(Revised)

立法會
Legislative Council

**Paper for the House Committee Meeting
of the Legislative Council
on 26 October 2001**

**Legal Service Division Report on
Subsidiary Legislation Gazetted on 19 October 2001**

Date of Tabling in LegCo : 31 October 2001

Amendment to be made by : 28 November 2001 (or 5 December 2001 if extended by resolution)

***Hotel and Guesthouse Accommodation Ordinance (Cap. 349)
Hotel and Guesthouse Accommodation (Fees) (Amendment) Regulations 2001 (L.N. 212)**

In 1998, the Administration introduced the Hotel Accommodation (Miscellaneous Provisions) Bill 1998 to amend the Hotel and Guesthouse Ordinance (Cap. 349) to provide for, among other things, the issue and renewal of hotel and guesthouse licences with validity periods up to seven years.   The Bill was passed by this Council but the relevant sections of the 1998 Amendment Ordinance have not come into operation because the Hotel and Guesthouse Accommodation (Fees) Regulations (Cap. 349 sub. leg.) ("the Regulations") has yet to be amended.   The fees for these multiple year licences are now specified in the Regulations.   The Administration has briefed members of the Panel on Home Affairs (Paper No. CB(2)1424/00-01(01)) on the proposed fees during the meeting on 8 May 2001. Operators of hotels and guesthouses will in general benefit from the proposed scales of licence fees.   Members may refer to the minutes of that meeting (CB(2)2228/00-01) for details.

According to paragraph 21 of the LegCo Brief (Ref: S/F(2)in HAB/CR/1/21/26 Pt. 6) dated 18 October 2001 issued by the Home Affairs Bureau, the Administration stated that they had consulted the hotel and guesthouse industries, including the Federation of Hong Kong Hotel Owners Limited, the Hong Kong Guesthouses Association Limited and the Tourist Guest Houses Federation of Hong Kong Limited on the proposed fees.   They supported the proposal.

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*   Fee revision.

The Regulations will come into operation on a day to be appointed by the Secretary for Home Affairs by notice published in the Gazette. We are seeking clarifications from the Administration on the drafting aspects of this subsidiary legislation and will report to the House Committee if necessary.

Coinage Ordinance (Cap. 454)
Coinage (Commemorative Coins) Order 2001   (L.N. 213)

Section 2 of the Coinage Ordinance (Cap. 454) empowers the Chief Executive in Council to authorize, by order, the issue of coins. The Hong Kong Monetary Authority intends to issue a set of five silver coins together with a gold medallion in January 2002 onwards on behalf of the Government to mark the fifth year since the establishment of the Hong Kong Special Administrative Region. Since the silver coins are intended to be legal tender, each having a face value of $50, authorization by the Chief Executive in Council to order the issue of these coins is therefore required.

Members may refer to the LegCo Brief (Ref: FSB/G6/107/1C V) dated 19 October 2001 issued by the Financial Services Bureau for background information.

The Order has come into operation on 19 October 2001. The legal and drafting aspects of the Order are in order.

Employees Retraining Ordinance (Cap. 423)
Employees Retraining Ordinance (Amendment of Schedule 2) (No. 2) Notice 2001 (L.N. 214)

This Notice is made by the Employees Retraining Board under section 31(2) of the Employees Retraining Ordinance (Cap. 423). It amends the list of training bodies capable of proving or conducting retraining courses. Two organizations, i.e. the Hong Kong and Kowloon Electronics Industry Employees' General Union and the Hong Kong Association of the Blind are deleted from the list while two other organizations, i.e. the Hong Kong Small and Medium Enterprises Association and the Hong Kong Association of Gerontology are added to the list.

It has come into operation on 19 October 2001. The legal and drafting aspects of this Notice are in order.

Prepared by

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LS/S/3/01-02