

**Subcommittee on Legislative Amendments Relating to the Proposed
Re-organisation of Policy Bureaux of the Government Secretariat**

**Resolution under Section 54A of the
Interpretation and General Clauses Ordinance (Cap. 1)**

**Transfer of Statutory Functions Currently Exercisable by the
Secretary for the Environment, Transport and Works**

Introduction

This paper sets out the transfer of statutory functions currently exercisable by the Secretary for the Environment, Transport and Works (SETW) to the Secretary for the Environment, the Secretary for Transport and Housing or the Secretary for Development with effect from 1 July 2007.

Background

2. Pursuant to the re-organisation plan announced by the Chief Executive on 3 May 2007 and set out in the Legislative Council brief issued to Members on the same day, the following policy portfolios currently under the SETW will be taken up by three Directors of Bureau with effect from 1 July 2007 :

- (a) matters relating to the environment will be transferred to the Secretary for the Environment;
- (b) matters relating to transport will be transferred to the Secretary for Transport and Housing; and
- (c) matters relating to public works will be transferred to the Secretary for Development.

The relevant statutory functions currently vested in SETW will be transferred to these three Directors of Bureau accordingly.

3. The transfer of statutory functions is to be effected by way of a resolution made under section 54A of the Interpretation and General Clauses Ordinance (Cap. 1). The Administration gave notice on 23 May 2007 in accordance with Rule 29(1) of the Rules of Procedure of the intention to move the Resolution at the Legislative Council meeting of 13 June 2007, and the latest version of the Resolution was attached to the notice. Paragraph (8) of the Resolution, at **Annex A**, provides that statutory functions currently exercisable by the SETW by virtue of the specified ordinances be transferred to the Secretary for the Environment, the Secretary for Transport and Housing, or the Secretary for Development respectively.

4. The Resolution will not involve substantive amendments to the statutory functions (including powers and duties) provided for in the relevant ordinances. The Resolution will provide for the simple substitution of the current title of the SETW by the new title of the relevant Directors of Bureau in whom policy responsibility for the provisions in question is to be vested with effect from 1 July 2007.

5. A summary of the major statutory functions of the SETW under existing legislation to be transferred to the relevant Directors of Bureau and the textual amendments to the relevant ordinances is at **Annex B**.

Advice Sought

6. Members are invited to consider paragraph (8) of the Resolution.

Constitutional Affairs Bureau
Environment, Transport and Works Bureau
May 2007

(8) the functions exercisable by the Secretary for the Environment, Transport and Works by virtue of -

(a) the Lands Tribunal Rules (Cap. 17 sub. leg. A) be transferred to the Secretary for Transport and Housing and, for the purpose of giving full effect to such transfer, those Rules be amended in the Schedule, in Forms 10 and 11, by repealing "Secretary for the Environment, Transport and Works" wherever it appears and substituting "Secretary for Transport and Housing";

(b) the Land (Miscellaneous Provisions) Ordinance (Cap. 28) be transferred to the Secretary for Development and, for the purpose of giving full effect to such transfer, that Ordinance be amended -

(i) in the following provisions by repealing "Secretary for the Environment, Transport and Works" wherever it appears and substituting "Secretary for Development" -

(A) section 2A(3)(a);

(B) section 2A(4);

(C) section 2A(5);

(D) section 2A(6)(b);

(E) section 2A(6);

(F) the definition of "Secretary"

in section 8(1);

(G) section 18(1A);

(ii) in the heading of section 18 by repealing "**Secretary for the Environment, Transport and Works**" and substituting "**Secretary for Development**";

(c) the Forests and Countryside Ordinance (Cap. 96) be transferred to the Secretary for the Environment and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the definition of "Secretary" in section 2 by repealing "Secretary for the Environment, Transport and Works" and substituting "Secretary for the Environment";

(d) the Ferry Services Ordinance (Cap. 104) be transferred to the Secretary for Transport and Housing and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the following provisions by repealing "Secretary for the Environment, Transport and Works" wherever it appears and substituting "Secretary for Transport and Housing" -

(i) section 22(2);

(ii) section 28(7)(a);

(iii) section 28(7)(b);

(iv) section 41(1);

- (e) the Tramway Regulations (Cap. 107 sub. leg. B) be transferred to the Secretary for Transport and Housing and, for the purpose of giving full effect to such transfer, those Regulations be amended in the definition of "Secretary" in regulation 2 by repealing "Secretary for the Environment, Transport and Works" and substituting "Secretary for Transport and Housing";
- (f) the Wild Animals Protection Ordinance (Cap. 170) be transferred to the Secretary for the Environment and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the following provisions by repealing "Secretary for the Environment, Transport and Works" wherever it appears and substituting "Secretary for the Environment" -
 - (i) section 22(1);
 - (ii) section 22(2);
- (g) the Defences (Firing Areas) Ordinance (Cap. 196) be transferred to the Secretary for Development and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the Second Schedule by repealing "Secretary for the Environment, Transport and Works" and substituting "Secretary for Development";

(h) the Eastern Harbour Crossing Ordinance (Cap. 215) be transferred to the Secretary for Transport and Housing and, for the purpose of giving full effect to such transfer -

(i) the Eastern Harbour Crossing Ordinance (Cap. 215) be amended in the definition of "Secretary" in section 2(1) by repealing "Secretary for the Environment, Transport and Works" and substituting "Secretary for Transport and Housing";

(ii) the Specification of Public Offices (Cap. 1 sub. leg. C) be amended in column 1 of the Schedule by repealing "Secretary for the Environment, Transport and Works" where it appears opposite to "Eastern Harbour Crossing Ordinance (Chapter 215)." in column 2 and substituting "Secretary for Transport and Housing";

(i) the Public Bus Services Ordinance (Cap. 230) be transferred to the Secretary for Transport and Housing and, for the purpose of giving full effect to such transfer, that Ordinance be amended -

(i) in the following provisions by repealing "Secretary for the Environment, Transport and Works" wherever it appears and substituting "Secretary for Transport and Housing" -

(A) section 6(2A);

(B) section 12A(1);

(C) section 12A(2);

(D) section 12A(3);

(E) section 12A(4);

(F) section 33(1);

(G) section 35(1);

(ii) in the heading of section 35 by repealing "**Secretary for the Environment, Transport and Works**" and substituting "**Secretary for Transport and Housing**";

(j) the Fixed Penalty (Traffic Contraventions) Ordinance (Cap. 237) be transferred to the Secretary for Transport and Housing and, for the purpose of giving full effect to such transfer, that Ordinance be amended in section 25 by repealing "Secretary for the Environment, Transport and Works" and substituting "Secretary for Transport and Housing";

(k) the Fixed Penalty (Criminal Proceedings) Ordinance (Cap. 240) be transferred to the Secretary for Transport and Housing and, for the purpose of giving full effect to such transfer, that Ordinance be amended in section 11 by repealing "Secretary for the Environment, Transport and Works" and substituting "Secretary for Transport and Housing";

(l) the Peak Tramway Ordinance (Cap. 265) be transferred to the Secretary for Transport and Housing and, for the purpose of giving full effect to such transfer, that Ordinance be amended -

(i) in the following provisions by repealing "Secretary for the Environment, Transport and Works" wherever it appears and substituting "Secretary for Transport and Housing" -

(A) section 4;

(B) section 5;

(C) section 7(1);

(D) section 7(2);

(E) section 7(3);

(F) section 7(4);

(G) section 7A(1);

(H) section 7A(3);

(I) section 8;

- (J) section 9(2);
- (K) section 9(3);
- (L) section 10;
- (M) section 12;
- (N) section 14B(1);
- (O) section 14D(1);
- (P) section 14D(4);
- (Q) section 14D(4)(b);
- (R) section 14E(1);
- (S) section 14E(2);
- (T) section 14E(3);
- (U) section 14E(4);
- (V) section 14F(2);
- (W) section 15(1)(b);
- (X) section 15(1)(d)(i);

(ii) in section 7A(2) by repealing "Secretary for the Environment, Transport and Works's" and substituting "Secretary for Transport and Housing's";

(iii) in the heading of section 14D by repealing "**Secretary for the Environment, Transport and Works**" and substituting "**Secretary for Transport and Housing**";

(m) the Peak Tramway (Safety) Regulations (Cap. 265 sub. leg. A) be transferred to the Secretary for Transport and Housing and,

for the purpose of giving full effect to such transfer, those Regulations be amended in the definition of "Secretary" in regulation 2 by repealing "Secretary for the Environment, Transport and Works" and substituting "Secretary for Transport and Housing";

- (n) the Air Pollution Control Ordinance (Cap. 311) be transferred to the Secretary for the Environment and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the definition of "Secretary" in section 2 by repealing "Secretary for the Environment, Transport and Works" and substituting "Secretary for the Environment";
- (o) the Air Pollution Control (Appeal Board) Regulations (Cap. 311 sub. leg. D) be transferred to the Secretary for the Environment and, for the purpose of giving full effect to such transfer, those Regulations be amended in the definition of "Secretary" in regulation 2 by repealing "Secretary for the Environment, Transport and Works" and substituting "Secretary for the Environment";
- (p) the Air Pollution Control (Specified Processes) Regulations (Cap. 311 sub. leg. F) be transferred to the Secretary for the

Environment and, for the purpose of giving full effect to such transfer, those Regulations be amended in the following provisions by repealing "Secretary for the Environment, Transport and Works" wherever it appears and substituting "Secretary for the Environment" -

- (i) Form 5 in the Second Schedule;
 - (ii) the heading of the Fourth Schedule;
 - (iii) item 8 of the Fourth Schedule;
 - (iv) the heading of the Fifth Schedule;
- (q) the Industrial Training (Construction Industry) Ordinance (Cap. 317) be transferred to the Secretary for Development and, for the purpose of giving full effect to such transfer, that Ordinance be amended in section 6(1)(da) by repealing "Secretary for the Environment, Transport and Works" and substituting "Secretary for Development";
- (r) the Waste Disposal Ordinance (Cap. 354) be transferred to the Secretary for the Environment and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the definition of "Secretary" in section 2(1) by repealing "Secretary for the Environment, Transport

and Works" and substituting "Secretary for the Environment";

- (s) the Waste Disposal (Designated Waste Disposal Facility) Regulation (Cap. 354 sub. leg. L) be transferred to the Secretary for the Environment and, for the purpose of giving full effect to such transfer, that Regulation be amended in section 8 by repealing "Secretary for the Environment, Transport and Works" and substituting "Secretary";
- (t) the Waste Disposal (Charges for Disposal of Construction Waste) Regulation (Cap. 354 sub. leg. N) be transferred to the Secretary for the Environment and, for the purpose of giving full effect to such transfer, that Regulation be amended in section 1 by repealing "Secretary for the Environment, Transport and Works" and substituting "Secretary for the Environment";
- (u) the Water Pollution Control Ordinance (Cap. 358) be transferred to the Secretary for the Environment and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the definition of "Secretary" in section 2(1) by repealing "Secretary for the Environment, Transport and Works" and substituting "Secretary for the Environment";

(v) the Water Pollution Control (Appeal Board) Regulations (Cap. 358 sub. leg. C) be transferred to the Secretary for the Environment and, for the purpose of giving full effect to such transfer, those Regulations be amended in the Schedule, in Form 1, by repealing "*Secretary for the Environment, Transport and Works*" and substituting "*Secretary for the Environment*";

(w) the Roads (Works, Use and Compensation) Ordinance (Cap. 370) be transferred to the Secretary for Transport and Housing and, for the purpose of giving full effect to such transfer -

(i) the Roads (Works, Use and Compensation) Ordinance (Cap. 370) be amended in the definition of "Secretary" in section 2(1) by repealing "*Secretary for the Environment, Transport and Works*" and substituting "*Secretary for Transport and Housing*";

(ii) the Specification of Public Offices (Cap. 1 sub. leg. C) be amended in column 1 of the Schedule by repealing "*Secretary for the Environment,*

Transport and Works" where it appears opposite to "Roads (Works, Use and Compensation) Ordinance (Chapter 370)." in column 2 and substituting "Secretary for Transport and Housing";

(x) the Kowloon-Canton Railway Corporation Ordinance (Cap. 372) be transferred to the Secretary for Transport and Housing and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the following provisions by repealing "Secretary for the Environment, Transport and Works" wherever it appears and substituting "Secretary for Transport and Housing" -

(i) section 4(1)(a);

(ii) section 30(1);

(iii) the proviso of paragraph 8 of the Second Schedule;

(iv) paragraph 14 of the Second Schedule;

(v) paragraph 1(2) of the Third Schedule;

(vi) paragraph 2 of the Third Schedule;

(y) the Kowloon-Canton Railway Corporation Regulations (Cap. 372 sub. leg. A) be

transferred to the Secretary for Transport and Housing and, for the purpose of giving full effect to such transfer, those Regulations be amended -

- (i) in the definition of "Secretary" in regulation 1A by repealing "Secretary for the Environment, Transport and Works" and substituting "Secretary for Transport and Housing";
- (ii) in regulation 14(7) by repealing "Secretary for the Environment, Transport and Works" and substituting "Secretary";
- (z) the Road Traffic Ordinance (Cap. 374) be transferred to the Secretary for Transport and Housing and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the following provisions by repealing "Secretary for the Environment, Transport and Works" wherever it appears and substituting "Secretary for Transport and Housing" -
 - (i) the definition of "prescribed limit" in section 2;
 - (ii) section 5(1);
 - (iii) section 5(2)(a);
 - (iv) section 6(1);
 - (v) section 7(1);

- (vi) section 8(1);
- (vii) section 9(1);
- (viii) section 10(1);
- (ix) section 11;
- (x) section 12(1);
- (xi) section 12A(1);
- (xii) section 16(2);
- (xiii) section 16(4);
- (xiv) section 17(1);
- (xv) section 17(2)(a);
- (xvi) section 21(2);
- (xvii) section 39G(1);
- (xviii) section 88B(3);
- (xix) section 102B(4);
- (xx) section 109(1);
- (xxi) section 109(2);
- (xxii) section 116(1);
- (xxiii) section 121(2);
- (xxiv) paragraph (b) of the definition
of "expressway works" in section
122;
- (xxv) section 131(1);

(aa) the Road Traffic (Parking) Regulations
(Cap. 374 sub. leg. C) be transferred to the
Secretary for Transport and Housing and,
for the purpose of giving full effect to
such transfer, those Regulations be amended
in the following provisions by repealing
"Secretary for the Environment, Transport

and Works" wherever it appears and substituting "Secretary for Transport and Housing" -

(i) regulation 12(5);

(ii) regulation 17(1);

(iii) regulation 17(1)(c);

(iv) regulation 17(3);

(ab) the Road Traffic (Expressway) Regulations (Cap. 374 sub. leg. Q) be transferred to the Secretary for Transport and Housing and, for the purpose of giving full effect to such transfer, those Regulations be amended in regulation 28 by repealing "Secretary for the Environment, Transport and Works" and substituting "Secretary for Transport and Housing";

(ac) the Tate's Cairn Tunnel Ordinance (Cap. 393) be transferred to the Secretary for Transport and Housing and, for the purpose of giving full effect to such transfer -

(i) the Tate's Cairn Tunnel

Ordinance (Cap. 393) be amended in the definition of "Secretary" in section 2(1) by repealing "Secretary for the Environment, Transport and Works" and substituting "Secretary for Transport and Housing";

- (ii) the Specification of Public Offices (Cap. 1 sub. leg. C) be amended in column 1 of the Schedule by repealing "Secretary for the Environment, Transport and Works" where it appears opposite to "Tate's Cairn Tunnel Ordinance (Chapter 393)." in column 2 and substituting "Secretary for Transport and Housing";
- (ad) the Noise Control Ordinance (Cap. 400) be transferred to the Secretary for the Environment and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the definition of "Secretary" in section 2 by repealing "Secretary for the Environment, Transport and Works" and substituting "Secretary for the Environment";
- (ae) the Noise Control (Appeal Board) Regulations (Cap. 400 sub. leg. B) be transferred to the Secretary for the Environment and, for the purpose of giving full effect to such transfer, those Regulations be amended in the Schedule, in Forms 1, 2 and 2A, by repealing "Secretary for the Environment, Transport and Works"

wherever it appears and substituting

"Secretary for the Environment";

- (af) the Ozone Layer Protection Ordinance (Cap. 403) be transferred to the Secretary for the Environment and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the definition of "Secretary" in section 2 by repealing "Secretary for the Environment, Transport and Works" and substituting "Secretary for the Environment";
- (ag) the Architects Registration Ordinance (Cap. 408) be transferred to the Secretary for Development and, for the purpose of giving full effect to such transfer, that Ordinance be amended in section 7(6) by repealing "Secretary for the Environment, Transport and Works" and substituting "Secretary for Development";
- (ah) the Engineers Registration Ordinance (Cap. 409) be transferred to the Secretary for Development and, for the purpose of giving full effect to such transfer, that Ordinance be amended in section 6(6) by repealing "Secretary for the Environment, Transport and Works" and substituting "Secretary for Development";
- (ai) the Surveyors Registration Ordinance (Cap. 417) be transferred to the Secretary for

Development and, for the purpose of giving full effect to such transfer, that Ordinance be amended in section 6(6) by repealing "Secretary for the Environment, Transport and Works" and substituting "Secretary for Development";

(aj) the Planners Registration Ordinance (Cap. 418) be transferred to the Secretary for Development and, for the purpose of giving full effect to such transfer, that Ordinance be amended in section 6(6) by repealing "Secretary for the Environment, Transport and Works" and substituting "Secretary for Development";

(ak) the Western Harbour Crossing Ordinance (Cap. 436) be transferred to the Secretary for Transport and Housing and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the following provisions by repealing "Secretary for the Environment, Transport and Works" wherever it appears and substituting "Secretary for Transport and Housing" -

(i) the definition of "Secretary" in section 2(1);

(ii) section 38(2)(b);

(al) the Land Drainage Ordinance (Cap. 446) be transferred to the Secretary for

Development and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the definition of "Secretary" in section 2 by repealing "Secretary for the Environment, Transport and Works" and substituting "Secretary for Development";

(am) the Environment and Conservation Fund Ordinance (Cap. 450) be transferred to the Secretary for the Environment and, for the purpose of giving full effect to such transfer, that Ordinance be amended -

(i) in the definition of "Secretary" in section 2 by repealing "Secretary for the Environment, Transport and Works" and substituting "Secretary for the Environment";

(ii) in section 10 -

(A) in paragraph (a), by repealing "and" at the end;

(B) in paragraph (b), by repealing everything after "1 July 2002" and substituting "but before 1 July 2007 as if done by the Secretary for the Environment, Transport and Works; and";

(C) by adding -

"(c) on and after 1 July 2007
as if done by the
Secretary for the
Environment.";

(an) the Sewage Services Ordinance (Cap. 463) be transferred to the Secretary for the Environment and, for the purpose of giving full effect to such transfer, that Ordinance be amended in section 13(1) by repealing "Secretary for the Environment, Transport and Works" and substituting "Secretary for the Environment";

(ao) the Sewage Services (Trade Effluent Surcharge) Regulation (Cap. 463 sub. leg. B) be transferred to the Secretary for the Environment and, for the purpose of giving full effect to such transfer, that Regulation be amended in section 4(1) by repealing "Secretary for the Environment, Transport and Works" and substituting "Secretary for the Environment";

(ap) the Dumping at Sea Ordinance (Cap. 466) be transferred to the Secretary for the Environment and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the following provisions by repealing "Secretary for the Environment, Transport and Works" wherever

it appears and substituting "Secretary for the Environment" -

(i) section 1(2);

(ii) section 4(2);

(aq) the Builders' Lifts and Tower Working Platforms (Safety) Ordinance (Cap. 470) be transferred to the Secretary for Development and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the definition of "Secretary" in section 2(1) by repealing "Secretary for the Environment, Transport and Works" and substituting "Secretary for Development";

(ar) the Tai Lam Tunnel and Yuen Long Approach Road Ordinance (Cap. 474) be transferred to the Secretary for Transport and Housing and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the following provisions by repealing "Secretary for the Environment, Transport and Works" wherever it appears and substituting "Secretary for Transport and Housing" -

(i) the definition of "Secretary" in section 2(1);

(ii) section 17(1);

(iii) section 32(3)(b);

(as) the Marine Parks Ordinance (Cap. 476) be transferred to the Secretary for the Environment and, for the purpose of giving full effect to such transfer, that Ordinance be amended in section 20(1) by repealing "Secretary for the Environment, Transport and Works" and substituting "Secretary for the Environment";

(at) the Marine Parks and Marine Reserves Regulation (Cap. 476 sub. leg. A) be transferred to the Secretary for the Environment and, for the purpose of giving full effect to such transfer, that Regulation be amended in section 18(1) by repealing "Secretary for the Environment, Transport and Works" and substituting "Secretary for the Environment";

(au) the Airport Authority (Automated People Mover) (Safety) Regulation (Cap. 483 sub. leg. C) be transferred to the Secretary for Transport and Housing and, for the purpose of giving full effect to such transfer, that Regulation be amended -

(i) in the following provisions by repealing "Secretary for the Environment, Transport and Works" wherever it appears and substituting "Secretary for Transport and Housing" -

(A) paragraph (b) of the definition of "automated people mover premises" in section 1;

(B) section 5(1);

(C) section 5(2);

(D) section 6(1);

(E) section 6(3);

(F) section 6(4);

(G) section 11;

(ii) in the heading of section 6 by repealing "**Secretary for the Environment, Transport and Works**" and substituting "**Secretary for Transport and Housing**";

(av) the Tsing Ma Control Area Ordinance (Cap. 498) be transferred to the Secretary for Transport and Housing and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the definition of "Secretary" in section 2 by repealing "Secretary for the Environment, Transport and Works" wherever it appears and substituting "Secretary for Transport and Housing";

(aw) the Environmental Impact Assessment Ordinance (Cap. 499) be transferred to the Secretary for the Environment and, for the

purpose of giving full effect to such transfer, that Ordinance be amended in the definition of "Secretary" in Schedule 1 by repealing "Secretary for the Environment, Transport and Works" and substituting "Secretary for the Environment";

(ax) the Landscape Architects Registration Ordinance (Cap. 516) be transferred to the Secretary for Development and, for the purpose of giving full effect to such transfer, that Ordinance be amended in section 6(6) by repealing "Secretary for the Environment, Transport and Works" and substituting "Secretary for Development";

(ay) the Railways Ordinance (Cap. 519) be transferred to the Secretary for Transport and Housing and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the definition of "Secretary" in section 2 by repealing "Secretary for the Environment, Transport and Works" and substituting "Secretary for Transport and Housing";

(az) the Discovery Bay Tunnel Link Ordinance (Cap. 520) be transferred to the Secretary for Transport and Housing and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the definition of "Secretary" in section 2(1)

by repealing "Secretary for the Environment, Transport and Works" and substituting "Secretary for Transport and Housing";

(ba) the Mass Transit Railway Ordinance (Cap. 556) be transferred to the Secretary for Transport and Housing and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the definition of "Secretary" in section 2(1) by repealing "Secretary for the Environment, Transport and Works" and substituting "Secretary for Transport and Housing";

(bb) the Construction Workers Registration Ordinance (Cap. 583) be transferred to the Secretary for Development and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the following provisions by repealing "Secretary for the Environment, Transport and Works" wherever it appears and substituting "Secretary for Development" -

(i) section 1(2);

(ii) the definition of "Secretary" in section 2(1);

(bc) the Protection of Endangered Species of Animals and Plants Ordinance (Cap. 586) be transferred to the Secretary for the Environment and, for the purpose of giving

full effect to such transfer, that Ordinance be amended in the definition of "Secretary" in section 2(1) by repealing "Secretary for the Environment, Transport and Works" and substituting "Secretary for the Environment";

- (bd) the Construction Industry Council Ordinance (Cap. 587) be transferred to the Secretary for Development and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the following provisions by repealing "Secretary for the Environment, Transport and Works" wherever it appears and substituting "Secretary for Development" -
- (i) section 1(2);
 - (ii) the definition of "Secretary" in section 2(1);

- (be) the Waste Disposal (Designated Waste Disposal Facility)(Amendment) Regulation 2004 (L.N. 165 of 2004) be transferred to the Secretary for the Environment and, for the purpose of giving full effect to such transfer, that Regulation be amended in section 1 by repealing "Secretary for the Environment, Transport and Works" and substituting "Secretary for the Environment";

(bf) the Waste Disposal (Amendment) Ordinance 2006 (6 of 2006) be transferred to the Secretary for the Environment and, for the purpose of giving full effect to such transfer, that Ordinance be amended in section 1(2) by repealing "Secretary for the Environment, Transport and Works" and substituting "Secretary for the Environment";

**Statutory functions presently exercisable by Secretary for the Environment, Transport and Works (SETW)
which will be transferred to the Secretary for the Environment, Secretary for Transport and Housing (STH) and Secretary for Development**

(I) Transfer of statutory functions to Secretary for the Environment

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(c)	96 Forests and Countryside Ordinance	<p>This ordinance consolidates and amends the law relating to forests and plants, and provides for the protection of the countryside.</p> <p>Major function to be transferred from SETW to Secretary for the Environment is the power to make regulations.</p>	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in Section 2 is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for the Environment” / “環境局局長”.</p>
Paragraph (8)(f)	170 Wild Animals Protection Ordinance	<p>This ordinance provides for the conservation of wild animals.</p> <p>Major function to be transferred from SETW to Secretary for the Environment is the power to amend Schedules.</p>	<p><u>English and Chinese texts</u></p> <p>The ordinance is amended in the following provisions by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” wherever it appears and substituting “Secretary for the Environment” / “環境局局長” –</p> <ul style="list-style-type: none">▪ section 22(1); and▪ section 22(2).

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(n)	311 Air Pollution Control Ordinance	<p>This ordinance provides for abating, prohibiting and controlling pollution of the atmosphere and for matters connected therewith.</p> <p>Major functions to be transferred from SETW to Secretary for the Environment are –</p> <ul style="list-style-type: none"> ■ power to publish approved methods or standards for the purpose of this Ordinance; ■ power to establish quality objectives for the purpose of this Ordinance; ■ power to give direction in which the Authority should exercise his powers; ■ power to issue technical memoranda relating to air pollution; ■ powers relating to applications for renewal and transfer of licences; ■ power to specify information to be furnished to the Authority for the purpose of this Ordinance; ■ powers relating to removal of exemption to certain classes of existing premises; ■ powers relating to cessation of exemption in certain circumstances and application of licence; ■ power to issue codes of practice; 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in section 2 is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for the Environment” / “環境局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
		<ul style="list-style-type: none"> ■ power to determine the form of a register of information to be kept by the Authority; ■ powers relating to the protection of private information from publicity; ■ power to make regulations; ■ powers relating to the investigation of asbestos; and ■ power to specify class of work (the use of asbestos is involved) for which a registered asbestos contractor are not required. 	
Paragraph (8)(o)	311D Air Pollution Control (Appeal Board) Regulations	<p>The subsidiary legislation provides for the processing of an appeal under Cap. 311.</p> <p>Major functions to be transferred from SETW to Secretary for the Environment are powers and functions relating to appeals lodged with the Appeal Board.</p>	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in regulation 2 is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for the Environment” / “環境局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(p)	311F Air Pollution Control (Specified Processes) Regulations	<p>The regulations provides for the regulations for specified processes under Cap. 311.</p> <p>Major functions to be transferred from SETW to Secretary for the Environment are –</p> <ul style="list-style-type: none"> ▪ function to receive a copy of Form 5 (Notice of Objection); and ▪ power to direct that certain sections of the Air Pollution Control Ordinance shall apply to an application for a renewal or transfer of a license, and an application for a license upon the cessation of exemption. 	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” wherever it appears and substituting “Secretary for the Environment” / “環境局局長” –</p> <ul style="list-style-type: none"> ▪ Form 5 in the Second Schedule; ▪ the heading of the Fourth Schedule; ▪ item 8 of the Fourth Schedule; and ▪ the heading of the Fifth Schedule.

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(r)	354 Waste Disposal Ordinance	<p>This ordinance provides for the control and regulation of the production, storage, collection and disposal including the treatment, reprocessing and recycling of waste of any class or description, the licensing and registration of places and persons connected with any such activity, and the protection and safety of the public in relation to any such activity.</p> <p>Major functions to be transferred from SETW to Secretary for the Environment are –</p> <ul style="list-style-type: none"> ▪ power and functions relating to the preparation of waste disposal plan; ▪ powers relating to arrangements for waste disposal; ▪ power to issue codes of practice; and ▪ power to amend Schedules. 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in section 2(1) is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for the Environment” / “環境局局長”.</p>
Paragraph (8)(s)	354L Waste Disposal (Designated Waste Disposal Facility) Regulation	<p>This regulation provides for the designated waste disposal facility.</p> <p>Major function to be transferred from SETW to Secretary for the Environment is the power to amend the Schedules.</p>	<p><u>English and Chinese texts</u></p> <p>Section 8 is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary” / “局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(t)	354N Waste Disposal (Charges for Disposal of Construction Waste) Regulation	<p>This regulation provides for the charges for disposal of construction waste.</p> <p>Major function to be transferred from SETW to Secretary for the Environment is the power to commence operation of the Regulation and to amend the Schedules.</p>	<p><u>English and Chinese texts</u></p> <p>Section 1 is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for the Environment” / “環境局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(u)	358 Water Pollution Control Ordinance	<p>This ordinance controls the pollution of the waters of Hong Kong.</p> <p>Major functions to be transferred from SETW to Secretary for the Environment are –</p> <ul style="list-style-type: none"> ▪ duty to comply with any directions given by the Chief Executive in the exercise or performance of his powers, functions and duties under this Ordinance; ▪ power to establish water quality objectives for each water control zone; ▪ power to give directions to Director of Environmental Protection as to the manner of the latter’s exercising certain powers; ▪ power to issue technical memorandums; ▪ power to determine the form to be kept by the registrar concerning a discharge or a deposit; ▪ power to determine the place at which the forms should be opened for inspection; ▪ power to determine whether to protect any information from public access; ▪ power to impose fees and charges; and ▪ power to refer a case to the Chief Executive in Council for review of the Appeal Board’s decision. 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in section 2(1) is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for the Environment” / “環境局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(v)	358C Water Pollution Control (Appeal Board) Regulations	<p>The regulations provide for the proceedings of the Appeal Board constituted under the Water Pollution Control Ordinance (Cap.358).</p> <p>Form 1 of the Schedule is the form used for lodging appeals against a requirement or decision of the Director of Environmental Protection or SETW under the Water Pollution Control Ordinance.</p> <p>Major function to be transferred from SETW to Secretary for the Environment is the function to serve as a respondent in an appeal.</p>	<p><u>English and Chinese texts</u></p> <p>The Schedule, in Form 1, is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for the Environment” / “環境局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(ad)	400 Noise Control Ordinance	<p>The ordinance provides for the prevention, minimizing and abatement of noise; the appointment of a Noise Control Authority; the powers and duties of the Noise Control Authority relating to the control of noise; the creation of offences and for connected purposes.</p> <p>Major functions to be transferred from SETW to Secretary for the Environment are –</p> <ul style="list-style-type: none"> ▪ powers to establish an area as a designated area ; ▪ power to issue Technical Memoranda; ▪ power to set the maximum duration of an audible signal emitted by an intruder alarm system installed in any premises after the signal is activated; ▪ power to set the maximum duration of an audible signal emitted by an intruder alert system installed in a vehicle after the signal is activate; and ▪ power to make regulations. 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in section 2 is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for the Environment” / “環境局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(ae)	400B Noise Control (Appeal Board) Regulations	<p>The regulations provide for matters relating to appeals under the Noise Control Ordinance (Cap.400).</p> <p>Major function to be transferred from SETW to Secretary for the Environment is the function to receive notice of appeals on behalf the Chairman of the Appeal Board.</p>	<p><u>English and Chinese texts</u></p> <p>The Schedule, in Forms 1, 2 and 2A, is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for the Environment” / “環境局局長”.</p>
Paragraph (8)(af)	403 Ozone Layer Protection Ordinance	<p>The ordinance gives effect to Hong Kong's international obligations under the 1985 Vienna Convention for the Protection of the Ozone Layer and the 1987 Montreal Protocol on Substances that Deplete the Ozone Layer; provides for the prohibition of the manufacture of, and controls the importation and exportation of, and conserves the resources of, substances that deplete the ozone layer and of products containing or made with those substances.</p> <p>Major functions to be transferred from SETW to Secretary for the Environment are –</p> <ul style="list-style-type: none"> ▪ powers to receive, consider and approve or reject claims for return of things forfeited under section 14(4A) of the ordinance; ▪ power to amend Schedule to the ordinance; and ▪ power to make regulations after consultation with the Advisory Council on Environment. 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in section 2 is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for the Environment” / “環境局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(am)	450 Environment and Conservation Fund Ordinance	<p>The ordinance establishes a trust fund called the Environment and Conservation Fund and provides for its administration.</p> <p>Major functions to be transferred from SETW to Secretary for the Environment are –</p> <ul style="list-style-type: none"> ■ functions to serve as the trustee for the fund and powers relating to the fund thus arising; and ■ functions to serve as an ex-officio member of the Environment and Conservation Fund Committee. 	<p><u>English and Chinese texts</u></p> <ul style="list-style-type: none"> ■ The definition of “Secretary” / “局長” is amended in section 2 by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for the Environment” / “環境局局長”. ■ In section 10 – <ul style="list-style-type: none"> (A) in paragraph (a), by repealing “and”/ “及” at the end; (B) by adding – <ul style="list-style-type: none"> “(c) on and after 1 July 2007 as if done by the Secretary for the Environment.”. / “在2007年7月1日當日及以後依然有效，猶如它們是由環境局局長作出的一樣。”

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
			<p><u>English text</u></p> <ul style="list-style-type: none"> ■ In paragraph (b), by repealing everything after “1 July 2002” and substituting “but before 1 July 2007 as if done by the Secretary for the Environment, Transport and Works; and”. <p><u>Chinese text</u></p> <ul style="list-style-type: none"> ■ Repealing paragraph (b) and substituting – <p>“(b) 在2002年7月1日當日及以後而在2007年7月1日之前依然有效，猶如它們是由環境運輸及工務局局長作出的一樣；及”</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(an)	463 Sewage Services Ordinance	<p>The regulation provides for the imposition of sewage charges and trade effluent surcharges.</p> <p>Major function to be transferred from SETW to Secretary for the Environment is the power to issue a technical memorandum setting out the procedures and methods for matters applicable to analysis of trade effluents.</p>	<p><u>English and Chinese texts</u></p> <p>Section 13(1) is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for the Environment” / “環境局局長”.</p>
Paragraph (8)(ao)	463B Sewage Services (Trade Effluent Surcharge) Regulation	<p>The regulation sets out provisions related to trade effluent surcharges.</p> <p>Major function to be transferred from SETW to Secretary for the Environment is the power to issue a technical memorandum setting out the procedures and methods for the testing of the samples and for the approval of laboratories, etc.</p>	<p><u>English and Chinese texts</u></p> <p>Section 4(1) is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for the Environment” / “環境局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(ap)	466 Dumping at Sea Ordinance	<p>The ordinance controls the disposal of substances and articles at sea and the dumping of substances and articles in the sea and under the sea-bed.</p> <p>Major functions to be transferred from SETW to Secretary for the Environment are –</p> <ul style="list-style-type: none"> ▪ power to specify that certain operations do not need a permit; ▪ power to specify the offices at which public may inspect technical memorandum; and ▪ duty to publish technical memorandum in the Gazette and table it at the LegCo. 	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” wherever it appears and substituting “Secretary for the Environment” / “環境局局長” –</p> <ul style="list-style-type: none"> ▪ section 1(2); and ▪ section 4(2).
Paragraph (8)(as)	476 Marine Parks Ordinance	<p>The ordinance provides for the designation, control and management of marine parks and marine reserves.</p> <p>Major function to be transferred from SETW to Secretary for the Environment is the powers to make regulations.</p>	<p><u>English and Chinese texts</u></p> <p>Section 20(1) is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for the Environment” / “環境局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(at)	476A Marine Parks and Marine Reserves Regulation	<p>The regulation prohibits and controls certain activities in a marine park or marine reserve.</p> <p>Major function to be transferred from SETW to Secretary for the Environment is the power to amend Schedule 1 – list of special zones.</p>	<p><u>English and Chinese texts</u></p> <p>Section 18(1) is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for the Environment” / “環境局局長”.</p>
Paragraph (8)(aw)	499 Environmental Impact Assessment Ordinance	<p>The ordinance provides for assessing the impact on the environment of certain projects and proposals and for protecting the environment.</p> <p>Major functions to be transferred from SETW to Secretary for the Environment are –</p> <ul style="list-style-type: none"> ▪ power to amend schedules of designated projects; ▪ power to specify contiguous projects as a Designated Project; ▪ power to give consent to Director of Environmental Protection’s (DEP) decision to permit an applicant to apply directly for an environmental permit; ▪ power to give consent to DEP’s decision to suspend, vary or cancel an environmental permit; 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in Schedule 1 is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for the Environment” / “環境局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
		<ul style="list-style-type: none"> ▪ power to issue technical memoranda; ▪ power to give advice to DEP for protecting the environment; ▪ power to consent to DEP's decision to issue cessation order and to require works or take direct action to remedy environmental damage; and ▪ power to make regulations. 	
Paragraph (8)(bc)	586 Protection of Endangered Species of Animals and Plants Ordinance	<p>The Ordinance gives effect in Hong Kong to the Convention on International Trade in Endangered Species of Wild Fauna and Flora signed in Washington D.C. on 3 March 1973; to regulate the import, introduction from the sea, export, re-export, and possession or control of certain endangered species of animals and plants and parts and derivatives of those species; and to provide for incidental and connected matters.</p> <p>Major functions to be transferred from SETW to Secretary for the Environment are –</p> <ul style="list-style-type: none"> ▪ the power to exempt from application of the ordinance; ▪ the power to amend Schedules; and ▪ the power to make regulations. 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in section 2(1) is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for the Environment” / “環境局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(be)	Waste Disposal (Designated Waste Disposal Facility) (Amendment) Regulation 2004 (L.N. 165 of 2004)	<p>The Regulation is to provide for the designated waste disposal facility.</p> <p>Major functions to be transferred from SETW to Secretary for the Environment is the power to appoint the commencement date for the regulation to come into operation and to amend Schedule.</p>	<p><u>English and Chinese texts</u></p> <p>Section 1 is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for the Environment” / “環境局局長”.</p>
Paragraph (8)(bf)	Waste Disposal (Amendment) Ordinance 2006 (6 of 2006)	<p>The ordinance is to amend the Waste Disposal Ordinance.</p> <p>Major function to be transferred from SETW to Secretary for the Environment is the power to appoint the commencement date for the ordinance to come into operation.</p>	<p><u>English and Chinese texts</u></p> <p>Section 1(2) by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for the Environment” / “環境局局長”.</p>

(II) Transfer of statutory functions to STH

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(a)	17A Lands Tribunal Rules	<p>These rules provide for practice, procedures and forms used in relation to the proceedings of the Lands Tribunal.</p> <p>Major functions to be transferred from SETW to STH are the functions and duties of the Secretary in the proceedings of Lands Tribunal in relation to claims lodged under the Roads (Works, Use and Compensation) Ordinance (Cap. 370).</p>	<p><u>English and Chinese texts</u></p> <p>Forms 10 and 11 in the Schedule are amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”.</p>
Paragraph (8)(d)	104 Ferry Services Ordinance	<p>This ordinance provides for the granting of franchises and licenses to operate ferry services, and the regulation of the operation and maintenance of such services.</p> <p>Major functions to be transferred from SETW to STH are –</p> <ul style="list-style-type: none"> ■ the power to decide on any point on which the Commissioner for Transport (C for T) and the grantee fail to reach agreement in relation to a plan on the operation of the grantee; and ■ the power and function relating to appeals against the decision of C for T. 	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” wherever it appears and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長” –</p> <ul style="list-style-type: none"> ■ section 22(2); ■ section 28(7)(a); ■ section 28(7)(b); and ■ section 41(1).

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(e)	107B Tramway Regulations	<p>These regulations provide for the designation of tram stops, boarding and alighting of passengers, and appeal procedures in relation to decision made by Commissioner for Transport under the regulations.</p> <p>Major functions to be transferred from SETW to STH are –</p> <ul style="list-style-type: none"> ▪ power to confirm, vary or amend terms of notice given under the regulations; and ▪ power and function relating to appeals against the decision of Commissioner for Transport made under the regulations. 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in regulation 2 is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(h)(i)	215 Eastern Harbour Crossing Ordinance	<p>This Ordinance is to grant franchises for the construction of a combined road and rail tunnel across the eastern harbour, for the construction of a railway line through the tunnel; for the payment of tolls to the franchise holder for the use of the tunnel and the regulation of vehicular traffic in relation to such use; and for the transfer by the franchise holder of its right to operate the railway line to the Mass Transit Railway Corporation.</p> <p>Major functions to be transferred from SETW to STH are –</p> <ul style="list-style-type: none"> ▪ power to give notice in the Gazette for the deposit of its right by the franchisee; ▪ function and duties in the case of default; ▪ power and functions relating to the revocation of franchise; and ▪ functions relating to appeals lodged by the franchisee. 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in section 2(1) is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(h)(ii)	1C Specification of Public Offices	<p>Cap 1C sets out the public officers who may delegate to another public officer the powers conferred or duties imposed on him / her by any particular ordinance.</p> <p>Major function to be transferred from SETW to STH is the power to delegate to any public officer his/her functions provided for in the Eastern Harbour Crossing Ordinance (Cap. 215).</p>	<p><u>English and Chinese texts</u></p> <p>The Schedule is amended by repealing the relevant item making reference to “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting a similar item making reference to “Secretary for Transport and Housing” / “運輸及房屋局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(i)	230 Public Bus Services Ordinance	<p>This ordinance provides for the granting of franchises to operate public bus services on specified routes, and the regulation of the operation and maintenance of such services.</p> <p>Major functions to be transferred from SETW to STH are –</p> <ul style="list-style-type: none"> ▪ duty to make recommendation to Chief Executive in Council on whether the franchise for a bus operator should be extended; ▪ function in relation to forward planning programme of the franchised bus operators; and ▪ power to make regulations. 	<p><u>English and Chinese texts</u></p> <ul style="list-style-type: none"> ▪ The following provisions are amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” wherever it appears and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長” – <ul style="list-style-type: none"> (A) section 6(2A); (B) section 12A(1); (C) section 12A(2); (D) section 12A(3); (E) section 12A(4); (F) section 33(1); and (G) section 35(1). ▪ In the heading of section 35 by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”.

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Section (8)(j)	237 Fixed Penalty (Traffic Contraventions) Ordinance	<p>This ordinance provides for a fixed penalty to be payable for various contraventions of the law; and for the recovery of the fixed penalty.</p> <p>Major function to be transferred from SETW to STH is the power to make regulations.</p>	<p><u>English and Chinese texts</u></p> <p>Section 25 is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”.</p>
Section (8)(k)	240 Fixed Penalty (Criminal Proceedings) Ordinance	<p>This ordinance provides for a fixed penalty to be payable for various offences.</p> <p>Major function to be transferred from SETW to STH is the power to make regulations.</p>	<p><u>English and Chinese texts</u></p> <p>Section 11 is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(1)	265 Peak Tramway Ordinance	<p>This ordinance is to authorize the construction of the Peak Tramway, and to provide for matters relating to the operation of the Peak Tramway.</p> <p>Major functions to be transferred from SETW to STH are –</p> <ul style="list-style-type: none"> ■ power to authorize the Peak Tramways Company Limited (the company) to alter the level of ground on which the tramway is laid; ■ power to approve the construction and maintenance of additional structures, equipment and works by the company; ■ power and duties relating to works of the company that may affect sewage or drainage; ■ power to authorize the company to enter land adjoining the tramway; ■ power to apply to the Chief Executive in Council for settling differences between the company and the Secretary; ■ power to certify removal cost of tramway in case of discontinuance of service; ■ power to order removal of tramway upon insolvency of the company; ■ power to approve the tramcars, machinery apparatus used on or for the tramway; 	<p><u>English and Chinese texts</u></p> <ul style="list-style-type: none"> ■ The following provisions are amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” wherever it appears and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長” – <ul style="list-style-type: none"> (A) section 4; (B) section 5; (C) section 7(1); (D) section 7(2); (E) section 7(3); (F) section 7(4); (G) section 7A(1); (H) section 7A(3); (I) section 8; (J) section 9(2); (K) section 9(3); (L) section 10;

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
		<ul style="list-style-type: none"> ■ power to order defects in the tramway be remedied; and ■ power to order the closure of tramway. 	<p>(M) section 12;</p> <p>(N) section 14B(1);</p> <p>(O) section 14D(1);</p> <p>(P) section 14D(4);</p> <p>(Q) section 14D(4)(b);</p> <p>(R) section 14E(1);</p> <p>(S) section 14E(2);</p> <p>(T) section 14E(3);</p> <p>(U) section 14E(4);</p> <p>(V) section 14F(2);</p> <p>(W) section 15(1)(b); and</p> <p>(X) section 15(1)(d)(i).</p> <ul style="list-style-type: none"> ■ In section 7A(2) by repealing “Secretary for the Environment, Transport and Works’s” / “環境運輸及工務局局長” and substituting “Secretary for Transport and Housing’s” / “運輸及房屋局局長”.

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
			<ul style="list-style-type: none"> ■ In the heading of section 14D by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”.
Paragraph (8)(m)	265A Peak Tramway (Safety) Regulations	<p>These regulations provide for matters relating to the maintenance and operation of the tramway, and the inspection, examination and testing of the tramway.</p> <p>Major functions to be transferred from SETW to STH are –</p> <ul style="list-style-type: none"> ■ power to approve the employment of surveyor by the Peak Tramways Company Limited (the company); ■ power to approve the employment of engineering superintendents by the company; and ■ power to approve the employment of duty technician by the company. 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in regulation 2 is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(w)(i)	370 Roads (Works, Use and Compensation) Ordinance	<p>The ordinance provides for the publication of proposals as to works in relation to roads, objections to the proposals, authority to carry out the works and for the use of roads, powers in relation to the works on and the use of roads, compensation and connected matters.</p> <p>Major functions to be transferred from SETW to STH are –</p> <ul style="list-style-type: none"> ▪ power to authorize any public officer to exercise the powers, functions and duties conferred on him under the ordinance; ▪ power to approve the execution of minor works; ▪ powers, functions and duties relating to the preparation, publication and amendment of plans and schemes for major works; ▪ powers, functions and duties relating to the handling of objections and claims against plans and schemes; ▪ powers, functions and duties relating to land resumption for the purposes of or incidental to works, and the creation of easement or other rights; 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in section 2(1) is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
		<ul style="list-style-type: none"> ■ powers, functions and duties relating to road closure and Government foreshore or sea-bed reclamation for the purposes of or incidental to works; ■ power to enter any land or building for the purpose of making inspection, site investigation and valuation etc; ■ power to request utility companies to alter or repair their wire, pipe, tub etc.; and ■ power to order owner of any land or building to remove projections or obstructions. 	
Paragraph (8)(w)(ii)	1C Specification of Public Offices	<p>Cap 1C sets out the public officers who may delegate to another public officer the powers conferred or duties imposed on him / her by any particular ordinance.</p> <p>Major function to be transferred from SETW to STH is the power to delegate to any public officer his/her functions provided for in the Roads (Works, Use and Compensation) Ordinance (Cap. 370).</p>	<p><u>English and Chinese texts</u></p> <p>The Schedule is amended by repealing the relevant item making reference to “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting a similar item making reference to “Secretary for Transport and Housing” / “運輸及房屋局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(x)	372 Kowloon-Canton Railway Corporation Ordinance	<p>The ordinance is to establish a corporation to operate the Kowloon-Canton Railway, to vest in that corporation the assets of that railway, to construct and operate the Northwest Railway and other railways, and to make provision as to the safe operation of railways.</p> <p>Major functions to be transferred from SETW to STH are powers to authorize the construction of railways and to make regulations.</p>	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” wherever it appears and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長” –</p> <ul style="list-style-type: none"> ▪ section 4(1)(a); ▪ section 30(1); ▪ the proviso of paragraph 8 of the Second Schedule; ▪ paragraph 14 of the Second Schedule; ▪ paragraph 1(2) of the Third Schedule; and ▪ paragraph 2 of the Third Schedule.

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(y)	372A Kowloon-Canton Railway Corporation Regulations	<p>These regulations provide for detailed requirements in relation to the operation of the railways and reporting of accident and occurrence.</p> <p>Major functions to be transferred from SETW to STH are –</p> <ul style="list-style-type: none"> ■ power to confirm, vary or amend terms of notice given under the regulations; ■ power and function relating to appeals against the decision of Commissioner for Transport made under the regulations; and ■ the Corporation should submit written explanation to the Secretary for any failure to comply with certain requirements of the regulations. 	<p><u>English and Chinese texts</u></p> <ul style="list-style-type: none"> ■ The definition of “Secretary” / “局長” in regulation 1A is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”. ■ In regulation 14(7) by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary” / “局長”.

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(z)	374 Road Traffic Ordinance	<p>This ordinance provides for the regulation of road traffic and the use of vehicles and roads (including private roads).</p> <p>Major functions to be transferred from SETW to STH are :</p> <ul style="list-style-type: none"> ■ power to make regulations for the purpose of giving effect to international agreement, the regulation of registration and licensing of vehicles, the regulation of public service vehicles etc; ■ power to amend Schedule 1; ■ function and duty relating to the preparation of road users' code; and ■ power to specify private roads to which Part XIII of the ordinance does not apply. 	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” wherever it appears and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長” –</p> <ul style="list-style-type: none"> ■ the definition of “prescribed limit”/ “訂明限度” in section 2; ■ section 5(1); ■ section 5(2)(a); ■ section 6(1); ■ section 7(1); ■ section 8(1); ■ section 9(1); ■ section 10(1); ■ section 11; ■ section 12(1); ■ section 12A(1); ■ section 16(2);

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
			<ul style="list-style-type: none"> ■ section 16(4); ■ section 17(1); ■ section 17(2)(a); ■ section 21(2); ■ section 39G(1); ■ section 88B(3); ■ section 102B(4); ■ section 109(1); ■ section 109(2); ■ section 116(1); ■ section 121(2); ■ paragraph (b) of the definition of “expressway works”/ “快速公路工程” in section 122; and ■ section 131(1).

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(aa)	374C Road Traffic (Parking) Regulations	<p>These regulations provide for matters relating to the regulation of parking of vehicles.</p> <p>Major functions to be transferred from SETW to STH are:</p> <ul style="list-style-type: none"> ▪ power to amend Schedule 5; and ▪ power and functions relating to management of designated car parks. 	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” wherever it appears and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長” –</p> <ul style="list-style-type: none"> ▪ regulation 12(5); ▪ regulation 17(1); ▪ regulation 17(1)(c); and ▪ regulation 17(3).
Paragraph (8)(ab)	374Q Road Traffic (Expressway) Regulations	<p>These regulations provide for matters relating to the regulation of traffic on expressway.</p> <p>Major function to be transferred from SETW to STH is the power to amend Schedules.</p>	<p><u>English and Chinese texts</u></p> <p>Regulation 28 is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(ac)(i)	393 Tate's Cairn Tunnel Ordinance	<p>This ordinance is to grant a franchise for the construction of a road tunnel through Tate's Cairn; to provide for the maintenance of the works to be constructed; for the payment of tolls to the franchise holder for the use of the tunnel and the regulation of vehicular traffic in relation to such use.</p> <p>Major functions to be transferred from SETW to STH are –</p> <ul style="list-style-type: none"> ▪ power to give notice in the Gazette the deposal of its right by the franchisee; ▪ function and duties to be taken in the case of default; and ▪ power and function relating to the revocation of franchise. 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in section 2(1) is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”.</p>
Paragraph (8)(ac)(ii)	1C Specification of Public Offices	<p>Cap 1C sets out the public officers who may delegate to another public officer the powers conferred or duties imposed on him / her by any particular ordinance.</p> <p>Major function to be transferred from SETW to STH is the power to delegate to any public officer his/her functions provided for in the Tate's Cairn Tunnel Ordinance (Cap. 393).</p>	<p><u>English and Chinese texts</u></p> <p>The Schedule is amended by repealing the relevant item making reference to “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting a similar item making reference to “Secretary for Transport and Housing” / “運輸及房屋局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(ak)	436 Western Harbour Crossing Ordinance	<p>The ordinance is to grant a franchise for the construction and operation of a crossing between West Kowloon Reclamation and Sai Ying Pun; to provide for the maintenance of the works within the tunnel area, the payment of tolls to the franchise holder for the use of the tunnel and the regulation of vehicular traffic in relation to such use.</p> <p>Major functions to be transferred from SETW to STH are –</p> <ul style="list-style-type: none"> ■ power to give notice in the Gazette the deposal of its right by the franchisee; ■ duty to serve as a member of the Western Harbour; ■ Crossing Toll Stability Fund Management Committee; ■ functions and duties relating to the submission of statement of net revenue by the franchisee; ■ power and functions relating to toll increase; ■ function and duties to be taken in the case of default; ■ power and function relating to the revocation of franchise; and ■ duty to exercise discretion or authority. 	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長” –</p> <ul style="list-style-type: none"> ■ in the definition of “Secretary” / “局長” in section 2(1); and ■ in section 38(2)(b).

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(ar)	474 Tai Lam Tunnel and Yuen Long Approach Road Ordinance	<p>The ordinance is to grant a franchise for the design, construction and operation of a tunnel and associated roads linking Ting Kau to Au Tau; to provide for the maintenance of the works within the area subject to the franchise, the payment of tolls to the franchise holder for the use of that area and the regulation of vehicular traffic in relation to such use.</p> <p>Major functions to be transferred from SETW to STH are –</p> <ul style="list-style-type: none"> ▪ power to give notice in the Gazette the disposal of its right by the franchisee; ▪ power to make regulations; ▪ duty to serve as a member of the Tai Lam Tunnel and Yuen Long Approach Road Toll Stability Fund Management Committee; ▪ functions and duties relating to the submission of statement of actual net revenue by the franchisee; ▪ power and functions relating to toll increase ; ▪ function and duties to be taken in the case of default; ▪ power and function relating to the revocation of franchise ; and 	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”–</p> <ul style="list-style-type: none"> ▪ the definition of “Secretary” / “局長” in section 2(1); ▪ section 17(1); and ▪ section 32(3)(b).

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
		<ul style="list-style-type: none"> ■ duty to exercise discretion or authority conferred upon him so as to give effect to project agreement. 	
Paragraph (8)(au)	483C Airport Authority (Automated People Mover)(Safety) Regulation	<p>This regulation provides for safety measures in relation to the operation of the automated people mover at the airport.</p> <p>Major functions to be transferred from SETW to STH are –</p> <ul style="list-style-type: none"> ■ function relating to accident and occurrence on the automated people mover; and ■ power to direct inspector to investigate accident or occurrence. 	<p><u>English and Chinese texts</u></p> <ul style="list-style-type: none"> ■ The following provisions are amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” wherever it appears and substituting “Secretary for Transport and Housing” – <ul style="list-style-type: none"> (A) paragraph (b) of the definition of “automated people mover premises”/“旅客捷運系統” in section 1; (B) section 5(1); (C) section 5(2); (D) section 6(1); (E) section 6(3); (F) section 6(4); and (G) section 11.

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
			<ul style="list-style-type: none"> ■ In the heading of section 6 by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”.
Paragraph (8)(av)	498 Tsing Ma Control Area Ordinance	<p>The ordinance provides for the control and regulation of vehicular and pedestrian traffic movements within the Tsing Ma Control Area; the delineation of that Area in respect of the management and maintenance thereof; the powers of authorized officers; the disposal of abandoned vehicles; the closure of roads within the Area; and the imposition of financial penalties.</p> <p>Major functions to be transferred from SETW to STH are:</p> <ul style="list-style-type: none"> ■ power to give direction relating to the performance of functions and power vested by the ordinance in the operator and authorized officers; ■ power to authorize road closure; and ■ power to make regulations. 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in section 2 is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” wherever it appears and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(ay)	519 Railways Ordinance	<p>This ordinance provides for the resumption of land, creation of easements or rights and the exercise of other powers by the Government for the construction of railways and to provide for compensation for losses caused by the exercise of the powers.</p> <p>Major functions to be transferred from SETW to STH are:</p> <ul style="list-style-type: none"> ▪ power to authorize any public officer to exercise the power, functions and duties conferred on him under the ordinance; ▪ power, functions and duties relating to the preparation, publication and amendment of railway schemes; ▪ power to enter or authorize a person to enter any land or building for the purpose of making inspection, valuation and site investigation etc.; ▪ power, functions and duties relating to the handling of objection and claims against railway schemes; ▪ power to authorize the construction of railway; ▪ power to authorize the carrying out of minor works which involve closure of road; 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in section 2 is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
		<ul style="list-style-type: none"> ■ functions and duties relating to the creation of easement or other rights, and land resumed for the purpose of or incidental to railway schemes; ■ power to request utility companies to alter or repair their wire, pipe, tub etc.; and ■ power to order owner of any land or building to remove projections or obstructions. 	

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(az)	520 Discovery Bay Tunnel Link Ordinance	<p>The ordinance is to provide for the constructing of a tunnel and a road to connect Discovery Bay in Lantau Island and Siu Ho Wan in North Lantau of that Island, the operation and the maintenance of the tunnel and the road; to permit the use of the tunnel and the road for the passage of vehicular traffic; and to empower the charging of tolls or fees for such use.</p> <p>Major functions to be transferred from SETW to STH are:</p> <ul style="list-style-type: none"> ▪ power to give notice in the Gazette the disposal of its right by the franchisee; ▪ power to receive information on the estimated cost of construction works, number of vehicles using the tunnel and the amount of tolls collected; ▪ power and functions relating to tolls and fees; ▪ power to make regulations; and ▪ power to delegate to any public officer the power, function or duty conferred on him under the ordinance. 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in section 2(1) is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(ba)	556 Mass Transit Railway Ordinance	<p>This ordinance provides for:</p> <p>(a) the granting of a franchise to the MTR Corporation Limited to operate the Mass Transit Railway and to construct and operate any extension to the railway;</p> <p>(b) the regulation of the operation of the Mass Transit Railway under the franchise;</p> <p>(c) the repeal of the Mass Transit Railway Corporation Ordinance (Cap 270), and the vesting of the property, rights and liabilities of the Mass Transit Railway Corporation in the MTR Corporation Limited; and</p> <p>(d) matters relating to the incorporation of the MTR Corporation Limited.</p> <p>Major functions to be transferred from SETW to STH are:</p> <ul style="list-style-type: none"> ■ power and functions relating to the extension of franchise; ■ power to obtain information relating to the business and affairs of the Corporation; ■ function and duties to be taken in the case of default; ■ power and function relating to the suspension and revocation of franchise; 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in section 2(1) is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
		<ul style="list-style-type: none">■ power to appoint inspectors;■ power to request the Corporation to carry out works in interest of safety; and■ power to make regulations.	

(III) Transfer of statutory functions to Secretary for Development

The Resolution	Cap	Description	<u>Textual Amendments provided for in the Resolution</u>
Paragraph (8)(b)	28 Land (Miscellaneous Provisions) Ordinance	<p>This ordinance provides for matters relating to Government land.</p> <p>Major function to be transferred from SETW to Secretary for Development is the function to deal with cases of contravention by public officers.</p>	<p><u>English and Chinese texts</u></p> <ul style="list-style-type: none"> ■ In the following provisions by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” wherever it appears and substituting “Secretary for Development” / “發展局局長” - <ul style="list-style-type: none"> (A) section 2A(3)(a); (B) section 2A(4); (C) section 2A(5); (D) section 2A(6); (E) section 2A(6)(b); (F) the definition of “Secretary”/ “局長” in section 8(1); and (G) section 18(1A).

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
			<ul style="list-style-type: none"> ■ In the heading of section 18 by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Development” / “發展局局長”.
Paragraph (8)(g)	196 Defences (Firing Areas) Ordinance	<p>This ordinance regulates practice firing within firing areas and for clearing of firing areas.</p> <p>Major function to be transferred from SETW to Secretary for Development is the function of being one of those persons who are supplied with programmes, notices and charts under this Ordinance.</p>	<p><u>English and Chinese texts</u></p> <p>Second Schedule is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Development” / “發展局局長”</p>
Paragraph (8)(q)	317 Industrial Training (Construction Industry) Ordinance	<p>This ordinance provides for the establishment, functions and management of the Construction Industry Training Authority, for a levy to be paid by contractors in respect of construction operations, and for connected purposes.</p> <p>Major function to be transferred from the SETW to the Secretary for Development is to request funds under the Construction Industry Council Ordinance (Cap 587) to meet the expenses incurred by the Construction Industry Council established under that Ordinance.</p>	<p><u>English and Chinese texts</u></p> <p>Section 6(1)(da) is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Development” / “發展局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(ag)	408 Architects Registration Ordinance	<p>This ordinance provides for the registration of architects and disciplinary control of the professional activities of registered architects.</p> <p>Major function to be transferred from SETW to Secretary for Development is the function to receive rules made by the Architects Registration Board.</p>	<p><u>English and Chinese texts</u></p> <p>Section 7(6) is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Development” / “發展局局長”.</p>
Paragraph (8)(ah)	409 Engineers Registration Ordinance	<p>The ordinance provides for the registration of professional engineers, the recognition of disciplines within the profession and disciplinary control of the professional activities of registered professional engineers.</p> <p>Major function to be transferred from SETW to Secretary for Development is the function to receive rules made by the Engineers Registration Board.</p>	<p><u>English and Chinese texts</u></p> <p>Section 6(6) is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Development” / “發展局局長”.</p>
Paragraph (8)(ai)	417 Surveyors Registration Ordinance	<p>This ordinance provides for the registration of professional surveyors, the recognition of divisions within the profession and disciplinary control of the professional activities of registered professional surveyors.</p> <p>Major function to be transferred from SETW to Secretary for Development is the function to receive rules made by the Surveyors Registration Board.</p>	<p><u>English and Chinese texts</u></p> <p>Section 6(6) is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Development” / “發展局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(aj)	418 Planners Registration Ordinance	<p>This ordinance provides for the registration of planners and disciplinary control of the professional activities of registered professional planners.</p> <p>Major function to be transferred from SETW to Secretary for Development is the function to receive rules made by the Planners Registration Board.</p>	<p><u>English and Chinese texts</u></p> <p>Section 6(6) is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Development” / “發展局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(a)	446 Land Drainage Ordinance	<p>The ordinance provides for the constitution of Drainage Authority Areas and the carrying out of drainage works within such areas and for connected matters.</p> <p>Major functions to be transferred from SETW to Secretary for Development:</p> <ul style="list-style-type: none"> ▪ power to direct preparation of draft plans; ▪ functions on matters relating to replacement of plans; ▪ powers and functions on matters relating to appeals; ▪ powers and functions on matters relating to submission of draft plans to the Chief Executive in Council and the subsequent arrangements; ▪ function relating to the deposit of approved plans in the Land Registry; ▪ powers and functions on matters relating to resumption of land on application; and ▪ power to make regulations. 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in section 2 is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Development” / “發展局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(aq)	470 Builders' Lifts and Tower Working Platforms (Safety) Ordinance	<p>This ordinance provides for the design, construction, installation and maintenance in safe working order of builders' lifts and tower working platforms, and for the examination and testing of such lifts and platforms.</p> <p>Major functions to be transferred from SETW to Secretary for Development are –</p> <ul style="list-style-type: none"> ▪ power relating to the hearing of any matter by a disciplinary tribunal; and ▪ powers relating to the appointment of members to a disciplinary tribunal, a disciplinary tribunal panel, an appeal board and an appeal board panel. 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in section 2(1) is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Development” / “發展局局長”.</p>
Paragraph (8)(ax)	516 Landscape Architects Registration Ordinance	<p>The ordinance provides for the registration of professional landscape architects and disciplinary control of the professional activities of registered professional landscape architects.</p> <p>Major function to be transferred from SETW to Secretary for Development is the function to receive rules made by the Landscape Architects Registration Board.</p>	<p><u>English and Chinese texts</u></p> <p>Section 6(6) is amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” and substituting “Secretary for Development” / “發展局局長”.</p>

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(bb)	583 Construction Workers Registration Ordinance	<p>The Ordinance provides for the registration of construction workers; the establishment of a Construction Workers Registration Authority; a levy to be paid by contractors in respect of construction operations; the regulation of construction workers personally carrying out construction work; and for related matters.</p> <p>Major functions to be transferred from SETW to Secretary for Development are:</p> <ul style="list-style-type: none"> ▪ the power to appoint the commencement of the ordinance by notice published in the Gazette; ▪ to be a member of the "Construction Workers Registration Authority" and to appoint other members of the Authority; ▪ to receive reports on the activities of the Construction Workers Registration Authority, Statements of accounts of Authority and auditor's report on the Statements; ▪ to approve the authorized officer, levy inspector and Registrar of Construction Workers under the ordinance; ▪ to publish in gazette the rate of the levy under the ordinance; ▪ to receive a notice of appeal; 	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” wherever it appears and substituting “Secretary for Development” / “發展局局長” –</p> <ul style="list-style-type: none"> ▪ section 1(2); ▪ the definition of “Secretary” / “局長” in section 2(1).

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
		<ul style="list-style-type: none"> ■ to appoint an Appeal Board Panel and a Construction Workers Appeal Board and make other appointments for relating matters. ■ to approve regulations made by the Authority; and ■ to amend the Schedules to the ordinance. 	

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
Paragraph (8)(bd)	587 Construction Industry Council Ordinance	<p>The Ordinance provides for –</p> <p>(a) the establishment of the Construction Industry Council as a body corporate;</p> <p>(b) the functions and management of the Construction Industry Council;</p> <p>(c) a levy to be paid by contractors in the construction industry in respect of construction operations;</p> <p>(d) the repeal of the Industrial Training (Construction Industry) Ordinance;</p> <p>(e) the dissolution of the Construction Industry Training Authority;</p> <p>(f) the vesting of the rights, assets, liabilities and obligations of the Construction Industry Training Authority in the Construction Industry Council;</p> <p>(g) corresponding amendments to the Pneumoconiosis (Compensation) Ordinance and the Pneumoconiosis (Compensation) (Assessment of Levy) Regulations in respect of the construction industry levy scheme under that Ordinance; and</p> <p>(h) other consequential and related matters.</p>	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for the Environment, Transport and Works” / “環境運輸及工務局局長” wherever it appears and substituting “Secretary for Development” / “發展局局長” –</p> <ul style="list-style-type: none"> ■ section 1(2); and ■ the definition of “Secretary” / “局長” in section 2(1).

The Resolution	Cap	Description	Textual Amendments provided for in the Resolution
		<p>Major functions to be transferred from SETW to Secretary for Development are –</p> <ul style="list-style-type: none"> ■ the power to appoint a date for the ordinance to commence operation; ■ the power to appoint the Chairman and some Members of the Council; ■ the power to determine the term of office of Members; ■ the power to receive notice of resignation of Members and to terminate the appointment of an appointed Member; ■ the power to request CITA to provide such funds as are necessary to meet expenses reasonably incurred by the Council; ■ the power to approve a period to be the financial year of the Council and to receive a programme of its proposed activities and estimates of its income and expenditure for the next financial year; ■ the power to receive reports, etc. from the Council; and ■ the power to make regulations and to amend Schedules. 	