

**立法會**  
***Legislative Council***

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Tel : 2869 9205

Date : 7 November 2005

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

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**Council meeting of 16 November 2005**

**Proposed resolution under section 34(2) of the  
Interpretation and General Clauses Ordinance**

I forward for Members' consideration a proposed resolution which the Secretary for the Environment, Transport and Works will move at the Council meeting of 16 November 2005 under section 34(2) of the Interpretation and General Clauses Ordinance relating to the Construction Workers Registration (Fees) Regulation. The President has directed that "it be printed in the terms in which it was handed in" on the Agenda of the Council.

2. The speech, in both English and Chinese versions, which the Secretary for the Environment, Transport and Works will deliver when moving the proposed resolution, is also attached.

(Ray CHAN)  
for Clerk to the Legislative Council

Encl.



# INTERPRETATION AND GENERAL CLAUSES ORDINANCE

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## RESOLUTION

(Under section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1))

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## CONSTRUCTION WORKERS REGISTRATION (FEES) REGULATION

RESOLVED that the Construction Workers Registration (Fees) Regulation, published in the Gazette as Legal Notice No. 166 of 2005 and laid on the table of the Legislative Council on 19 October 2005, be amended –

- (a) in section 9 –
  - (i) in subsection (1)(a), by repealing “on the same date” and substituting “at the same time”;
  - (ii) in subsection (2)(b), by repealing “in any other case” and substituting “in the case where the fee so prescribed for each application is not of the same amount”;
- (b) in section 10 –
  - (i) in subsection (1)(a), by repealing “on the same date” and substituting “at the same time”;

- (ii) in subsection (2)(b), by repealing “in any other case” and substituting “in the case where the fee so prescribed for each application is not of the same amount”;
- (c) in section 11(1)(b) and (8)(b), by adding “expiry” before “date specified”;
- (d) in section 13(1)(b) and (2), by adding “expiry” before “date specified”.

## **Construction Workers Registration (Fees) Regulation**

### **Proposed Resolution under the Interpretation and General Clauses Ordinance**

Madam President, I move that the Resolution contained in the Agenda be passed.

The purpose of the Resolution is to amend the Construction Workers Registration (Fees) Regulation laid on the table of the Legislative Council at the sitting of 19 October 2005.

It is the plan of the Construction Workers Registration Authority to commence registration for construction workers on 29 December 2005. Prior to the commencement of registration, it is necessary for the Authority to prescribe, by regulation, various registration fees and other related arrangements in accordance with section 63 of the Construction Workers Registration Ordinance (Cap. 583). In consideration of the comments on the Regulation made by the Legal Service Division of the Legislative Council, we propose to amend the following provisions in the Regulation with a view to improving those provisions.

We propose to make the same amendments to sections 9 and 10, both of which prescribe the method of calculating the waiver of fees. The proposed amendment is to make such method applicable when an applicant makes two or more applications “at the same time”. The proposed amendment also addresses the practical difficulties in determining the fee payable if an applicant makes a number of applications for registration or for renewal of registration at different times within the same day.

In order to set out in a clearer way the circumstances under which the prescribed fee is payable under sections 9(2)(b) and 10(2)(b), it is proposed to amend the lead clause of those paragraphs.

In order to facilitate users’ comprehension that the date referred to in sections 11(1)(b), 11(8)(b), 13(1)(b) and (2) is indeed the expiry date of registration, it is proposed to add “expiry” before “date specified” whenever there is a reference to such expression.

I move that the Resolution be passed. Thank you Madam President.