

LEGISLATIVE COUNCIL BRIEF

Tsing Sha Control Area Ordinance (Commencement) Notice Tsing Sha Control Area (General) Regulation (Commencement) Notice Tsing Sha Control Area (Tolls, Fees and Charges) Regulation (Commencement) Notice

INTRODUCTION

The Secretary for Transport and Housing has made –

- (a) the Tsing Sha Control Area Ordinance (Commencement) Notice under section 1(2) of the Tsing Sha Control Area Ordinance (16 of 2007);
- (b) the Tsing Sha Control Area (General) Regulation (Commencement) Notice under section 1 of the Tsing Sha Control Area (General) Regulation (L.N. 222 of 2007); and
- (c) the Tsing Sha Control Area (Tolls, Fees and Charges) Regulation (Commencement) Notice under section 1 of the Tsing Sha Control Area (Tolls, Fees and Charges) Regulation (L.N. 237 of 2007).

The above Commencement Notices are attached at **Annex**.

JUSTIFICATIONS

2. Route 8 is a strategic road linking Sha Tin and North Lantau. The section linking Tsing Yi and North Lantau came into operation in 1997. The section between Sha Tin and Cheung Sha Wan is scheduled to open in March 2008, to be followed by the Nam Wan Tunnel and viaducts at Tsing Yi in late 2008 and the Stonecutters Bridge in mid-2009. For effective and efficient traffic control and incident management, the section of Route 8 between Tsing Yi and Sha Tin will form one single control area – Tsing Sha Control Area (TSCA).

3. The following pieces of legislation have been made to provide for the management, operation and maintenance of the TSCA : -

- (a) The Tsing Sha Control Area Ordinance (16 of 2007) was passed by the Legislative Council (LegCo) on 27 June 2007 and was published in the Gazette on 6 July 2007.
- (b) The Tsing Sha Control Area (General) Regulation (L.N. 222 of 2007), made by the Secretary for Transport and Housing, was published in the Gazette on 23 November 2007 and tabled at LegCo for negative vetting on 28 November 2007. The relevant negative vetting period has expired.
- (c) The Tsing Sha Control Area (Tolls, Fees and Charges) Regulation (L.N. 237 of 2007), made by the Chief Executive in Council, was published in the Gazette on 21 December 2007 and tabled at LegCo for negative vetting on 9 January 2008. A resolution was passed by LegCo on 30 January 2008 to amend Schedule 1 to the Regulation. The relevant negative vetting period has expired.

COMMENCEMENT NOTICES

4. The Commencement Notices have designated that the Tsing Sha Control Area Ordinance (16 of 2007), the Tsing Sha Control Area (General) Regulation (L.N. 222 of 2007) and the Tsing Sha Control Area (Tolls, Fees and Charges) Regulation (L.N. 237 of 2007) will come into operation on 21 March 2008.

LEGISLATIVE TIMETABLE

5. The legislative timetable is as follows : -

| | |
|----------------------------|------------------|
| Publication in the Gazette | 15 February 2008 |
| Tabling at LegCo | 20 February 2008 |

IMPLICATIONS OF THE COMMENCEMENT NOTICES

6. The Commencement Notices are in conformity with the Basic Law, including provisions concerning human rights. They do not affect the binding effect of the Ordinance, and has no economic, productivity, environmental and

sustainability implications. We have briefed Members on the financial and civil service implications of the TSCA vide the previous LegCo Briefs on the TSCA. There are no additional financial and civil service implications for the Commencement Notices.

PUBLIC CONSULTATION

7. We have briefed Members in the previous LegCo Briefs on TSCA that the section of TSCA between Sha Tin and Cheung Sha Wan is scheduled to open in March 2008.

PUBLICITY

8. A spokesman will be available to answer media enquires.

ENQUIRIES

9. Any enquiries concerning this brief can be directed to Miss Rosanna Law, Principal Assistant Secretary for Transport and Housing, at 2189 2182.

**Transport and Housing Bureau
February 2008**

**TSING SHA CONTROL AREA ORDINANCE
(COMMENCEMENT) NOTICE**

Under section 1(2) of the Tsing Sha Control Area Ordinance (16 of 2007), I appoint 21 March 2008 as the day on which the Ordinance shall come into operation.

11 February 2008

Secretary for Transport and Housing

**TSING SHA CONTROL AREA (GENERAL)
REGULATION (COMMENCEMENT) NOTICE**

Under section 1 of the Tsing Sha Control Area (General) Regulation (L.N. 222 of 2007), I appoint 21 March 2008 as the day on which the Regulation shall come into operation.

11 February 2008

Secretary for Transport and Housing

**TSING SHA CONTROL AREA (TOLLS, FEES
AND CHARGES) REGULATION
(COMMENCEMENT) NOTICE**

Under section 1 of the Tsing Sha Control Area (Tolls, Fees and Charges) Regulation (L.N. 237 of 2007), I appoint 21 March 2008 as the day on which the Regulation shall come into operation.

11 February 2008

Secretary for Transport and Housing