

立法會
Legislative Council

LC Paper No. LS17/03-04

**Paper for the House Committee Meeting
on 28 November 2003**

**Legal Service Division Report on
Subsidiary Legislation Gazetted on 21 November 2003**

Date of Tabling in LegCo : 26 November 2003

Amendment to be made by : 17 December 2003 (or 14 January 2004 if extended by resolution)

PART I COMMENCEMENT NOTICE

Tung Chung Cable Car Ordinance (20 of 2003)
Tung Chung Cable Car Ordinance (20 of 2003) (Commencement) Notice 2003 (L.N. 252)

This Notice specifies 24 December 2003, being the date on which the Project Agreement between the Government and the MTR Corporation Limited comes into force, as the date on which the Tung Chung Cable Car Ordinance (20 of 2003) ("the Ordinance") will come into operation.

2. The Ordinance grants and regulates a franchise for the operation of a Cable Car System linking Tung Chung and Ngong Ping.
3. Members may refer to the LegCo Brief File Ref.: ESB CR 6/2091/989(03) dated 20 November 2003 from Tourism Commission, Economic Development and Labour Bureau for more background information.

PART II MISCELLANEOUS AMENDMENTS

***Amusement Game Centres Ordinance (Cap. 435)**
Amusement Game Centres (Fees) (Amendment) Regulation 2003 (L.N. 250)

4. Under section 18(1) of the Amusement Game Centres Ordinance (Cap. 435) ("the Ordinance"), the Chief Executive in Council may by regulation provide for

*Reduction in fees

the fees that may be charged for the grant, renewal and the amendment of the conditions or the particulars of a licence.

5. This Regulation amends the Amusement Game Centres (Fees) Regulation (Cap. 435 sub. leg. B) to reduce the fee payable for a grant or renewal of a licence to operate an amusement game centre (from \$920 to \$535 for every machine or device) and the fee payable for an amendment or variation of the conditions or particulars of such a licence (from \$920 to \$535 for every additional machine or device).

6. The Administration consulted the Panel of Home Affairs on its proposal to reduce the above licence fees at its meeting on 14 July 2003. One member indicated support while other members did not raise any objection to the proposal.

7. Members may refer to the LegCo Brief issued by the Home Affairs Bureau in November 2003 (Ref : HAB/CR/1/9/40) for more background information about the Regulation.

8. This Regulation will come into operation on 1 February 2004.

Legal Practitioners Ordinance (Cap. 159)
Summary Disposal of Complaints (Solicitors) Rules (L.N. 251)

9. The object of these Rules is to provide for the practice and procedure to be followed in connection with the disposal of a complaint against a solicitor, a foreign lawyer, a trainee solicitor, or an employee of a solicitor or a foreign lawyer ("a relevant person") by the Tribunal Convenor of the Solicitors Disciplinary Tribunal Panel ("the Tribunal Convenor") under section 9AB of the Legal Practitioners Ordinance (Cap. 159) ("the Ordinance"). The section establishes an alternative disciplinary system under which a fixed penalty (prescribed to be \$10,000 under the Schedule to the Rules) will be imposed upon a relevant person who pleads guilty to certain disciplinary offences, without the necessity to proceed to a full hearing of the Solicitors Disciplinary Tribunal.

10. Members may recall that section 73(1)(caa) of the Ordinance is added by the Statute Law (Miscellaneous Provisions) Ordinance (23 of 2002). Under the new subsection the council of The Law Society of Hong Kong ("the Council") may make rules providing for the practice and procedure to be followed in connection with the submission of a matter by the Council to the Tribunal Convenor under section 9A(1A) of the Ordinance (again added by the Statute Law (Miscellaneous Provisions) Ordinance). Under section 73(1)(cab) (added by the Statute Law (Miscellaneous Provisions) Ordinance) of the Ordinance, the Council may also make rules providing for the practice and procedure to be followed in connection with the disposal of a matter by the Tribunal Convenor under section 9AB (added by the Statute Law (Miscellaneous Provisions) Ordinance) of the Ordinance.

11. The Law Society of Hong Kong submitted a paper to the meeting of the Panel on Administration of Justice and Legal Services on 24 November 2003 (LC Paper No. CB(2) 375/03-04 refers). Members may wish to refer to that paper for further background information.

12. These Rules will come into operation on the day appointed for the commencement of section 111 of the Statute Law (Miscellaneous Provisions) Ordinance 2002. The provision relates to the addition of new section 73(1)(caa) and (cab) to the Ordinance.

13. No difficulties relating to the legal and drafting aspects of the above items have been identified.

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LS/S/8/03-04