

**立法會**  
**Legislative Council**

LC Paper No. LS80/99-00

**Paper for the House Committee Meeting  
of the Legislative Council  
on 11 February 2000**

**Legal Service Division Report on  
Subsidiary Legislation Gazetted on 3 February 2000**

**Date of Tabling in LegCo** : 16 February 2000

**Amendment to be made by** : 15 March 2000 (or 29 March 2000 if  
extended by resolution)

**Merchant Shipping (Safety) Ordinance (Cap. 369)  
Merchant Shipping (Safety) (Cargo Ship Construction and Survey) (Ships Built  
Before 1 September 1984) (Amendment) Regulation 2000 (L.N. 32)**

**Merchant Shipping (Safety) Ordinance (Cap. 369)  
Merchant Shipping (Safety) (Cargo Ship Construction and Survey) (Ships Built  
On or After 1 September 1984) (Amendment) Regulation 2000 (L.N. 33)**

**Merchant Shipping (Safety) Ordinance (Cap. 369)  
Merchant Shipping (Safety) (Cargo Ship Safety Equipment Survey) (Amendment)  
Regulation 2000 (L.N. 34)**

**Merchant Shipping (Safety) Ordinance (Cap. 369)  
Merchant Shipping (Safety) (Load Line) (Amendment) Regulation 2000  
(L.N. 35)**

**Merchant Shipping (Safety) Ordinance (Cap. 369)  
Merchant Shipping (Safety) (Load Lines) (Length of Ship) (Amendment)  
Regulation 2000 (L.N. 36)**

**Merchant Shipping (Safety) Ordinance (Cap. 369)**

**Merchant Shipping (Safety) (Passenger Ship Construction and Survey) (Ships Built On or After 1 September 1984) (Amendment) Regulation 2000 (L.N. 37)**

**Merchant Shipping (Safety) Ordinance (Cap. 369)  
Merchant Shipping (Safety) (Radio Installations Survey) (Amendment) Regulation 2000 (L.N. 38)**

The purpose of the above Regulations is to amend the various subsidiary legislation made under the Merchant Shipping (Safety) Ordinance (Cap. 369) to give effect to the Protocol of 1988 relating to two international Conventions, namely, the International Convention for the Safety of Life at Sea, 1974 and the International Convention on Load Lines, 1966 adopted by the International Maritime Organization ("IMO"). The 1988 Protocol has come into operation on 3 February 2000. As an Associate Member of the IMO, Hong Kong is obliged to give effect to the amendments to the two Conventions through domestic legislation. Some of the amendments introduced by the 1988 Protocol relating to the harmonization of the survey requirements and certification of ships have been implemented through the Merchant Shipping (Safety) (Amendment) Ordinance (6 of 2000).

L.N.s 32 - 35 and L.N. 38 provide that the validity periods in respect of a cargo ship safety construction certificate, a cargo ship safety equipment certificate, an International Load Line Certificate, and a cargo ship safety radio certificate should be standardized with a period of not more than five years. These Regulations also prescribe the extent, manner and intervals of initial, renewal, intermediate and annual surveys to be conducted on the structure, machinery and equipment, etc. of a ship as required by the 1988 Protocol.

L.N. 36 introduces a new method for ascertaining the length of a ship for the purpose of complying with the load line requirements provided in Part IV of the Merchant Shipping (Safety) Ordinance (Cap. 369) and the Merchant Shipping (Safety) (Load Line) Regulations (Cap. 369 sub. leg.).

L.N. 37 provides that a Passenger Ship Safety Certificate shall be valid for 12 months from the date of issue or for such shorter period as may be specified in the Certificate. It also provides for the survey requirements and the extension of the Passenger Ship Safety Certificate.

All of the above Regulations will come into operation on a day to be appointed by the Secretary for Economic Services by notice in the Gazette.

According to the LegCo Brief (Ref. : MA 80/1 (99)) issued by the

Economic Services Bureau in January 2000, the Administration has consulted the shipping industry and they support the amendments.

**Road Traffic Ordinance (Cap. 374)**

**Road Traffic (Traffic Control) (Amendment) Regulation 2000 (L.N. 39)**

This Regulation amends the Road Traffic (Traffic Control) Regulations (Cap. 374 sub. leg.) by adding a new driving rule that prohibits a driver to use, while holding by hand or between his head and shoulder, a mobile phone or any telecommunication equipment, when driving a motor vehicle on a road. Any person who without reasonable excuse contravenes this driving rule commits an offence and is liable to a fine of \$2,000.

The prohibition on the use of hand-held mobile phones while driving will come into operation on 1 April 2000. To allow adequate time for the installation of hands-free radio phones or similar telecommunication equipment in commercial vehicles, the Administration has decided to grant a grace period of one year for the implementation of the prohibition on the use of hand-held telecommunication equipment. Accordingly, the prohibition on the use of such equipment while driving will come into operation on 1 April 2001.

According to the LegCo Brief (Ref.: TRAN 3/9/30 Pt. 2) dated 2 February 2000 issued by the Transport Bureau, the Transport Advisory Committee and the Legislative Council Panel on Transport have been consulted and they support the proposed amendment.

**Public Health and Municipal Services Ordinance (Cap. 132)**

**Public Health and Municipal Services Ordinance (Civic Centres) (Amendment of Thirteenth Schedule) Order 2000 (L.N. 40)**

This Order, made by the Director of Leisure and Cultural Services, sets aside the Yuen Long Theatre at Tai Yuk Road, Yuen Long as a civic centre and makes consequential amendment to the Thirteenth Schedule to the Public Health and Municipal Services Ordinance (Cap. 132). The effect of this Order is that the Public Health and Municipal Services Ordinance will apply to this new civic centre.

**Tax Reserve Certificates (Fourth Series) Rules (Cap. 289 sub. leg.)**

**Tax Reserve Certificates (Rate of Interest) Notice 2000**

**(L.N. 41)**

This Notice fixes at 4.5625% per annum the rate of interest payable on tax reserve certificates issued on or after 8 February 2000.

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