

Adaptation of Laws (No. 9) Bill 1999

Explanation regarding CSAs proposed by the Administration

Schedule 1, section 12 (amending Cross-Harbour Tunnel Ordinance (Cap. 203), section 67)

The Administration proposes to introduce CSA to amend the adaptation of this savings provision to bring it in line with the original Chinese version of paragraph 10 of Annex 3 to the *Decision of the Standing Committee of the National People's Congress on Treatment of the Laws Previously in Force in Hong Kong in accordance with Article 160 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China* adopted on 23 February 1997. The same amendment was proposed by way of CSA and eventually passed into law under the Adaptation of Laws (No. 5) Ordinance 1999 (Ord. No. 15 of 1999).

Schedule 2, section 6 (amending Eastern Harbour Crossing Ordinance (Cap. 215), section 34(2))

The Administration proposes to introduce CSA to delete the adaptation amendment to this provision. The provision deals with the diversion of utilities under the control of “the Government or any agency of the Crown” in order to permit the carrying out of the construction works. As the construction of the tunnel had long been completed, the reference to the “Crown” is historical and does not require adaptation.

Schedule 8, sections 1, 6(a), 35, 43, 45, 46, 47, 49, 50, 55, 57 and 58 (amending Road Traffic Ordinance (Cap. 374), sections 2, 8(1)(d) and 111(2)(e); Road Traffic (Driving Licences) Regulations (Cap. 374 sub. leg.), regulations 2, 10, 11 and 13 and Fourth and Ninth Schedules; Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap. 374 sub. leg.), regulations 2, 31 (4)(d) and 34(3))

In these sections, the references to “country” or “countries” are originally adapted to read “country or territory” or “countries or territories” respectively. The Administration proposes to introduce CSA to amend the adaptation to “country or place” or “countries or places” to follow a similar adaptation made in Ord. No. 15 of 1999.

Schedule 8, section 50 (amending Road Traffic (Driving Licences) Regulations (Cap. 374 sub. leg.), Ninth Schedule, Form 2)

The Administration proposes to introduce CSA to delete all adaptation amendments to Form 2 of the Ninth Schedule to the Road Traffic (Driving Licences) Regulations. This is the form of an international driving permit issued under the authority of a party to the International Convention relative to the international circulation of cars concluded at Paris on 24 April 1926. As this Convention has ceased to apply to Hong Kong, the Form is proposed to be repealed in a separate amendment exercise.

Schedule 8, section 60 (amending Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap. 374 sub. leg.), Schedule 8, Form 1)

The Administration proposes to introduce CSA to delete all adaptation to Form 1 of Schedule 8 to the Road Traffic (Registration and Licensing of Vehicles) Regulations. The reason being that the International Convention regarding the taxation of foreign motor vehicles concluded at Geneva on 30 March 1931 has ceased to apply to Hong Kong and reference to which in the Regulation will be repealed in a separate legislative exercise in due course.

Schedule 10, section 16A (amending Tate's Cairn Tunnel Ordinance (Cap. 393), section 16(3))

The Administration proposes to introduce CSA to amend the reference to “Secretary for Lands and Works” to “Secretary for Planning, Environment and Lands”. As such change of post title had not been provided for in the Declaration of Change of Titles (General Adaptation) Notice 1997 (L.N. 362 of 1997), it cannot be incorporated into the Loose-leaf Edition of the Laws editorially and has to be adapted specifically under the Bill.