

LEGISLATIVE COUNCIL BRIEF

Public Finance Ordinance (Chapter 2)

FEES FOR OFFICIAL SIGNATURES AND MISCELLANEOUS SERVICES (AMENDMENT) NOTICE 2009

INTRODUCTION

Section 17C of the Public Finance Ordinance (Cap.2) provides that the Financial Secretary (which means also the Secretary for the Financial Services and the Treasury (SFST) by virtue of section 3 of the Interpretation and General Clauses Ordinance (Cap.1)) may by notice in the Gazette prescribe the fees payable for official signatures and miscellaneous services.

2. In exercise of this power, SFST has made the Fees for Official Signatures and Miscellaneous Services (Amendment) Notice 2009 (the Amendment Notice) at Annex A to revise the fees of items 2 to 4 specified in the Schedule to the Fees for Official Signatures and Miscellaneous Services Notice (Cap.2 sub.leg. M) (the Schedule).

BACKGROUND AND JUSTIFICATIONS

3. Fees for the issue of a duplicate of any document, any alteration, transfer or endorsement of or addition to a document, or the certification of a true extract of any document, book, record or instrument by a public officer are prescribed in the Schedule. The fees have remained the same since October 1994.

4. In line with the “user pays” principle, it is Government’s policy that fees should in general be set at levels adequate to recover the full cost of providing the services. The three fee items concerned are prescribed in the Schedule under the Public Finance Ordinance (Cap.2).

5. Costing exercises at 2009-10 price level have been carried out and the result shows that the cost recovery levels are from 53% to 112%. On the basis of this result, we propose one reduction and two increases ranging from -11% to 14% respectively to the fees prescribed in the Schedule under the Public Finance Ordinance (Cap.2).

THE NOTICE

6. The Amendment Notice at Annex A revises the fees as set out at Annex B. It is proposed that the new fees should come into effect on 15 January 2010.

LEGAL IMPLICATIONS

7. The proposed amendments do not change the current binding effect of the Ordinance. They are in conformity with the Basic Law, including the provisions concerning the human rights.

FINANCIAL AND STAFFING IMPLICATIONS

8. If the proposed fees and charges adjustments are implemented, there will be a net increase of about \$0.4 million in revenue per annum. There are no staffing implications.

ECONOMIC IMPLICATIONS

9. There are no significant economic implications.

EFFICIENCY INITIATIVES

10. The Administration has been continuously taking measures to reduce cost of services through implementing efficiency initiatives and streamlining procedures. Efficiency savings and improvement measures have been factored into the calculation of fees charged for the provision of services.

PUBLIC CONSULTATION

11. An information note setting out the proposed revision of fees was issued to the LegCo Panel on Financial Affairs on 2 November 2009. Panel members did not request to discuss the paper.

PUBLICITY

12. The Amendment Notice will be published in the Gazette on 20 November 2009. A spokesman will be available to answer enquiries on the subject.

ENQUIRIES

13. For enquiries on this brief, please contact Miss Lizzy Wong, Senior Treasury Accountant of the Financial Services and the Treasury Bureau at 2810 3756.

Financial Services and the Treasury Bureau
November 2009

**FEES FOR OFFICIAL SIGNATURES AND
MISCELLANEOUS SERVICES (AMENDMENT)
NOTICE 2009**

(Made by the Secretary for Financial Services and the Treasury under section
17C of the Public Finance Ordinance (Cap. 2))

1. Commencement

This Notice comes into operation on 15 January 2010.

2. Schedule amended

The Schedule to the Fees for Official Signatures and Miscellaneous Services
Notice (Cap. 2 sub. leg. M) is amended –

- (a) in item 2, by repealing “140” and substituting “125”;
- (b) in item 3, by repealing “140” and substituting “155”;
- (c) in item 4, by repealing “140” and substituting “160”.

Secretary for Financial Services and the
Treasury

2009

Explanatory Note

This Notice adjusts certain fees payable for miscellaneous services under the
Fees for Official Signatures and Miscellaneous Services Notice (Cap. 2 sub. leg. M).

**Proposed revision of fees under
the Schedule to the Fees for Official Signatures and Miscellaneous Services Notice**

Item	Fee Description	Existing Fee (since October 1994) (\$)	Updated Cost Recovery Level at 2009-10 Price Level	Proposed Fee (\$)	Proposed amount of increase/decrease (\$)	Proposed percentage increase/decrease
(1)	The issue of a duplicate of any document by a public officer	\$140	112%	\$125	-\$15	-11%
(2)	Any alteration, transfer or endorsement of or addition to a document by a public officer	\$140	72%	\$155	\$15	11%
(3)	The certification of a true extract of any document, book, record or instrument by a public officer	\$140	53%	\$160	\$20	14%