

**立法會**  
**Legislative Council**

LC Paper No. LS71/03-04

**Paper for the House Committee Meeting  
on 30 April 2004**

**Legal Service Division Report on  
Subsidiary Legislation gazetted on 23 April 2004**

**Date of tabling in LegCo** : 28 April 2004

**Amendment to be made by** : 19 May 2004 (or 16 June 2004 if extended by resolution)

**PART I SUBSIDIARY LEGISLATION MADE UNDER VARIOUS  
ORDINANCES IN RELATION TO THE TUEN MUN FERRY  
TERMINAL**

**Shipping and Port Control Ordinance (Cap. 313)**

**Shipping and Port Control (Ferry Terminals) (Amendment) Regulation 2004  
(L.N. 57)**

**Boundaries of Ferry Terminals (Repeal) (Order) (L.N. 58)**

**Boundaries of Restricted Areas of Ferry Terminals (Repeal) Notice (L.N. 59)**

**Immigration Ordinance (Cap. 115)**

**Immigration (Places of Detention) (Amendment) Order 2004 (L.N. 60)**

**Immigration Service Ordinance (Cap. 331)**

**Immigration Service (Designated Places) (Amendment) Order 2004 (L.N. 61)**

A new Tuen Mun Ferry Terminal for the operation of cross-boundary passenger ferry services to and from Macau and Mainland ports will be established in Hong Kong. Before its operation, the boundaries of the terminal and the restricted areas within the terminal have to be declared.

2. L.N. 57 of 2004 mainly adds a new Schedule 1 to the Shipping and Port Control (Ferry Terminals) Regulation. The names, the boundaries of the ferry terminals and the boundaries of their restricted areas are set out in the Schedule. The new Tuen Mun Ferry Terminal is set out in item 3 in the Schedule. The existing 2 ferry terminals, i.e. the China Ferry Terminal and the Hong Kong-Macau Ferry Terminal are respectively set out in items 1 and 2 in the Schedule. The boundaries of these two existing terminals and their restricted areas as declared by relevant orders and notices are presently contained in subsidiary legislation L, M, P and W of the principal Ordinance. They are no longer required and are repealed by L.N.s 58 and 59 of 2004.

3. A place of detention has also to be designated within the new Tuen Mun Ferry Terminal. The Immigration (Places of Detention) Order (Cap.115 sub. leg. B) and the Immigration Service (Designated Places) Order (Cap. 331 sub. leg. B) have to be amended. The Secretary for Security has made the Amendment Orders and they are published in the Gazette as L.N.s 60 and 61 of 2004.

4. The Secretary for the Environment, Transport and Works will appoint a day for the commencement of L.N. 57 of 2004. The other 4 pieces of subsidiary legislation, i.e. L.N.s 58 to 61 of 2004, will come into operation on the same date appointed for the commencement of L.N. 57 of 2004.

5. The Transport Panel was briefed on 30 January 2004 on the proposal to establish a new Tuen Mun Ferry Terminal. Whilst members were in general in support of the proposal, some expressed concern about the level of fares of the future ferry services to the Mainland ports. A member also enquired about the rights and obligations of the tenant in subletting the berthing slots at the new Terminal.

6. Members may refer to the LegCo Brief (File Ref.: ETWB(T)CR 1/5481/98) for details.

7. No difficulties relating to the legal and drafting aspects of the above 5 pieces of subsidiary legislation have been identified.

## **PART II COMMENCEMENT NOTICE**

### **Chemical Weapons (Convention) Ordinance (Cap. 578) Chemical Weapons (Convention) Ordinance (26 of 2003) (Commencement) Notice 2004 (L.N. 62)**

8. The Secretary for Commerce, Industry and Technology appoints 18 June 2004 as the day on which the Chemical Weapons (Convention) Ordinance will come into operation. The Ordinance is to promote the control of chemical weapons and of certain chemicals capable of being used as chemical weapons. The relevant Bill was passed by this Council on 2 July 2003. The Panel on Commerce and Industry has not been consulted on the commencement date of the Ordinance.

Prepared by

HO Ying-chu, Anita  
Assistant Legal Adviser  
Legislative Council Secretariat  
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