

**立法會**  
**Legislative Council**

LC Paper No. LS106/99-00

**Paper for the House Committee Meeting  
of the Legislative Council  
on 17 March 2000**

**Legal Service Division Report on  
Subsidiary Legislation Gazetted on 10 March 2000**

**Date of Tabling in LegCo** : 15 March 2000

**Amendment to be made by** : 12 April 2000 (or 3 May 2000 if extended by resolution)

**Telecommunication Ordinance (Cap. 106)  
Telecommunication (Amendment) Regulation 2000 (L.N. 62)**

This Regulation is made under section 37 of the Telecommunication Ordinance (Cap. 106) by the Chief Executive in Council. By this Regulation, Part II of Schedule 1 to the Telecommunication Regulations (Cap. 106, sub. leg.), which specifies the fees for certain licences, is amended as follows:-

<b>Paragraph</b>	<b>Provisions repealed</b>	<b>Provisions substituted</b>
1(d) Annual fee for the 1 <sup>st</sup> 200 mobile stations or less used by customers	\$11,000 (i.e. \$55 per mobile station (i.e. mobile phone))	\$6,000 (i.e. \$30 per mobile station (i.e. mobile phone))
1(e) Annual fee for every 100 additional mobile stations or less used by customers	\$5,500 (i.e. \$55 per mobile station (i.e. mobile phone))	\$3,000 (i.e. \$30 per mobile station (i.e. mobile phone))

This Regulation will come into operation on 1 May 2000.

Members may refer to the LegCo Brief (Ref: ITBB(CR)7/5/1(99)) dated 10 March 2000 issued by the Information Technology and Broadcasting Bureau for further information.

**Public Health and Municipal Services Ordinance (Cap. 132)**  
**Public Health and Municipal Services (Fees) Regulation (L.N. 63)**

By this Regulation made under section 124I of the Public Health and Municipal Services Ordinance (Cap. 132), the Secretary for the Environment and Food has prescribed fees for the issue or renewal of certain hawker licences and for the allocation and use of hawker pitches or stalls as follows:- (The comparable fees determined by the then Provisional Urban Council and the then Provisional Regional Council respectively are also shown for Members' easy reference.)

A. Fees for issue or renewal of hawker licences

<b>Description</b>	<b>Amount per year (\$)</b>	<b>ProvUC<sup>1</sup> (\$)</b>	<b>ProvRC<sup>2</sup> (\$)</b>
Fixed pitch hawker licence	1,980	2,100	1,980
Itinerant hawker licence:-			
(a) Mobile Van	18,480	20,230	18,480
(b) Frozen Confectionery	2,640	2,100 <sup>3</sup>	2,640
(c) Other classes	980	1,540	980
Temporary Licence	350	380 <sup>4</sup>	350
Permission to appoint deputy	1/2 of the fee of his principal's licence	1/2 of the fee of his principal's licence	1/2 of the fee of his principal's licence
Duplicate copy of licence, hawker's badge or pitch card	350	230	350

<sup>1</sup> Amounts determined by the Provisional Urban Council for areas under its jurisdiction pursuant to section 83AA of the Public Health and Municipal Services Ordinance (Cap. 132) and promulgated in G.N. 5622 in the Gazette of 20 November 1998.

<sup>2</sup> Amounts determined by the Provisional Regional Council for the districts named in the present Regulation pursuant to section 83AA of the Public Health and Municipal Services Ordinance (Cap. 132) and promulgated in G.N. 1320 in the Gazette of 21 January 1999. The period of validity for the determination will expire on 31 March 2000.

<sup>3</sup> The Provisional Urban Council has an additional category of "Tradesman" whose licence fee is also \$2,100.

<sup>4</sup> Or if it permits the holder to hawk from a fixed pitch, 1/12 of the appropriate annual licence fee and pitch fee per month or part of a month.

## B. Fees for allocation and use of hawker pitches or stalls

Description	Amount per year (\$)	ProvUC <sup>5</sup> (\$)	ProvRC <sup>6</sup> (\$)
Cooked food	26,514	26,670	26,514
Light refreshment	26,514	26,670	26,514
Newspaper	1,478	1,960	1,478
Tradesman	1,478	2,520	1,478
Other classes:-			
(a) <1.1m <sup>2</sup>	2,367	2,520	2,367
(b) >1.1m <sup>2</sup> but ≤ 1.7m <sup>2</sup>	3,532	3,780	3,532
(c) >1.7m <sup>2</sup> but ≤ 2.2 m <sup>2</sup>	4,735	4,970	4,735

The prescribed fees only apply to the areas known as Islands District, Kwai Tsing District, North District, Sai Kung District, Sha Tin District, Tai Po District, Tsuen Wan District, Tuen Mun District and Yuen Long District (i.e. the former Provisional Regional Council area).

The prescribed fees are at the same level as the existing fees. Members may refer to the LegCo Brief (Ref: EFB (CR) 10/8/6) issued by the Environment and Food Bureau in March 2000 for background information.

This Regulation will come into operation on 1 April 2000.

### **Dumping at Sea Ordinance (Cap. 466)**

#### **Dumping at Sea (Exemption) Order (L.N. 64)**

This Order is made under section 11(1) of the Dumping at Sea Ordinance (Cap. 466) ("the principal Ordinance") by the Secretary for the Environment and Food ("the Secretary").

Section 3 of the Order grants general exemption from the requirement of a permit under section 8 of the principal Ordinance ("the requirement") to the operations specified in Schedule 1 to the Order. The Schedule includes most activities involving incidental disposal or deposit of substances or articles into or in the sea.

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<sup>5</sup> Amounts determined by the Provisional Urban Council for areas under its jurisdiction pursuant to section 83AA of the Public Health and Municipal Services Ordinance (Cap. 132) and promulgated in G.N. 5622 in the Gazette of 20 November 1998.

<sup>6</sup> Amounts determined by the Provisional Regional Council for the districts named in the present Regulation pursuant to section 83AA of the Public Health and Municipal Services Ordinance (Cap. 132) and promulgated in G.N. 1320 in the Gazette of 21 January 1999. The period of validity for the determination will expire on 31 March 2000.

Section 4 stipulates that reclamation authorized under the Foreshore and Sea-bed (Reclamations) Ordinance (Cap. 127) or the repealed Public Reclamations and Works Ordinance (Cap. 113, 1984 Ed.) ("the repealed Ordinance"), or ordered under the Roads (Works, Use and Compensation) Ordinance (Cap. 370) or pursuant to a Government lease granted under the repealed Ordinance is exempted from the requirement except

- (a) the dumping of substances or articles in any of the reclamation areas referred to in Schedule 2 of the Order;
- (b) the scuttling of a vessel, an aircraft or a marine structure in such areas;
- (c) the loading of a vessel, an aircraft, a marine structure or a floating container in a reclamation area with substances or articles for dumping at sea or under the sea-bed outside such areas; and
- (d) the loading of a vessel with substances or articles in a reclamation area for dumping within the waters of Hong Kong other than within that reclamation area.

This Order also specifies that in case of any conflict between section 3 and 4, section 3 shall prevail.

This order will come into operation on a date to be appointed by the Secretary.

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13 March 2000