

立法會
Legislative Council

LC Paper No. LS146/99-00

**Paper for the House Committee Meeting
of the Legislative Council
on 2 June 2000**

**Legal Service Division Report on
Resolutions under section 31(2) of the
Kowloon-Canton Railway Corporation Ordinance (Cap. 372)**

The Secretary for Transport has given notice to move two motions at the Legislative Council meeting on 14 June 2000 to seek the Legislative Council's approval of the North-west Railway (Amendment) Bylaw 2000 ("the NWR Bylaw") and the Kowloon-Canton Railway Corporation (Amendment) Bylaw 2000 ("the KCRC Bylaw") made by the Kowloon-Canton Railway Corporation ("the Corporation").

2. The NWR Bylaw and the KCRC Bylaw seek to amend the North-west Railway By-laws and the Kowloon-Canton Railway Corporation By-laws (Cap. 372 sub. leg.) respectively to :

- (a) extend the definition of "smart card" to include other forms (other than that of a card) in which the smart card technology may be utilised; and
- (b) empower the staff of, or persons authorized by, the Corporation to obtain the telephone number of a person who is reasonably suspected of committing an offence under the two By-laws in line with the provision under the Mass Transit Railway By-laws (Cap. 270 sub. leg.) ("MTR By-laws").

3. Apart from the above amendments, the KCRC Bylaw also seeks to empower the Corporation to impose on East Rail passengers travelling without a valid ticket a surcharge equivalent up to fifty times the maximum standard class single fare. This will bring the amount of surcharge under the KCRC By-laws into line with that provided in the NWR By-laws and the MTR By-laws. It also amends the reference to "Kowloon Station" to "Hung Hom Station" to avoid confusion with other railway stations bearing a similar or almost similar name.

4. Members of the LegCo Panel on Transport were consulted on the NWR Bylaw and the KCRC Bylaw on 26 May 2000. Members have no objection to the proposal.

5. The legal and drafting aspects of the two proposed resolutions are in order.

Prepared by

Fung Sau-ken, Connie
Assistant Legal Adviser
Legislative Council Secretariat
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