

Provision of Municipal Services (Reorganization) Bill
Committee Stage Amendments
to be moved by the Secretary for Constitutional Affairs

Main Clauses

● **Saving of validity of acts of the Councils** (Clause 4(3) - C1701)

Proposed CSA : To specify that acts being done by or in relation to a Council may be continued by or in relation to the Government.

Remarks : To clarify that it is Government which is to continue to carry out the Councils' acts.

● **Licences issued / agreements signed by the Councils before the commencement day to take effect on / after the commencement day**

(Clause 5(1) - C1703)

(Clause 8(2)(e) - C1707)

Proposed CSA : To amend clauses 5(1) and 8(2)(e) to the effect that agreements signed or licences issued by the Councils before 1.1.2000 to take effect on or after 1.1.2000 would be saved.

Remarks : To take into account agreements or licences signed or issued by the Councils before 1.1.2000 which are to take effect on or after that date.

● **Savings and transitional provisions for legal proceedings**

(Clause 8(2)(a) - C1707)

Proposed CSA : To amend clause 8(2)(a) to save legal proceedings instituted in the name of a person authorized by the Councils.

Remarks : To cover legal proceedings brought in the name of an authorized officer of the Council.

- **Saving of right of appeal** (Clause 8(2)(b) - C1707)

Proposed CSA : To replace “a former authority” by “the former authority”.

Remarks : Grammatical amendment.

- **Savings and transitional provision for departmental warrant cards**
(Clause 8(2)(i) - C1709)

Proposed CSA : To amend clause 8(2)(i) to save the validity of warrant cards issued by an authorized officer on behalf of the Council.

Remarks : To describe the current practice where warrant cards are issued by an officer on behalf of the Council.

- **Savings and transitional provision in relation to references to a former authority**
(Clause 8(2)(j) - C1709)

Proposed CSA : To amend clause 8(2)(j) to the effect that references made to a former authority and persons authorized by a former authority would be saved.

Remarks : Not provided for in the current provision.

- **Saving of subsidiary legislation, fees, etc.** (new Clause 9(3) - C1711)

Proposed CSA : To add a new clause 9(3) to ensure that the existing fees are valid as if prescribed.

Remarks : To avoid any challenge to the validity of any existing fees which are not presented in the required form of subsidiary legislation.

- **Transitional provisions with respect to offences** (Clause 10(1) - C1711)

Proposed CSA : To amend clause 10(1) to the effect that offences committed before 1.1.2000 will be prosecuted under the repealed enactment and not the corresponding new enactment.

Remarks : To address Bill Committee's concern about the confusion in the enactment to be used to prosecute offences committed before 1.1.2000.

- **Chief Executive in Council to make consequential, transitional and savings provisions** (Clause 11(1) - C1713)

Proposed CSA : To amend clause 11(1) to limit its scope to consequential amendments and provisions of a transitional or savings nature.

Remarks : To address Bills Committee's concern about the complicated language of the clause. The Administration has agreed with the Legal Adviser assisting the Bills Committee the wording of this amendment.

Schedule 3 - Amendments to Public Health and Municipal Services Ordinance and its subsidiary legislation (Cap.132)

I. Amendments to the Main Ordinance

● **Interpretation** (Clause 1 - C1721)

Proposed CSA : To include the repeal of the definitions of “boarding house”, “laundry”, “lines” and “washhouse” from section 2(1).

Remarks : A CSA in response to the Bills Committee. We omitted to delete these definitions upon the repeal of relevant sections in the main provisions of Cap. 132.

● **Public table tennis saloon**

- **Main Ordinance** (Clause 1 - C1721) (Clause 91 - C1761)
- **Places of Amusement Regulation** (Clauses 487, 488 & 489 - C1887)

Proposed CSA : To repeal all the provisions with respect to public table tennis saloons.

Remarks : A CSA in response to the Bills Committee. We agree to delete these provisions as public table tennis saloons are no longer in existence.

● **Interpretation** (Clause 1 - C1721)

Proposed CSA : To repeal the definition of “registered ventilation contractor” and substitute that of “registered specialist contractor (ventilation category)”.

Remarks : Consequential amendment to a recent substitution of the term “registered ventilation contractor” in the Buildings Ordinance (Cap.123).

● **Interpretation** (Clause 1 - C1721)

Proposed CSA : To amend the definition of “health officer”.

Remarks : To empower the Director of Health and Director of Food and Environmental Hygiene to authorize a person to perform the functions as a “health officer”.

● **Protection of public sewers and drains** (new Clause 2A)

Proposed CSA : To add a new clause 2A to cater for the repeal of “only” from section 6(2).

Remarks : Currently, section 6(2) provides that the Director of Drainage Services may prosecute for an offence. The provision may give a false impression that the Secretary for Justice does not have such prosecuting power. To clarify matters, we propose to delete the word “only”.

● **Heading amended** (Clause 5 - C1721)

Proposed CSA : To delete “laundries” and “labourers’ lines” from the heading before section 35.

Remarks : The original heading reads “Public latrines, bathhouses, laundries and labourers’ lines”. We omitted to delete “laundries” and “labourers’ lines” from the heading.

● **Sections providing for rules-making power**

- **Public swimming pool rules** (Clause 16 - C1725)
- **Market rules** (Clause 28 - C1729)
- **Public pleasure ground rules** (Clause 52 - C1733)
- **Public cemetery and Commonwealth War Graves Commission Cemetery rules** (Clause 56 - C1735)

Proposed CSA : To amend sections 43(1), 81(1), 110(1) and 117(1) to specify

the specific sections in the Ordinance under which the rules are made.

Remarks : Technical amendment.

● **Regulations in relation to markets** (new Clause 26A)

Proposed CSA : To amend section 80(1) to provide for the Municipal Services Appeals Board to handle appeals against termination of market stall agreements.

Remarks : To address Bills Committee's concern that the new structure does not provide an appeal channel for termination of market stall agreements.

● **Abatement of overcrowding** (new Clause 30A - C1729)

Proposed CSA : To add a new clause 30A to repeal section 87.

Remarks : Proposed by the Bills Committee. Section 87 is no longer necessary and has not been invoked in recent years.

● **Offences with respect to undertakers of burials** (new Clause 40A)

Proposed CSA : To amend section 92C(2) so that offences concerning section 92AB can be dealt with under that subsection.

Remarks : To correct an omission.

● **Minor penalties in respect of libraries** (Clause 47 - C1733)

Proposed CSA : To delete section 105L(2) which empowers the Authority to determine by notice in the Gazette certain minor penalties mentioned in subsection (1)(k).

Remarks : These penalties will be prescribed in subsidiary legislation.

- **Use of civic centres (new Clause 49A)**

Proposed CSA : To repeal section 105S which requires any person using any part of a civic centre for the purpose of public meeting to obtain the prior consent of the Chief Secretary.

Remarks : We agree with the Bills Committee that this is an obsolete provision.

- **Management and Control of public pleasure grounds (Clause 50 - C1733)**

Proposed CSA : To delete the word “organized” from section 107(2).

Remarks : To address Bills Committee’s concern that reference to "organised (有組織) games and sports" in that section is sensitive.

- **Objections to application for crematorium in certain locations (Clause 61 - C1735)**

Proposed CSA : To specify a time limit of 30 days for lodging appeals to the Municipal Services Appeals Board on objections to application for crematorium in certain locations.

Remarks : To set a deadline for lodging appeals to Municipal Services Appeals Board which is not provided in the Bill currently.

- **Prescription of fees and charges (Clause 63 - C1737)**

Proposed CSA : To amend clause 63 by deleting “the registration or licensing of public slaughterhouses or” from the proposed section 124I(1)(f) which deals with fees and charges.

Remarks : The phrase is superfluous as no licensing requirement is stipulated for public slaughterhouses and thus no fee for licensing can be charged.

- **Prescription of fees and charges** (Clause 63 - C1737)

Proposed CSA : To add a new section 124I(1)(sa) to stipulate that a fee can be charged for the insertion of an inscription in a commemorative book kept at a garden of remembrance.

Remarks : To correct an inadvertent omission.

- **Interpretation of Part XIB- Licensing Appeals Board** (new Clause 64A)

Proposed CSA : To add a new section 124M to define the terms “Board”, “Chairman”, “Vice-Chairman” and “Secretary” in the context of the LAB; and to delete the proposed subsections 125A(6) & (7) consequentially.

Remarks : This CSA improves the presentation by providing definitions at the beginning of this part.

- **Revising the membership composition of the Licensing Appeals Board to include a Vice-Chairman** (Clause 66 - C1741)

Proposed CSA : To revise the proposed subsection 125A(2) to provide a Vice-Chairman and to make consequential amendments to the proposed subsections 125A(3), (4) and (5).

Remarks : The proposed Vice-Chairman is to share out the workload of the Chairman. The creation of this new office will correspondingly reduce the number of other members to not less than 13 from the original not less than 14.

- **Appeal against decision of the Licensing Appeals Board** (Clause 66 - C1741)

Proposed CSA : To add a new subsection 125B(5) to provide that the LAB may at discretion suspend operation of its decision pending the outcome of appeal of the MSAB; and to amend the section heading accordingly.

Remarks : The PUC/PRC Review Committees are now provided with such discretion. Since the LAB is to replace the Review Committees, the same discretion should be provided.

● **The composition of the Board for hearing and for determining suspension of decision (Clause 66 - C1743)**

Proposed CSA : To re-write the proposed section 125C to the effect that -

- either the Chairman or Vice-Chairman can preside at Board meetings for hearing appeals/determining suspension of decisions; and
- the Secretary shall make nomination of panel members subject to any directions given by the Chairman,

and to amend the section heading accordingly.

Remarks : The purpose is to amend the composition of the Board for the purposes of hearing appeal and determining suspension of decisions consequent upon the inclusion of a Vice-Chairman and to set out the way to nominate panel members.

● **Provisions applicable to hearing (Clause 66 - C1743)**

Proposed CSA : To revise the proposed section 125E to reflect the role of the Vice-chairman.

Remarks : Consequential amendments.

● **Board to give reasons for its decision (Clause 66)**

Proposed CSA : To add a new section 125EA to make it a requirement for the LAB to give reasons in writing for its decision.

- Remarks** : To ensure that parties to an appeal are aware of the reasons of LAB's decision.
- **Rules made by the Licensing Appeals Board (Clause 66)**

Proposed CSA : To add a new subsection 125F(2) to specify that rules made by the LAB are subsidiary legislation.

Remarks : To clarify the nature of rules made by the LAB.
 - **Meetings of the Board other than hearing appeals (Clause 66)**

Proposed CSA : To add a new section 125FA to provide a quorum for meetings of the LAB other than those for hearing appeals and to set out the method of making decision.

Remarks : The proposed quorum requirement is not less than half of the members of the Board present. Decision making will be by majority vote and the presiding person shall have a casting vote.
 - **The Secretary for the Environment and Food to appoint a legal adviser (Clause 66 - C1743)**

Proposed CSA : To revise the proposed section 125G to provide for a legal adviser to be appointed by the Secretary for the Environment and Food.

Remarks : This CSA is to clarify the arrangement for appointment of legal adviser.
 - **Saving of existing fees and charges (new Clause 83A)**

Proposed CSA : To add a transitional provision such that fees prescribed under sections 124I, 124J and 124K are deemed to be prescribed under clause 9(2) in the Bill.

- Remarks** : To clarify that fees will remain unchanged for the time being.
- **Third Schedule - Designated Authority** (Clause 84 - C1749-1755)

Proposed CSA : To replace the Secretary for the Environment and Food by the Director of Food and Environmental Hygiene for the purpose of section 83B.

Remarks : Section 83B deals with advising the Commissioner for Transport on setting aside streets for hawking purposes and the allocation of hawker pitches which are operational in nature. It is more appropriate for the Director to be the Authority.
 - **Third Schedule - Designated Authority** (Clause 84 - C1749-1755)

Proposed CSA : To add a new entry to designate Director of Leisure and Cultural Services as the Authority for the purpose of section 105E.

Remarks : We omitted to designate Director of Leisure and Cultural Services as the new Authority for enforcing section 105E in relation to specifying conditions for the use of stadia.
 - **Third Schedule - Designated Authority** (Clause 84 - C1749-1755)

Proposed CSA : To delete section 118(5) from the relevant entry.

Remarks : Technical amendment. Section 118(5) has already been repealed.
 - **Sixth Schedule - Names in which Proceedings for Offences may be brought** (Clause 87 - C1757-1761)

Proposed CSA : To delete the entry in connection with section 92AB. In the entry for section 92C to replace “Director of Food and

Environmental Hygiene” by “Director of Leisure and Cultural Services in respect of section 92A and Director of Food and Environmental Hygiene in respect of section 92AB”.

Remarks : This is consequential to the amendment to section 92C(2) to cover the offences under section 92AB.

● **Seventh Schedule - Forms** (Clause 88 - C1761)

Proposed CSA : To amend Notes 1 and 3 in Form F and Notes 1 and 2 in Form G regarding fines prescribed.

Remarks : When the Ninth Schedule on the prescription of penalties was revised in 1996, corresponding amendments to the Notes were overlooked.

II. Amendments to Subsidiary Legislation

● **Reference to fees and charges**

- **Abattoirs Regulation** (Clause 100 - C1763)
- **Cremation and Gardens of Remembrance Regulation** (Clause 219 - C1797)
- **Food Business Regulation** (Clause 255 - C1815)
- **Frozen Confections Regulation** (Clause 296 - C1827)
- **Private Markets Regulation** (Clause 534 - C1901)
- **Public Funeral Halls Regulation**
(Clause 601 - C1921) (Clause 608 - C1923)

Proposed CSA : To amend the concerned provisions so that a standardized term “prescribed fees” is adopted.

Remarks : Technical amendment.

Advertisement Regulation

- **Advertisement of saleable commodity** (Clause 146 - C1775)

Proposed CSA : To repeal section 3 which prohibits the advertisement of any saleable commodity on any vessel in the Hong Kong waters.

Remarks : This provision is obsolete.

Occulting signs (Clause 148 - C1775) (Clause 151 - C1775)

Proposed CSA : To repeal section 5 which deals with the control of occulting signs and the relevant offence provision.

Remarks : Deletion recommended as no established correlation exists between occulting sign and the number of traffic accidents and as such there is no genuine need to prohibit 'occulting sign' on road safety and traffic grounds.

- **Prohibition on the erection of signs interfering with road traffic**
(Clause 149 - C1775) (New Clause 149A) (Clause 151 - C1775)

Proposed CSA : To re-instate part of section 11 concerning the power to remove dangerous signs which interfere with road traffic and the relevant offence provision.

Remarks : Retention of the part relating to interference with road traffic is necessary as there is no other legislation which prohibits the erection of such signs.

Bathing Beaches Regulation

- **Protection of beaches** (Clause 157 - C1777)

Proposed CSA : To amend section 5(c) by specifying that lighting of fire other than in an area set aside by the Director for the purpose of cooking is prohibited.

Remarks : To reinstate the condition in the original version of the UC Bylaws.

● **Erection of beach structures** (Clause 158 - C1777)

Proposed CSA : To amend section 6 to replace “Council” by “Director” and to delete the reference under proposed section 124J of Cap.132 for charging of fees for the erection of beach structures.

Remarks : These are commercial charges to be determined by the Director instead of under section 124J of the Ordinance.

● **Public meetings and assemblies** (Clauses 165 & 167 - C1779)

Proposed CSA : To repeal section 13 which prohibits public meetings and assemblies in any bathing beach and the relevant offence provision.

Remarks : Proposed by the Bills Committee. The provision is considered obsolete.

Civic Centres Regulation

● **Power to refuse entry of person who is indecently or insufficiently dressed**
(Clause 174 - C1781)

Proposed CSA : To repeal section 11(1)(b) which empowers the manager to refuse entry of a person who is indecently or insufficiently dressed.

Remarks : Proposed by the Bills Committee. The provision is considered obsolete.

● **Appeal to the Director** (Clause 175 - C1781)

Proposed CSA : To replace “he” by “him” in section 11A(2).

Remarks : Technical amendment.

Cremation and Gardens of Remembrance Regulation

- **Conduct and behaviour in Government crematorium and garden of remembrance** (Clause 209 - C1791) (Clause 209 - C1791)

Proposed CSA : To delete the provisions governing public meetings and clothings.

Remarks : Proposed by the Bills Committee. The provisions are considered obsolete.

Food Business Regulation

- **Collection of shell fish** (Clause 248 - C1809)

Proposed CSA : To amend section 28(a) by replacing “Harbour” with “harbour”.

Remarks : The term “harbour” is defined in Cap.1. Combining the descriptions of waters under section 28(a) and (b) will adequately cover the entire area stipulated in the repealed set of (UC) Bylaws.

- **Restriction on sale of articles** (Clause 249 - C1811)

Proposed CSA : To delete subparagraph (v).

Remarks : Technical amendment. The subparagraph is considered superfluous as the function has already been covered by paragraph (e)(ii).

- **Issue of duplicate licence** (Clause 250 - C1811)

Proposed CSA : To re-insert “accidentally defaced” in section 31(6).

Remarks : To be in line with the repealed set of (UC) Bylaws.

Frozen Confections Regulation

- **Hawkers of frozen confections to wear uniforms and display numbers**
(Clause 277 - C1821) (Clause 297 - C1827)

Proposed CSA : To delete the section requiring hawkers of frozen confections to wear uniforms and display numbers and the relevant offence provision.

Remarks : Proposed by the Bills Committee. The requirement has become obsolete.

- **Additional licensing requirement** (Clause 280 - C1823)

Proposed CSA : To re-insert the provision under section 19 on prohibiting the manufacture and storage of any frozen confection in any part of the premises containing any soil fitment or latrine fitment as one of the licensing requirements.

Remarks : Proposed by the Bills Committee. To be consistent with the existing licensing requirement provided under the repealed set of (RC) Bylaws.

- **Refusals and revocations**

- **Funeral Parlours Regulation** (Clause 304 - C1829)
- **Places of Amusement Regulation** (Clause 475) [*Pending*]
- **Undertakers of Burials Regulation** (Clause 721 - C1953)

Proposed CSA : To lower the minimum age from 21 to 18 in relation to the age restriction which can constitute refusal and revocation of licence.

Remarks : Amendment in response to concern of the Bills Committee. A minimum age requirement for licensee is considered desirable but this can be lowered to 18 years of age.

Hawker Regulation

● **Alteration or defacement of pitch cards** (Clause 329 - C1837-1839)

Proposed CSA : To amend section 14(2) to prohibit altering or defacing pitch cards without authorization.

Remarks : Prohibition on altering pitch cards is omitted in the Bill. The phrase “unless ... authorized by the Director” is also amended to avoid misunderstanding.

● **Metered fixed pitch** (Clause 350 - C1845)

Proposed CSA : To delete section 39(1) which requires metered fixed pitches be maintained in safe and clean condition

Remarks : This provision is obsolete.

● **Change of Department name**

- **Hawker Regulation** (Clause 360 - C1847) (Clause 366 - C1851)
- **Private Markets Regulation** (Clause 546 - C1905)
- **Public Cemeteries Regulation** (Clauses 555 & 558 - C1907-1909)
- **Restriction of Hawking in Special Areas Notification** (Clause 638 - C1931)

Proposed CSA : To change the name of the proposed “Department of Food and Environmental Hygiene” to “Food and Environmental Hygiene Department”.

Remarks : A simpler English name of the Department is adopted. The Chinese name remains unchanged.

Libraries Regulation

● **Issue of library cards** (Clause 379 - C1855)

Proposed CSA : To add a comma between “library card” and “the Director”.

Remarks : To improve comprehension.

● **Reservation of library material** (Clause 386 - C1857)

Proposed CSA : To reinstate section 17 concerning the right of a borrower to reserve library material.

Remarks : The section is retained in view of the continual availability of reservation service. Technical amendments on fees have been incorporated.

● **Return of library material** (Clause 388 - C1857)

Proposed CSA : To add “as” before “directed”.

Remarks : Grammatical amendment.

● **Exclusion of liabilities**

- **Libraries Regulation** (Clause 396 - C1859)
- **Museums Regulation** (Clause 448 - C1877)

Proposed CSA : To delete the provisions regarding absolute exclusion of liabilities for loss or damage of articles deposited in cloakroom.

Remarks : No objection to removing the provision as suggested by the Bills Committee.

● **Restriction on writing materials** (new Clause 396A)

Proposed CSA : To delete section 34A which restricts persons from taking writing implements etc. into any library.

Remarks : We have no objection to removing this provision as suggested by the Bills Committee.

- **Name in which proceedings may be brought** (Clause 401 - C1861)

Proposed CSA : In section 39(1) replace “Director” by “Government” as the receiving party of debt payable.

Remarks : Technical amendment.

Declaration of Markets Notice

- **List of markets** (Clause 405 - C1863-1865)

Proposed CSA : To amend the Schedule by including three new markets and deleting one market no longer in use.

Remarks : To update the list of markets.

Milk Regulation

- **Amendment to Schedule 1** (Clause 409 - C1867)

Proposed CSA : To delete “the” before “Secretary”.

Remarks : Technical amendment.

- **Additional licensing requirement** (Clause 419 - C1869)

Proposed CSA : To insert a provision under section 16 to prohibit the processing, reconstituting or storage of any milk products in any part of the premises containing any soil fitment or latrine fitment as one of the licensing requirements.

Remarks : Proposed by the Bills Committee. To be consistent with the existing licensing requirement provided under the repealed set of (RC) Bylaws.

- **Requirement as to heating apparatus** (Clause 424 - C1871)

Proposed CSA : To add the phrase concerning the mode of heating of milk or

milk beverage.

Remarks : Proposed by the Bills Committee. To be in line with the repealed set of (RC) Bylaws.

Offensive Trades Regulation

- **Power to grant exemption** (Clause 465 - C1883)

Proposed CSA : To delete the words “absolute discretion” in section 19.

Remarks : To address Bill Committee’s concern.

- **Age restriction for persons to be in premises carrying on offensive trades** (new Clause 466A)

Proposed CSA : To raise the age limit from 14 to 15.

Remarks : The amendment is in response to the Bills Committee's concern. We propose to raise the age limit to 15 so that it falls in line with the Employment of Children Regulations (Cap.57, sub. leg.) which specifies that children under the age of 15 shall not be employed in an industrial undertaking.

Pleasure Grounds Regulation

- **Admission charges** (Clause 495 - C1889)

Proposed CSA : To reword the amendment on the charging provision.

Remarks : Technical amendment.

- **Protection of property** (Clause 497 - C1889)

Proposed CSA : To amend section 8 by deleting out “for cooking purposes” after “light a fire”.

Remarks : To generalize the restriction on lighting a fire to broaden the

scope of protection.

- **Protection of artificial lakes, ponds, birds and animals** (Clause 498 - C1891)

Proposed CSA : To add a “,” before “destroy” for both paragraphs (b) and c(i).

Remarks : Technical amendment.

- **Restriction on vehicles to be brought into pleasure grounds**
(Clause 500 - C1891)

Proposed CSA : To delete the addition of “hand cart”.

Remarks : Suggested by the Bills Committee. On reflection, the addition of “hand cart” as one of the restricted types of vehicles is not necessary.

- **Kites, model aircraft, balloons, etc.** (new Clause 502A)

Proposed CSA : To replace “Council” by “Director”.

Remarks : Technical amendment omitted in the Bill.

- **Erection of structures** (Clause 505 - C1893)

Proposed CSA : To delete the addition of “statue or other sculpture” proposed under clause 505(a)(i)(A) which prohibits erection of structures in pleasure grounds.

Remarks : To address Bills Committee’s concern.

- **Prohibition of public meetings, public discussion, procession, etc.**
(Clause 510 - C1895) (Clause 511 - C1895)

Proposed CSA : To repeal section 28 on the prohibition of public meetings etc. in pleasure grounds and the relevant offence provision.

Remarks : Proposed by the Bills Committee. The provision is considered obsolete.

Public Cemeteries Regulation

- **Fees** (Clauses 561 - C1909)

Proposed CSA : To amend section 12(1) to the effect that a prescribed fee shall be paid to the Director for the burial of human remains, the setting up of any monument or enclosure over or around any grave and the construction of any vault or urn.

Remarks : To set out the fees payable to the Director in respect of public cemeteries.

Public Convenience (Conduct and Behaviour) Regulation

- **Fees for use of compartments in certain public latrines**
(Clauses 590 & 595 - C1919)

Proposed CSA : To repeal section 4 which provide for the charging for use of public latrines and the relevant offence provision.

Remarks : In response to the Bills Committee's suggestion. This is an obsolete provision.

- **Communicable diseases** (Clauses 593 & 595 - C1919)

Proposed CSA : To repeal section 8 which prohibits persons knowingly suffering from communicable diseases from entering or remaining in any bathhouses and the relevant offence provision.

Remarks : In response to the Bills Committee's suggestion.

Public Funeral Halls Regulation

- **Fees** (Clause 608 - C1923)

Proposed CSA : To repeal section 14(2) which provides for the waiver or reduction of fees.

Remarks : Technical amendment. The power has already been provided for under section 124L in Schedule 3 of the Bill.

Public Markets Regulation

- **Letting of market stalls** (Clause 615 - C1925)

Proposed CSA : To amend section 6(1) to allow a stall-holder to appeal to the Municipal Services Appeals Board against a decision of the Director to terminate the lease, licence or permit.

Remarks : In response to the Bills Committee's suggestion.

Public Swimming Pools Regulation

- **Fees and charges** (Clause 631 - C1929)

Proposed CSA : To amend section 10(1) such that a person using a swimming pool is required to pay the prescribed fee during a session specified under section 9.

Remarks : To include more specific provision with regard to the payment of fees.

- **Fees and charges** (Clause 631 - C1929)

Proposed CSA : To amend section 10(2) to the effect that except with the prior permission of an attendant, no person shall enter the precincts of a swimming pool without first having paid the appropriate fee.

Remarks : To make clear that for the purpose of discharging duties people like policemen or ambulancemen are allowed to enter

the swimming pool without paying a fee.

- **Power to make rules** (Clause 632 - C1929)

Proposed CSA : To delete the word “ rules” and substitute “subsidiary orders” in the heading.

Remarks : Technical amendment.

Slaughterhouses Regulation

- **Appointment of authorized officers** (Clause 651 - C1933)

Proposed CSA : To delete “wherever” and substitute “where” in section 4(1).

Remarks : Technical amendment.

Swimming Pools Regulation

- **Conditions for issue of licences** (Clause 705 - C1949)

Proposed CSA : To include the provision of equivalent latrine accommodation such as “aquaprivies” and “chemical closets” which are mentioned under section 6(1) of the existing RC Bylaws.

Remarks : In response to the Bills Committee’s suggestion.

- **Quality of water** (new Clause 706A - C1949)

Proposed CSA : To adopt under section 10 the same licensing requirements as per RC Bylaws to ensure the quality of water.

Remarks : In response to the Bills Committee’s suggestion.

Undertakers of Burials Regulation

- **Defacing a licence** (Clause 722 - C1953)

Proposed CSA : To improve the drafting of the section by adopting the version in the existing UC Bylaws.

Remarks : In response to the Bills Committee’s suggestion.

Ventilation of Scheduled Premises Regulation

● **Annual inspection of dampers, filters and precipitators** (Clause 731 - C1955)

Proposed CSA : To amend the term “registered ventilation contractor” to “registered specialist contractor (ventilation category)” in section 6.

Remarks : Consequential amendment to a recent substitution of the term “registered ventilation contractor” by “registered specialist contractor” in the ventilation category in the Buildings Ordinance (Cap.123).