

L. N. 61 of 2001 PUBLIC REVENUE PROTECTION (REVENUE) ORDER 2001

(Made under section 2 of the Public Revenue Protection Ordinance (Cap. 120) after consultation with

the Executive Council)

1. Commencement

This Order shall come into force at 2.30 p. m. on 7 March 2001.

2. Operation of Scheduled Bill

The Bill set out in the Schedule shall have the full force and effect of law so long as this Order remains in force.

SCHEDULE [s. 2] A BILL

To Amend certain Ordinances to give effect to some of the proposals in the

Budget introduced by the Government for the 2001 - 2002 financial year. Enacted by the Legislative Council.

1. Short title and commencement

(1) This Ordinance may be cited as the Revenue Ordinance 2001. (2) This Ordinance shall be deemed to have come into operation at 2.30 p. m. on 7 March 2001.

Dutiable Commodities Ordinance 2. Schedule 1 amended

Schedule 1 to the Dutiable Commodities Ordinance (Cap. 109) is amended--

(a) in paragraph 1 of Part I, under the column headed "Rate", by repealing "30%" and substituting "40%";

(b) in Part II--

(i) in paragraph 1(a), by repealing "766" and substituting "804";

- (ii) in paragraph 1(b), by repealing "986" and substituting "1,035";
- in paragraph 1(c), by repealing "188" and substituting "197";
- (iv) in paragraph 1(d), by repealing "928" and substituting "974".

Road Traffic (Driving Licences) Regulations

3. Fees

The Second Schedule to the Road Traffic (Driving Licences) Regulations (Cap. 374 sub. leg.) is amended --

- (a) in item 1(a), by repealing "520" and substituting "570";
- (b) in item 1(aa), by repealing "52" and substituting "57";
- (c) in item 1(b), by repealing "760" and substituting "835";
- (d) in item 2(a), by repealing "510" and substituting "560";
- (e) in item 2(b), by repealing "250" and substituting "275";
- (f) in item 2(f), by repealing "110" and substituting "120";
- (g) in item 2(g), by repealing "80" and substituting "90";
- (h) in item 2(h), by repealing "80" and substituting "90".

4. Saving

(1) Where -

(a) the expiry of a full driving licence or driving instructor's licence occurs on or before 6 July 2001; and

(b) the Commissioner receives on or before that date an application for a renewal of the licence under regulation 15, 23 or 23A (as the case may be) of the Road Traffic (Driving Licences) Regulations (Cap. 374 sub. leg.),

section 3(a), (b) or (c) (as the case may be) shall not have effect with respect to the renewal and the Regulations in force immediately before 2.30 p. m. on 7 March 2001 shall continue to have effect with respect to the renewal as if the Regulations had not been amended by this Ordinance.

(2) In subsection (1) --

"Commissioner" (署長) has the meaning assigned to it in section 2 of the Road

Traffic Ordinance (Cap. 374);

"driving instructor's licence" (駕駛教師執照) and "full driving licence" (正式駕駛執照) have the meanings respectively assigned to them in regulation 2 of the Road Traffic (Driving Licences) Regulations (Cap. 374 sub. leg.).

Road Traffic (Registration and Licensing of Vehicles) Regulations

5. Licensing of motor vehicles

Regulation 21 of the Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap. 374 sub. leg.) is amended by adding --

"(13) In subregulation (7), "appropriate annual licence fee" (適當牌照年費) means --

- (a) in a case where the Commissioner receives on or before 6 July 2001 the application to license the motor vehicle concerned, the appropriate annual licence fee prescribed in the pre-amended Schedule 2; and
- (b) in a case where the Commissioner receives after 6 July 2001 the application to license the motor vehicle concerned --
 - (i) for the unlicensed period (if any) before 2.30 p. m. on 7 March 2001, the appropriate annual licence fee prescribed in the pre-amended Schedule 2; and
 - (ii) for the unlicensed period beginning at or after 2.30 p. m. on 7 March 2001, the appropriate annual licence fee prescribed in Schedule 2.

(14) In subregulation (13), "pre-amended Schedule 2" (修訂前的附表 2) means Schedule 2 to these regulations in force immediately before 2.30 p. m. on 7 March 2001."

6. Fees

Schedule 2 is amended, under the subheading "Annual Licence Fees" --

- (a) by repealing item 5 and substituting --

"5. Private car (other than of the type specified in item 5A)--

Where the cylinder capacity of the engine—

- (a) does not exceed 1 500 cubic centimetres 4,200
- (b) exceeds 1 500 cubic centimetres but does not exceed 2 500 cubic centimetres 6,250
- (c) exceeds 2 500 cubic centimetres but does not exceed 3 500 cubic centimetres 8,305
- (d) exceeds 3 500 cubic centimetres but does not exceed 4 500 cubic centimetres 10,360
- (e) exceeds 4 500 cubic centimetres 12,340

5A. Private car the engine of which is designed to use as a fuel light diesel oil as defined in section 69 of the Dutiable Commodities Ordinance (Cap. 109)--

Where the cylinder capacity of the engine -

- (a) does not exceed 1 500 cubic centimetres 5,805
- (b) exceeds 1 500 cubic centimetres but does not exceed 2 500 cubic centimetres 7,855
- (c) exceeds 2 500 cubic centimetres but does not exceed 3 500 cubic centimetres 9,910
- (d) exceeds 3 500 cubic centimetres but does not exceed 4 500 cubic centimetres 11,965
- (e) exceeds 4 500 cubic centimetres 13,945

(b) in item 7, by repealing "1,200" and substituting "1,320";

(c) in item 9, by repealing "1,200" and substituting "1,320".

7. Saving

(1) Where—

(a) the expiry of a vehicle licence in respect of a motor vehicle occurs on or before 6 July 2001; and

(b) the Commissioner receives on or before that date an application to license the motor vehicle for a further period under regulation 21(5) or (6) of the Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap. 374 sub. leg.) (including that regulation as applied by regulation 23(4) or 23A(4) of the Regulations),

section 6 shall not have effect with respect to the licensing of the motor vehicle

for the further period and the Regulations in force immediately before 2.30 p. m. on 7 March 2001 shall continue to have effect with respect to the licensing of the motor vehicle as if the Regulations had not been amended by this Ordinance.

(2) In subsection (1)–

“Commissioner” (署長) and “motor vehicle” (汽車) have the meanings

respectively assigned to them in section 2 of the Road Traffic Ordinance (Cap. 374); “vehicle licence” (車輛牌照) has the meaning assigned to it in regulation 2 of the Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap. 374 sub. leg.).

Explanatory Memorandum

The purpose of this Bill is to amend certain Ordinances to give effect to some of the proposals in the 2001 - 2002 Budget.

2. Clause 2 amends the Dutiable Commodities Ordinance (Cap. 109) to increase the duty on tobacco and the duty on liquor (other than wine) with an alcoholic strength of not more than 30% by volume.

3. Clause 3 amends the Road Traffic (Driving Licences) Regulations (Cap. 374 sub. leg.) to increase--

(a) the fees for issue or renewal of full driving licences and driving instructor's licences; and

(b) the fees for learner's driving licences, temporary driving licences, duplicate licences, international driving permits and duplicate international driving permits.

4. Clause 4 provides that the increase of fees for renewal of a full driving licence or a driving instructor's licence does not have effect if the licence expires on or before 6 July 2001 and the Commissioner for Transport receives on or before that date an application for a renewal of the licence.

5. Clauses 5 and 6 amend the Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap. 374 sub. leg.) to --

- (a) clarify the meaning of "appropriate annual licence fee" in the light of the increase of licence fees for private cars, motor cycles and motor tricycles; and
- (b) increase the licence fees for private cars, motor cycles and motor tricycles.

6. Clause 7 provides that the increase of licence fees does not have effect with respect to the licensing for a further period if the vehicle licence concerned expires on or before 6 July 2001 and the Commissioner for Transport receives on or before that date an application to license the vehicle concerned for that further period.

TUNG Chee- hwa Chief Executive 7 March 2001