

L.N. 14 of 2018

**Fixed Penalty (Criminal Proceedings) (Amendment)
Regulation 2018**

(Made by the Secretary for Transport and Housing under section 11 of the Fixed Penalty (Criminal Proceedings) Ordinance (Cap. 240))

1. Commencement

This Regulation comes into operation on 1 June 2018.

2. Fixed Penalty (Criminal Proceedings) Regulations amended

The Fixed Penalty (Criminal Proceedings) Regulations (Cap. 240 sub. leg. A) are amended as set out in sections 3, 4 and 5.

3. Regulation 3 amended (payment of fixed penalty)

(1) Regulation 3(1)(a)—

Repeal

everything after “Treasury”

Substitute a semicolon.

(2) Regulation 3(1)—

Repeal paragraph (b)

Substitute

“(b) personally or through the person’s agent at a counter of any post office other than a mobile post office;”.

(3) Regulation 3(1)(c), Chinese text—

Repeal the semicolon

Substitute

“繳付；”.

- (4) Regulation 3(1)(d)—

Repeal

“or”.

- (5) Regulation 3(1)(e)—

Repeal the full stop

Substitute

“; or”.

- (6) After regulation 3(1)(e)—

Add

“(f) through the phone-banking service provided by a bank.”.

4. Regulation 3A added

After regulation 3—

Add

“3A. Transitional provision—Fixed Penalty (Criminal Proceedings) (Amendment) Regulation 2018

- (1) Despite regulation 3(1), if a person receives a notice in Form 1 or 2 in the pre-amended Schedule issued before 1 June 2018, the person may pay the fixed penalty within the period of time stated in the notice, personally or through the person’s agent, at any magistracy specified in the notice.

- (2) If a person pays a fixed penalty under subregulation (1), regulation 3(2), (3) and (5) applies to the payment as if it were made under regulation 3(1) as in force immediately before 1 June 2018.
- (3) In this regulation—
pre-amended Schedule (原有附表) means the Schedule as in force immediately before 1 June 2018.
- (4) This regulation expires at midnight on 21 June 2018.”.

5. Schedule amended

- (1) The Schedule, Form 1—

Repeal

“

\$1 000

\$600

\$450

\$320

\$230

”.

Substitute

“

\$1,000

\$600

\$560

\$450

\$400

\$320

\$230

”.

- (2) The Schedule, Form 1, payment instructions, paragraph 1(c), Chinese version—

Repeal

everything after “庫務署網站” and before “繳款時”

Substitute

“(URL位址：<http://www.try.gov.hk>) °”.

- (3) The Schedule, Form 1, payment instructions, paragraph 1(c), English version—

Repeal

everything after “Treasury’s” and before “Please select”

Substitute

“website (URL address: <http://www.try.gov.hk>).”.

- (4) The Schedule, Form 1, payment instructions, paragraph 1, Chinese and English versions—

Repeal everything after subparagraph (d)

Substitute

“(e) 在郵政局櫃位繳款

親自或由代理人在任何郵政局 (流動郵政局除外) 的櫃位繳款。如欲查詢有關地址及辦公時間，請致電香港郵政熱線：2921 2222 或瀏覽其網站 (URL 位址：

<https://www.hongkongpost.hk>)。

本通知書必須保持完整並於繳款時出示。

(e) At Post Office Counters

Payment may be made personally or by an agent at a counter of any post office (other than a mobile post office). For addresses and opening hours, please call the Hongkong Post Hotline: 2921 2222 or visit their website (URL address: <https://www.hongkongpost.hk>). This notice must be kept intact and produced at the time of payment.

(f) 透過電話理財服務繳款

使用銀行提供的電話理財服務，透過有關的繳費服務繳款。詳情請瀏覽庫務署網站 (URL 位址：

<http://www.try.gov.hk>)。

(f) Through Phone-banking Service

Pay through bill payment services by using the phone-banking service provided by banks. For details, please visit Treasury’s website (URL address: <http://www.try.gov.hk>).”.

- (5) The Schedule, Form 1, list of offences and fixed penalty, code number 9—

Repeal

“\$320” (wherever appearing)

Substitute

“\$400”.

- (6) The Schedule, Form 1, list of offences and fixed penalty, code number 12—

Repeal

“\$450” (wherever appearing)

Substitute

“\$560”.

- (7) The Schedule, Form 1, list of offences and fixed penalty, code number 18—

Repeal

“\$320” (wherever appearing)

Substitute

“\$400”.

- (8) The Schedule, Form 1, list of offences and fixed penalty, code number 20—

Repeal

“\$320” (wherever appearing)

Substitute

“\$400”.

- (9) The Schedule, Form 1, list of offences and fixed penalty, code number 48—

Repeal

“\$320” (wherever appearing)

Substitute

“\$400”.

- (10) The Schedule, Form 2, payment instructions, paragraph 1(c), Chinese version—

Repeal

everything after “庫務署網站” and before “繳款時”

Substitute

“(URL位址：<http://www.try.gov.hk>) ° ”.

- (11) The Schedule, Form 2, payment instructions, paragraph 1(c), English version—

Repeal

everything after “Treasury’s” and before “Please select”

Substitute

“website (URL address: <http://www.try.gov.hk>).”.

- (12) The Schedule, Form 2, payment instructions, paragraph 1, Chinese and English versions—

Repeal everything after subparagraph (d)

Substitute

“(e) 在郵政局櫃位繳款

親自或由代理人在任何郵政局 (流動郵政局除外) 的櫃位繳款。如欲查詢有關地址及辦公時間, 請致電香港郵政熱線: 2921 2222 或瀏覽其網站 (URL 位址: <https://www.hongkongpost.hk>)。本通知書必須保持完整並於繳款時出示。

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Frank CHAN Fan
Secretary for Transport and
Housing

29 January 2018

Explanatory Note

This Regulation amends the Fixed Penalty (Criminal Proceedings) Regulations (Cap. 240 sub. leg. A) (*principal Regulations*)—

- (a) to update Form 1 in the Schedule to the principal Regulations to reflect the increase of certain fixed penalties payable under the Fixed Penalty (Criminal Proceedings) Ordinance (Cap. 240) (*Ordinance*);
- (b) to remove certain references related to the magistracies in the principal Regulations, so that all fixed penalties payable under the Ordinance may no longer be paid at the magistracies;
- (c) to specify that all fixed penalties payable under the Ordinance may be paid through the phone-banking service provided by banks;
- (d) to further update Forms 1 and 2 in the Schedule to the principal Regulations; and
- (e) to provide for transitional arrangements.