

**立法會**  
**Legislative Council**

LC Paper No. LS31/08-09

**Paper for the House Committee Meeting  
on 23 January 2009**

**Legal Service Division Report on  
Subsidiary Legislation Gazetted on 16 January 2009**

**Date of tabling in LegCo** : 4 February 2009

**Amendment to be made by** : 4 March 2009 (or 1 April 2009 if extended by resolution)

**PART I NEW TERRITORIES TAXI FARE ADJUSTMENT**

**Road Traffic Ordinance (Cap. 374)  
Road Traffic (Public Service Vehicles) (Amendment) Regulation 2009  
(L.N. 9)**

By this Amendment Regulation made by the Chief Executive in Council under section 7(1C) of the Road Traffic Ordinance (Cap. 374), Schedule 5 to the Road Traffic (Public Service Vehicles) Regulations (Cap. 374 sub. leg. D) (the principal Regulations) is amended to adjust fares specified in respect of taxis licensed to operate in the New Territories (NT taxi fares) in the following manner:-

- (a) the fare for the first 2 kilometres or any part of those 2 kilometres is increased from \$13.50 to \$14.50;
- (b) the fare for every further 200 metres or any part of those 200 metres is increased from \$1.20 to \$1.30, until the chargeable amount reaches \$53.50;
- (c) the fare for every 200 metres or any part of those 200 metres is adjusted to \$1.00, after the chargeable amount has reached \$53.50;
- (d) the fare for every period of 1 minute, or any part of that period, during which the taxi is hired but not in motion is increased from \$1.20 to \$1.30, until the chargeable amount reaches \$53.50; and
- (e) the fare for every period of 1 minute, or any part of that period, during which the taxi is hired but not in motion is adjusted to \$1.00, after the chargeable amount has reached \$53.50.

2. According to the Administration, the fare adjustment application made by the 16 NT taxi associations was for an average rate of increase of 9.49%. The increase effected by the Amendment Regulation is at the average rate of 4.95%. Before the \$1 flagfall fare increase in February 2008, NT taxi fares were last increased in April 1997. The Transport Advisory Committee was consulted on 22 December 2008 and supported the adjustments. Members may wish to refer to the LegCo Brief (File Ref: THB(T)L3/3/5) issued by the Transport and Housing Bureau in January 2009 for background and further information.

3. At its special meeting held on 11 December 2008, the Panel on Transport was consulted on the fare adjustment application made by New Territories (NT) taxi associations to the Transport Department proposing the following: -

<b>NT Taxis</b>	<b>Existing Fare</b>	<b>Fare Applied For</b>	
Flagfall charge for the first 2 km or any part thereof	\$13.5	\$15.5	
Incremental charge for every subsequent 200 m or part thereof and for every waiting period of 1 minute or part thereof	\$1.20	Before 8 km (i.e. \$54.5)	\$1.30
		8 km (i.e. \$54.5) onwards	\$1.00

The Panel supported the fare adjustment application and no members raised objection to the proposed application taking immediate effect upon gazettal of the relevant amendment regulation. At the same meeting, the Panel also met with 13 deputations from the taxi trade, of which 11 expressed support for the proposed fare adjustment application.

## **PART II PUBLIC HEALTH AND MUNICIPAL SERVICES**

### **Public Health and Municipal Services Ordinance (Cap. 132)**

**Public Health and Municipal Services (Setting Aside Places For Use As Public Pleasure Grounds) Order 2009 (L.N. 10)**

**Public Health and Municipal Services Ordinance (Amendment of Fourth Schedule) Order 2009 (L.N. 11)**

4. By L.N. 10 made by the Director of Leisure and Cultural Services (the Director) under section 106(1) of the Public Health and Municipal Services Ordinance (Cap. 132) (the Ordinance), the following places are set aside for use as public pleasure grounds:-

Location	Name of Places
Hong Kong Island	Pok Fu Lam Village Sitting-out Area No.2 Quarry Bay Wilson Trail Sitting-out Area Tin Hau Temple Road Sitting-out Area
Kowloon	Beech Street Sitting-out Area Canton Road/Soy Street Sitting-out Area Sau Ming Road Park Wong Tai Street/Ivy Street Sitting-out Area Wong Tai Street/Tai Tsun Street Sitting-out Area
New Territories	She Shan Sitting-out Area Tseung Kwan O Sports Ground Tung Tsz Nursery Community Garden Tung Tsz Road Sitting-out Area Wai Tau Tsuen Sitting-out Area

5. By L.N. 11 also made by the Director under section 106(6) of the Ordinance, the Fourth Schedule to the Ordinance is amended in the list of public pleasure grounds (other than bathing beaches) by adding the above 13 new venues.

6. The 13 new venues so set aside and included in the Fourth Schedule to the Ordinance will enable the Director as the Authority under the Ordinance to manage them as public pleasure grounds and enforce the applicable regulations

7. It is stated in the LegCo Brief that the Sau Ming Road Park, Tseung Kwan O Sports Ground and Tung Tsz Nursery Community Garden are new venues opened or to be opened for public use by the Leisure and Cultural Services Department (LCSD). The other 10 venues are taken over by LCSD from the respective District Councils. The Administration has consulted the relevant District Councils and has their support for the proposal. Members may wish to refer to the LegCo Brief (File Ref: (26) in LCS 19/HQ 813/00(12)) issued by LCSD and dated 13 January 2009 for background and further information.

#### *Concluding Observation*

8. No difficulties have been identified in the legal or drafting aspects of the above items of subsidiary legislation.

Prepared by

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