

立法會
Legislative Council

LC Paper No. LS91/01-02

**Paper for the House Committee Meeting
on 10 May 2002**

**Legal Service Division Report on
Subsidiary Legislation Gazetted on 3 May 2002**

Date of Tabling in LegCo : 8 May 2002

Amendment to be made by : 5 June 2002 (or 26 June 2002 if extended by resolution)

PART I AMENDING SCHEDULE TO LEGISLATION

Civil Aviation (Aircraft Noise) Ordinance (Cap. 312)
Civil Aviation (Aircraft Noise) Ordinance (Amendment of Schedule) Notice 2002 (L.N. 60)

This Notice amends the Schedule to the Civil Aviation (Aircraft Noise) Ordinance (Cap. 312) ("the Ordinance") to make the noise standards specified in Chapter 3 of Annex 16 to the Convention on International Civil Aviation ("the Chicago Convention") apply to both wide-bodied and narrow-bodied subsonic jet aircraft landing or taking-off in Hong Kong with effect from 1 July 2002.

2. Under the Ordinance, different noise standards apply to narrow-bodied and wide-bodied subsonic jet aircraft. All narrow-bodied subsonic jet aircraft landing or taking-off in Hong Kong are required to meet the noise standards specified in Chapter 3 of Annex 16 to the Chicago Convention. Wide-bodied subsonic jet aircraft, however, only need to comply with the noise standards specified in Chapter 2 of the Annex, which are less stringent than those specified in Chapter 3.

3. The effect of this Notice is to prohibit, with effect from 1 July 2002, wide-bodied subsonic jet aircraft which only meet the Chapter 2 noise standards from landing or taking-off in Hong Kong. The proposed prohibition will implement in Hong Kong the resolution adopted by the International Civil Aviation Organization in October 1990 to phase out Chapter 2 aircraft over a period of not less than 7 years starting from 1 April 1995.

4. Members may refer to LegCo Brief (Ref: ESB CR8/3231/83) dated 2 May 2002 for background information. According to the LegCo Brief, the Administration has consulted all airlines operating scheduled services to and from Hong Kong, the Airport Authority and aircraft maintenance companies on the proposed prohibition. They have not indicated any problem with the proposed prohibition. The Aviation Advisory Board was also consulted on 15 October 2001 and members supported the proposal.

5. The Panel on Economic Services was consulted on 28 January 2002 on the proposal. Members welcomed the proposal to tighten aircraft noise control which might benefit residents living along the flight path. They however had expressed concern about the implications of the proposal on the economy and the industry. Regarding the implementation timetable, a member considered it desirable to effect the prohibition as from 1 April 2002 so as to tally with the practice of other overseas authorities. Another member however considered that it might be necessary to defer implementing the proposed prohibition beyond 1 May 2002 to allow more time to assess the impact on the industry. As requested by members, the Administration undertook to provide the Panel with information concerning the policies of Mainland China and Macau aeronautical authorities in respect of noise standards for aircraft. The Administration has now replied that the aeronautical authority in Mainland China intends to prohibit shortly the operation of wide-bodied Chapter 2 aircraft while the aeronautical authority in Macau has no intention to implement the prohibition for the time being.

6. The legal and drafting aspects of the Notice are in order.

**University of Hong Kong Ordinance (Cap. 1053)
Statutes of the University of Hong Kong (Amendment) Statute 2002
(L.N. 61)**

7. This Statute amends the Statutes of the University of Hong Kong in the Schedule to the University of Hong Kong Ordinance (Cap. 1053) to allow the University to confer or award the following degrees and academic distinctions -

- (a) Bachelor of Chinese Medicine
- (b) Bachelor of Criminal Justice
- (c) Bachelor of Science in Bioinformatics
- (d) Master of Arts in Transport Policy and Planning
- (e) Master of Buddhist Studies
- (f) Master of Chinese Medicine in Acupuncture and Moxibustion
- (g) Master of Finance
- (h) Master of Science in Global Business Management and E-Commerce
- (i) Master of Social Service Management
- (j) Postgraduate Diploma in Information Technology Law

- (k) Postgraduate Diploma in Science (Computer Science)
- (l) Postgraduate Diploma in Science (Electronic Commerce and Internet Computing)
- (m) Postgraduate Diploma in Urban Design

8. The legal and drafting aspects of the Statute are in order.

PART II TAX RESERVE CERTIFICATES

Tax Reserve Certificates Ordinance (Cap. 289)

Tax Reserve Certificates (Rate of Interest) (No. 5) Notice 2002 (L.N. 62)

9. This Notice fixes the rate of interest payable on tax reserve certificates issued on or after 6 May 2002 at 0.5812% per annum.

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6 May 2002