Regulations (Cap. 374 sub. leg.) is no longer regarded as a holder of driving licence. The amendment to regulation 18(7B) changed the mode of specifying restricted roads. The existing mode of specifying by notice in the Gazette is replaced by specifying in the new Schedule 3. Regulation 18(7C) is consequentially repealed.

The Amendment Regulation is to come into operation on 1 January 2001. According to the Transport Bureau, no road has been specified as a restricted road pursuant to the existing regulation 18(7B). The inauguration of the Amendment Regulation will therefore not affect any existing use of roads. The legal and drafting aspects of the Amendment Regulation are in order. Members may refer to the LegCo Brief (Ref. TRAN 1/12/64) issued by the Transport Bureau for further information.

Legal Practitioners Ordinance (Cap. 159)
Legal Practitioners (Fees) (Amendment) Rules 2000 (L.N. 291)

By these Rules made by the Chief Justice under section 72 of the Legal Practitioners Ordinance (Cap. 159), Schedule 1 to the Legal Practitioners (Fees) Rules (Cap. 159 sub. leg.) is amended in item 4 by repealing "1,400" and substituting "1,600".

The amendment increases the fee payable in respect of practising certificates of barristers. Its legal and drafting aspects are in order.

Tax Reserve Certificates (Fourth Series) Rules (Cap. 289 sub. leg.)
Tax Reserve Certificates (Rate of Interest) (No. 10) Notice 2000 (L.N. 292)

By this Notice made by the Secretary of the Treasury under rule 7(2)(h) of the Tax Reserve Certificates (Fourth Series) Rules (Cap. 289 sub. leg.), the rate of interest payable on tax certificates issued on or after 6 November 2000 is fixed to be 4.9042% per annum. The Schedule to the Tax Reserve Certificates (Rate of Interest) (Consolidation) Notice (Cap. 289 sub. leg.) is amended accordingly. The legal and drafting aspects of the Notice are in order.

Civil Aviation Ordinance (Cap. 448)
Civil Aviation (Insurance) Order (Cap. 448 sub. leg.) (Commencement) Notice 2000 (L.N. 293)

By this Notice made under section 1 of the Civil Aviation (Insurance)

Order ("the Order"), the Secretary for Economic Services has appointed 15 December 2000 as the date on which the Order is to come into operation. The drafting and legal aspects of the Notice are in order.

The Order prohibits civil aircraft capable of carrying passengers (including rotorcraft, airships, gliders and balloons) from landing or taking off in Hong Kong unless there is in force in relation to the use of the aircraft in Hong Kong a policy of insurance of a combined single coverage not less than the prescribed amount. Members may refer to the LegCo Brief (Ref. ESB CR 15/3231/86) issued by the Economics Services Bureau in May 2000 for further information.

**Road Traffic Legislation (Amendment) (No. 2) Ordinance 2000 (50 of 2000)
Road Traffic Legislation (Amendment) (No. 2) Ordinance 2000 (50 of 2000)
(Commencement) Notice 2000 (L.N. 294)**

By this Notice made under section 1(2) of the Road Traffic Legislation (Amendment) (No. 2) Ordinance 2000 ("the Ordinance"), the Secretary for Transport has appointed 1 January 2001 as the date on which the Ordinance is to come into operation. The drafting and legal aspects of the Notice are in order.

The Ordinance has amended provisions in various ordinances relating to offences of driving in excess of speed limits and has increased the penalties for the more serious speeding offences. It was enacted after the Bill had been scrutinized by a Bills Committee. Members may refer to the Bills Committee Report (LC paper CB(1) 1899/99-00) dated 17 June 2000 for further information.

Prepared by

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