

L.N. 136 of 2009**ROAD TRAFFIC (MOTOR VEHICLE LICENCE FEE CONCESSIONS) REGULATION 2009**

(Made by the Chief Executive in Council under section 6(2) of the Road Traffic Ordinance (Cap. 374))

1. Commencement

This Regulation comes into operation on 1 July 2009.

2. Interpretation

In this Regulation—

“concession period” (寬免期) means the period 1 July 2009 to 30 June 2010 (both dates inclusive);

“effective date” (生效日期), in relation to a licence, means the date from which the licence takes effect;

“principal Regulations” (《主體規例》) means the Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap. 374 sub. leg. E);

“specified fee” (指明費用), in relation to an item under the subheading “Annual Licence Fees” of Schedule 2 to the principal Regulations, means the fee specified for that item in column 3 under that subheading.

3. Fees payable under principal Regulations subject to concessions

Except for the additional fee mentioned in regulation 21(7) of the principal Regulations, the fees payable under regulations 21, 23, 23A and 38 of the principal Regulations are subject to the concessions provided for in this Regulation.

4. Concessions on certain vehicle licence fees

(1) Subject to subsections (2) to (5), the specified fee for each of items 1, 2, 3, 4, 8, 11 and 12 under the subheading “Annual Licence Fees” of Schedule 2 to the principal Regulations is waived in respect of a licence for a motor vehicle specified opposite to that fee in column 2 under that subheading if the effective date of the licence falls within the concession period.

(2) The waiver under subsection (1) of the specified fee for item 2 under the subheading “Annual Licence Fees” of Schedule 2 to the principal Regulations does not apply to a public bus operated under a franchise granted under the Public Bus Services Ordinance (Cap. 230).

(3) The waiver under subsection (1) of the specified fee for item 3 under the subheading “Annual Licence Fees” of Schedule 2 to the principal Regulations applies only to a private bus used for operating a student service described in section 27(5)(a) of the Ordinance.

(4) The waiver under subsection (1) of the specified fee for item 12 under the subheading “Annual Licence Fees” of Schedule 2 to the principal Regulations applies only to a school private light bus.

(5) If 2 or more licences, each with an effective date that falls within the concession period, are issued in respect of the same motor vehicle, and the aggregate period of those licences exceeds 12 months, then the amount of fee that is waived in respect of the last of those licences under subsection (1) is reduced by an amount equal to the fee that would, apart from this Regulation, have been payable for that licence under the principal Regulations for the period by which that aggregate period exceeds 12 months.

5. Concessions on certain additional fees

The additional fee mentioned in each of regulation 21(1)(b)(ii), paragraph (b) of the proviso to regulation 23(2) and paragraph (b) of the proviso to regulation 23A(2) of the principal Regulations is waived in respect of a licence for 4 months if the specified fee is waived in respect of that licence under section 4(1), even if that specified fee is only partly waived under that section because of the operation of section 4(5).

Manda CHAN

Clerk to the Executive Council

COUNCIL CHAMBER

23 June 2009

Explanatory Note

This Regulation provides for concessions on the fees payable in respect of certain vehicle licences under the Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap. 374 sub. leg. E) within the period 1 July 2009 to 30 June 2010.