

立法會
Legislative Council

LC Paper No. LS20/15-16

**Paper for the House Committee Meeting
on 18 December 2015**

**Legal Service Division Report on
Proposed Resolution under section 23(3) of the
Road Traffic Ordinance (Cap. 374)**

The Secretary for Transport and Housing (STH) has given notice to move a motion at the Legislative Council (LegCo) meeting of 6 January 2016. The purpose of the motion is to seek LegCo's approval to further extend, for five years up to 20 June 2021, the period during which the current limit on the number of registered public light buses (PLBs) is to continue to be in force.

2. Under section 23(1) of the Road Traffic Ordinance (Cap. 374), the Chief Executive in Council may by notice in the Gazette limit the number of vehicles in a particular class which may be registered. The limit so notified shall remain in force for such period not exceeding 12 months but LegCo may, pursuant to section 23(3) of Cap. 374, from time to time extend the period. The current limit of 4 350 on the total number of vehicles which may be registered as PLBs is set out in the Public Light Buses (Limitation on Number) Notice (Cap. 374K). This limit which has been extended from time to time through resolutions of LegCo was last extended in 2011 for five years up to 20 June 2016.

3. According to the LegCo Brief (File Ref.: THB(T)L 3/2/5) issued by the Transport and Housing Bureau in December 2015, the total number of PLBs has been capped at 4 350 since 1976¹. The Administration considers it appropriate to extend the existing limit on the total number of PLBs for five years up to 20 June 2021, having regard to PLBs' role of providing supplementary feeder service, and that new railway lines are expected to come into operation in the coming few years. The Administration consulted the PLB trade in mid-2015 on the proposal. Operators of other public transport services have also given their views. According to paragraph 12 of the LegCo Brief, 36 out of the 38 written submissions from the PLB trade indicated support for the

¹ The limit was imposed in 1976 by G.N. 1065 of 1976 published in the Gazette on 21 May 1976.

retention of the existing cap, while operators of other public transport services expect the existing cap to remain unchanged.

4. On 6 November 2015, the Panel on Transport was briefed on the Administration's findings on the review on the statutory cap on the number of PLBs. The Panel noted that the Administration would recommend extending the effective period of the current limit on the number of PLBs for five years from 21 June 2016 to 20 June 2021. Whilst Panel members had no specific objection to the proposed extension, a few members were of the view that limiting the number of PLBs might hamper the efforts to improve PLB service. Other members expressed concerns that increasing the number of PLBs might intensify competition and adversely affect the existing operation of the trade. Quite a number of members expressed support for the proposal to increase the seating capacity of PLBs to enhance the overall capacity without having to increase the number of PLBs.

5. No difficulties have been identified in the legal and drafting aspects of the proposed resolution.

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