

LEGISLATIVE COUNCIL BRIEF

Public Finance Ordinance (Cap. 2)

FEEES FOR OFFICIAL SIGNATURES AND MISCELLANEOUS SERVICES (AMENDMENT) NOTICE 2000

INTRODUCTION

Section 17C of the Public Finance Ordinance (Cap. 2) provides that the Financial Secretary (which also means the Secretary for the Treasury by virtue of section 3 of the Interpretation and General Clauses Ordinance (Cap. 1)) may by notice in the Gazette amend fees prescribed in the Schedule.

2. In exercise of this power, the Secretary for the Treasury has made the Amendment Notice at Annex A to revise the fees of items 2 to 4 prescribed in the Schedule to the Fees for Official Signatures and Miscellaneous Services Notice (Cap. 2 sub. leg.) (the Schedule).

BACKGROUND AND ARGUMENT

3. Fees for providing certifications, alterations or duplicates of official documents by a public officer to the public are prescribed in the Schedule and were last revised in October 1994.

4. It is Government policy that certain fees should in general be set at levels sufficient to recover the full cost of providing the services. Most Government fees and charges have been frozen since February 1998 as an exceptional measure to ease the burden on the community at a time of economic setback. The Financial Secretary decided in June 1999 to continue the fee revision moratorium until the year-on-year quarterly GDP growth rate turned firmly positive. In view of the current state of economic recovery, the Administration consulted the LegCo Panel on Financial Affairs on 13 April 2000 on proposals to revise various fees that would not directly affect people's livelihood or general business activities. Taking into account the diverse nature of the fees involved, Members suggested and the LegCo House Committee agreed on 14 April 2000 that the Administration should consult the relevant subject LegCo Panels on whether and if so how the fees under their respective purview should be adjusted.

5. We then consulted the LegCo Panel on Financial Affairs on 15 June 2000 regarding the revision of fees and charges under the purview of the Secretary for the Treasury. As regards the fees for providing certifications, alterations or duplicates of official documents by a public officer to the public, the latest costing review shows that existing fees can recover 81% of the costs at 2000-01 prices. Annex B provides the cost computation. To reduce the impact of fee increase on the public, we propose to increase the fees by 10% with a view to achieving full-cost recovery in 2 years' time. Details of the existing and proposed fees are set out at Annex C. Members of the Panel did not raise objection to the revision proposal.

THE NOTICE

6. The Amendment Notice revises the fees set out at Annex C. We propose that the new fees should come into effect on 12 January 2001.

PUBLIC CONSULTATION

7. No public consultation on the proposed fee revisions is required as the fee increases have little effect on the public at large. The users of the services are unlikely to raise strong objection as the increases are fairly modest in money terms (i.e. an increase of \$15).

BASIC LAW IMPLICATIONS

8. The Department of Justice advises that the Amendment Notice is consistent with the Basic Law.

HUMAN RIGHTS IMPLICATIONS

9. The Department of Justice advises that the Amendment Notice has no human rights implications.

BINDING EFFECT

10. The Amendment Notice will not affect the current binding effects of the Ordinance.

FINANCIAL AND STAFFING IMPLICATIONS

11. The additional revenue to be generated from the fee proposal is estimated at \$74,000 per annum. There are no staffing implications.

ECONOMIC IMPLICATIONS

12. The proposed fee revisions should have no significant economic impact.

EFFICIENCY INITIATIVES

13. Various Government departments/bureaux provide certifications, alterations or duplicates of official documents to public. This is a relatively small activity compared to their operations and thus, the scope of further cost cutting is minimal. Nonetheless, departments are committed to taking efficiency improvement measures in providing the services, such as proper delegation of duties to officers of lower rank in order to contain costs.

PUBLICITY

14. The Amendment Notice will be published in the Gazette on 24 November 2000. A press release to announce the fee revision will be issued on the same day.

ENQUIRIES

15. For enquiries, please contact Mr Simon Chan, Senior Treasury Accountant of the Finance Bureau at 2810 3756.

Finance Bureau
November 2000

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**FEES FOR OFFICIAL SIGNATURES AND MISCELLANEOUS
SERVICES (AMENDMENT) NOTICE 2000**

(Made under section 17C of the Public Finance
Ordinance (Cap. 2))

1. Commencement

This Notice shall come into operation on 12 January 2001.

2. Schedule amended

The Schedule to the Fees for Official Signatures and Miscellaneous Services Notice (Cap. 2 sub. leg.) is amended -

- (a) in item 2, by repealing "140" and substituting "155";
- (b) in item 3, by repealing "140" and substituting "155";
- (c) in item 4, by repealing "140" and substituting "155".

Secretary for the Treasury

13.11.2000

COST COMPUTATION

Finance Bureau

Fees for Official Signatures and Miscellaneous Services

Cost at 2000-01 Prices
(for processing one case *)

	\$
Staff Costs	160
Accommodation Costs	6
Central Administrative Overhead	7
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Unit Cost	<u>173</u>
Existing fee	140
Proposed fee #	155

* Applicable to the following services:

- (i) Issue of a duplicate of any document by a public officer.
- (ii) Any alteration, transfer or endorsement of or addition to a document by a public officer.
- (iii) Certification of a true extract of any document, book, record or instrument by a public officer.

Derived by multiplying the existing fee by an increase of 10%.

Annex C

Revision of Fees under the Schedule to the Fees for Official Signatures and Miscellaneous Services Notice

Item	Fee Description	Existing Fee (\$)	Proposed Fee (\$)
2	Issue of a duplicate of any document by a public officer	140	155
3	Any alteration, transfer or endorsement of or addition to a document by a public officer	140	155
4	Certification of a true extract of any document, book, record or instrument by a public officer	140	155