

立法會
Legislative Council

LC Paper No. LS 78/99-00

**Paper for the House Committee Meeting
of the Legislative Council
on 18 February 2000**

**Legal Service Division Report on
Urban Renewal Authority Bill**

Object of the Bill

To repeal the Land Development Corporation Ordinance (Cap. 15) and to provide a legislative framework for the establishment and operation of the Urban Renewal Authority.

LegCo Brief Reference

2. PLB(CR)150/78 (99) VIII issued by the Planning and Lands Bureau on 2 February 2000.

Date of First Reading

3. 16 February 2000.

Comments

4. The Urban Renewal Authority White Bill was published in the Gazette on 22 October 1999. The Subcommittee set up to study the White Bill has made a report on its deliberations to the House Committee on 11 February 2000 (LC Paper No. CB(1)939/99-00 refers).

5. A table setting out the relevant clauses in the Bill which contain revisions to the White Bill (other than those of a technical nature) is at the Annex.

6. Certain planning procedures proposed by the Bill relate to the Town Planning Ordinance (Cap. 131). This Ordinance would be repealed if the Town Planning Bill introduced into the Legislative Council on 16 February 2000 is passed. The Administration has been advised to move necessary Committee Stage amendments to this Bill if the Town Planning Bill passes before the remaining legislative proceedings on this Bill are completed.

Public Consultation

7. A public consultation on the White Bill has been carried out from 22 October 1999 to 31 December 1999. Details of the consultation are set out in Annex B to the LegCo Brief.

Conclusion

8. This report, together with the Report of the Subcommittee on the White Bill, should be useful to the Bills Committee formed to study the Bill.

Encl

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The Urban Renewal Authority Bill

Clause of the Bill	Subject Matter	Effect of revisions
4(5)	Establishment of Board of Authority	The provision that empowers the Chief Executive to determine matters relating to the responsibility of an executive director is deleted.
5(e)	Purposes of Authority	Preservation of buildings, sites and structures of historical, cultural or architectural interest is added as one of the purposes of the Authority.
6(2)	General power of Authority	Paragraphs (2)(b) to (2)(e) relating to the powers of the Authority to deal with the transitional arrangements with the Land Development Corporation and to establish the Authority are deleted.
9	Answer to Legislative Council	Reference to the Legislative Council meetings is deleted.
18	Corporate Plan	<p>Sub-clause (1) is amended so that the draft corporate plan shall be submitted to the Financial Secretary for approval not later than 3 months instead of 2 months before the end of each financial year.</p> <p>Sub-clause (3) is amended to specify more clearly how to prepare corporate plan.</p> <p>Sub-clause (4) is amended so that the Financial Secretary may approve draft corporate plan with or without amendments.</p>

Clause of the Bill	Subject Matter	Effect of revisions
19(5)	Business Plan	The Financial Secretary may approve draft business plan with or without amendments.
21	Objections to projects to be implemented by way of development project	Sub-clause (4) is amended and sub-clauses (5) to (9) are added to include a procedure whereby owners affected by the amendments made by the Secretary of Planning and Lands to a development project may raise objections to such amendments.
22	Development schemes	Sub-clauses (5), (6), (7) and (9) are amended to reflect the role of the Town Planning Board under the Town Planning Ordinance (Cap. 131). Sub-Clause (8) is added to determine the commencement date of a development scheme.
26	Power to enter and inspect	Sub-clause (3) is added to enable any person authorised by the Authority in writing before the Secretary issues an authorisation to enter the land for the purpose of preparing an assessment. Sub-clause (5) is added to specify detail of information to be obtained. Sub-clause (6) is added to specify the duration of the authorisation by the Secretary. Sub-clause (7) specifies when an offence is committed.

Clause of the Bill	Subject Matter	Effect of revisions
29(2)	Authority may make bylaws	The maximum fine that may be prescribed for contravention of bylaw is increased from \$2,000 to \$10,000.
30	Service of notices	A new clause is added to specify how notices should be served.
32	Transfer of properties, assets, contracts, etc.	Sub-clause (8) is added to provide for transitional arrangement for existing provident funds of the Land Development Corporation. Sub-clause (9) is added to specify the transitional arrangement for loans lent to the Land Development Corporation under the Loan Fund.