

# 立法會

## *Legislative Council*

LC Paper No. LS68/11-12

### **Paper for the House Committee Meeting on 25 May 2012**

#### **Further Report on Road Traffic (Registration and Licensing of Vehicles) (Amendment) (No. 2) Regulation 2012 (L.N. 88) gazetted on 11 May 2012**

Members may recall that at the meeting of the House Committee on 18 May 2012, the Legal Service Division reported that the scrutiny of the Road Traffic (Registration and Licensing of Vehicles) (Amendment) (No. 2) Regulation 2012 (L.N. 88) was continuing. To recap, L.N. 88 seeks to introduce a new type of trade licence to facilitate the re-export trade of left-hand drive vehicles, improve the control mechanism to prevent abuse in the use of trade licences and address other issues related to trade licences.

2. In our scrutiny, a couple of minor drafting problems were identified in the Chinese text of L.N. 88. The Administration has agreed to rectify the errors in the next Statute Law (Miscellaneous Provisions) Bill as follows. In the proposed definition of "left-hand drive vehicle" under section 3 of L.N. 88, "信訊" should be "信號". In paragraph 7 of the proposed Schedule 14 under section 18 of L.N. 88, "如獲授權使用者已取得牌照持有人根據第 46A(4)條指定的人的批准或牌照持有人的批准" should be "如獲授權使用者已根據第 46A(4)條取得牌照持有人指定的人的批准或牌照持有人的批准".

3. The Administration considers that the above textual errors will not affect the enforcement of the relevant provisions (please see paragraph 3 of the Administration's letter dated 22 May 2012 at Annex I). We have no further query in relation to L.N. 88.

Encl.

Prepared by  
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23 May 2012

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22 May 2012

Dear Ms KAN,

**Road Traffic (Registration and Licensing of Vehicles) (Amendment)**  
**(No.2) Regulation 2012 (L.N. 88 of 2012)**

Thank you for your letter of yesterday concerning the captioned Amendment Regulation.

We recognize that there is a minor textual error in section 3, and there are textual discrepancies between the Chinese and English texts in section 18, as mentioned in your letter. To rectify them, we will include the following amendments into the next Statute Law (Miscellaneous Provisions) Bill:

- (a) In respect of the Chinese text of the definition of “left-hand drive vehicle”, “信訊” will be substituted by “信號”.
- (b) In respect of the Chinese text of paragraph 7 of Schedule 14, “取得牌照持有人根據第46A(4)條” will be substituted by “根據第46A(4)條取得牌照持有人”.

Regarding (a) above, it is a minor textual error which will not affect the enforcement of the law. Regarding (b), despite the textual discrepancies between the Chinese and English texts, the Chinese text can still achieve the policy intention that the authorized user will be required to obtain the approval of a person designated by the licence holder or the approval of the licence holder before using the trade licence, and the licence holder will be required to ensure that the register of journeys contains the name and signature of the person who gives such approval (i.e. either the licence holder himself or the person designated by him). This will not affect the enforcement of the provisions.

If you have further enquiries, please do not hesitate to contact the undersigned at 3509 8203.

Thank you for your attention.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Billy LAM', written in a cursive style.

(Billy LAM)

for Secretary for Transport and Housing

cc. DoJ (Attn: Ms Carmen CHU, SGC) (Fax no.: 2845 2215)