# 立法會 Legislative Council

LC Paper No. LS 65/01-02

## Paper for the House Committee Meeting of the Legislative Council on 22 March 2002

## Legal Service Division Report on Subsidiary Legislation Gazetted on 8 March 2002

**Date of Tabling in LegCo** : 13 March 2002

**Amendment to be made by** : 10 April 2002 (or 17 April 2002 if extended by

resolution)

#### <u>Part I</u> <u>Subsidiary legislation relating to fee revision</u>

Telecommunications Ordinance (Cap. 106)
Telecommunications (Amendment) Regulation 2002 (L.N. 29)
Telecommunications (Carrier Licences) (Amendment) Regulation 2002 (L.N. 30)

Under the Telecommunications Ordinance (Cap. 106) (the Ordinance), the grant and renewal of certain licence fees are calculated by reference to, inter alia, the number of mobile stations used by customers of the service provided under the licence.

2. By these two Amendment Regulations, the Administration proposes to reduce the annual Public Radio-communications Service Licence (PRS licence) and the mobile carrier licence fee per mobile station from \$30 to \$24 with effect from 1 May 2002. The relevant amendments are listed as follows:

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Relevant provisions	Types of licences	Existing licence holders	Existing fee	Proposed fee
Paragraph 1(d) in Part II of Schedule 1 to the Telecommunications Regulations - Annual fee for the 1st 200 mobile stations or less used by customers	Public Radio- communications Service Licence (PRS licence)	6 mobile operators running the second generation mobile services (2G), trunked radio operators, radio location service operators and paging operators	\$6,000	\$4,800
Paragraph 1(e) - Annual fee for every additional 100 mobile stations or less used by customers			\$3,000	\$2,400
Paragraph 1(d) in Part 3 of Schedule 3 to the Telecommunications (Carrier Licences) Regulations - Annual fee for the 1st 200 mobile stations or less used by customers	Mobile carrier licences other than mobile carrier (restricted) licences	4 new mobile operators of the third generation mobile services (3G)	\$6,000	\$4,800
Paragraph 1(e) - Annual fee for every additional 100 mobile stations or less used by customers			\$3,000	\$2,400

- 3. The Administration briefed the LegCo Panel on Information Technology and Broadcasting on 8 February 2002. The Panel was supportive of its proposal.
- 4. Members may refer to the LegCo Brief (Ref.: ITBB(CR)7/5/1(00)Pt.3) issued by the Information Technology and Broadcasting Bureau dated 7 March 2002 for background information.
- 5. The legal and drafting aspects of the Amendment Regulations are in order.

### <u>Part II</u> <u>Subsidiary legislation relating to Public Health and Municipal</u> Services Ordinance

Public Health and Municipal Services Ordinance (Cap. 132)

Public Health and Municipal Services Ordinance (Public Pleasure Grounds)

(Amendment of Fourth Schedule) Order 2002 (L.N. 31)

Public Health and Municipal Services Ordinance (Public Swimming Pools) (Amendment of Fourteenth Schedule) Order 2002 (L.N. 32)

6. These two Orders are made by the Director of Leisure and Cultural Services. They update the lists of public pleasure grounds and public swimming pools respectively in the Island of Hong Kong, Kowloon and the New Territories. The lists are to take effect as from the date of gazettal.

#### **Part III** Commencement Notice

Securities and Futures Commission Ordinance (Cap. 24)
Securities and Futures Commission (Levy)(Futures Contracts) (Amendment) (No. 3) Order 2001 (L.N. 296 of 2001) (Commencement) Notice 2002 (L.N. 33)

7. The Secretary for Financial Services has appointed 8 March 2002 as the day on which the Securities and Futures Commission (Levy) (Futures Contracts) (Amendment) (No. 3) Order 2001 is to come into operation. The Order reduces the levy in relation to all options on stock futures contracts to \$0.20 for every leviable transaction.

Prepared by

Ho Ying-chu, Anita Assistant Legal Adviser Legislative Council Secretariat 18 March 2002