

立法會
Legislative Council

LC Paper No. LS39/15-16

**Paper for the House Committee Meeting
on 26 February 2016**

**Legal Service Division Report on
Subsidiary Legislation Gazetted on 24 February 2016**

Tabling in LegCo : Council meeting of 2 March 2016

Amendment to be made by : Council meeting of 16 March 2016 (or
20 April 2016 if extended by resolution)

Rating (Exemption) Order 2016 (L.N. 36)

L.N. 36 was made by the Chief Executive (CE) in Council under section 36(2) of the Rating Ordinance (Cap. 116) to give effect to the rates concession proposed in paragraph 34 (b) of the 2016-17 Budget Speech.

2. L.N. 36 declares that all tenements are exempted from the payment of rates up to a maximum of \$1,000 for each quarter in the period from 1 April 2016 to 31 March 2017. The amount of \$1,000 is reduced proportionately if rates are payable for only part of a concession period.

3. L.N. 36 comes into operation on 1 April 2016.

Revenue (Reduction of Business Registration Fees) Order 2016 (L.N. 37)

4. L.N. 37 was made by CE under section 39A(a) of the Public Finance Ordinance (Cap. 2) after consultation with the Executive Council to give effect to the proposal to waive the business registration fees as set out in paragraph 24 of the 2016-17 Budget Speech.

5. L.N. 37 reduces the fees payable under the Business Registration Ordinance (Cap. 310) in respect of a business registration certificate or branch registration certificate that commences within the period of 12 months beginning on 1 April 2016 (concession period).

6. In relation to a one-year business registration certificate, the fee is reduced by a sum of \$2,000 to nil and a one-year branch registration fee is reduced by a sum of \$73 to nil. In relation to a three-year business registration certificate (i.e. where an election is made under section 6(5C) of Cap. 310 for the expiry date to be endorsed on the applicable business registration certificates to be the date of expiration of 3 years from the date of commencement endorsed thereon), the fee is reduced by a sum of \$2,000 to \$3,200 and a three-year branch registration fee is reduced by a sum of \$73 to \$116.

7. If the business registration fee is payable under section 5A(1)(a) of Cap. 310 in relation to an incorporation submission made for the purpose of forming a company under section 67 of the Companies Ordinance (Cap. 622), the reduction applies only if the submission is made within the concession period.

8. L.N. 37 comes into operation on 1 April 2016.

9. No LegCo Briefs have been issued in respect of L.N. 36 and L.N. 37.

10. According to the Clerk to the Panel on Financial Affairs, the Panel has not been consulted on L.N. 36 and L.N. 37.

Concluding Observations

11. No difficulties in relation to the legal and drafting aspects of the above items of subsidiary legislation have been identified.

Prepared by

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