



中華人民共和國香港特別行政區
Hong Kong Special Administrative Region of the People's Republic of China



立法會秘書處 法律事務部
LEGAL SERVICE DIVISION
LEGISLATIVE COUNCIL SECRETARIAT

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By Fax (3904 1774)

16 May 2016

Ms Cordelia LAM
Principal Assistant Secretary for Transport & Housing
Transport and Housing Bureau
Transport Branch
21/F, East Wing, Central Government Offices
2 Tim Mei Avenue, Tamar
Hong Kong

Dear Ms LAM,

**Road Traffic (Parking) (Approved Cards) (Amendment) Notice 2016
(L.N. 63 of 2016)**

I am scrutinizing the legal and drafting aspects of the captioned Notice.

In relation to the definitions of "MasterCard Contactless", "UnionPay QuickPass" and "Visa payWave" under the new section 1A, "the card or device-based contactless payment function" is rendered as "應用卡片或實體物件的非接觸式繳費功能". (underlining added)

It is however noted that:

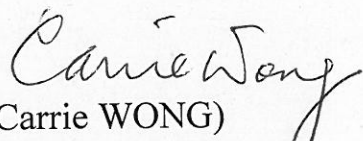
- (a) "device-based" is rendered as "實體形式" in section 8ZZZI of the Payment Systems and Stored Value Facilities Ordinance (Cap. 584); and
- (b) "other similar device" is rendered as "其他類同物件" and "card" is rendered as "卡" in the empowering provision (i.e. regulation 12A(a) of the Road Traffic (Parking) Regulations (Cap. 374C)).

Please let me have your clarifications on the following matters:

- (a) the reason for using different Chinese renditions ("實體物件" and "實體形式") for the same English term "device-based" in a similar context and whether there is any change in meaning in the Chinese text by such usage; and
- (b) whether "卡片" in Chinese (which seems to connote "name cards" but not Octopus or other payment cards) has the same meaning as "卡" in Chinese, and whether the Chinese term used in the empowering provision (i.e. "卡") should be used for the English term "card" in the new section 1A wherever it appears.

As there will be a House Committee meeting on 20 May 2016, I would be grateful if you could let me have the Administration's reply in Chinese and English by noon, 18 May 2016.

Yours sincerely,


(Carrie WONG)
Assistant Legal Adviser