

# 立法會

## *Legislative Council*

LC Paper No. CB(1)616/09-10

Ref. : CB1/PL/TP

### **Panel on Transport Meeting on 15 December 2009**

#### **Background brief on toll increases by Tate's Cairn Tunnel Company Limited**

##### **Purpose**

This paper provides background information on the toll adjustment mechanism for Tate's Cairn Tunnel (TCT) and summarizes concerns expressed by Legislative Council (LegCo) Members on previous toll increases applied by Tate's Cairn Tunnel Company Limited (TCTC).

##### **Background**

###### Tate's Cairn Tunnel

2. TCTC was granted a franchise under the Tate's Cairn Tunnel Ordinance (Cap. 393) (TCTO) to build and operate TCT for 30 years starting from July 1988, inclusive of the construction period. The tunnel was opened to traffic in June 1991. The franchise granted to TCTC will expire in July 2018.

###### Toll adjustment mechanism

3. Section 36(3) of TCTO provides that the tolls specified in the Schedule to TCTO may be varied by agreement between the Chief Executive-in-Council (CE-in-Council) and TCTC. If an agreement cannot be reached, either party may resort to arbitration. TCTO has not set out the criteria for determining toll adjustments. It only stipulates that if the matter is submitted for arbitration, the arbitrator shall be guided by the need to ensure that TCTC is reasonably but not excessively remunerated for its obligations under TCTO.

###### *TCTC's target internal rate of return*

4. When the Panel on Transport (the Panel) was consulted in April 2008 on the 2008 toll increase application submitted by TCTC, the Administration informed the Panel that in considering TCTC's Base Toll Proposal in 1988, the Administration had agreed to the initial tolls but had given no undertaking in

respect of subsequent toll adjustments. Neither was there any agreement on a guaranteed rate of return. However, based on the Base Toll Proposal which accompanied TCTC's franchise bid, the Administration noted that TCTC expected to achieve an Internal Rate of Return (IRR) of 13.02% over the 30-year franchise period.

5. According to the Administration, TCTC's target IRR is the lowest among the four Build-Operate-Transfer (BOT) tunnels in Hong Kong. Route 3 (Country Park Section) aims at a target IRR of 15.18%, while the targets for the Eastern Harbour Crossing and the Western Harbour Crossing are both 16.5%.

#### Legislative Council's power to amend the toll levels of TCT

6. In considering TCTC's applications for toll increase, the Administration would seek the views of the Panel and the Transport Advisory Committee, before seeking the approval of CE-in-Council for the applications.

7. After an agreement on revision to toll levels is reached between CE-in-Council and TCTC, the Commissioner for Transport (C for T) shall amend the Schedule to TCTO by notice in the Gazette as soon as practicable. Such a notice is a piece of subsidiary legislation subject to the negative vetting procedure of LegCo. The power of C for T to make the gazette notice on the toll increase of TCT does not cover the determination of toll levels and the timing for implementation of the new tolls. According to section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1), the power of LegCo to amend subsidiary legislation has to be consistent with the power to make such subsidiary legislation. In other words, there is little room for LegCo to amend such notices other than making minor technical amendments.

8. Similarly, LegCo cannot repeal the notice as the exercise of such power is also inconsistent with the power of C for T to make the gazette notice.

#### **Toll increases for TCT**

9. So far, TCT has had five toll increases that came into effect in May 1995, November 1996, January 2000, August 2005, and November 2008 respectively.

#### **Alternative routes to TCT**

10. The section of Route 8 between Sha Tin and Cheung Sha Wan (Route 8) was open to traffic on 21 March 2008. The toll charge for all vehicles using the tunnels along the Tsing Sha Highway is \$8. The Administration anticipates that there would be a diversion effect to ease the increasing traffic flow in the Lion Rock Tunnel (LRT), TCT and Shing Mun Tunnels as well as along Tai Po Road.

11. LRT provides a road link from north Kowloon to Sha Tin and north-eastern New Territories. It was used on average by 84 727 vehicles daily in 2008. The toll is \$8.

12. The Shing Mun Tunnels link up Tsuen Wan to Sha Tin. They were used on average by 49 010 vehicles each day in 2008. The toll is \$5.

13. The latest traffic flow of TCT and the alternative routes are set out in **Appendix I**.

### **Concerns expressed by Members on previous toll increases**

#### Toll increase in 2005

14. When the Panel discussed the toll increase applied by TCTC in 2005 at its meeting on 2 February 2005, members were worried that the proposed toll increase would aggravate the traffic congestion at LRT and induce other public transport operators to increase their fares. They called on the Administration to request the franchisee to defer the toll increase. Members further expressed the view that the Administration should hold discussions with TCTC in accordance with section 36 of TCTO and refer the matter for arbitration if an agreement could not be reached with the franchisee.

15. At the Panel meeting on 2 February 2005, the following motion was passed -

"In view of the gradually improving financial position of the Tate's Cairn Tunnel Company Limited, this Panel considers it inappropriate to increase the tunnel tolls at this stage."

16. On 10 June 2005, the Government published in the Gazette the new Schedules to reflect the toll increases of TCT and Tai Lam Tunnel and Yuen Long Approach Road. The Panel was disappointed that the Administration had not consulted it again prior to gazettal of the relevant notices. The Panel held a meeting on 15 June 2005 to discuss the matter with the Administration and the franchisees concerned.

17. At the meeting on 15 June 2005, the Panel reiterated its concern about the tunnel toll increases and their impact on traffic and the general public, and requested that the tunnel companies concerned should defer the toll increases or offer concessionary tolls to motorists. The Panel also urged the Administration to review the decision of allowing the tunnel companies concerned to increase tolls. Recognizing the inherent problems associated with BOT tunnels whereby tunnel operators would only aim at maximizing their profit, the Panel called on the Administration to review the effectiveness and appropriateness of using the BOT approach in taking forward infrastructure projects.

18. At the meeting on 15 June 2005, the Panel passed a motion urging the Administration to withdraw the Gazette notices on the toll increases of TCT (L.N. 93 of 2005) and Route 3 (Country Park Section) (L.N. 95 of 2005) (the Gazette notices).

19. A Subcommittee was subsequently formed at the House Committee meeting on 17 June 2005 to study the above Gazette notices. The Subcommittee was gravely concerned about the justifications for the toll increases for TCT and Route 3 and their impacts on the public and traffic flow. The Subcommittee also considered a member's suggestion that the Administration should set up a task force to monitor the toll levels of the various tunnels in Hong Kong, in particular the three road harbour crossings, and to collect views on how the toll adjustment mechanisms could be improved.

20. The Administration advised the Subcommittee that toll adjustments for various tunnels were made in accordance with the requirements set out in the relevant ordinances and Project Agreements. Given that there were on-going discussions between the Administration and the operators of the three road harbour crossings and Route 3 on possible improvements to the existing toll adjustment mechanism, the Administration did not see the need for the setting up of a task force as suggested.

21. In view of the limited power which LegCo could exercise in respect of the above Gazette notices, the Subcommittee recommended that the Panel should further explore the suggestion of setting up a task force to monitor the toll levels of the various tunnels. When the Subcommittee Chairman tabled the Subcommittee's report at the Council meeting on 19 October 2005, he moved a motion for the adjournment of the Council meeting so as to enable Members to debate on the toll adjustment issues.

22. The Panel has since been following up on measures to rationalize the utilization of BOT tunnels in Hong Kong. To facilitate members' deliberation on the issue, the Panel has requested the Research and Library Services Division to prepare research report/information notes on relevant topics, such as "Operation of Toll Roads, Bridges and Tunnels in Selected Places" (RP03/05-06) and "Adoption of the Build-Operate-Transfer Model and its Variants in Developing Transport Infrastructures in Selected Places" (IN13/05-06), for members' reference.

#### Toll increase in 2008

23. TCTC applied for toll increase again in 2008. When the Panel was consulted on the application at its meeting on 25 April 2008, members considered the rate, at over 20% on average, too significant and unacceptable to the public. Considering the impacts of the applied toll increase on traffic flow and public transport fares, and the fact that TCTC had started to make an operating profit in 2000-2001 and the company's forecast that it would start to pay dividends in 2007-2008, members were opposed to the application. The Panel further passed

a motion at the meeting stating the Panel's strong objection to the toll increase and urging the Government to reject it. The Panel also called on the Administration to consider buying back Tate's Cairn Tunnel or negotiating with TCTC on the option of franchise extension in exchange for toll reduction.

24. In response to members' concern about the traffic impact of the proposed toll increase, the Administration advised that, as indicated by the drop in vehicles using LRT and Tai Po Road since the commissioning of Route 8, the diversion effect of Route 8 and the availability of a number of alternative routes to TCT could help minimize the traffic implications of the proposed toll increases.

25. At the request of the Panel, the Administration had continued to urge TCTC to reconsider its toll increase proposal in the light of public acceptability. TCTC subsequently agreed in July 2008 to revise the increase rates originally ranging from 13% to 28% for different vehicle types to 9% to 20%. In parallel, the Administration had also commenced discussion with TCTC to explore the option of franchise extension.

26. CE-in-Council approved the revised toll increase application on 9 September 2008, and instructed that the new tolls should take effect from 30 November 2008. A comparison of the rates of increase approved by the Executive Council, the initially proposed rates of increase and the original tolls is in **Appendix II**.

27. The Gazette notice on the new tolls, i.e. the Tate's Cairn Tunnel Ordinance (Replacement of Schedule) Notice 2008 (the Notice), was published on 3 October 2008 and tabled before LegCo on 8 October 2008. A subcommittee was formed at the House Committee meeting on 10 October 2008 to examine the details of the Notice.

28. The Subcommittee expressed concerns about the rates of toll increase and the implications, and had called on the Administration to iron out effective measures such as extending TCTC's franchise or buying back TCT at a reasonable price. The Subcommittee noted that there was little room for it to amend the Notice other than making minor technical amendments, and that LegCo could not repeal the Notice.

29. The Administration assured members that it had spared no efforts in performing the "gate keeper" role by negotiating with the tunnel company for a lower toll increase. Meanwhile, the Administration was also actively discussing with TCTC to explore the option of franchise extension.

### **Latest developments**

30. TCTC has recently submitted an application for toll increase again to the Administration. The Administration has proposed to consult the Panel at its

meeting on 15 December 2009 on the application for toll increase before seeking the approval of CE-in-Council for the application.

**Relevant papers**

31. A list of relevant papers is in **Appendix III**.

Council Business Division 1  
Legislative Council Secretariat  
9 December 2009

大老山隧道  
Tate's Cairn Tunnel

2009/09

年 / 月 Year/Month	貨車 Goods Vehicles									總行車架次 Total Vehicles			平均每日架次 Average Daily Vehicles		
	≤ 5.5 公噸 ≤ 5.5 Tonnes			>5.5-24公噸 >5.5-24 Tonnes			>24 公噸 >24 Tonnes			南行 South-bound	北行 North-bound	雙程合計 Two-way Total	南行 South-bound	北行 North-bound	雙程合計 Two-way Total
	南行 South-bound	北行 North-bound	雙程合計 Two-way Total	南行 South-bound	北行 North-bound	雙程合計 Two-way Total	南行 South-bound	北行 North-bound	雙程合計 Two-way Total						
2004	1 447 560	1 563 346	3 010 906	584 168	598 352	1 182 520	32 795	48 418	81 213	10 842 069	11 508 288	22 350 357	29 623	31 443	61 067
2005	1 371 558	1 463 084	2 834 642	566 055	575 019	1 141 074	26 585	33 519	60 104	10 180 063	10 736 088	20 916 151	27 891	29 414	57 305
2006	1 324 413	1 424 082	2 748 495	535 297	540 893	1 076 190	28 920	32 390	61 310	9 784 153	10 340 727	20 124 880	26 806	28 331	55 137
2007	1 341 216	1 460 836	2 802 052	526 297	537 238	1 063 535	36 787	37 521	74 308	9 962 944	10 630 803	20 593 747	27 296	29 125	56 421
2008	1 274 494	1 392 997	2 667 491	506 660	510 383	1 017 043	53 753	53 218	106 971	9 595 787	10 277 795	19 873 582	26 218	28 081	54 299
2008 / 04	109 382	120 269	229 651	43 622	44 781	88 403	5 084	4 823	9 907	810 688	868 967	1 679 655	27 023	28 966	55 989
05	109 765	120 380	230 145	44 176	44 090	88 266	4 755	4 663	9 418	818 113	876 724	1 694 837	26 391	28 281	54 672
06	104 841	114 916	219 757	42 481	42 473	84 954	4 089	3 972	8 061	772 313	827 260	1 599 573	25 744	27 575	53 319
07	115 168	125 373	240 541	46 728	46 684	93 412	5 351	5 148	10 499	809 949	867 586	1 677 535	26 127	27 987	54 114
08	107 108	117 792	224 900	43 920	43 598	87 518	3 920	3 984	7 904	775 650	834 903	1 610 553	25 021	26 932	51 953
09	110 213	120 310	230 523	44 437	44 273	88 710	3 847	3 817	7 664	801 374	859 628	1 661 002	26 712	28 654	55 367
10	105 655	115 761	221 416	42 143	42 248	84 391	4 406	4 402	8 808	791 551	847 647	1 639 198	25 534	27 343	52 877
11	101 172	110 074	211 246	39 342	39 704	79 046	3 602	3 429	7 031	773 521	825 006	1 598 527	25 784	27 500	53 284
12	95 123	103 174	198 297	38 672	39 201	77 873	3 914	3 552	7 466	767 882	818 560	1 586 442	24 770	26 405	51 176
2009 / 01	83 168	89 709	172 877	31 285	31 587	62 872	3 230	2 972	6 202	764 878	817 957	1 582 835	24 673	26 386	51 059
02	79 084	84 285	163 369	31 143	31 319	62 462	3 799	3 625	7 424	677 638	716 081	1 393 719	24 201	25 574	49 776
03	90 550	96 708	187 258	36 019	36 482	72 501	4 642	4 414	9 056	752 887	795 493	1 548 380	24 287	25 661	49 948
04	85 580	91 592	177 172	34 679	34 790	69 469	4 428	4 225	8 653	714 214	756 868	1 471 082	23 807	25 229	49 036
05	85 913	92 541	178 454	34 520	34 736	69 256	4 031	3 758	7 789	740 127	785 541	1 525 668	23 875	25 340	49 215
06	90 114	98 119	188 233	37 300	37 620	74 920	3 750	3 465	7 215	727 689	773 869	1 501 558	24 256	25 796	50 052
07	94 408	101 337	195 745	38 990	39 462	78 452	3 530	3 276	6 806	740 399	790 013	1 530 412	23 884	25 484	49 368
08	94 855	102 502	197 357	38 572	39 116	77 688	3 637	3 236	6 873	753 879	806 485	1 560 364	24 319	26 016	50 334
09	95 478	104 103	199 581	39 282	39 592	78 874	3 369	2 859	6 228	755 748	804 554	1 560 302	25 192	26 818	52 010

資料來源：大老山隧道有限公司

Source : Tate's Cairn Tunnel Co. Ltd.

城門隧道  
Shing Mun Tunnels

2009/09

年 / 月 Year/Month	私家車、的士及電單車 Private Cars, Taxis and Motor Cycles			單層巴士、小巴及5.5公噸及以下的貨車 Single Deck Buses, Light Buses & Goods Vehicles of 5.5 Tonnes & Less			雙層巴士及5.5公噸以上的貨車 Double Deck Buses & Goods Vehicles Above 5.5 Tonnes			總行車架次 Total Vehicles			平均每日架次 Average Daily Vehicles		
	東行 East-bound	西行 West-bound	雙程合計 Two-way Total	東行 East-bound	西行 West-bound	雙程合計 Two-way Total	東行 East-bound	西行 West-bound	雙程合計 Two-way Total	東行 East-bound	西行 West-bound	雙程合計 Two-way Total	東行 East-bound	西行 West-bound	雙程合計 Two-way Total
2004	5 047 856	5 218 011	10 265 867	2 529 343	2 512 886	5 042 229	2 147 152	2 061 883	4 209 035	9 724 351	9 792 780	19 517 131	26 569	26 756	53 325
2005	4 951 118	5 093 986	10 045 104	2 552 340	2 537 795	5 090 135	2 162 266	2 099 155	4 261 421	9 665 724	9 730 936	19 396 660	26 481	26 660	53 142
2006	4 901 403	5 007 475	9 908 878	2 575 632	2 540 208	5 115 840	2 171 543	2 083 870	4 255 413	9 648 578	9 631 553	19 280 131	26 434	26 388	52 822
2007	5 087 755	5 198 362	10 286 117	2 623 528	2 585 482	5 209 010	2 165 708	2 083 307	4 249 015	9 876 991	9 867 151	19 744 142	27 060	27 033	54 094
2008	4 837 231	4 942 047	9 779 278	2 376 784	2 355 442	4 732 226	1 737 941	1 688 151	3 426 092	8 951 956	8 985 640	17 937 596	24 459	24 551	49 010
2008 / 04	393 596	403 347	796 943	201 031	200 180	401 211	147 389	144 446	291 835	742 016	747 973	1 489 989	24 734	24 932	49 666
05	398 008	406 632	804 640	200 433	200 539	400 972	143 411	139 967	283 378	741 852	747 138	1 488 990	23 931	24 101	48 032
06	379 914	388 842	768 756	188 280	186 963	375 243	137 313	134 285	271 598	705 507	710 090	1 415 597	23 517	23 670	47 187
07	392 733	401 859	794 592	204 017	202 476	406 493	147 925	145 277	293 202	744 675	749 612	1 494 287	24 022	24 181	48 203
08	388 376	397 272	785 648	191 118	189 849	380 967	138 652	134 828	273 480	718 146	721 949	1 440 095	23 166	23 289	46 455
09	392 756	402 158	794 914	193 977	193 566	387 543	140 707	137 223	277 930	727 440	732 947	1 460 387	24 248	24 432	48 680
10	394 530	403 455	797 985	193 340	192 063	385 403	136 900	134 554	271 454	724 770	730 072	1 454 842	23 380	23 551	46 930
11	385 979	395 169	781 148	187 478	186 320	373 798	129 196	126 924	256 120	702 653	708 413	1 411 066	23 422	23 614	47 036
12	409 175	417 739	826 914	191 445	192 018	383 463	130 764	126 739	257 503	731 384	736 496	1 467 880	23 593	23 758	47 351
2009 / 01	432 729	439 151	871 880	170 869	169 692	340 561	114 657	113 174	227 831	718 255	722 017	1 440 272	23 170	23 291	46 460
02	365 409	370 239	735 648	165 089	163 764	328 853	107 137	106 855	213 992	637 635	640 858	1 278 493	22 773	22 888	45 660
03	396 658	401 602	798 260	187 456	186 313	373 769	125 139	124 705	249 844	709 253	712 620	1 421 873	22 879	22 988	45 867
04	389 422	392 444	781 866	180 387	180 545	360 932	122 616	122 029	244 645	692 425	695 018	1 387 443	23 081	23 167	46 248
05	400 828	403 939	804 767	179 219	180 433	359 652	121 905	120 920	242 825	701 952	705 292	1 407 244	22 644	22 751	45 395
06	383 644	387 141	770 785	183 239	184 795	368 034	128 701	128 428	257 129	695 584	700 364	1 395 948	23 186	23 345	46 532
07	397 602	400 774	798 376	189 911	190 599	380 510	130 723	129 866	260 589	718 236	721 239	1 439 475	23 169	23 266	46 435
08	409 041	414 249	823 290	190 540	189 786	380 326	129 504	129 278	258 782	729 085	733 313	1 462 398	23 519	23 655	47 174
09	399 800	405 502	805 302	190 776	191 048	381 824	131 025	131 707	262 732	721 601	728 257	1 449 858	24 053	24 275	48 329

註：城門隧道於1990年4月20日通車。由1993年1月18日至1996年3月31日以合約方式將管理及營運的工作交給敏記隧道管理有限公司。而1996年4月1日起，則以合約方式將管理、營運及維修的工作交給中國道路管理有限公司，及於2006年6月1日起轉交給越運亨（香港）有限公司。

Note: The Shing Mun Tunnels were opened to traffic on 20.4.1990. Its management and operation were contracted out to the Mack & Company Tunnel Management Limited on 18.1.1993 until 31.3.1996. Then its management, operation and maintenance were contracted out to China Tollways Ltd. on 1.4.1996 and were contracted out to Greater Lucky (H.K.) Co. Ltd. on 1.6.2006.

資料來源：中國道路管理有限公司  
越運亨（香港）有限公司

Sources: China Tollways Ltd.  
Greater Lucky (H.K.) Co. Ltd.



# 獅子山隧道

## Lion Rock Tunnel

2009/09

私家車、的士及電單車

單層巴士、小巴及5.5公噸及以下的貨車

雙層巴士及5.5公噸以上的貨車

總行車架次

平均每日架次

年 / 月 Year/Month	Private Cars, Taxis and Motor Cycles			Single Deck Buses, Light Buses & Goods Vehicles of 5.5 Tonnes & Less			Double Deck Buses & Goods Vehicles Above 5.5 Tonnes			Total Vehicles			Average Daily Vehicles		
	南行	北行	雙程合計	南行	北行	雙程合計	南行	北行	雙程合計	南行	北行	雙程合計	南行	北行	雙程合計
	South-bound	North-bound	Two-way Total	South-bound	North-bound	Two-way Total	South-bound	North-bound	Two-way Total	South-bound	North-bound	Two-way Total	South-bound	North-bound	Two-way Total
2004	10 106 104	10 731 381	20 837 485	2 510 313	2 567 361	5 077 674	3 082 464	3 106 447	6 188 911	15 698 881	16 405 189	32 104 070	42 893	44 823	87 716
2005	10 027 025	10 661 946	20 688 971	2 591 144	2 682 036	5 273 180	2 976 553	3 035 440	6 011 993	15 594 722	16 379 422	31 974 144	42 725	44 875	87 600
2006	10 290 559	10 995 978	21 286 537	2 662 485	2 776 465	5 438 950	2 881 551	2 938 460	5 820 011	15 834 595	16 710 903	32 545 498	43 382	45 783	89 166
2007	10 571 617	11 207 032	21 778 649	2 697 466	2 778 982	5 476 448	2 777 642	2 818 086	5 595 728	16 046 725	16 804 100	32 850 825	43 964	46 039	90 002
2008	10 011 761	10 656 117	20 667 878	2 636 258	2 690 698	5 326 956	2 484 205	2 531 017	5 015 222	15 132 224	15 877 832	31 010 056	41 345	43 382	84 727
2008 / 04	803 121	864 687	1 667 808	222 247	228 473	450 720	212 188	217 167	429 355	1 237 556	1 310 327	2 547 883	41 252	43 678	84 929
05	830 032	887 077	1 717 109	224 145	229 739	453 884	212 532	215 766	428 298	1 266 709	1 332 582	2 599 291	40 862	42 987	83 848
06	789 281	836 320	1 625 601	209 493	211 419	420 912	194 887	199 259	394 146	1 193 661	1 246 998	2 440 659	39 789	41 567	81 355
07	811 834	865 037	1 676 871	224 450	228 334	452 784	209 357	210 587	419 944	1 245 641	1 303 958	2 549 599	40 182	42 063	82 245
08	804 621	844 634	1 649 255	215 130	221 337	436 467	196 556	199 389	395 945	1 216 307	1 265 360	2 481 667	39 236	40 818	80 054
09	809 310	858 902	1 668 212	220 681	224 529	445 210	200 547	206 161	406 708	1 230 538	1 289 592	2 520 130	41 018	42 986	84 004
10	825 937	880 586	1 706 523	223 319	226 721	450 040	207 515	212 579	420 094	1 256 771	1 319 886	2 576 657	40 541	42 577	83 118
11	824 424	879 017	1 703 441	215 787	219 295	435 082	202 977	206 359	409 336	1 243 188	1 304 671	2 547 859	41 440	43 489	84 929
12	875 208	928 743	1 803 951	227 797	230 732	458 529	209 331	210 738	420 069	1 312 336	1 370 213	2 682 549	42 333	44 200	86 534
2009 / 01	915 716	968 734	1 884 450	210 457	209 742	420 199	188 945	190 997	379 942	1 315 118	1 369 473	2 684 591	42 423	44 177	86 600
02	775 692	828 536	1 604 228	200 033	201 146	401 179	181 705	184 435	366 140	1 157 430	1 214 117	2 371 547	41 337	43 361	84 698
03	838 507	898 191	1 736 698	228 376	231 588	459 964	209 634	210 488	420 122	1 276 517	1 340 267	2 616 784	41 178	43 234	84 412
04	795 801	848 753	1 644 554	217 282	218 619	435 901	195 372	196 253	391 625	1 208 455	1 263 625	2 472 080	40 282	42 121	82 403
05	855 864	903 825	1 759 689	217 073	223 544	440 617	196 815	198 069	394 884	1 269 752	1 325 438	2 595 190	40 960	42 756	83 716
06	804 144	849 557	1 653 701	216 445	223 975	440 420	194 504	195 662	390 166	1 215 093	1 269 194	2 484 287	40 503	42 306	82 810
07	829 071	865 279	1 694 350	225 389	232 153	457 542	198 022	200 519	398 541	1 252 482	1 297 951	2 550 433	40 403	41 869	82 272
08	846 045	886 988	1 733 033	226 565	230 582	457 147	200 031	203 361	403 392	1 272 641	1 320 931	2 593 572	41 053	42 611	83 664
09	825 145	873 218	1 698 363	225 045	231 882	456 927	200 356	203 276	403 632	1 250 546	1 308 376	2 558 922	41 685	43 613	85 297

註：獅子山隧道於1967年11月14日通車。由1993年1月17日起以合約方式將管理及營運的工作交給信佳集團管理有限公司。  
 Note: The Lion Rock Tunnel was opened to traffic on 14.11.1967. Its management and operation were contracted out to the Serco Group (HK) Ltd. on 17.1.1993.

資料來源：信佳集團管理有限公司

Source: Serco Group (HK) Ltd.

**Comparison of the new tolls of Tate's Cairn Tunnel proposed in 2008,  
the new tolls approved by the Executive Council  
and the original tolls**

<b>Vehicle Category</b>	<b>Proposed new tolls</b>	<b>Approved new tolls</b>	<b>Original tolls</b>	<b>Percentage of increase</b>
Motorcycle	\$12	\$11	\$10	10%
Private car and taxi	\$15	\$14	\$12	17%
Light bus & light goods vehicle	\$23	\$21	\$18	17%
Medium & heavy goods vehicle	\$26	\$25	\$23	9%
Single-decker bus	\$30	\$28	\$24	17%
Double-decker bus	\$33	\$31	\$26	19%
Additional axle	\$19	\$18	\$15	20%

## Appendix III

### Tate's Cairn Tunnel Company Limited

Meeting date	Committee	Papers/Items
2 Feb 2005	Transport Panel (TP)	Administration's paper on Application for Toll Increase by Tate's Cairn Tunnel Company Limited  <a href="http://www.legco.gov.hk/yr04-05/english/panels/tp/papers/tp0202cb1-786-3e.pdf">http://www.legco.gov.hk/yr04-05/english/panels/tp/papers/tp0202cb1-786-3e.pdf</a>
2 Feb 2005	TP	Tate's Cairn Tunnel Company Limited - Toll Increase Application Briefing Paper for Legislative Council Panel on Transport  <a href="http://www.legco.gov.hk/yr04-05/english/panels/tp/papers/tp0202cb1-786-4e.pdf">http://www.legco.gov.hk/yr04-05/english/panels/tp/papers/tp0202cb1-786-4e.pdf</a>
2 Feb 2005	TP	Powerpoint presentation materials provided by Tate's Cairn Tunnel Company Limited  <a href="http://www.legco.gov.hk/yr04-05/english/panels/tp/papers/tp0202cb1-854-1e.pdf">http://www.legco.gov.hk/yr04-05/english/panels/tp/papers/tp0202cb1-854-1e.pdf</a>
2 Feb 2005	TP	Minutes of meeting  <a href="http://www.legco.gov.hk/yr04-05/english/panels/tp/minutes/tp050202.pdf">http://www.legco.gov.hk/yr04-05/english/panels/tp/minutes/tp050202.pdf</a>
15 June 2005	TP	Application for Toll Increase by Tate's Cairn Tunnel Company Limited  <a href="http://www.legco.gov.hk/yr04-05/english/panels/tp/papers/tp-etwb_t_c_r1465194-e.pdf">http://www.legco.gov.hk/yr04-05/english/panels/tp/papers/tp-etwb_t_c_r1465194-e.pdf</a>
15 June 2005	TP	Minutes of meeting  <a href="http://www.legco.gov.hk/yr04-05/english/panels/tp/minutes/tp050615.pdf">http://www.legco.gov.hk/yr04-05/english/panels/tp/minutes/tp050615.pdf</a>
6 July 2005	Council	Motion debate on "Reviewing the mode of construction and operation of transport infrastructure" (Wording of motion in <b>Annex</b> )  <a href="http://www.legco.gov.hk/yr04-05/chinese/counmtg/floor/cm0706ti-confirm-c.pdf">http://www.legco.gov.hk/yr04-05/chinese/counmtg/floor/cm0706ti-confirm-c.pdf</a>
14 Oct 2005	House Committee	Report of the Subcommittee to Study Tate's Cairn Tunnel Ordinance (Replacement of Schedule) Notice 2005 and Tai Lam Tunnel and Yuen Long Approach Road Ordinance (Replacement of Schedule 1) Notice 2005

Meeting date	Committee	Papers/Items
		<a href="http://www.legco.gov.hk/yr05-06/english/hc/papers/hc1014cb1-31-e.pdf">http://www.legco.gov.hk/yr05-06/english/hc/papers/hc1014cb1-31-e.pdf</a>
		<p>Research Report on Operation of Toll Roads, Bridges and Tunnels in Selected Places</p> <p><a href="http://www.legco.gov.hk/yr05-06/english/sec/library/0506rp03e.pdf">http://www.legco.gov.hk/yr05-06/english/sec/library/0506rp03e.pdf</a></p> <p>Information Note on The Adoption of the Build-Operate-Transfer Model and Its Variants in Developing Transport Infrastructures in Selected Places prepared by Research and Library Services Division</p> <p><a href="http://www.legco.gov.hk/yr05-06/english/sec/library/0506in13e.pdf">http://www.legco.gov.hk/yr05-06/english/sec/library/0506in13e.pdf</a></p> <p>Information Note on Toll Increase of the Eastern Harbour Crossing prepared by Research and Library Services Division</p> <p><a href="http://www.legco.gov.hk/yr05-06/english/sec/library/0506in14e.pdf">http://www.legco.gov.hk/yr05-06/english/sec/library/0506in14e.pdf</a></p> <p>Information Note on Nottingham Express Transit prepared by Research and Library Services Division</p> <p><a href="http://www.legco.gov.hk/yr05-06/english/sec/library/0506in15e.pdf">http://www.legco.gov.hk/yr05-06/english/sec/library/0506in15e.pdf</a></p>
25 April 2008	TP	<p>Administration's paper on application for toll increase by Tate's Cairn Tunnel Company Limited (LC Paper No. <u>CB(1)1317/07-08(03)</u>)</p> <p><a href="http://www.legco.gov.hk/yr07-08/english/panels/tp/papers/tp0425cb1-1317-3-e.pdf">http://www.legco.gov.hk/yr07-08/english/panels/tp/papers/tp0425cb1-1317-3-e.pdf</a></p> <p>Paper on application for toll increase from the Tate's Cairn Tunnel Company Limited (LC Paper No. <u>CB(1)1317/07-08(06)</u>)</p> <p><a href="http://www.legco.gov.hk/yr07-08/english/panels/tp/papers/tp0425cb1-1317-6-e.pdf">http://www.legco.gov.hk/yr07-08/english/panels/tp/papers/tp0425cb1-1317-6-e.pdf</a></p> <p>Paper on toll increases by Tate's Cairn Tunnel Company Limited prepared by the Legislative Council Secretariat (Background brief) (LC Paper No. <u>CB(1)1347/07-08</u>)</p> <p><a href="http://www.legco.gov.hk/yr07-08/english/panels/tp/papers/tp0425cb1-1347-e.pdf">http://www.legco.gov.hk/yr07-08/english/panels/tp/papers/tp0425cb1-1347-e.pdf</a></p> <p>Minutes of meeting (LC Paper No. CB(1)1975/07-08)</p> <p><a href="http://www.legco.gov.hk/yr07-08/english/panels/tp/minutes/tp080425.pdf">http://www.legco.gov.hk/yr07-08/english/panels/tp/minutes/tp080425.pdf</a></p>

Meeting date	Committee	Papers/Items
21 October 2008	Subcommittee on Tate's Cairn Tunnel Ordinance (Replacement of Schedule) Notice 2008	<p>The Tate's Cairn Tunnel Ordinance (Replacement of Schedule) Notice 2008 (L.N. 220 of 2008)</p> <p><a href="http://www.legco.gov.hk/yr08-09/english/subleg/negative/ln220-08-e.pdf">http://www.legco.gov.hk/yr08-09/english/subleg/negative/ln220-08-e.pdf</a></p> <p>Legislative Council Brief (File Ref: <u>THB(T)CR 1/4651/94</u>)</p> <p><a href="http://www.legco.gov.hk/yr08-09/english/subleg/brief/220_brf.pdf">http://www.legco.gov.hk/yr08-09/english/subleg/brief/220_brf.pdf</a></p> <p>Legal Service Division Report (LC Paper No. <u>LS2/08-09</u>)</p> <p><a href="http://www.legco.gov.hk/yr08-09/english/hc/papers/hc1010ls-2-e.pdf">http://www.legco.gov.hk/yr08-09/english/hc/papers/hc1010ls-2-e.pdf</a></p> <p>Background brief on the Tate's Cairn Tunnel Ordinance (Replacement of Schedule) Notice 2008 prepared by the Legislative Council Secretariat (LC Paper No. <u>CB(1)74/08-09(01)</u>)</p> <p><a href="http://www.legco.gov.hk/yr08-09/english/hc/sub_leg/sc02/papers/sc021021cb1-74-1-e.pdf">http://www.legco.gov.hk/yr08-09/english/hc/sub_leg/sc02/papers/sc021021cb1-74-1-e.pdf</a></p> <p>Minutes of meeting (LC Paper No. <u>CB(1)192/08-09</u>)</p> <p><a href="http://www.legco.gov.hk/yr08-09/english/hc/sub_leg/sc02/minutes/sc0220081021.pdf">http://www.legco.gov.hk/yr08-09/english/hc/sub_leg/sc02/minutes/sc0220081021.pdf</a></p> <p>Report (LC Paper No. <u>CB(1)133/08-09</u>)</p> <p><a href="http://www.legco.gov.hk/yr08-09/english/hc/papers/hccb1-133-e.pdf">http://www.legco.gov.hk/yr08-09/english/hc/papers/hccb1-133-e.pdf</a></p>

**Motion on BOT tunnels passed by the Council on 6 July 2005**

"That, in view of the toll increases by the operators of a number of transport infrastructures delivered through the Build-Operate-Transfer ('BOT') mode, which not only directly increase the burden of transport expenses on the public and lead to a rise in transportation costs for the business and industrial sectors, but also greatly aggravate the traffic congestion at other lower-toll tunnels or toll-free routes, thereby defeating the intended purpose of diverting traffic flows to various tunnels, this Council urges the Government to expeditiously put up, in six months' time, specific proposals for improvement regarding the following:

- (a) actively exploring with the tunnel companies which own the franchises of the tunnels ways to achieve effective distribution of traffic among various tunnels and to relieve the pressure on various tunnels to increase their tolls, such as extending the franchise periods, standardizing and reducing the tolls or adopting other feasible measure;
- (b) conducting a comprehensive review of the BOT mode and drawing conclusion from the relevant experience to serve as guidance in the financing, construction, toll charging and operation, etc, of future transport infrastructures, so as to avoid the above pitfalls and safeguard the interests of the public;
- (c) reviewing whether the current toll increase mechanisms under the Tai Lam Tunnel and Yuen Long Approach Road Ordinance and the Western Harbour Crossing Ordinance are in the public interest, and avoiding the introduction of similar mechanisms for future transport infrastructures; and
- (d) negotiating common ownership of the three road harbour crossings with the consortium which owns the franchises of both the Eastern Harbour Crossing and the Western Harbour Crossing, and presenting to this Council reports on the progress of the negotiations."