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10 May 2000

Mr Law Wing-lok
Clerk to Bills Committee
Legislative Council Building
8 Jackson Road
Central, Hong Kong

Dear Mr Law,

**Committee Stage Amendments (CSAs) to
the Road Traffic (Amendment) Bill 2000**

I refer to the fourth meeting of the Bills Committee on the captioned Bill held on 5 May 2000.

At the meeting, the Bills Committee considered and agreed that the CSAs tabled should be moved by the Administration. In addition, the Bills Committee agreed that the reference to “the court or magistrate” in the new sections 36(7), 36(8), 37(7) and 37(8) should be deleted. These amendments have been included in the CSAs and a copy of the final version of the CSAs is attached.

In finalising the CSAs, we have been advised that there are about ten cases currently under active investigation which would likely result in charges of reckless driving/reckless driving causing death. It is expected that the investigation and the legal proceedings would not be completed before the commencement of the new “dangerous driving” provisions on 1 July 2000. Although section 23 of Cap. 1 should be able to cover the transitional situation, but for the avoidance of doubt, we propose to include transitional provisions in the Bill and they are included in the CSAs attached. These aim to remove any possible risk of challenge that any offence of “causing death by reckless driving” or “reckless driving” committed before the commencement date, or any criminal proceedings for such offences instituted before the commencement date, shall not continue to be charged, punished or instituted.

Yours faithfully,

(Brian Lo)
for Secretary for Transport

c.c. C for T	(Attn : Mr Alan Lui)	2511 4158
C of P	(Attn : Mr William Tang)	2865 1058
D of J	(Attn : Mr Thomas Law	2845 1609
	Ms Carmen Chu)	2845 2215

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