

立法會  
*Legislative Council*

LC Paper No. CB(3) 35/02-03

Ref : CB(3)/M/OR

Tel : 2869 9205

Date : 8 October 2002

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

---

**Council meeting of 16 October 2002**

**Proposed resolution under section 34(2) of  
the Interpretation and General Clauses Ordinance**

I forward for Members' consideration a proposed resolution which the Secretary for Economic Development and Labour will move at the Council meeting of 16 October 2002 under section 34(2) of the Interpretation and General Clauses Ordinance relating to the Airport Authority (Permitted Airport-Related Activities) Order. The President has directed that "it be printed in the terms in which it was handed in" on the Agenda of the Council.

2. The speech, in both English and Chinese versions, which the Secretary for Economic Development and Labour will deliver when moving the proposed resolution, is also attached.

(Ray CHAN)  
for Clerk to the Legislative Council

Encl.

INTERPRETATION AND GENERAL CLAUSES ORDINANCE

---

**RESOLUTION**

(Under section 34(2) of the Interpretation and  
General Clauses Ordinance (Cap. 1))

---

**AIRPORT AUTHORITY (PERMITTED AIRPORT-RELATED  
ACTIVITIES) ORDER**

RESOLVED that the Airport Authority (Permitted Airport-related Activities) Order,  
published in the Gazette as Legal Notice No. 127 of 2002 and laid on the table of the  
Legislative Council on 10 July 2002, be amended by repealing section 5 and  
substituting –

**"5. Approval of Financial Secretary**

(1) The Authority shall obtain the approval of the Financial  
Secretary before undertaking to engage in any permitted airport-related  
activity specified in section 1, 2 or 3 of the Schedule in respect of an airport  
if the aggregate of –

- (a) the amount of consideration payable by the Authority  
pursuant to such activity; and
- (b) where the Authority is engaging in or has undertaken

to engage in any other permitted airport-related activities specified in section 1, 2 or 3 of the Schedule in respect of the same airport, the amounts of consideration paid or payable by the Authority pursuant to such activities exceeds 2.5% of the issued share capital of the Authority.

(2) After engaging in an activity approved by the Financial Secretary under subsection (1), the Authority shall ensure that a report of the activity is laid, as soon as practicable, on the table of the Legislative Council."

**Speech by the Hon Stephen Ip,  
Secretary for Economic Development and Labour  
at the Legislative Council Sitting on 16 October 2002**

**Moving the Motion for Amendment to the  
Airport Authority (Permitted Airport-Related Activities)  
Order**

Madam President,

I move that the motion under the Interpretation and General Clauses Ordinance as set out in the Agenda be passed. This motion seeks to make some drafting amendments to the Airport Authority (Permitted Airport-Related Activities) Order.

The Order permits the Airport Authority (the Authority) to engage in the permitted airport-related activities specified in the Schedule subject to certain conditions in order to enhance the status of Hong Kong as a centre of international and regional aviation.

Having considered the views of the legal adviser to the Legislative Council, the Administration has decided to propose drafting amendments to section 5 of the Order. This section stipulates that when the Authority engages in certain specified permitted activities in respect of another airport, the approval of the Financial Secretary will need to be obtained if the amount of consideration payable by the Authority exceeds

2.5% of its issued share capital. The purpose of the proposed amendments is to reflect more clearly the policy intent that when the Authority is engaging in or has undertaken to engage in other such specified permitted activities in respect of the same airport, we will count the total amount of consideration payable by the Authority for these activities towards the threshold of 2.5%.

The House Committee of the Legislative Council considered the Order at its meeting on 4 October 2002 and agreed with our proposed amendments. I would like to thank Members of the House Committee and in particular the House Committee Chairman, Mrs Selina CHOW.

Thank you, Madam President.