

L.N. 52 of 2007**ROAD TRAFFIC (REGISTRATION AND LICENSING OF VEHICLES) (AMENDMENT) REGULATION 2007****CONTENTS**

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ROAD TRAFFIC (REGISTRATION AND LICENSING OF VEHICLES) (AMENDMENT) REGULATION 2007

(Made by the Secretary for the Environment, Transport and Works under sections 5 and 6 of the Road Traffic Ordinance (Cap. 374))

1. Commencement

This Regulation shall come into operation on 19 May 2007.

2. Interpretation

(1) Regulation 2(1) of the Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap. 374 sub. leg. E) is amended by repealing the definition of “1926 Convention”.

(2) Regulation 2(1) is amended by repealing the definition of “1931 Convention”.

(3) Regulation 2(1) is amended, in the definition of “nationality sign”, by repealing “or of Annex C to the 1926 Convention”.

(4) Regulation 2(1) is amended, in the definition of “visitor’s registration document”, by repealing everything after “means” and substituting—

“, in the case of a vehicle registered in a country or place outside Hong Kong which is a party to the 1949 Convention, a registration certificate issued under the law of that country or place and containing—

- (a) the serial number or registration number of the vehicle;
- (b) the name or the trade name of the maker of the vehicle;
- (c) the maker’s identification or serial number;
- (d) the date of registration of the vehicle; and
- (e) the full name and permanent place of residence of the applicant for the certificate;”.

3. Changes of particulars of registered owner or personalized registration mark holder

(1) Regulation 19(1) is repealed and the following substituted—

“(1) Within 72 hours after any change of name, address or identity document of a registered owner previously provided by the registered owner to the Commissioner, the registered owner shall—

- (a) notify the Commissioner in writing of such change; and

(b) (in the case of change of name or identity document) forward to the Commissioner the registration document of every vehicle of which he is the registered owner.”.

(2) Regulation 19 is amended by adding—

“(1A) On receipt of a notification under subregulation (1), the Commissioner shall, if satisfied that the change specified in the notification has occurred, enter such change in the register.”.

(3) Regulation 19(2) is amended by repealing “such notice and the registration document, the Commissioner shall enter such change in the register and issue a new registration document to the registered owner or return to the registered owner the registration document forwarded by him with such change entered therein” and substituting “a notification of change of name or identity document under subregulation (1) and the registration document, the Commissioner shall, if satisfied that the change specified in the notification has occurred and that an amendment to the particulars in the registration document is required, issue a new registration document to the registered owner”.

(4) Regulation 19(5) is amended by repealing “return to the personalized registration mark holder the certificate of allocation forwarded by him with such change entered therein” and substituting “, if satisfied that the change specified in the notice has occurred and that an amendment to the particulars in the certificate of allocation is required, issue to the personalized registration mark holder a new certificate of allocation”.

(5) Regulation 19 is amended by adding—

“(6) The Commissioner may require a person who has given a notification under subregulation (1) or forwarded a notice under subregulation (4) to provide such information or to produce such document as the Commissioner may reasonably require as proof of the change within 14 days from the day on which the requirement is made, and the person shall comply with such requirement.”.

4. Motor vehicles leaving Hong Kong

Regulation 30 is repealed.

5. Regulation added

The following is added—

“31A. Changes of particulars of international circulation permit holder

(1) Within 72 hours after any change of name, address or identity document of a holder of an international circulation permit previously provided by the holder to the Commissioner, the holder shall notify the Commissioner in writing of such change.

(2) The Commissioner may require a person who has given a notification under subregulation (1) to provide such information or to produce such document as the Commissioner may reasonably require as proof of the change within 14 days from the day on which the requirement is made, and the person shall comply with such requirement.”.

6. Trade licences and trade plates

Regulation 44(1)(c) is repealed and the following substituted—

“(c) the validity period of the trade licence which shall not exceed one year; and”.

7. Closed road permits

Regulation 49(2) is amended by repealing “from the date on which it was issued”.

8. Bus lane permits, prohibited zone permits and restricted zone permits

Regulation 50(2) is amended by repealing “from the date on which it was issued”.

9. Expressway permits

Regulation 50A(3) is amended by repealing “from the date on which it was issued”.

10. Long load permits and wide load permits

Regulation 54 is amended by repealing “, on receipt of the long load permit fee or wide load permit fee prescribed in Schedule 2, may” and substituting “may, on an application in a form specified by him and on receipt of the long load permit fee or wide load permit fee prescribed in Schedule 2,”.

11. Regulation added

The following is added—

“59A. Power of Commissioner to require proof of address

Notwithstanding anything in these regulations, the Commissioner—

- (a) may, in processing an application under regulation 5, 16, 21, 23, 23A, 31, 37, 38, 40, 42, 49, 50, 50A, 51, 52, 53 or 54, require the applicant to produce proof of his address; and
- (b) may suspend the processing of the application until the production of such proof.”.

12. Offences

(1) Regulation 60(1) is amended by repealing “19(1), (3) or (4)” and substituting “19(1), (3), (4) or (6)”.

(2) Regulation 60(4) is amended by adding “31A(1) or (2),” after “regulation”.

13. Schedule 8 amended

(1) Schedule 8 is amended, within the square brackets at the beginning, by repealing “regs. 2, 30 &” and substituting “reg.”.

(2) Schedule 8 is amended by repealing Forms 1 and 2.

Dr. Sarah LIAO
Secretary for the Environment,
Transport and Works

20 March 2007

Explanatory Note

This Regulation amends the Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap. 374 sub. leg. E) (“the principal Regulations”). The main purposes of the amendments are—

- (a) to remove references to the International Convention relative to the international circulation of cars concluded at Paris on 24 April 1926 and the International Convention regarding the taxation of foreign motor vehicles concluded at Geneva on 30 March 1931, both of which no longer apply to Hong Kong;
- (b) to rectify the anomaly that a registered owner of a motor vehicle is required by law to report any change of address entered in his registration document when in fact no address is so entered;
- (c) to require the holder of an international circulation permit to report any change of name, address or identity document;
- (d) to empower the Commissioner for Transport (“the Commissioner”) to require a person who has given to the Commissioner a notification of change of particulars under regulation 19 or 31A of the principal Regulations to produce proof of the change;
- (e) to remove the requirement that the following licence and permits shall only take effect from the date of grant or issue—
 - (i) trade licence;
 - (ii) closed road permit;
 - (iii) bus lane permit;
 - (iv) prohibited zone permit;
 - (v) restricted zone permit; and
 - (vi) expressway permit;
- (f) to provide that an application for a long load permit or a wide load permit is to be made in a form specified by the Commissioner; and
- (g) to empower the Commissioner to require an applicant who applies for the registration or licensing of a motor vehicle or a trailer, the transfer of a registration mark or the issue of certain licences or permits under the principal Regulations to produce proof of his address.

2. A person who without reasonable excuse fails to comply with the provisions containing the requirements mentioned in paragraph 1(c) or (d) above commits an offence and is liable to a fine of \$2,000.