

Significant Consequential and Miscellaneous Amendments to Ordinances/Subsidiary Legislation contained in Schedule 7 of the Provision of Municipal Services (Reorganization) Bill

Clause No. (page no.)	Title of Ordinance/Regulation	Proposed Amendments	Remarks
10 (C1979)	Fire Services Department (Reports and Certificates) Regulations (Cap. 95 sub. leg.)	To repeal item 3 of the Table under Regulation 3 to provide for the fees payable for the issue of certificates required for compliance with the Food Business Regulation.	Existing. item 3 stipulates the fees payable for reports and certificates for different categories of food premises in the 'UC area' and 'RC area'. As the Food Business Regulation will replace the Food Business Bylaws of the two Municipal Councils, it is proposed that the two separate parts of item 3 showing fees payable for food premises in 'UC area' and 'RC area' be combined. The fees required, however, will remain the same.
21 (C1983)	Rating Ordinance (Cap. 116)	To amend Section 2 by revising the definition of 'rates'.	At present, rates are made up of the general rates and the UC/RC rates. Upon the proposed dissolution of the Provisional Municipal Councils (PMCs),

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	Rating Ordinance (Cap. 116)		there will be no more 'UC area' and 'RC area' and the split between general rates and UC/RC rates will also no longer be applicable.
26 (C1983)		To revise the computation of rates payable under Section 18.	The elements of the UC/RC rates will be taken away after the proposed dissolution of the PMCs. The amendment proposes that rates payable in respect of a tenement will be calculated in future on the basis of a prescribed percentage of the tenement's ratable value.
27 (C1983)		To delete Section 23 on arrangements for paying the rates collected into the UC/RC accounts and the general revenue.	This section is no longer required since the rates collected after the proposed dissolution of the two PMCs will be paid into the general revenue.
29 (C1985)		To add new subsections 55(1A) & 55(1B) so as to save the valuation lists currently in force under subsection	This provision together with new subsection 56(1) is to ensure that the current valuation lists will continue to be

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	Rating Ordinance (Cap. 116)	55(1).	in force after the proposed dissolution of the PMCs. The valuation list which contains the rateable values of tenements for a specified period forms the basis of calculation of the rates payable. This amendment enables backdating action to be taken such as in the case of recovering outstanding rates.
30 (C1985)		To add a new Section 56 as a saving and transitional clause to enable the arrangements on rating matters to continue without being affected by the proposal dissolution of the two PMCs.	<p>The proposed subsection 56(2) provides that the Resolutions of the Legislative Council made under Section 18(1) on prescription of the general rates percentage and the UC/RC rates percentage will continue to be in force. This amendment enables the calculation of rates payable or refundable for a period before the dissolution of the PMCs.</p> <p>The proposed subsections 56(3) & (4) are to enable the application of a single</p>

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			<p>percentage charge of 5% across the board for the calculation of the rates payable upon the dissolution of the PMCs until the next resolution of the Legislative Council is available. This amendment is necessary because there will be no more UC/RC rates element in future. Since the total rates percentage charge we are paying is 5%, a single rates percentage charge of the same level is recommended.</p> <p>The proposed subsections 56(5) & (6) are to ensure that the liability for rates payable and the right to refund of rates provided under the existing legislation will continue.</p> <p>The proposed subsection 56(7) is to provide for the collection of rates payable due to interim valuations. This</p>

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			amendment is necessary as interim valuations can be backdated for 24 months for backdated collection of rates.
32 (C1987)	Stamp Duty Ordinance (Cap. 117)	To revise Section 39 by deleting the PMCs as well as parties executing their instruments from the exemption list for payment of stamp duty.	Upon their proposed dissolution, PUC and PRC will no longer exist and accordingly parties executing their instruments (e.g. contractors) should be deleted from the exemption list. This will not have any practical effect on the existing parties executing instruments signed with the PMCs.
38 (C1989)	Public Health (Animals and Birds) (Keeping of Cattle, Sheep and Goats) Regulations (Cap. 139 sub. leg.)	To revise Regulation 2 which exempts persons in the existing 'RC area' from the requirement to obtain licence for keeping cattle, sheep or goats.	The amendment is to substitute the term 'RC area' which will be repealed, by the equivalent Districts as specified in Schedule 1 of the District Councils Ordinance.
53 (C1993)	Magistrates Ordinance (Cap. 227)	To amend the Fourth Schedule which defines the different tanks of officers	This amendment is to update the existing list to tie in with the transfer of

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		of the Food and Environmental Hygiene Department and Leisure and Cultural Services Department who may serve notice to require persons suspected to have committed certain offences to appear before the magistrate.	responsibilities from the USD and RSD to the proposed Food and Environmental Hygiene Department and Leisure and Cultural Services Department.
60 (C1997)	Hong Kong Arts Centre Ordinance (Cap. 304)	<p>To amend Section 9(2) to the effect that:</p> <ul style="list-style-type: none"> • the 2 persons appointed by the Urban Council and Regional Councils will cease to be members of the Board of Governors of the Hong Kong Arts Centre; and • the number of co-opted members will increase by 2 persons correspondingly. 	This amendment is to set out the change in membership of the Board resulting from the proposed deletion of persons appointed by the PUC and PRC as members of the Board.

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76 (C2001)	Waste Disposal Ordinance (Cap. 354)	To add a new Section 41 as a saving clause to cover the draft disposal plans and regulations currently in force.	This amendment is to ensure that the validity of the draft disposal plans and regulations will continue to remain in force.
77 (C2003)		To amend item 1 of the First Schedule which specifies the areas being designated as Livestock Waste Prohibition Areas.	This amendment is to replace 'UC area' (which will be repealed) by the equivalent Districts specified in Schedule 1 of the District Councils Ordinance.
101 (C2009)	Environment and Conservation Fund Ordinance (Cap. 450)	To add a new Section 10 as a saving clause to cover the decisions made by the Secretary for Planning, Environment and Lands in respect of this specified Ordinance.	This amendment is to ensure that the decisions will continue to remain in force after the transfer of responsibilities from the Secretary for Planning, Environment and Lands to the Secretary for the Environment and Food.
124 (C2015)	Electoral Affairs Commission Ordinance (Cap. 541)	To revise section 20 to provide that the Electoral Affairs Commission shall have regard to "the existing boundaries of geographical constituencies" instead	This amendment is necessary as the definitions of 'UC area' and 'RC area' will be repealed upon the proposed dissolution of the two PMCs.

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		of "the existing boundaries of UC area and the RC area" when making recommendations to the Chief Executive on delineation of geographical constituencies for a general election.	