

立法會
Legislative Council

LC Paper No. LS40/00-01

**Paper for the House Committee Meeting
of the Legislative Council
on 15 December 2000**

**Legal Service Division Report on
Subsidiary Legislation Gazetted on 8 December 2000**

Date of Tabling in LegCo : 13 December 2000

Amendment to be made by : 10 January 2001 (or 17 January 2001 if extended
by resolution)

Part I ***Revision of fees***

Country Parks Ordinance (Cap. 208)

Country Parks and Special Areas (Amendment) Regulation 2000 (L.N. 349)

This Regulation increases with effect from 19 January 2001 the fees charged for applying permits to conduct various activities in country parks and special areas.

2. The LegCo Brief issued by the Environment and Food Bureau and dated 7 December 2000 explains that the fee increases by about 7% are to achieve full cost recovery of the services based on a costing review conducted at 2000-01 prices. The existing fees were last revised in November 1997.

3. A list of the 6 fee items affected together with their existing and proposed fees (ranging from \$237 to \$1,430 and from \$255 to \$1,530 respectively) and a cost computation table are provided at Annex A and B of the LegCo Brief.

4. The LegCo Panel on Environmental Affairs was consulted on 2 June 2000.

Marine Parks Ordinance (Cap. 476)

Marine Parks and Marine Reserves (Amendment) Regulation 2000 (L.N. 350)

5. The Regulation revises with effect from 19 January 2001 the fees charged for the first issue and renewal of various permits and for obtaining duplicate permits for conducting activities in marine parks and marine reserves.

6. The first issue and renewal of the permits will be increased by 6% from \$217 to \$230 and the obtaining of duplicate permits will be decreased by 38% from \$140 to \$87. According to the LegCo Brief issued by the Environment and Food Bureau and dated 7 December 2000, the revision is based on a costing review conducted at 2000-01 prices and is intended to achieve full cost recovery.

7. The cost computation of the 10 fee items affected and details of their existing and proposed fees are provided at Annex B and C of the Brief.

8. The LegCo Panel on Environmental Affairs was consulted on 2 June 2000.

Electricity Ordinance (Cap. 406)

Electricity (Registration) (Amendment) Regulation 2000 (L.N. 351)

Electricity (Wiring) (Amendment) Regulation 2000 (L.N. 352)

Electrical Products (Safety) (Amendment) (No. 2) Regulation 2000 (L.N. 353)

9. The Electricity Ordinance (Cap. 406) provides, inter alia, for -

- (a) the registration of electrical contractors, generating facilities, recognised certification bodies and recognised manufacturers; and
- (b) endorsement by the Director of Electrical and Mechanical Services of periodic test certificates in respect of fixed electrical installations.

The fees payable for these services, which are prescribed variously in the Electricity (Registration) Regulations, Electrical Products (Safety) Regulation and Electricity (Wiring) Regulations, will be revised with effect from 1 February 2001 under the respective amending regulations. The revision is based on costing results of the various services at 2000-01 prices.

10. 5 fee items (for various registrations and certifications) under the Electrical (Registration) Regulations will be affected. They were last revised in December 1994 (except for one which was last revised in March 1997). It is proposed that these fees, now ranging from \$350 to \$860, will be reduced by 1% to 17%.

11. 2 fee items (for registration as recognised certification body and as recognised manufacturer) under the Electrical Products (Safety) Regulation, introduced in October 1997, will both be increased by 10% from \$5,400 to \$5,950 with a view to achieving full cost recovery within 2 to 3 years.

12. Only 1 fee item (for endorsement of periodic test certificate) will be revised under the Electricity (Wiring) Regulations, which will be increased by 7% from \$650 to \$695 to reflect its full cost at 2000-01 prices. It was last revised in March 1997.

13. Details of the cost computation and the existing and proposed fees are shown at Annex D and E of the LegCo Brief ECON 2/1806/99 Pt.2 issued by the Economic Services Bureau in December 2000.

14. The LegCo Panel on Economic Services was consulted on 19 June 2000.

Part II Others

Entertainment Special Effects Ordinance (Cap. 560)

Entertainment Special Effects (General) Regulation (L.N. 354)

Entertainment Special Effects (Fees) Regulation (L.N. 355)

Entertainment Special Effects Materials List Regulation (L.N. 356)

15. The 3 sets of Regulations are made by the Entertainment Special Effects Licensing Authority (i.e. the Commissioner for Television and Entertainment Licensing) to facilitate the implementation of the principal ordinance, which has been passed by the Legislative Council but has yet to come into operation. The Regulations will not commence until a day to be appointed by the Authority.

16. The general regulation provides for the application for and issue of special effects operator licences, pyrotechnic special effects materials supplier licences, permits for discharge and conveyance of pyrotechnic special effects materials and licences for the storage of pyrotechnic special effects materials. It also makes provisions for the reporting of accidents involving special effects materials and for regulatory measures to ensure the safe use and handling of pyrotechnic special effects materials.

17. The fees regulation prescribes the fees payable for the various licences and permits, ranging from \$140 (e.g. issue of replacement licence) to \$7,730 (supplier licence).

18. The special effects materials list regulation lists the special effects materials that may not be supplied, used, conveyed or stored except in accordance with a licence or permit.

19. LegCo Brief ITBB(CR)8/1/13(00) Pt. 28 issued by the Information Technology and Broadcasting Bureau and dated 6 December 2000 is relevant. The LegCo Panel on Information Technology and Broadcasting was briefed on 17 November 2000.

20. While scrutiny of the detailed provisions of the general regulation is still continuing, we have in the meantime written to the Administration for confirmation that the establishment of the Authority has taken effect (please see letter attached). A further report will be made if necessary. However, this should not prevent Members from considering the policy aspects of the regulations at this stage.

**The Chinese University of Hong Kong Ordinance (Cap. 1109)
Statutes of the Chinese University of Hong Kong (Amendment) (No. 2) Statutes
2000 (L.N. 357)**

21. These Statutes amend the Statutes of The Chinese University of Hong Kong to provide for -

- (a) the admission to the University Senate of 1 student representing the Student Union of each College of the University; and
- (b) the conferring of a new degree, the Master of Chinese Medicine degree, by the University.

Encl

Prepared by

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By Fax (2511 1458) and By Post

12 December 2000

Dear Madam

Entertainment Special Effects (General) Regulation etc.

With reference to the 3 sets of Regulations published as L.N. 354-356 of 2000, I shall be grateful if you could clarify whether the Entertainment Special Effects Licensing Authority, which purports to have made the Regulations, has actually been established since section 3 of the Entertainment Special Effects Ordinance (Cap. 560), which establishes the Authority, has not yet commenced operation.

Yours faithfully

(Arthur CHEUNG)
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