
**Tate's Cairn Tunnel Ordinance
and
Interpretation and General Clauses Ordinance**

Resolution

(Under section 35 of the Tate's Cairn Tunnel Ordinance (Cap. 393) and section 35 of the Interpretation and General Clauses Ordinance (Cap. 1))

Tate's Cairn Tunnel (Amendment) Bylaw 2012

Resolved that the Tate's Cairn Tunnel (Amendment) Bylaw 2012, made by the Tate's Cairn Tunnel Company Limited on 30 March 2012, be approved, subject to the amendment as set out in the Schedule.

Schedule

**Amendment to Tate's Cairn Tunnel (Amendment)
Bylaw 2012**

1. **Section 1 amended (commencement)**
Section 1—
Delete
"18 May"
Substitute
"20 July".

Tate's Cairn Tunnel (Amendment) Bylaw 2012
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Tate's Cairn Tunnel (Amendment) Bylaw 2012

(Made by the Tate's Cairn Tunnel Company Limited under section 35 of the Tate's Cairn Tunnel Ordinance (Cap. 393) subject to the approval of the Legislative Council)

1. Commencement

This Bylaw comes into operation on 18 May 2012.

2. Tate's Cairn Tunnel By-laws amended

The Tate's Cairn Tunnel By-laws (Cap. 393 sub. leg. B) are amended as set out in sections 3 to 13.

3. By-law 2 amended (interpretation)

(1) By-law 2, definition of *autotoll booth*—

Repeal

“equipped with an automatic toll collection facility approved by the Commissioner”

Substitute

“designated as an autotoll booth under by-law 16A(2)”.

(2) By-law 2, definition of *electronic pass*, after “the Company”—

Add

“or its agent”.

(3) By-law 2, Chinese text, definition of *訂明交通標誌*—

Repeal

“附表所訂明的大小、顏色及類型”

Substitute

“大小、顏色及類型均在附表訂明”.

(4) By-law 2—

Add in alphabetical order

“*light signal* (交通燈) has the same meaning as in the regulations;

prescribed light signal (訂明交通燈) means a light signal of the size, colour and type prescribed in the Schedule;”.

4. By-law 3 amended (application)

By-law 3(2), before “traffic sign”—

Add

“prescribed”.

5. By-law 9 substituted

By-law 9—

Repeal the by-law

Substitute

“9. Meaning of traffic signs, light signals and road markings

(1) The meaning of a prescribed traffic sign or prescribed light signal is in accordance with the content and the note relating to the figure of that sign or signal in the Schedule.

(2) The meaning of a traffic sign, light signal or road marking prescribed by the Road Traffic (Traffic Control) Regulations (Cap. 374 sub. leg. G) is in accordance with the content and the note relating to the figure of that sign, signal or marking in the Schedules to those regulations.”.

6. By-law 10 substituted

By-law 10—

Repeal the by-law

Substitute

10. Traffic signs, light signals and road markings to be obeyed

- (1) The driver of a vehicle in the tunnel area must comply with the requirement indicated by any prescribed traffic sign or prescribed light signal.
- (2) A person in the tunnel area must comply with the requirement indicated by any traffic sign, light signal or road marking that is—
 - (a) prescribed under the Road Traffic (Traffic Control) Regulations (Cap. 374 sub. leg. G);
 - (b) erected, placed or otherwise displayed by the Company within the tunnel area pursuant to the regulations; and
 - (c) applicable to the person.”.

7. By-law 12 amended (general restrictions)

By-law 12(1)(j), after “traffic sign”—

Add

“, light signal”.

8. By-law 15 amended (liability for tolls)

By-law 15—

Repeal

“The driver”

Substitute

“The owner or the driver”.

9. By-law 16 amended (collection of tolls)

By-law 16(1)(b), after “the Company”—

Add

“or its agent”.

10. By-law 16A amended (automatic toll collection facilities)

- (1) By-law 16A—

Repeal paragraph (2)**Substitute**

- “(2) The Company may, with the written approval of the Commissioner, designate a toll booth at which an automatic toll collection facility is installed under paragraph (1) as an autotoll booth—
- (a) by displaying above a lane that leads to the toll booth a prescribed traffic sign of the type shown in Figure No. 21 in the Schedule; or
 - (b) by displaying at the side of the toll booth a prescribed traffic sign of the type shown in Figure No. 22 in the Schedule.”.

- (2) By-law 16A(3), after “the Company” (wherever appearing)—

Add

“or its agent”.

11. By-law 16B amended (prohibition against interference with or falsification of electronic toll passes)

- (1) By-law 16B, heading—

Repeal

“toll”.

- (2) By-law 16B(1), after “the Company”—

Add

“or its agent”.

12. By-law 20 amended (general prohibitions)

By-law 20(j), Chinese text—

Repeal

“規則”

Substitute

“規例”.

13. Schedule amended

- (1) The Schedule—

Repeal

“[by-laws 2, 3, 9 &10]”

Substitute

“[by-laws 2, 3, 9 &16A]”.

- (2) The Schedule, English text, Figure No. 1—

Repeal

“TRAFFIC LANE”

Substitute

“LANE”.

- (3) The Schedule, English text, Figure No. 3—

Repeal

“TRAFFIC LANE” (wherever appearing)

Substitute

“LANE”.

- (4) The Schedule, English text, Figure No. 4—

Repeal

“TRAFFIC LANE” (wherever appearing)

Substitute

“LANE”.

- (5) The Schedule, Figure No. 6—

Repeal

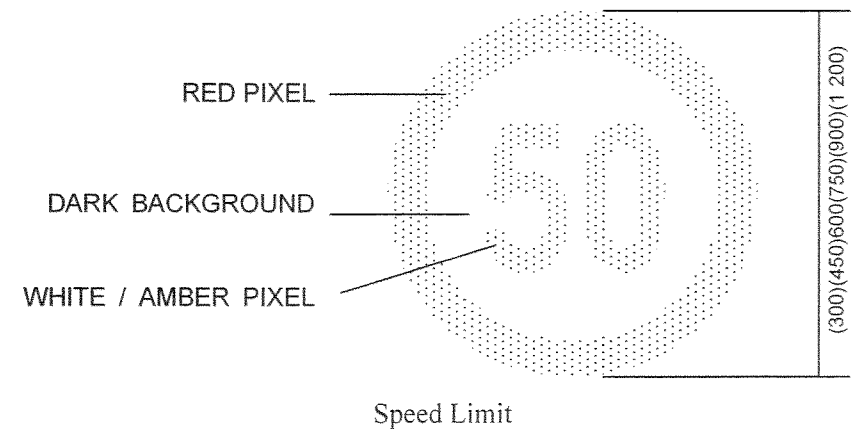
“FOLLOWING THE SIGN.”

Substitute

“FOLLOWING THE SIGN.

THE SIGN MAY BE USED WITHOUT THE LETTERS “km/h”.”.

- (6) The Schedule, after Figure No. 6—

Add“Figure No. 6A”

This sign indicates that a speed limit of 50 km per hour is imposed on the section of the road immediately following the sign.

The sign may be erected on both sides of the road and/or on a central reservation in the case of a dual carriageway at the start of a restriction facing oncoming traffic.

The 300 mm sized sign may also be erected at intervals along the road to remind motorists of the speed limit in force.”.

- (7) The Schedule, Figure No. 7—

Repeal

“FOLLOWING THE SIGN.”

Substitute

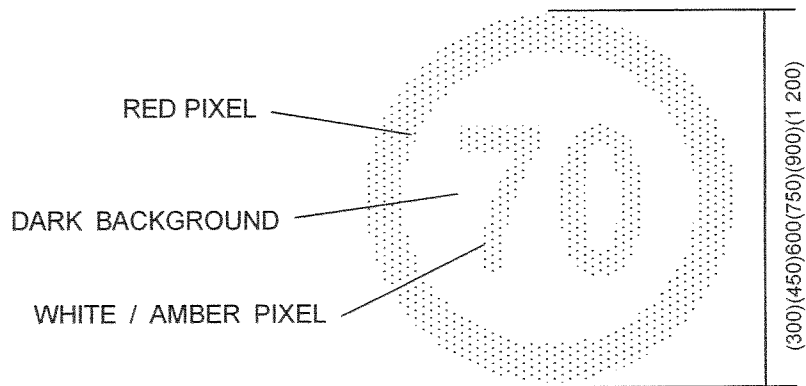
“FOLLOWING THE SIGN.

THE SIGN MAY BE USED WITHOUT THE LETTERS “km/h”.”.

- (8) The Schedule, after Figure No. 7—

Add

“Figure No. 7A”



Speed Limit

This sign indicates that a speed limit of 70 km per hour is imposed on the section of the road immediately following the sign.

The sign may be erected on both sides of the road and/or on a central reservation in the case of a dual carriageway at the start of a restriction facing oncoming traffic.

The 300 mm sized sign may also be erected at intervals along the road to remind motorists of the speed limit in force.”.

- (9) The Schedule, Figure No. 8—

Repeal

“525”

Substitute

“525 (825)”.

- (10) The Schedule, Figure No. 8—

Repeal

“1400”

Substitute

“1 400 (1 975)”.

- (11) The Schedule, English text, Figure No. 15—

Repeal

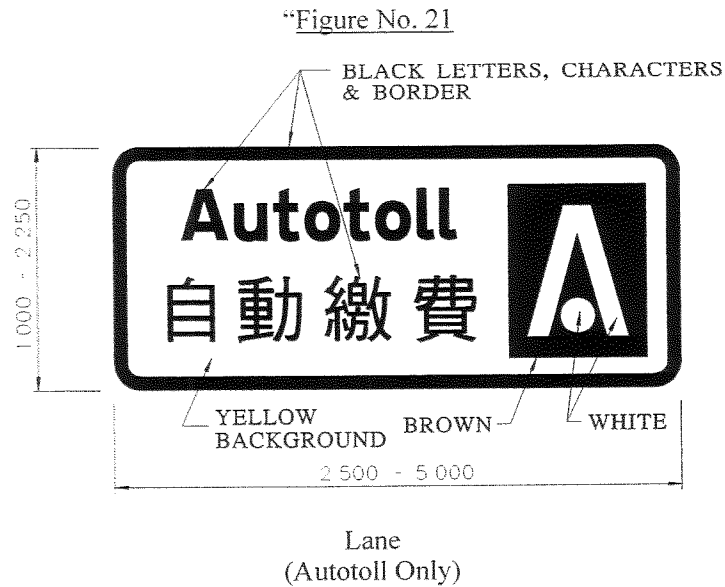
“TRAFFIC LANE”

Substitute

“LANE”.

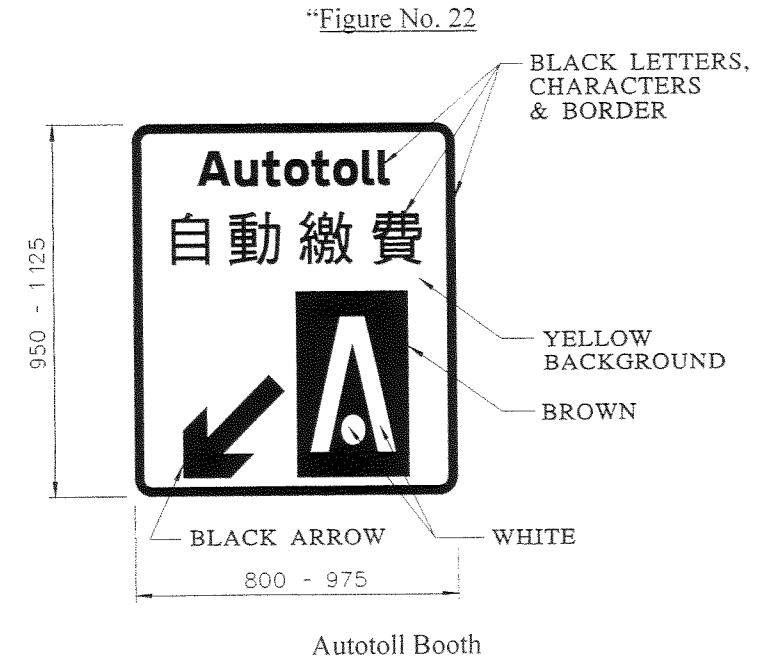
- (12) The Schedule—

Repeal Figure No. 21**Substitute**



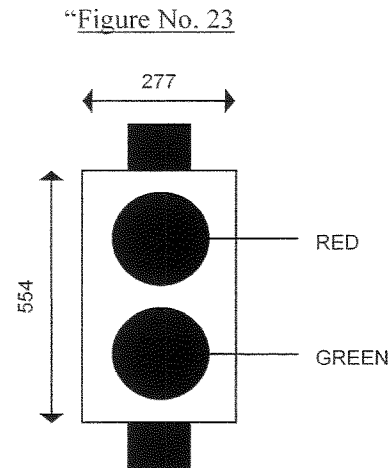
This sign is displayed above a lane that leads to an autotoll booth. It indicates that only a vehicle with a valid electronic pass the account of which is opened in respect of the vehicle may proceed in the lane.”.

- (13) The Schedule—
Repeal Figure No. 22
Substitute



When this sign is displayed at the side of a toll booth it indicates that the toll booth is an autotoll booth. It may be used in conjunction with the sign in Figure No. 21 and it indicates that only a vehicle with a valid electronic pass the account of which is opened in respect of the vehicle may pass through the autotoll booth.”.

- (14) The Schedule—
Repeal Figure No. 23
Substitute



Autotoll Payment Signal

This signal is placed in a vertical position at the side of a lane dedicated for use of an automatic toll collection facility. It may be used in conjunction with the signal in Figure No. 24.

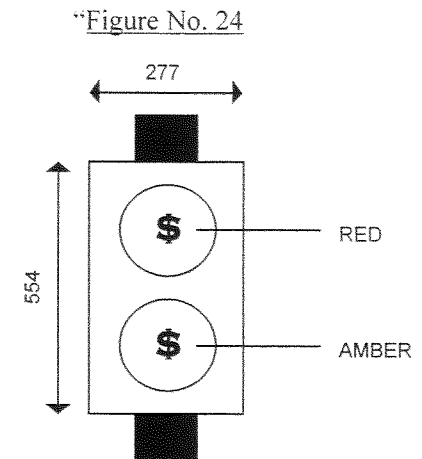
The significance of the signal is as follows—

- (i) The display of a red signal indicates that the appropriate toll payment has not been made and that the account balance with the company or its agent in respect of the electronic pass is nil.
- (ii) The display of a green signal indicates that the appropriate toll payment has been made.”.

(15) The Schedule—

Repeal Figure No. 24

Substitute



Autotoll Account Balance Signal

This signal is placed in a vertical position at the side of a lane dedicated for use of an automatic toll collection facility. It may be used in conjunction with the signal in Figure No. 23.

The significance of the signal is as follows—

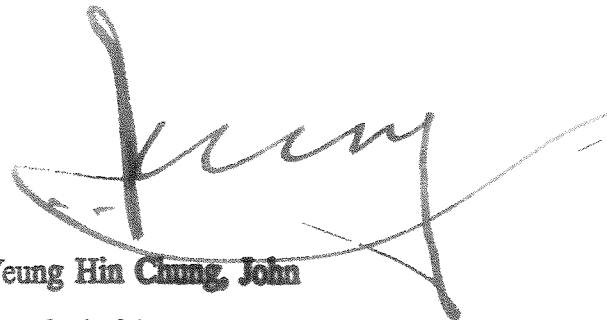
- (i) The display of the red dollar sign indicates that the account balance with the company or its agent in respect of the electronic pass is nil.
- (ii) The display of the amber dollar sign indicates that the account balance with the company or its agent in respect of the electronic pass is less than the amount specified by the company or its agent.”.

14. Transitional provision

During the period of 12 months after the commencement date of this Bylaw—

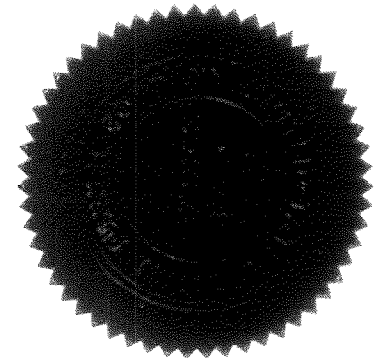
- (a) a prescribed traffic sign of the type shown in Figure No. 21 in the Schedule to the Tate's Cairn Tunnel By-laws (Cap. 393 sub. leg. B) (*principal By-laws*) as in force immediately before the commencement date of this Bylaw and erected at any time before that commencement date is to be treated as a prescribed traffic sign of the type shown in Figure No. 21 in the Schedule to the principal By-laws as amended by this Bylaw; and
- (b) a prescribed traffic sign of the type shown in Figure No. 22 in the Schedule to the principal By-laws as in force immediately before the commencement date of this Bylaw and erected at any time before that commencement date is to be treated as a prescribed traffic sign of the type shown in Figure No. 22 in the Schedule to the principal By-laws as amended by this Bylaw.

Made by the Tate's Cairn Tunnel Company Limited this *30th* day of *March* 2012.



Yeung Hin Chung, John

Signed by
under the Common Seal of the Company



Tate's Cairn Tunnel Company Limited

Explanatory Note

The purposes of this Bylaw are to amend the Tate's Cairn Tunnel By-laws (Cap. 393 sub. leg. B) to—

- (a) enable the use of light signals to control vehicular traffic or pedestrians in the tunnel area;
- (b) impose liability for tolls on vehicle owners in addition to the driver of vehicles;
- (c) enable Tate's Cairn Tunnel Company Limited or its assignee to delegate certain powers to their agents;
- (d) enable speed limit signs (Figure Nos. 6 and 7) with or without the letters "km/h" on them to serve the same meaning;
- (e) introduce light emitting diode (LED) speed limit signs (Figure Nos. 6A and 7A); and
- (f) adopt new and standardized autotoll booth signs (Figure Nos. 21 and 22) in the tunnel area as part of the standardization programme launched by the Transport Department to standardize the signs for autotoll booths at various tolled tunnels and bridges in Hong Kong.