立法會
Legislative Council

Paper for the House Committee Meeting

Legal Service Division Report on
Proposed resolution under section 5(4) of the
Motor Vehicles (First Registration Tax) Ordinance (Cap. 330)

The Secretary for Financial Services and the Treasury has given notice to move a motion at the meeting of the Legislative Council on 19 March 2003.

2.   Section 5(3) of the Motor Vehicles (First Registration Tax) Ordinance (Cap. 330) ("the Ordinance") provides exemption from first registration tax for motor vehicles propelled solely by electric power and do not emit any exhaust gas.   Section 5(4) of the Ordinance further provides that such exemption shall expire at midnight on 31 March 1997 or such later date as the Legislative Council may by resolution determine.   The expiry date has been extended to 31 March 2000 by a resolution of the Legislative Council (L.N.237 of 1997), and to 31 March 2003 by the Revenue (No. 2) Ordinance 2000 (27 of 2000).   The current exemption from first registration tax for such vehicles will, if not extended, expire automatically at midnight on 31 March 2003.

3.   The purpose of the motion is to seek the approval of the Legislative Council to amend L.N. 237 of 1997 as amended by section 3 of the Revenue (No. 2) Ordinance 2000 (27 of 2000) by repealing the reference to "2003" and substituting "2006".   The effect is to further extend the exemption to 31 March 2006.   The amendment is necessary to provide the statutory basis to implement the proposal in paragraph 91 of the 2003-04 Budget Speech, namely, to extend the first registration tax exemption for electric vehicles by a further 3 years to 31 March 2006.

4.   The President of the Legislative Council has dispensed with the notice requirement for the motion under Rule 29(1) of the Rules of Procedure.

5.   No difficulties in the legal and drafting aspects of the proposed Resolution have been identified.

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