

L.N. 139 of 2011

**Air Navigation (Hong Kong) Order 1995 (Amendment)
Order 2011**

(Made by the Chief Executive in Council under sections 2A(2) and 12(2) of the Civil Aviation Ordinance (Cap. 448))

1. Commencement

This Order comes into operation on 16 December 2011.

2. Air Navigation (Hong Kong) Order 1995 amended

The Air Navigation (Hong Kong) Order 1995 (Cap. 448 sub. leg. C) is amended as set out in section 3.

3. Article 97 amended (regulations by the Chief Executive: fees)

(1) Article 97(3), after “inspection”—

Add

“, calculation”.

(2) Article 97(3)—

Repeal

“the grant of any permission or approval”

Substitute

“the grant or variation of any permission, approval or authorization”.

(3) Article 97—

Repeal paragraph (4)

Substitute

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- “(4) Without limiting section 29 of the Interpretation and General Clauses Ordinance (Cap. 1), if under paragraph (3) regulations prescribe any fees, the regulations may also—
- (a) provide for the manner in which, and the time at which, the fees are to be paid;
 - (b) empower the Director-General of Civil Aviation to specify the manner in which, and the time at which, the fees are to be paid; and
 - (c) provide for the refund of fees.
- (5) For the purposes of paragraph (4)(b), the regulations may empower the Director-General of Civil Aviation—
- (a) to require the payment of a deposit in prescribed circumstances; and
 - (b) to specify the amount of the deposit and the manner in which, and the time at which, the deposit is to be paid.”.

Manda CHAN
Clerk to the Executive Council

COUNCIL CHAMBER

18 October 2011

Explanatory Note

This Order amends the Air Navigation (Hong Kong) Order 1995 (Cap. 448 sub. leg. C) (*principal Order*) to enable the Chief Executive to—

- (a) prescribe the fees to be paid in respect of certain air navigation related matters; and
- (b) provide for the payment and refund of any fee prescribed under Article 97(3) of the principal Order.