

CB(1)1521/98-99(02)

REPEAL OF CROSS-HARBOUR TUNNEL ORDINANCE AND
CROSS-HARBOUR TUNNEL (PASSAGE TAX) ORDINANCE
(SAVINGS, TRANSITIONAL AND CONSEQUENTIAL PROVISIONS) REGULATION
1999

(Made by the Secretary for Transport under section 48 of the Revenue Ordinance 1999)

1. Citation and commencement

(1) This Regulation may be cited as the Repeal of Cross-Harbour Tunnel Ordinance and Cross-Harbour Tunnel (Passage Tax) Ordinance (Savings, Transitional and Consequential Amendments) Regulation 1999.

(2) This Regulation shall come into operation on [].

2. Saving

(1) All royalty payments, tolls, fees, passage tax payments or compensation that remain to be payable or refundable (as the case may be) under either or both of the repealed Ordinances on the expiration of 31 August 1999 shall continue to be payable or refundable (as the case may be) as if the repealed Ordinances had not been repealed.

(2) All investigations, legal proceedings or remedies in respect of any royalty payments, tolls, fees, payments and compensation mentioned in subsection (1) and in respect of any offence under either or both of the repealed Ordinances may be instituted, continued or enforced, and any penalty or punishment in respect of such offence may be imposed, as if the repealed Ordinances had not been repealed.

(3) The obligations of the Cross-Harbour Tunnel Company,

Limited to keep records under either or both of the repealed Ordinances shall continue to be subsisting and enforceable as if the repealed Ordinances had not been repealed.

(4) In this section, “the repealed Ordinances” means the Cross-Harbour Tunnel Ordinance (Cap.203) and the Cross-Harbour Tunnel (Passage Tax) Ordinance (Cap. 274).

3. Transitional

Any sign erected in the Cross-Harbour Tunnel under the Cross-Harbour Tunnel Ordinance (Cap. 203) immediately before the coming into operation of section 46 of the Revenue Ordinance (of 1999) and then complying with the Cross-Harbour Tunnel Ordinance (Cap. 203) shall for so long as it continues to comply therewith be deemed to have the same effect as if the Cross-Harbour Tunnel ordinance (Cap. 203) had not been repealed.

4. Provisions not to derogate from section 23 of the Interpretation and General Clauses Ordinance

The provisions of this Regulation are in addition to and not in derogation from section 23 of the Interpretation and General Clauses Ordinance (Cap. 1).

Consequential and Related Amendments

Specification of Public Offices

5. Schedule amended

The Schedule to the Specification of Public Offices (Cap. 1 sub. leg.) is amended by repealing -

“Commissioner for Transport	Cross-Harbour Tunnel Ordinance (Cap. 203). (<i>L.N. 315 of 1985</i>)
Commissioner for Transport	Cross-Harbour Tunnel Regulations (Chapter 203 subsidiary legislation). (<i>L.N. 405 of 1990</i>)
Commissioner for Transport	Cross-Harbour Tunnel By-laws Chapter 203 subsidiary legislation). (<i>L..N. 405 of 1990</i>)
Commissioner for Transport	Cross-Harbour Tunnel (Passage Tax) Ordinance (Chapter 274). (<i>L.N. 405 Of 1990</i>)”.

Prevention of Bribery Ordinance

6. Schedule amended

The Schedule to the Prevention of Bribery Ordinance (Cap. 201) is amended by repealing item 6.

Metrication Amendments (Miscellaneous Provisions) Order

7. General prohibition of use of non-metric units in documents

Paragraph 2 of the Metrication Amendments (Miscellaneous Provisions) Order (Cap. 214 sub. leg.) is amended by repealing “and the Cross-Harbour Tunnel Ordinance (Cap. 203)”.

8. Circumstances in which non-metric Units may continue to be used

Paragraph 3 is amended by repealing “and the Cross-Harbour

Tunnel Ordinance (Cap. 203)".

**9. Prohibition of use of metric units
and non-metric units together**

Paragraph 4 is amended by repealing “and the Cross-Harbour Tunnel Ordinance (Cap 203)”.

10. Schedule amended

The Schedule is amended by repealing -

- (a) “Cross-Harbour Tunnel Ordinance (Cap. 203)”; and
- (b) “Cross-Harbour Tunnel Regulations (Cap. 203 sub. leg.)”.

Magistrates Ordinance

11. Offences to which defendant may plead guilty by letter

Schedule 3 to the Magistrates Ordinance (Cap. 227) is amended by repealing item 6.

Oil (Conservation and Control) Ordinance

12. Interpretation

Section 2 of the Oil (Conservation and Control) Ordinance (Cap. 264) is amended in the definition of “road” by repealing “tunnel as defined in the Cross-Harbour Tunnel Ordinance (Cap. 203)” and substituting “Cross-Harbour Tunnel as mentioned in the Schedule to the Road Tunnels (Government) Ordinance (Cap. 368).

Motor Vehicles Insurance (Third Party Risks) Ordinance

**13. Obligation on users of motor vehicles
to be insured against third party risks**

Section 4(4) (bb) of the Motor Vehicles Insurance (Third Party

Risks) Ordinance (Cap. 272) is amended -

- (a) by repealing “a tunnel officer” and substituting “an authorised officer”; and
- (b) by repealing “under the Cross-Harbour Tunnel Ordinance (Cap. 203)”;

Road Traffic (Public Service Vehicles) Regulations

14. Taxi fares

Schedule 5 to the Road Traffic (Public Service Vehicles) Regulations (Cap. 374 sub. leg.) is amended by repealing “tax under the Cross-Harbour Tunnel (Passage Tax) Ordinance (Cap. 274),”.

Road Traffic (Driving Offence Points) Ordinance

15. Offence

The Schedule to the Road Traffic (Driving offence points) Ordinance (Cap. 368) is amended by repealing everything after item 22 and before item 28.

Explanatory Notes