

## **LEGISLATIVE COUNCIL BRIEF**

### **Road Traffic Ordinance (Chapter 374)**

## **REVENUE (PERSONALIZED VEHICLE REGISTRATION MARKS) BILL 2005**

### **INTRODUCTION**

At the meeting of the Executive Council on 26 April 2005, the Council ADVISED and the Chief Executive ORDERED that the Revenue (Personalized Vehicle Registration Marks) Bill 2005, at **Annex A**, seeking to implement the Personalized Vehicle Registration Marks (PVRMs) Scheme and reflecting the features at paragraph 3 below, should be introduced into the Legislative Council.

### **JUSTIFICATIONS**

2. In the 2004-05 Budget, the Financial Secretary announced that in addition to the existing arrangements for allocating and auctioning vehicle registration marks (VRMs), a PVRMs Scheme should be introduced. Under the PVRMs Scheme, vehicle owners may choose their preferred vehicle registration marks and use them upon approval of their applications and following bidding. This Revenue (Personalized Vehicle Registration Marks) Bill 2005 will amend the law for implementing the Scheme.

3. To allow for more choice and add to the attraction of the PVRMs Scheme, Transport Department (TD) will relax the restrictions on VRMs for participating owners. The PVRMs Scheme will have the following features-

(a) the vehicle owners may choose their preferred vehicle

registration marks and use them upon approval of their applications and following bidding. All PVRM applications will be placed into a pool and the applications will be balloted after closure of the application period if the number of applications exceeds a set limit. The applicants who are within the set limit or successfully balloted will need to pay a deposit of \$5,000 before their applications are processed and bidding is arranged;

- (b) PVRM combinations may have up to a maximum of eight letters of the alphabet (other than the exceptions set out below), numerals and/or blank spaces; a blank space will count as one of the permitted characters and there may only be one blank space between two letters/numerals or between a letter and a numeral;
- (c) those PVRM combinations likely to cause enforcement problems will not be approved, e.g. the letters “I”, “O” and “Q” will not be allowed as they resemble the numerals “1” and “0” respectively, and there should be no more than four identical letters or numerals placed side by side in a PVRM;
- (d) PVRM combinations must not cause a reasonable person to believe that the vehicles bearing them belong to or the persons using the vehicles represent the Government of the Hong Kong Special Administrative Region (HKSAR), any country or the government of any country, an international organisation in which the HKSAR Government participates, the offices of the Central People’s Government in HKSAR, or any public body in HKSAR;
- (e) PVRM combinations must not be offensive to good taste or decency, offensive to a reasonable person, refer to a triad title or nomenclature or have a triad connotation, or be confusing for law enforcement, or detrimental to road safety; and
- (f) PVRM combinations must not duplicate existing VRMs or be of a similar pattern to existing forms of VRMs or permit/licence

numbers and they must not duplicate the marks reserved for certain types of vehicles, e.g. marks with prefixes or suffixes “A” and “F” used by the Fire Services Department for the department’s ambulances and other vehicles, “AM” for government vehicles and “LC” for the Legislative Council’s vehicles.

#### Applications for PVRMs

4. As mentioned above, under the PVRMs Scheme, vehicle owners may choose their preferred VRMs and use them upon approval of their applications and following bidding. An applicant will be required to set out in the application form the way he will display his proposed PVRM. The Commissioner for Transport (C for T) will consider whether to approve the PVRM on the basis of the proposed PVRM as stated in the application form. If a proposed PVRM has already been applied for by another person, the application will not be processed.

#### Level of Deposit

5. Our original proposal as presented to the Legislative Council Panel on Financial Affairs in November 2004 was to request the applicants to pay a deposit of \$20,000 before their PVRM applications may be processed.

6. Views expressed by LegCo Members, the trade and members of the public on the level of deposit were diverse, with some commenting that \$20,000 was too low while others thought that it was too high. Overall speaking, there appeared to be greater support for a lower deposit level. We therefore propose to revise the level of deposit from \$20,000 to \$5,000 to make the PVRMs more affordable. Our aim is to strike a balance between the objectives of revenue generation and non-diversion of interest from the existing schemes on one hand, and providing the general public with an affordable scheme on the other.

### Ballot System

7. We are mindful that an almost unlimited supply of PVRMs at a relatively more affordable deposit level might add pressure to the existing VRM bidding. Also, the pressure on TD to process the PVRM applications will increase tremendously - we expect the number of applications to increase by two to three fold if the deposit is lowered from \$20,000 to \$5,000.

8. We therefore propose to introduce a ballot system. TD will invite applications for PVRMs from time to time and set a limit on the number of applications to be processed. Each person can submit one application for each ballot. No deposit will be required upon submission of application. All applications will be placed into a pool and the applications will be balloted after closure of the application period if the number of applications exceeds the set limit. The applicants who are within the set limit or successfully balloted will need to pay the deposit before their applications are processed and bidding is arranged. The ballot system is intended to be a pilot arrangement and we intend to review it one to two years after implementation.

9. Our current intention is to invite applications twice a year. With one auction for each month, about 3,000 PVRMs will be auctioned each year, which is the same number as we originally intended. It is estimated that the first batch of approved PVRMs will be auctioned within four months of invitation of application.

### Reserved Combinations

10. We propose to reserve for auctioning certain PVRM combinations that should be more popular for revenue protection purposes. Our intention is to reserve single letters and double letters (e.g. "B" and "ZZ") excluding letters "I", "O" and "Q". Single letters "A" and "F" are reserved for use by the vehicles of the Fire Services Department. This is in the same spirit as the existing practice of reserving special numbers – commonly known as "the lucky numbers" – for auctioning under the Special VRMs (SVRMs) scheme. PVRMs proposed by applicants which consist of the reserved combinations will

not be approved. The applicants will be advised to bid for such PVRMs at auctions to be arranged by C for T.

#### Allocation and use of PVRMs

11. C for T will consider PVRM applications in accordance with the conditions/criteria set out in paragraph 3 above. C for T will be assisted by the Police, the Home Affairs Bureau, any other departments as appropriate and one or more non-officials in his consideration of the applications. C for T will notify applicants of his approval or disapproval of proposed PVRMs. All approved PVRMs will go for auction. C for T will notify the applicants of the dates of auction. For administrative simplicity, at the auction, the \$5,000 deposit will be the reserve price. If a PVRM is auctioned to a person other than the applicant, the deposit will be refunded to the applicant. If the PVRM is not sold at auction, the PVRM will be allocated to the applicant and the deposit paid will be taken as the price paid by him. TD will issue to the successful bidder a certificate of allocation of PVRM which will set out the auction price, date of allocation, the name of the allocatee and other necessary details.

12. In line with the requirement applicable to both the existing Ordinary VRMs (OVRMs) and SVRMs, we propose that an allocatee will have to assign his PVRM to his vehicle within 12 months after the date of allocation. PVRMs may be transferred together with the vehicles to which they are assigned, subject to payment of a fee. The mechanism will be similar to that for transferring the existing OVRMs and the fees are the same. The known transfers of the existing SVRMs through transferring company ownership, despite the non-transferability rule, have shown that it is not possible to effectively enforce the non-transferability rule. C for T may recall a PVRM after allocation should it be found afterwards that the mark is inappropriate or is no longer appropriate for allocation. The PVRM holder would be refunded the full amount of the auction price and offered an OVRM at no charge. An appeal channel will be provided for such recall cases.

### Intellectual Property Concerns

13. Issues on intellectual properties (IP) have been considered in the context of the PVRMs Scheme. Legal advice is that since PVRMs do not include symbols, no question of copyright should arise. The reason is that there is generally no copyright in single words and short phrases. As regards trademark infringement, as trademark infringement is the unauthorized use of a trademark in the course of trade or business in relation to goods and services, and PVRMs are not used as trademarks for goods and services, legal advice is that it is unlikely that the use of a PVRM could constitute an infringement of a trademark. As such, there is no ground for C for T to reject PVRM applications on the basis of copyright or trademark existence or infringement.

14. If a PVRM is used in such a manner as to infringe IP rights, IP owners are fully protected by existing IP laws.

15. The Administration has considered whether a direct allocation system which provides priority for a company to register for a PVRM of the company's name, business name, or trademark may be established under the PVRMs Scheme. There are currently about 530,000 companies registered under the Companies Ordinance, 690,000 businesses registered under the Business Registration Ordinance, 190,000 trademarks registered under the Trade Marks Ordinance and an unknown number of unregistered trademarks. The same name may be registered under different Ordinances for different purposes and be used by different companies in different businesses. Direct allocation of a PVRM of the name to one company, or individual, would be extremely difficult and not practicable.

### Lotteries Fund

16. The existing arrangements for OVRMs and SVRMs will not be affected by the new PVRMs Scheme. The revenue generated from the auctions of OVRMs and SVRMs will continue to be credited to the Lotteries Fund. As PVRMs are different from the existing OVRMs and SVRMs in terms of features, we expect that PVRMs and SVRMs and

OVRMs would appeal to different vehicle owners and have different markets.

## **OTHER OPTIONS**

17. We must amend the existing legislation in order to bring the proposed PVRMs Scheme into effect. There are no other options.

## **THE BILL**

18. The purpose of this Bill is to amend the Road Traffic Ordinance (the principal Ordinance) and the Road Traffic (Registration and Licensing of Vehicles) Regulations (the Regulations) to give effect to the PVRMs Scheme proposed in the 2004-05 Budget. The major provisions are as follows –

- (a) **clauses 2, 3 and 4** define PVRM and amend the empowering provisions in the principal Ordinance;
- (b) **clauses 10 and 30** provide for the application, balloting, approval, allocation and assignment of PVRM, e.g. reservation of certain PVRMs for sale at C for T's discretion, setting the number of PVRM applications to be processed, the deposit, grounds of refusal of applications by C for T, sale by auction, issue of a certificate of allocation to a PVRM holder, assignment of a PVRM to a vehicle within 12 months after the date of allocation, recall of a PVRM, etc.;
- (c) **clauses 6 and 28** set out the display requirements for PVRMs;
- (d) **clauses 15 and 17** set out the procedures to be followed when a vehicle assigned with a PVRM is transferred, broken up, destroyed or exported;
- (e) **clause 24** provides for the penalties for a PVRM holder's contravention of the requirements to return the certificate of

allocation, to inform C for T of his personal particulars or any change of such particulars, not to alter a certificate of allocation and not to obstruct the detachment of a PVRM number plate after the PVRM is recalled; and

(f) **clauses 32 to 42** contain consequential amendments.

19. The existing provisions proposed to be amended are at **Annex B**.

## **LEGISLATIVE TIMETABLE**

20. The legislative timetable will be –

Publication in the Gazette	29 April 2005
First Reading and commencement of Second Reading debate	4 May 2005
Resumption of Second Reading debate, committee stage and Third Reading	to be notified

## **IMPLICATIONS OF THE PROPOSAL**

21. The proposal is in conformity with the Basic Law, including the provisions concerning human rights. The proposal will not affect the binding effect of the existing provisions of the Ordinance and its subsidiary legislation. It has no productivity or environmental implications. The proposal does not have significant sustainability implications.

### Financial and Civil Service Implications

22. The non-recurrent costs for various concerned departments (including TD, the Police and Customs and Excise Department) to implement the new PVRMs Scheme, which involve mainly the computer



system development costs, are estimated to be \$16 million. The recurrent costs for TD to operate the Scheme will be about \$6 million a year, mainly for the employment of three Executive Officer and five Clerical Officer grades staff.

23. As the PVRMs Scheme is new, the revenue to be generated from auctioning PVRMs is difficult to estimate. The ballpark estimate having regard to the likely demand is \$70 million a year. The eventual outturn would depend on the popularity of the Scheme.

### Economic Implications

24. The proposed legislative amendments are required to implement the proposed PVRMs Scheme announced in the 2004-05 Budget. The proposal does not adversely affect livelihood and at the same time generates some revenue for the public coffers. It will also provide business opportunities for the VRM-related industries. The proposal on its own is not expected to have any significant impact on the overall economy.

## **PUBLIC CONSULTATION**

25. The Administration consulted the Legislative Council Panel on Financial Affairs on the PVRMs Scheme on 10 November 2004. Views on the level of deposit were diverse. Some Members considered that the level was too low because PVRM was not a necessity, and otherwise bidders' interest might be diverted from the existing OVRMs and SVRMs. This view is shared by some quarters of the trade. Some Members, however, found the level too high. Some Members feared that the PVRMs Scheme would affect the auction proceeds of the existing OVRMs and SVRMs, reducing the level of funds to be credited to the Lotteries Fund. Individual Members were worried about the enforcement-related problems that may arise from the Scheme. Some Members expressed the view that the cost of administering the Scheme should be kept to a minimum level in order to achieve greater cost effectiveness.

## **PUBLICITY**

26. We will issue a LegCo brief and a press release on 26 April 2005. A spokesman will be available to answer media and public enquiries.

## **BACKGROUND**

27. At the moment, only letters of the alphabet and numerals are allowed in VRMs. There are two types of VRMs, as follows –

- (a) OVRMs which are in the format of a maximum of two letters of the alphabet followed by a maximum of four numerals, e.g. “EN3452”. OVRMs are assigned/allocated according to the alphabetical order of the letters. A vehicle owner will be assigned an OVRM upon registration of the vehicle. Alternatively, he may choose another OVRM that is available for reservation for allocation by auction. The OVRMs assigned in April 2005 started with the letters LX.
- (b) SVRMs which consist of numbers alone, or a maximum of two letters together with any of the special numbers set out in Schedule 5 to the Regulations. Examples of SVRMs include “7” and “EN7”. SVRMs are generally regarded as lucky numbers. Members of the general public may bid for SVRMs through auction.

28. Any vehicle owner who applies to C for T to reserve any unassigned OVRM for auction is required to pay a deposit of \$1,000. The reserved OVRM will then be put up for public auction. If the reserved OVRM is sold to a person other than the applicant in the auction, the deposit paid by the applicant will be refunded. The OVRMs obtained through auction may be transferred together with the vehicles to which they are assigned, upon payment of a fee. OVRMs are not transferable on their own.

29. Unlike OVRMs, SVRMs are not transferable even with the vehicles to which they are assigned. The restriction is intended to curb speculation. However, as vehicles may be registered under the name of a company, some people have circumvented the restriction by assigning an SVRM to a vehicle registered under the name of a company and then selling all the shares of the company to another party, thus in effect transferring the SVRM.

## **OTHERS**

30. In case of enquiries about this brief, please contact Miss Erica Ng, Principal Assistant Secretary for Financial Services and the Treasury, at 2810 2370.

Treasury Branch  
Financial Services and the Treasury Bureau  
April 2005

A BILL

To

Amend the Road Traffic Ordinance to give effect to the proposal on personalized vehicle registration marks in the Budget introduced by the Government for the 2004-2005 financial year, and to provide for related and consequential matters.

Enacted by the Legislative Council.

**1. Short title and commencement**

(1) This Ordinance may be cited as the Revenue (Personalized Vehicle Registration Marks) Ordinance 2005.

(2) This Ordinance shall come into operation on a day to be appointed by the Secretary for Financial Services and the Treasury by notice published in the Gazette.

**Road Traffic Ordinance**

**2. Interpretation**

Section 2 of the Road Traffic Ordinance (Cap. 374) is amended -

- (a) by repealing the definition of "registration mark" and substituting -

"registration mark" (登記號碼) means -

- (a) a special registration mark;
- (b) a personalized registration mark; or
- (c) any other registration mark assigned or allocated, or deemed to be assigned or

allocated, under regulations  
made under section 6;"

(b) by adding -

"personalized registration mark" (自訂登記號碼)

means a personalized registration mark  
assigned or allocated under regulations  
made under section 6;

"special registration mark" (特殊登記號碼) means  
a special registration mark assigned or  
allocated, or deemed to be assigned or  
allocated, under regulations made under  
section 6;"

### **3. Regulation of registration and licensing of vehicles**

Section 6 is amended -

(a) in subsection (1) -

- (i) in paragraph (f), by repealing "按署長行使  
酌情決定權予以定出" and substituting "由署長行  
使酌情決定權而配予";
- (ii) in paragraph (g), by repealing "and  
special registration marks";
- (iii) by adding -
  - "(ha) the making of applications for  
personalized registration  
marks;
  - (hb) the consideration and  
determination by the  
Commissioner of applications  
for personalized registration  
marks;

- (hc) the review by the Commissioner of any determination made by him to accept an application for a personalized registration mark;
  - (hd) the letters and numerals, and the number and the combination of letters and numerals that may be used in personalized registration marks;
  - (he) the assignment, allocation upon sale by auction or at a special fee, cancellation or withdrawal by the Commissioner of personalized registration marks;
  - (hf) the issue and cancellation by the Commissioner of certificates of allocation of personalized registration marks;
  - (hg) appeal to the Administrative Appeals Board against any decision of the Commissioner to cancel a personalized registration mark;"
- (iv) in paragraph (i), by adding "or a personalized registration mark" after "special registration mark";
- (v) by adding -

"(ia) the engagement of such persons as the Commissioner thinks fit for the conduct of any auction for the purposes of this Ordinance;"

(vi) by adding -

"(la) notification to the Commissioner of the particulars of persons to whom personalized registration marks are allocated and of changes of such particulars;"

(vii) by adding -

"(ma) the seizure of number plates bearing any cancelled personalized registration mark from the motor vehicles on which they are displayed, and the authorization of public officers for that purpose;"

(b) by adding -

"(1A) Regulations made under subsection (1) may empower the Commissioner to amend any Schedule to the regulations which specifies registration marks set aside to be offered for sale, at the discretion of the Commissioner, as personalized registration marks.

(1B) Regulations made under subsection (1) may provide, where applications for personalized registration marks are to be

considered by the Commissioner, for the  
Commissioner to specify -

- (a) the number of applications to  
be considered by him; and
  - (b) if the number of applications  
received exceeds the number  
specified, the procedures for  
selecting the applications to  
be so considered.";
- (c) in subsection (2) -
- (i) by repealing "provide for the fees" and  
substituting -  
"provide for -  
    - (a) the fees";
  - (ii) by repealing the full stop and  
substituting "; and";
  - (iii) by adding -  
"(b) the Commissioner's power to  
refund, on the cancellation of  
a personalized registration  
mark, the price paid for it  
upon sale by auction or the  
special fee paid for it.".

**Road Traffic (Registration and Licensing  
of Vehicles) Regulations**

**4. Interpretation**

Regulation 2 of the Road Traffic (Registration and Licensing  
of Vehicles) Regulations (Cap. 374 sub. leg. E) is amended -

- (a) by renumbering it as regulation 2(1);



(b) in subregulation (1), by adding -

"blank space" (空位) means a blank space between any 2 letters or numerals, or between a letter and a numeral, of a personalized registration mark as specified in paragraph 1(c)(ii) of Schedule 4;

"certificate of allocation" (分配證明書), in relation to a personalized registration mark, means a certificate issued under regulation 12J(1), 12O(3) or 17(3A) in respect of the personalized registration mark;

"notice of cancellation" (取消通知書) means a notice sent under regulation 12L(2);

"personalized registration mark" (自訂登記號碼) means a registration mark allocated under -

(a) regulation 12I or 12K; or

(b) regulation 12O(2), to give effect to a reversal by the Administrative Appeals Board of a decision of the Commissioner;

"personalized registration mark holder" (自訂登記號碼持有人), in relation to a personalized registration mark which is in force, means a person to whom a certificate of allocation is issued;

"public body" (公共機構) means -

(a) the Executive Council;

- (b) the Legislative Council;
- (c) any District Council;
- (d) the Judiciary;
- (e) the Independent Commission  
Against Corruption; or
- (f) any department of the  
Government;"

(c) by adding -

"(2) A reference in these regulations to the arrangement of the letters and numerals of a registration mark or proposed personalized registration mark shall be construed as -

- (a) in the case of a registration mark or proposed personalized registration mark consisting of letters only, a reference to the arrangement of those letters;
- (b) in the case of a registration mark or proposed personalized registration mark consisting of numerals only, a reference to the arrangement of those numerals; or
- (c) in the case of a registration mark or proposed personalized registration mark consisting of both letters and numerals, a reference to the arrangement of those letters and numerals."

## **5. Registration**

Regulation 6(1)(a) is amended by repealing everything after "assign to the" and substituting -

"vehicle -

- (i) a registration mark which shall consist of one or 2 letters, subject to regulation 11, as its prefix, followed by a number of not more than 4 digits (not being a number listed in Schedule 5);
- (ii) a registration mark allocated under regulation 13 or 14;
- (iii) a special registration mark allocated under regulation 9;
- (iv) a personalized registration mark; or
- (v) a registration mark reserved under regulation 11 (where appropriate);".

## **6. Display of registration marks**

Regulation 8 is amended -

- (a) by repealing subregulation (1) and substituting -

"(1) The registered owner of a motor vehicle shall, in accordance with Schedule 4, display on the vehicle the registration mark assigned to the vehicle.

(1A) A registration mark displayed under this regulation shall comply with the requirements in Schedule 4 as to form of display, colours, construction, fitting and illumination.";

- (b) in subregulation (2), by repealing everything after "assigned to" and substituting -

"the vehicle -

- (a) is not displayed;
- (b) is displayed otherwise than in accordance with Schedule 4; or
- (c) does not comply with the requirements in Schedule 4 as to form of display, colours, construction, fitting or illumination.";

(c) by adding -

"(3A) For the purposes of this regulation, the registration mark assigned to a motor vehicle shall be, in the case of a personalized registration mark, the personalized registration mark -

- (a) that is stated; and
- (b) the arrangement of the letters and numerals (together with any blank space) of which is specified,

in the certificate of allocation.

(3B) Where a personalized registration mark is assigned to a motor vehicle, the personalized registration mark may be displayed, for the purposes of this regulation -

- (a) in a single row only, if the certificate of allocation has specified the arrangement of the letters and numerals

(together with any blank space)  
of the personalized  
registration mark in a single  
row only; or

(b) either in a single row or in 2  
rows, if the certificate of  
allocation has specified the  
arrangement of the letters and  
numerals (together with any  
blank space) of the  
personalized registration mark  
both in a single row and in 2  
rows.";

(d) in subregulation (4), by repealing "subregulation  
(5) and";

(e) by repealing subregulation (5).

## **7. Allocation and sale of special registration marks**

Regulation 9 is amended -

(a) in subregulation (1), by repealing everything after  
"special registration mark, which" and before  
"before being assigned" and substituting -  
"shall -

(a) consist only of a number of not  
more than 4 digits; or

(b) subject to regulation 11,  
consist of one or 2 letters as  
its prefix, followed by a  
number of not more than 4

digits (being a number listed  
in Schedule 5),

shall,";

(b) by adding -

"(1A) A special registration mark  
consisting only of the numeral "0" or  
consisting of a number beginning with the  
numeral "0" is not to be allocated under  
subregulation (1).";

(c) in subregulation (2), by repealing everything after  
"within 12 months" and substituting -

"after the date of its allocation, apply to the  
Commissioner -

(a) under regulation 5 for the  
registration of a motor vehicle  
of which he is the owner, and  
for assignment of the special  
registration mark to the  
vehicle; or

(b) for assignment of the special  
registration mark to a  
registered motor vehicle of  
which he is the owner.";

(d) in subregulation (4), by adding "the date of" after  
"within 12 months after".

## **8. Sale by auction of special registration marks**

Regulation 10 is amended -

(a) in subregulation (1), by adding ", subject to

subregulation (1A)," after "shall";

(b) by adding -

"(1A) The Commissioner may engage such persons as he thinks fit for the conduct of any sale by auction under regulation 9(1) of a special registration mark.".

**9. Registration marks reserved for assignment to certain vehicles**

Regulation 11 is amended -

(a) by repealing subregulation (1) and substituting -

"(1) The following registration marks are reserved for assignment to Government vehicles -

- (a) the registration mark consisting only of the letter "A";
- (b) all registration marks consisting of the letter "A", at the beginning, followed by a numeral or numerals only;
- (c) all registration marks consisting of the letter "A", as the suffix, preceded by a numeral or numerals only;
- (d) the registration mark consisting only of the letter "F";
- (e) all registration marks consisting of the letter "F",

at the beginning, followed by a numeral or numerals only;

- (f) all registration marks consisting of the letter "F", as the suffix, preceded by a numeral or numerals only;
- (g) the registration mark consisting only of the letters "AM";
- (h) all registration marks consisting of the letters "AM", at the beginning, followed by a numeral or numerals only; and
- (i) all registration marks consisting of the letters "AM", as the suffix, preceded by a numeral or numerals only."

(b) by repealing subregulation (4) and substituting -

"(4) The following registration marks are reserved for assignment to vehicles owned by The Legislative Council Commission -

- (a) the registration mark consisting only of the letters "LC";
- (b) all registration marks consisting of the letters "LC", at the beginning, followed by a numeral or numerals only; and
- (c) all registration marks consisting of the letters "LC",



as the suffix, preceded by a numeral or numerals only.

(5) In determining whether a registration mark is a registration mark reserved under this regulation, only the sequence of arrangement of the letters and numerals shall be taken into account."

#### **10. Regulations added**

The following are added -

##### **"12A. Commissioner to invite applications for personalized registration marks**

(1) The Commissioner may from time to time, by notice published in the Gazette, invite applications for the allocation of personalized registration marks upon sale by auction.

(2) The Commissioner -

(a) shall determine the period within which an application has to reach him; and

(b) may specify the number of applications to be considered under regulation 12C ("specified number").

(3) If the number of applications received by the Commissioner exceeds the specified number, the Commissioner shall cause the applications to be considered under regulation 12C to be selected by lot.

(4) A notice under subregulation (1) shall state -

- (a) the period determined under subregulation (2)(a);
- (b) the specified number; and
- (c) that, if the number of applications received exceeds the specified number, the applications to be considered under regulation 12C are to be selected by lot.

(5) The Commissioner shall, in such manner as he thinks fit, give notice of the result of any such selection.

**12B. Manner in which application for  
personalized registration  
mark is to be made**

(1) A person who wishes to be allocated a personalized registration mark under regulation 12I may, upon invitation made under regulation 12A(1), apply to the Commissioner to make that registration mark ("proposed personalized registration mark") available for allocation upon sale by auction.

(2) An application under subregulation (1) shall be in a form specified by the Commissioner ("application form").

(3) The applicant shall -

- (a) print the proposed personalized registration mark in the boxes designated for that purpose on the application form so as to show clearly the arrangement (either in a single row only or both in a single row and in 2 rows) of the letters and numerals that make up the proposed personalized registration mark; and
- (b) indicate a blank space, if required, by

leaving the appropriate box blank.

(4) No person shall, in response to a particular invitation made under regulation 12A(1), make more than one application.

(5) The Commissioner shall not entertain any request to -

(a) withdraw an application; or

(b) amend the particulars on the application form as referred to in subregulation (3),

made after the application is received by him.

**12C. Application for personalized  
registration mark to be  
considered for deciding  
whether it shall be  
determined by  
Commissioner**

(1) The Commissioner shall consider, in accordance with this regulation, an application for the allocation of a proposed personalized registration mark received or (in the case where a selection by lot under regulation 12A(3) is made) selected by lot for the purpose of deciding whether the application shall be determined under regulation 12F.

(2) If a proposed personalized registration mark -

(a) does not comply with the requirements set out in regulation 12E;

(b) is a registration mark which has been assigned or allocated under these regulations;

(c) is a proposed personalized registration mark for which an application has already been made in response to an earlier invitation made under regulation 12A(1) and -

- (i) the application is being determined;  
or
- (ii) has been approved as personalized  
registration mark to be offered for  
sale by auction,  
under these regulations;
- (d) has, in its arrangement of the letters and  
numerals, more than 4 identical letters or  
numerals placed together side by side;
- (e) consists of the letters "VV", at the beginning,  
followed by a number;
- (f) consists of the letter "T", as the suffix,  
preceded by a number;
- (g) consists of the letter "T", at the beginning,  
followed by a number;
- (h) is identical with a registration mark referred  
to in regulation 34(1)(a)(i);
- (i) is a registration mark reserved under  
regulation 11;
- (j) is a personalized registration mark specified  
in Schedule 5A; or
- (k) falls within the description in regulation  
6(1)(a)(i) or 9(1),

the application for the allocation of the proposed  
personalized registration mark shall not be determined under  
regulation 12F.

(3) Notwithstanding anything contained in these  
regulations, if more than one application is made by the same  
person, the Commissioner shall not determine any of those  
applications under regulation 12F.

(4) Subject to subregulation (5), where the Commissioner receives more than one application for the allocation of the same proposed personalized registration mark (taking into account only the sequence of arrangement of the letters and numerals), only one of those applications, which shall be drawn by lot, shall be, subject to subregulations (2) and (3), determined under regulation 12F.

(5) Where there is a selection by lot under regulation 12A(3), and more than one application for the allocation of the same proposed personalized registration mark (taking into account only the sequence of arrangement of the letters and numerals) is so selected, only the one on which the lot falls first out of those applications shall be, subject to subregulations (2) and (3), determined under regulation 12F.

**12D. Payment of deposit upon notice  
by Commissioner**

(1) The Commissioner shall require, by notice in writing, the applicant of each application for the allocation of a proposed personalized registration mark which, after being considered under regulation 12C, shall be determined under regulation 12F to pay to the Commissioner a deposit of \$5,000 within the period specified in the notice.

(2) An applicant who fails to pay a deposit required under subregulation (1) shall be deemed to have withdrawn his application.

**12E. Combination requirements for  
personalized registration  
marks**

(1) Subject to subregulations (2) and (3), a

personalized registration mark shall consist of -

- (a) not more than 8 letters (which shall not include the letters "I", "O" and "Q");
- (b) not more than 8 numerals; or
- (c) any combination of letters (which shall not include the letters "I", "O" and "Q") and numerals the total of which shall not exceed 8.

(2) Each blank space indicated on an application form under regulation 12B(3)(b) shall, for the purpose of counting the number of letters, numerals, or both, under subregulation (1)(a), (b) or (c), be taken as one letter or numeral.

(3) More than one blank space is allowed in a personalized registration mark, but there shall be not more than one blank space between any 2 letters or numerals, or between a letter and a numeral, in the personalized registration mark.

(4) Any blank space in a proposed personalized registration mark shall be disregarded for the purpose of deciding -

- (a) whether it is a registration mark referred to in regulation 12C(2)(b) or (c) (in which case any blank space in such registration mark shall also be disregarded for the purpose of making the comparison); and
- (b) whether it falls within the description in regulation 12C(2)(d), (e), (f), (g), (h), (i), (j) or (k).

**12F. Determination of application for personalized registration mark**

(1) On receipt of a deposit under regulation 12D(1), the Commissioner shall, in his discretion, determine whether to accept or refuse the application concerned.

(2) Without prejudice to the generality of the Commissioner's discretion under subregulation (1), the Commissioner shall refuse an application if, in his opinion, the proposed personalized registration mark -

- (a) is likely to be offensive to a reasonable person, or has a connotation offensive to good taste or decency;
- (b) refers to any triad title or nomenclature or otherwise has a triad connotation;
- (c) is likely to cause a reasonable person to believe that the motor vehicle on which the registration mark is displayed belongs to or the person using the vehicle represents any of the following -
  - (i) the Hong Kong Garrison or any office set up by the Central People's Government in Hong Kong;
  - (ii) the Government;
  - (iii) any public body;
  - (iv) any country or the government of any country; or
  - (v) an international organization in which the Government participates in any capacity;
- (d) may cause danger to the safety of any user of the road; or
- (e) is confusing for the purposes of law

enforcement.

(3) If the Commissioner determines that an application shall be refused, he shall -

- (a) notify the applicant in writing of the refusal and the reasons therefor; and
- (b) refund to the applicant the deposit paid by him under regulation 12D(1).

(4) On determining that an application shall be accepted, the Commissioner shall notify the applicant in writing that -

- (a) the application is accepted; and
- (b) subject to regulation 12G, the proposed personalized registration mark is approved as personalized registration mark to be offered for sale by auction on a day to be fixed by the Commissioner in his discretion.

**12G. Review of determination to accept application for personalized registration mark**

(1) The Commissioner may, at any time before a proposed personalized registration mark approved as referred to in regulation 12F(4) is sold by auction, review the determination under that regulation if he is satisfied that there is good cause for doing so.

(2) The Commissioner may, on reviewing a determination under subregulation (1), confirm or reverse the determination.

(3) If the Commissioner reverses a determination under subregulation (2), he shall -

- (a) notify the applicant concerned in writing of the reversal and the reasons therefor; and



- (b) refund to the applicant the deposit paid by him under regulation 12D(1).

**12H. Sale by auction of personalized registration marks**

(1) The sale by auction under regulation 12I(1) of a proposed personalized registration mark shall, subject to subregulation (2), be conducted under the direction of the Commissioner.

(2) The Commissioner may engage such persons as he thinks fit for the conduct of the sale by auction under regulation 12I(1) of a proposed personalized registration mark.

(3) The sale by auction under regulation 12I(1) of a proposed personalized registration mark shall be subject to a reserve price of \$5,000, and the persons attending the sale by auction shall be notified accordingly.

**12I. Allocation and sale of personalized registration marks**

(1) Subject to subregulation (3), a proposed personalized registration mark shall, before being assigned under regulation 6, be offered for sale by auction.

(2) If a proposed personalized registration mark is allocated upon sale by auction to a person other than the applicant who applied to the Commissioner to make it available for allocation, the deposit paid by the applicant under regulation 12D(1) shall be refunded to him.

(3) If a proposed personalized registration mark remains unsold at the auction, it shall be allocated, at a

special fee of \$5,000, to the applicant.

(4) For the purposes of subregulation (3), the deposit paid by the applicant under regulation 12D(1) shall be taken as payment of the special fee.

(5) Regulation 9(2) and (3) shall apply in respect of personalized registration marks allocated under this regulation (whether allocated upon sale by auction or at the special fee of \$5,000) in like manner as it applies in respect of special registration marks allocated under regulation 9(1).

(6) If, for whatever cause, a personalized registration mark allocated under this regulation is not assigned to a motor vehicle within 12 months after the date of its allocation, the Commissioner may, without notice to the personalized registration mark holder, cancel that allocation and reallocate the personalized registration mark.

#### **12J. Issue of certificate of allocation**

(1) The Commissioner shall issue a certificate of allocation to the person to whom the personalized registration mark is allocated under regulation 12I.

(2) A certificate of allocation issued under subregulation (1) shall -

- (a) state the personalized registration mark;
- (b) state the name and identity document number of the personalized registration mark holder (being the person to whom the personalized registration mark is allocated under regulation 12I);

- (c) state the date of allocation of the personalized registration mark which, in the case of allocation under regulation 12I, shall be the date of auction;
- (d) state the date of auction; and
- (e) state the auction price or the special fee at which the personalized registration mark was sold under regulation 12I.

(3) The certificate of allocation shall also specify the arrangement of the letters and numerals (together with any blank space) of the personalized registration mark for display in accordance with paragraph 1(a) of Schedule 4 -

- (a) in a single row only, if such arrangement is shown in a single row only on the application form for the personalized registration mark; or
- (b) both in a single row and in 2 rows, if such arrangement is shown both in a single row and in 2 rows on the application form for the personalized registration mark.

**12K. Sale of certain personalized registration marks in Commissioner's discretion**

(1) The Commissioner may, in his discretion, make any registration mark specified in Schedule 5A available for allocation upon sale by auction as a personalized registration mark.

(2) Regulation 12H shall apply in respect of the sale by auction of a personalized registration mark under this

regulation in like manner as it applies in respect of the sale by auction of a proposed personalized registration mark under regulation 12I(1).

(3) Regulation 12J shall apply in respect of personalized registration marks allocated under this regulation in like manner as it applies in respect of personalized registration marks allocated under regulation 12I.

(4) Regulation 9(2) and (3) shall apply in respect of personalized registration marks allocated under this regulation in like manner as it applies in respect of special registration marks allocated under regulation 9(1).

(5) If, for whatever cause, a personalized registration mark allocated under this regulation is not assigned to a motor vehicle within 12 months after the date of its allocation, the Commissioner may, without notice to the personalized registration mark holder, cancel that allocation and reallocate the personalized registration mark.

**12L. Cancellation of personalized registration marks**

(1) The Commissioner may, in his discretion, cancel the allocation of a personalized registration mark at any time after that allocation if he is satisfied, having regard to such matters as he considers relevant including but not limited to the grounds specified in regulations 12C(2) and 12F(2), that the personalized registration mark is not or is no longer appropriate for allocation.

(2) Before cancelling the allocation of a personalized registration mark under subregulation (1), the Commissioner shall send a notice to the personalized registration mark holder -

- (a) stating that the allocation of the personalized registration mark shall be cancelled on the expiry of 15 days after the date of the notice and the reasons therefor; and
- (b) if the personalized registration mark has been assigned to a motor vehicle, specifying the new registration mark to be assigned to the vehicle under subregulation (5).

(3) A notice of cancellation shall be sent to the personalized registration mark holder by ordinary post at the address last known to the Commissioner or, where the personalized registration mark has been assigned to a motor vehicle, his address appearing on the register.

(4) On the expiry of the 15 days referred to in subregulation (2)(a), the Commissioner shall cancel the allocation of the personalized registration mark and, accordingly -

- (a) the certificate of allocation;
- (b) if the personalized registration mark has been assigned to a motor vehicle, the vehicle licence issued in respect of the vehicle; and
- (c) such other relevant documents as may be specified by the Commissioner,

shall cease to be valid.

(5) In the event of a cancellation under subregulation

(4) of the allocation of a personalized registration mark which has been assigned to a motor vehicle, a new registration mark shall be assigned to the vehicle.

**12M. Return of documents and refund on  
cancellation of personalized  
registration marks**

(1) The personalized registration mark holder shall, within 15 days after the date of the notice of cancellation sent to him, return to the Commissioner -

- (a) the certificate of allocation issued to him;
- (b) if the personalized registration mark has been assigned to a motor vehicle -
  - (i) the vehicle licence issued in respect of the vehicle; and
  - (ii) the registration document relating to the vehicle; and
- (c) such other relevant documents as may be specified by the Commissioner.

(2) When the certificate of allocation and (where applicable) vehicle licence, registration document and other relevant documents are returned under subregulation (1), the Commissioner shall refund an amount equal to the auction price or the special fee at which the personalized registration mark was sold under regulation 12I to the personalized registration mark holder.

(3) If the personalized registration mark has been assigned to a motor vehicle, the Commissioner shall -

- (a) where the vehicle licence and registration document are returned to the Commissioner within the time specified in subregulation (1) -

- (i) enter in the register the new registration mark assigned to the vehicle under regulation 12L(5);
  - (ii) (except where the registered owner of the vehicle wishes to surrender the vehicle licence) return to the registered owner the vehicle licence with the new registration mark entered therein; and
  - (iii) return to the registered owner of the vehicle the registration document with the new registration mark entered therein; or
- (b) in any other case -
  - (i) enter in the register the new registration mark assigned to the vehicle under regulation 12L(5);
  - (ii) cancel the vehicle licence when it ceases to be valid under regulation 12L(4) and make a refund of the portion of the licence fee paid for the licensing of the vehicle relating to the unexpired period of the vehicle licence; and
  - (iii) where the vehicle licence and registration document are subsequently returned to the Commissioner -
    - (A) return to the registered owner of the vehicle the registration

document with the new  
registration mark entered  
therein; and

- (B) where the registered owner  
complies with regulation 21(1),  
issue a new vehicle licence in  
respect of the vehicle.

(4) Regulation 24(1) shall apply in respect of the  
refund of the portion of the licence fee under subregulation  
(3)(b)(ii) as if the reference to the surrender of a valid  
vehicle licence under that regulation were a reference to the  
cancellation of a vehicle licence under that subregulation.

(5) For the purpose of calculating the amount to be  
refunded, the number of days in the unexpired period, as  
referred to in Schedule 6, of a vehicle licence cancelled  
under subregulation (3)(b)(ii) shall be counted from the day  
immediately following the expiry of the 15 days referred to  
in regulation 12L(2)(a).

**12N. Effect of sending notice of  
cancellation**

(1) Subregulations (2), (3) and (4) shall apply where a  
notice of cancellation is sent under regulation 12L(2).

(2) The personalized registered mark concerned, if it  
has not yet been assigned to a motor vehicle, shall not be  
assigned to any motor vehicle.

(3) The Commissioner shall, before the return of the  
certificate of allocation and (where applicable) vehicle  
licence, registration document and other relevant documents  
as required by regulation 12M(1) or the expiry of the 15 days



referred to in regulation 12L(2)(a), whichever is the earlier -

- (a) take no action under regulation 17(3), (3A), (4) or (5) on receipt of any notice of transfer of ownership of the motor vehicle to which the personalized registration mark is assigned;
- (b) refuse to license the motor vehicle under regulation 21(3), (5) or (6);
- (c) refuse to issue any other licence or permit, or to renew any other licence or permit issued, in respect of the motor vehicle under these regulations or any other regulations made under the Ordinance; and
- (d) refuse to issue a duplicate registration document, vehicle licence or permit in respect of the motor vehicle.

(4) The Commissioner shall also refuse to issue a duplicate certificate of allocation under regulation 59.

(5) The Commissioner shall, on receipt of an application in writing, provide information to the person making the application as to whether any notice of cancellation has been sent.

**120. Appeal to Administrative Appeals  
Board against decision to  
cancel a personalized  
registration mark**

(1) A person aggrieved by the decision of the Commissioner to cancel the allocation of a personalized registration mark under regulation 12L may appeal to the

Administrative Appeals Board against such decision.

(2) Where the Administrative Appeals Board, in the exercise of its powers under section 21(1)(j) of the Administrative Appeals Board Ordinance (Cap. 442), reverses a decision of the Commissioner on an appeal, the Commissioner shall take such action as is necessary (including, in particular, the allocation of the personalized registration mark) to give effect to the reversal by the Administrative Appeals Board of that decision.

(3) Without prejudice to the generality of subregulation (2), the Commissioner shall, upon receiving from the person to whom a refund was made under regulation 12M(2) the amount so refunded (if any), issue a new certificate of allocation to that person.

(4) A certificate of allocation issued under subregulation (3) shall -

- (a) contain the particulars specified in regulation 12J(2)(a), (d) and (e) and (3);
- (b) state the name and identity document number of the personalized registration mark holder (being the person to whom the personalized registration mark is allocated under subregulation (2) to give effect to the reversal by the Administrative Appeals Board of the decision of the Commissioner); and
- (c) state the date of allocation of the personalized registration mark which, in such case, shall be the date of the reversal by the Administrative Appeals Board of the decision of the Commissioner as referred to

in subregulation (2).

(5) Regulation 9(2) and (3) shall apply in respect of personalized registration marks allocated under subregulation (2) to give effect to the reversal by the Administrative Appeals Board of decisions of the Commissioner in like manner as it applies in respect of special registration marks allocated under regulation 9(1).

(6) If, for whatever cause, a personalized registration mark allocated under subregulation (2) to give effect to a reversal by the Administrative Appeals Board of a decision of the Commissioner is not assigned to a motor vehicle within 12 months after the date of its allocation, the Commissioner may, without notice to the personalized registration mark holder, cancel that allocation and reallocate the personalized registration mark.

(7) The Commissioner may waive the payment of the registration fee prescribed in Schedule 2 where a personalized registration mark allocated under subregulation (2) to give effect to a reversal by the Administrative Appeals Board of a decision of the Commissioner is assigned to a motor vehicle.

**12P. Power to seize number plates  
with cancelled personalized  
registration marks**

Any police officer or other public officer authorized by the Commissioner for the purposes of this regulation may seize number plates bearing a personalized registration mark the allocation of which is cancelled from the motor vehicle on which they are displayed.

**12Q. Surrender of personalized registration marks**

(1) A personalized registration mark holder may, at any time by giving notice in writing, surrender the personalized registration mark to the Commissioner who may reallocate it upon sale by auction.

(2) When the personalized registration mark holder gives notice under subregulation (1), he shall at the same time return to the Commissioner -

- (a) the certificate of allocation issued to him;
- (b) if the personalized registration mark has been assigned to a motor vehicle -
  - (i) the vehicle licence issued in respect of the vehicle; and
  - (ii) the registration document relating to the vehicle; and
- (c) such other relevant documents as may be specified by the Commissioner.

(3) The personalized registration mark surrendered under subregulation (1) shall cease to be valid upon receipt by the Commissioner of the certificate of allocation.

(4) If the personalized registration mark has been assigned to a motor vehicle, the Commissioner may, when the personalized registration mark ceases to be valid under subregulation (3), assign a new registration mark to the vehicle.

(5) Where a vehicle licence, registration document and other relevant documents are returned to the Commissioner under subregulation (2)(b) and (c), the Commissioner shall -

- (a) enter in the register the new registration mark assigned to the motor vehicle concerned under

- subregulation (4); and
- (b) return to the registered owner of the vehicle the vehicle licence and registration document with the new registration mark entered therein.".

#### **11. Sale of registration marks on request**

Regulation 13 is amended -

- (a) in subregulation (1), by repealing everything after "who wishes to" and before "available for allocation" and substituting "be allocated a registration mark consisting of one or 2 letters chosen by the Commissioner, subject to regulation 11, as its prefix, followed by a particular number of not more than 4 digits (not being a number listed in Schedule 5, or the number consisting only of the numeral "0", or a number beginning with the numeral "0") chosen by the person, may apply to the Commissioner to make such a registration mark, if unassigned,";
- (b) in subregulation (2), by repealing "for sale by auction an unassigned registration mark consisting of one or more letters, chosen by the Commissioner, and the particular number requested" and substituting "the requested registration mark for sale by auction";
- (c) in subregulation (3), by adding "by auction" after "the sale";
- (d) in subregulation (4), by adding "for allocation" after "available";

- (e) in subregulation (5), by adding "for allocation" after "available";
- (f) in subregulation (6), by repealing "they apply" and substituting "it applies";
- (g) in subregulation (7), by adding "the date of" after "within 12 months after".

**12. Sale of certain registration marks  
in Commissioner's discretion**

Regulation 14 is amended -

- (a) in subregulation (1), by repealing ", not being a special registration mark or a registration mark reserved under regulation 11" and substituting "chosen by him, subject to regulation 11, consisting of one or 2 letters as its prefix, followed by a number of not more than 4 digits (not being a number listed in Schedule 5)";
- (b) in subregulation (2), by repealing "they apply" and substituting "it applies";
- (c) in subregulation (3), by adding "the date of" after "within 12 months after".

**13. Cancellation of registration for  
non-licensing**

Regulation 15(2) is amended by repealing "12" and substituting "12A to 12K".

**14. Transfer of registration marks**

Regulation 16(5) is amended by repealing "12," and substituting "12A to 12K,".

**15. Transfer of motor vehicle ownership**

Regulation 17 is amended -

(a) in subregulation (1) -

(i) in paragraph (a), by repealing "and";

(ii) by adding -

"(aa) if the vehicle is a vehicle to which there is assigned a personalized registration mark, the certificate of allocation; and";

(b) in subregulation (2) -

(i) in paragraph (a), by repealing "form of";

(ii) in paragraph (b) -

(A) in subparagraph (i), by repealing "form of";

(B) by adding -

"(ia) if the vehicle is a vehicle to which there is assigned a personalized registration mark, the certificate of allocation;";

(c) in subregulation (3), by repealing "and 12" and substituting ", 12 and 12N";

(d) by adding -

"(3A) In the case referred to in subregulation (3)(a), where a certificate of allocation has been delivered to the Commissioner in accordance with subregulation (2)(b)(ia), the Commissioner shall issue a new

certificate of allocation to the new registered owner of the motor vehicle to which the personalized registration mark is assigned.

(3B) A certificate of allocation issued under subregulation (3A) shall -

- (a) contain the particulars specified in regulation 12J(2)(a), (d) and (e) and (3);
  - (b) state the name and identity document number of the personalized registration mark holder (being the new registered owner);
  - (c) state the date of allocation of the personalized registration mark as specified in regulation 12J(2)(c) or 12O(4)(c), as the case may be; and
  - (d) state the date of entering in the register the name, address and particulars of the identity document of the new owner.";
- (e) by adding -

"(5A) Notwithstanding anything contained in subregulation (4) or (5), where a motor vehicle is a vehicle to which there is assigned a personalized registration mark, the Commissioner shall not cause the new owner of the vehicle to be registered as the owner of the vehicle under subregulation (4) or



- (5) unless the certificate of allocation has been delivered to the Commissioner in accordance with subregulation (2)(b)(ia).";
- (f) in subregulation (6)(b), by adding "certificate of allocation (where applicable)," before "a valid".

**16. Changes of particulars of registered owner or personalized registration mark holder**

Regulation 19 is amended by adding -

"(3) A person to whom a personalized registration mark is allocated shall, as soon as practicable after the allocation, notify the Commissioner in writing of his name and address and the particulars of his identity document.

(4) Without prejudice to subregulation (1), within 72 hours after any change of name, address or identity document of a personalized registration mark holder, the personalized registration mark holder shall forward to the Commissioner a notice of such change in a form specified by the Commissioner together with, in the case of change of name or identity document, the certificate of allocation.

(5) On receipt of such notice of change of name or identity document and the certificate of allocation, the Commissioner shall return to the personalized registration mark holder the certificate of allocation forwarded by him with such change entered therein."

**17. Motor vehicles broken up, destroyed or exported**

Regulation 20 is amended -

- (a) in subregulation (1), by repealing everything after "at the same" and substituting -

"time -

(a) deliver to the Commissioner the registration document and vehicle licence (if not destroyed) relating to the vehicle; and

(b) if the vehicle is a vehicle to which there is assigned a personalized registration mark, return to the Commissioner the certificate of allocation, in which case regulation 12Q shall apply as if the notification under this subregulation was a notice under regulation 12Q(1).";

(b) in subregulation (2) -

(i) by adding ", subject to subregulation (3A)," before "cancel the registration";

(ii) by repealing "12" and substituting "12A to 12K";

(c) by adding -

"(3A) If the registered owner wishes to have the registration mark that is assigned to such vehicle transferred or held in abeyance under regulation 16, he shall make an application to the Commissioner under regulation 16(1) before the Commissioner cancel the registration of the vehicle under this regulation.";

- (d) in subregulation (4), by repealing "cancel the registration of the vehicle and may, subject to regulations 9, 12" and substituting ", unless an application referred to in subregulation (3A) is received, cancel the registration of the vehicle and at any time thereafter, may, subject to regulations 9, 12A to 12K".

**18. Vehicle licence and certificate of allocation to remain property of the Government**

Regulation 22 is amended -

- (a) by adding -

"(1A) A certificate of allocation shall remain the property of the Government and the Commissioner may require a certificate of allocation to be returned to him at any time.";

- (b) in subregulation (2), by adding ", and to seize a certificate of allocation that is cancelled" after "from a motor vehicle".

**19. Registration marks on imported vehicles**

Regulation 34 is amended -

- (a) in subregulation (1) -

- (i) in paragraph (a), by repealing everything after "registration document is" and substituting -

"produced -

- (i) the registration mark recorded in that document;
    - or

- (ii) if the registration mark recorded in that document is identical to a registration mark which has been assigned or allocated under these regulations (by a comparison only of the sequence of arrangement of the letters and numerals), a registration mark consisting of 2 letters as its prefix, followed by a number of not more than 4 digits (not being a number listed in Schedule 5);  
and";
- (ii) in paragraph (b), by repealing everything after "other vehicle" and substituting "  
a registration mark consisting of 2 letters as its prefix, followed by a number of not more than 4 digits (not being a number listed in Schedule 5).";
- (b) in subregulation (2), in the proviso -
  - (i) in paragraph (a), by repealing "subregulation (1)(a)" and substituting "subregulation (1)(a)(i)";
  - (ii) in paragraph (b), by repealing "subregulation (1)(a)" and substituting "subregulation (1)(a)(i)";

- (c) in subregulation (3), by repealing "subregulation (1)(a)" and substituting "subregulation (1)(a)(i)";
- (d) in subregulation (4), by repealing "subregulation (1)(a)" and substituting "subregulation (1)(a)(i)".

## **20. Registration cards**

Regulation 35(1) is amended by repealing "regulation 34(1)(b)" and substituting "regulation 34(1)(a)(ii) or (b)".

## **21. Registration, etc. of trailers**

Regulation 37 is amended -

- (a) in subregulation (1), by adding "and references therein to a registration mark were references to the registration mark assigned to the trailer as referred to in subregulation (2)" after "respectively";
- (b) in subregulation (2), by repealing everything after "regulation" and substituting "6(1)(a) shall consist of the letter "T", as the suffix, preceded by a number.".

## **22. Trade licences and trade plates**

Regulation 44(2) is amended by repealing "together with the number, or letters and number, allocated in respect thereof" and substituting ", followed by the number allocated in respect thereof,".

## **23. Issue of duplicate registration documents, licences, permits and certificates of allocation**

Regulation 59 is amended -

- (a) by adding -

"(2A) If a certificate of allocation is lost, destroyed or defaced, the personalized registration mark holder may apply to the Commissioner in a form specified by the Commissioner for a duplicate certificate of allocation, and the Commissioner upon being satisfied as to such loss, destruction or defacement and upon receipt of any certificate of allocation which has been defaced, shall issue a duplicate certificate of allocation, marked as such, on payment of the appropriate fee prescribed in Schedule 2 and the duplicate certificate of allocation so issued shall have the same effect as the original certificate of allocation.";

(b) in subregulation (3) -

- (i) by repealing "trade licence or permit" and substituting "trade licence, permit or certificate of allocation";
- (ii) by repealing ", licence or permit" where it twice appears and substituting ", vehicle licence, trade licence, permit or certificate of allocation";

(c) in subregulation (4) -

- (i) by repealing "trade licence or permit" and substituting "trade licence, permit or certificate of allocation";
- (ii) by repealing ", licence or permit" and substituting ", vehicle licence, trade licence, permit or certificate of

allocation";

(d) in subregulation (5) -

- (i) by repealing "trade licence or permit" and substituting "trade licence, permit or certificate of allocation";
- (ii) by repealing ", licence or permit" where it twice appears and substituting ", vehicle licence, trade licence, permit or certificate of allocation";
- (iii) by repealing "or the person to whom the licence" and substituting ", the person to whom the vehicle licence, trade licence";
- (iv) by adding "or the personalized registration mark holder" after "was issued";

(e) in subregulation (6) -

- (i) by repealing "trade licence or permit" and substituting "trade licence, permit or certificate of allocation";
- (ii) by repealing ", licence or permit" wherever it appears and substituting ", vehicle licence, trade licence, permit or certificate of allocation".

## 24. Offences

Regulation 60 is amended -

(a) in subregulation (1) -

- (i) by adding "12M(1)," before "17(1)";
- (ii) by repealing "19(1)" and substituting

"19(1), (3) or (4)";

(iii) by repealing "22(1)" and substituting

"22(1) or (1A)";

(b) in subregulation (2), by adding "12P," before

"22(2)";

(c) in subregulation (6) -

(i) by adding "certificate of allocation,"

after "any registration document or

card,";

(ii) by adding "certificate of allocation,"

after "such registration document or

card,".

## **25. Regulation added**

The following is added -

### **"60A. Amendment of Schedule 5A**

The Commissioner may by order published in the Gazette amend Schedule 5A."

## **26. Transitional provisions**

Regulation 62 is amended by adding -

"(3) Regulation 11(1) shall not have effect in relation to a registration mark falling within the description in paragraph (b) of that regulation if -

(a) the registration mark was assigned or

allocated, or deemed to be assigned or

allocated, under these regulations before the

commencement of the amendments made by the

Revenue (Personalized Vehicle Registration

Marks) Ordinance 2005 ( of 2005) to that

regulation; and



- (b) the registration mark is valid at the commencement of those amendments."

## **27. Fees**

Schedule 2 is amended -

- (a) by adding "120," after "[regs. 4, 5, 9,";
- (b) in the fifth item, by repealing "or vehicle licence fee, other than in the case of a rickshaw" and substituting "fee, duplicate vehicle licence fee other than in the case of a rickshaw, or duplicate certificate of allocation fee".

## **28. Provisions as to display of registration marks and plates**

Schedule 4 is amended -

- (a) by repealing "[reg. 8]" and substituting "[regs. 2, 8 & 12J]";
- (b) in paragraph 1 -
  - (i) by repealing everything before Diagram No. 3 and substituting -
    - "1. Form of Display of Registration Marks
    - (a) Arrangement of Letters and Numerals
      - (i) The letters and numerals of a registration mark (not being a personalized registration mark)

shall be

displayed -

(A) in a single

row, as

shown in

Diagram 1 -

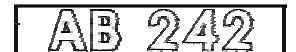


DIAGRAM 1;

or

(B) in 2 rows,

with the

letters in

the upper

row and the

numerals in

the lower

row, as

shown in

Diagram 1A -

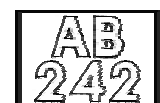


DIAGRAM 1A.

- (ii) In the case of a  
personalized  
registration mark,  
subject to  
subparagraph (c),  
the letters and

numerals shall be  
displayed -

(A) (if the  
certificate  
of  
allocation  
specifies  
the  
arrangement  
in a single  
row only) in  
a single row  
only, as  
shown in  
Diagram 2 -



DIAGRAM 2;

or

(B) (if the  
certificate  
of  
allocation  
specifies  
the  
arrangement  
both in a  
single row  
and in 2  
rows)

either -

(I) in a  
single  
row, as  
shown  
in  
Diagram  
2  
above;  
or

(II) in 2  
rows,  
as  
shown  
in  
Diagram  
2A -



DIAGRAM 2A.

(iii) If the letters  
and numerals of a  
personalized  
registration mark  
are displayed in  
2 rows, the  
maximum number of  
letters and  
numerals in each

row is 4  
(counting a blank  
space as one  
letter or  
numeral).

- (iv) In the case of a  
personalized  
registration mark  
displayed in 2  
rows, any blank  
space which would,  
if not for this  
sub-subparagraph,  
appear on the  
right most side  
of the upper row  
or the left most  
side of the lower  
row shall, for  
the purpose of  
having the  
letters and  
numerals in the  
relevant row  
centred, be  
disregarded so  
that there is a  
margin of the  
same width on  
each side of the

row.

(b) Form and Size of Letters  
and Numerals

(i) The letters and  
numerals of a  
registration mark  
for display shall  
comply with sub-  
subparagraph (ii)  
and with the form  
and proportions  
shown in Diagram  
3 -";

(ii) by repealing "DIAGRAM NO. 3" and  
substituting "DIAGRAM 3.";

(iii) by renumbering subparagraph (iii) as  
subparagraph (b)(ii);

(iv) in subparagraph (b)(ii) -

(A) by repealing "1, 2" and  
substituting "1, 1A, 2, 2A";

(B) by renumbering sub-subparagraph (a)  
as sub-sub-subparagraph (A);

(C) in sub-sub-subparagraph (A) -

(I) by repealing "invalid  
carriages and motor cycles"  
and substituting "an  
invalid carriage or a motor  
cycle";

(II) by adding "or" at the end;

(D) by renumbering sub-subparagraph (b)

as sub-sub-subparagraph (B);

(v) by adding -

"(c) Spacing of Letters and Numerals  
of Personalized Registration  
Marks

(i) Subject to sub-  
subparagraphs (ii) and  
(iii), each letter or  
numeral of a  
personalized  
registration mark for  
display shall be  
separated from the  
letter or numeral it  
immediately precedes  
or follows by a space,  
which shall be -

(A) in the case of  
an invalid  
carriage or a  
motor cycle, not  
less than 0.2 cm  
and not more  
than 2.5 cm wide  
(or, if there  
are 2 or more  
than 2 numerals  
"1", placed  
together side by  
side, in the

arrangement of  
the letters and  
numerals, more  
than 0.8 cm but  
not more than  
2.5 cm wide); or

(B) in the case of  
any other motor  
vehicle, not  
less than 1 cm  
and not more  
than 3.2 cm wide,

and all such spaces  
separating the  
letters and numerals  
shall be of the same  
width.

(ii) A blank space between  
any 2 letters or  
numerals, or between a  
letter and a numeral,  
of a personalized  
registration mark for  
display shall be -

(A) in the case of an  
invalid carriage  
or a motor cycle,  
not less than 3.2  
cm and not more  
than 4.2 cm wide;



or

(B) in the case of  
any other motor  
vehicle, not less  
than 5.5 cm and  
not more than 7  
cm wide.

(iii) The space referred to  
in sub-subparagraph (i)  
is not required  
between a letter and a  
blank space, or  
between a numeral and  
a blank space, of a  
personalized  
registration mark for  
display.

(iv) For the purposes of  
sub-subparagraphs (i)  
to (iii), the width of  
a space or blank space  
between any 2 letters  
or numerals, or  
between a letter and a  
numeral, shall be  
measured horizontally  
between the vertical  
line passing through  
the right extreme edge  
of the letter or

numeral immediately  
preceding the  
following letter or  
numeral and the  
vertical line passing  
through the left  
extreme edge of the  
following letter or  
numeral.";

(c) in paragraph 2 -

- (i) by repealing "Colours, Construction, Fitting, Display" and substituting "Display of Registration Marks and Colours, Construction, Fitting";
- (ii) by renumbering subparagraph (i) as subparagraph (a);
- (iii) in subparagraph (a) -
  - (A) by repealing "subparagraph (v)" and substituting "subparagraph (f)";
  - (B) by repealing "數字" and substituting "數目字";
- (iv) by renumbering subparagraph (ii) as subparagraph (b);
- (v) in subparagraph (b) -
  - (A) by repealing "subparagraph (iia)" and substituting "subparagraph (c)";
  - (B) by renumbering sub-subparagraphs (a), (b), (c) and (d) as sub-subparagraphs (i), (ii), (iii) and (iv) respectively;

- (C) by repealing "數字" wherever it appears and substituting "數目字";
- (vi) by renumbering subparagraph (iia) as subparagraph (c);
- (vii) in subparagraph (c) -
  - (A) by repealing "subparagraph (ii)" and substituting "subparagraph (b)";
  - (B) by repealing "數字" where it twice appears and substituting "數目字";
- (viii) by renumbering subparagraphs (iii) and (iv) as subparagraphs (d) and (e) respectively;
- (ix) in subparagraph (e), by repealing "數字" wherever it appears and substituting "數目字";
- (x) by renumbering subparagraph (v) as subparagraph (f);
- (xi) in subparagraph (f), by repealing "subparagraph (i)" and substituting "subparagraph (a)";
- (xii) by renumbering subparagraph (vi) as subparagraph (g);
- (xiii) in subparagraph (g), by repealing "數字" where it twice appears and substituting "數目字";
- (xiv) by renumbering subparagraphs (vii) and (viii) as subparagraphs (h) and (i) respectively;
- (xv) in subparagraph (i), by repealing "數字" and substituting "數目字";

(xvi) by renumbering subparagraph (ix) as  
subparagraph (j).

**29. List of special registration marks**

Schedule 5 is amended by repealing "[regs. 9 & 13]" and  
substituting "[regs. 6, 9, 13, 14 & 34]".

**30. Schedule 5A added**

The following is added -

"SCHEDULE 5A [regs. 12C,  
12K & 60A]

PERSONALIZED REGISTRATION MARKS TO BE  
MADE AVAILABLE FOR ALLOCATION  
UPON SALE BY AUCTION IN  
COMMISSIONER'S  
DISCRETION

Item

1. B, C, D, E, G, H, J, K, L, M,  
N, P, R, S, T, U, V, W, X, Y  
and Z.

2. AA, BB, CC, DD, EE, FF, GG, HH,  
JJ, KK, LL, MM, NN, PP, RR, SS,  
TT, UU, VV, WW, XX, YY and ZZ."

**31. Percentage of annual licence fee  
which may be refunded**

Schedule 6 is amended by repealing "[reg. 24]" and  
substituting "[regs. 12M & 24]".

**Consequential Amendments**

### **Magistrates (Forms) Rules**

#### **32. Schedule amended**

The Schedule to the Magistrates (Forms) Rules (Cap. 227 sub. leg. C) is amended, in Part I, in Form 27A, in paragraph (b)(i), by adding "(3A)," before "(4) or (5)".

### **Fixed Penalty (Traffic Contraventions) Ordinance**

#### **33. Other orders at conclusion of proceedings**

Section 22(2)(b)(ii) of the Fixed Penalty (Traffic Contraventions) Ordinance (Cap. 237) is amended by adding "(3A)," before "(4) or (5)".

### **Fixed Penalty (Traffic Contraventions) Regulations**

#### **34. Schedule amended**

The Schedule to the Fixed Penalty (Traffic Contraventions) Regulations (Cap. 237 sub. leg. A) is amended, in Form 1, by repealing -

" 字母 letters	號碼 numbers "

and substituting -

"	"

### **Fixed Penalty (Criminal Proceedings)**

## Ordinance

### 35. Effect of non-payment of fines

Section 10(1)(ii) of the Fixed Penalty (Criminal Proceedings) Ordinance (Cap. 240) is amended by adding "(3A)," before "(4) or (5)".

### Fixed Penalty (Criminal Proceedings) Regulations

### 36. Schedule amended

The Schedule to the Fixed Penalty (Criminal Proceedings) Regulations (Cap. 240 sub. leg. A) is amended, in Form 1, by repealing -

" 字母 letters	號碼 numbers	"

and substituting -

"	"

### Motor Vehicles Insurance (Third Party Risks) Regulations

### 37. Forms

The Schedule to the Motor Vehicles Insurance (Third Party Risks) Regulations (Cap. 272 sub. leg. A) is amended, in Form 1, in item 1, by repealing "regulation 6, 9(1), 13 or 14 of".

### Housing (Traffic Contraventions) (Fixed Penalty) Bylaw



Schedule 1 to the Electronic Transactions (Exclusion) Order (Cap. 553 sub. leg. B) is amended, in item 44, by adding "12Q(1)," before "17(2)".

**Mass Transit Railway (Transport  
Interchange) Bylaw**

**42. Other court orders at conclusion  
of proceedings**

Section 51(2)(b)(ii) of the Mass Transit Railway (Transport Interchange) Bylaw (Cap. 556 sub. leg. D) is amended by adding "(3A)," after "17(3),".

**Explanatory Memorandum**

The main object of this Bill is to introduce amendments to the Road Traffic Ordinance (Cap. 374) to give effect to the proposal on personalized registration marks of motor vehicles in the 2004-2005 Budget.

2. Clauses 2 and 4 define the meaning of "personalized registration mark" to be used in both the Road Traffic Ordinance (Cap. 374) ("the Ordinance") and the Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap. 374 sub leg. E) ("the Regulations"). Basically, a personalized registration mark must consist of not more than 8 letters (except the letters "I", "O" and "Q") or 8 numerals or any combination of not more than 8 such letters and numerals. Each blank space between any 2 letters or numerals will be counted as one letter or numeral. In order to be distinguished from "personalized registration marks", the descriptions of "special registration marks" and other registration marks are set out more clearly by clauses 5 and 7.

3. Clause 3 amends the regulation-making provisions in the



Ordinance to enable regulations to be made to provide for matters relating to the issue of personalized registration marks.

4. Clause 6 amends the Regulations to provide that a personalized registration mark, like any other registration mark, must be displayed in accordance with the requirements in Schedule 4 to the Regulations. In particular, the arrangement of the letters and numerals, as well as blank spaces, in a personalized registration mark must comply with that specified in the certificate of allocation of that personalized registration mark.

5. Clause 9 provides that certain registration marks are reserved and, by virtue of the proposed regulation 12C(2)(i) in clause 10, these reserved registration marks are not to be allocated as personalized registration marks.

6. Clause 10 also adds new provisions to the Regulations.

7. In particular, the proposed regulations 12A to 12D deal with application for personalized registration marks. Basically, the Commissioner for Transport ("the Commissioner") may invite applications from time to time, and may set a limit on the number of applications to be considered for the purpose of deciding which of those applications shall be determined by the Commissioner. If the number of applications received exceeds the limit, a selection by lot will be held. No person may submit more than one application in response to an invitation. An application for a personalized registration mark which is, inter alia, identical with any other registration mark will not be determined by the Commissioner. An applicant whose application will be determined by the Commissioner is required to pay a deposit of \$5,000.

8. The proposed regulation 12F then empowers the Commissioner to determine an application and sets out the grounds upon which he will refuse an application. A proposed personalized registration

mark will not be approved if it is offensive, refers to any triad title or nomenclature or has triad connotation, causes people to believe that it has any connection with the Hong Kong Garrison, any office set up in Hong Kong by the Central People's Government, the Hong Kong Government, any country or the government of any country, any international organization in which the Hong Kong Government participates or any public body, affects road safety or is confusing for the purposes of law enforcement.

9. An approved personalized registration mark will be offered for sale by auction under the proposed regulation 12I subject to a reserve price of \$5,000. According to the proposed regulation 12F(4), the Commissioner will fix the date of auction in his discretion. Before a personalized registration mark is sold by auction, the Commissioner may, under the proposed regulation 12G, review his determination for the approval. According to the proposed regulation 12H(2), the Commissioner may engage such persons as he thinks fit to conduct the auction. The proposed regulation 12K specifies certain personalized registration marks are to be offered for sale by auction in the Commissioner's discretion.

10. A certificate of allocation will be issued under the proposed regulation 12J to the person to whom the personalized registration mark is allocated. By virtue of the proposed regulation 12I(6), a personalized registration mark has to be assigned to a motor vehicle within 12 months after the date of its allocation. The proposed regulations 12L and 12Q provide for the cancellation and surrender of a personalized registration mark. The proposed regulation 12M(2) provides for the refund of an amount equal to the auction price or the special fee (as the case may be) of the personalized registration mark in the case of cancellation. Appeal

against cancellation may be made to the Administrative Appeals Board under the proposed regulation 120.

11. The arrangement for the transfer of a motor vehicle assigned with a personalized registration mark will be the same with that for the transfer of motor vehicles assigned with other registration marks, but the certificate of allocation has to be returned to the Commissioner under the proposed regulation 17(2)(b)(ia) in clause 15 so that a new certificate may be issued.

12. The proposed regulation 59(2A) in clause 23 allows a duplicate certificate of allocation to be issued, upon payment of a fee, if the original certificate is lost, destroyed or defaced.

13. It is an offence, according to the amended regulation 60(1) in clause 24, if a person fails to comply with the Commissioner's requirement to return a certificate of allocation and (where applicable) the vehicle licence, registration document and other relevant documents within the specified time after the allocation of a personalized registration mark is cancelled.

14. Clause 27 amends Schedule 2 to the Regulations to prescribe the fees for issuing duplicate certificates of allocation.

15. Clause 28 amends Schedule 4 to the Regulations to specify the form of display of personalized registration marks, including the arrangement, form, size and spacing of the letters and numerals, as well as blank spaces, of personalized registration marks.

16. Clause 30 adds a new Schedule 5A to the Regulations which sets out the personalized registration marks to be sold by auction in the Commissioner's discretion. The Commissioner may amend that new Schedule under the proposed regulation 60A in clause 25.

17. Clauses 32 to 42 are consequential amendments.

**REVENUE (PERSONALIZED VEHICLE REGISTRATION MARKS) BILL 2005**

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Chapter:	374	ROAD TRAFFIC ORDINANCE	Gazette Number	Version Date
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Section:	2	Interpretation	19 of 2004	01/08/2004
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In this Ordinance, unless the context otherwise requires-

"approved breath analysing instrument" (認可呼氣分析儀器) means an instrument of a type approved by the Commissioner of Police under section 39F for analysing the proportion of alcohol in a specimen of a person's breath; (Added 39 of 1995 s. 2)

"approved operator" (認可操作員) means a member of the police force authorized by the Commissioner of Police under section 39F; (Added 39 of 1995 s. 2)

"approved screening device" (認可檢查設備) means a device of a type approved by the Commissioner of Police under section 39F for indicating whether the proportion of alcohol in a person's breath is likely to exceed the prescribed limit; (Added 39 of 1995 s. 2)

"automatic vending machine" (自動銷售機) means a machine erected pursuant to section 12(1)(l); (Added 61 of 1991 s. 2)

"bicycle" (單車) means a vehicle with 2 wheels designed and constructed to be propelled by the use of pedals;

"breath analysis" (呼氣分析) means an analysis of a specimen of a person's breath under section 39C; (Added 39 of 1995 s. 2)

"breath test centre" (呼氣測試中心) means a place or vehicle designated by the Commissioner of Police as a breath test centre under section 39C(20); (Added 50 of 1999 s. 2)

"bus" (巴士) means a motor vehicle constructed or adapted for the carriage of more than 16 passengers and their personal effects; (Amended 89 of 1988 s. 2)

"Commissioner" (署長) means the Commissioner for Transport;

"conductor" (指導員) in relation to a bus includes any person, other than the driver, who is employed-

- (a) to be in charge of, or to guide, passengers on the bus; or
- (b) as an inspector of any service provided by the bus;

"disabled person" (傷殘人士) means a person who is the holder of a certificate signed by or on behalf of the Director of Health or the Hospital Authority within the meaning of the Hospital Authority Ordinance (Cap 113) stating that such person is suffering from a permanent disease or physical disability that causes him considerable difficulty in walking; (Added 34 of 1993 s. 2)

"display ticket" (泊車票) means a ticket obtained from a pay and display machine for display on a motor vehicle to indicate payment for the use of the parking space in which the vehicle is parked and which shows-

- (a) the payment made for obtaining it;
- (b) the date on which payment is made and the time of expiry of the period to which the payment relates; and
- (c) the parking place in respect of which the machine is erected; (Added 61 of 1991 s. 2)

"disqualified" (取消駕駛資格) means disqualified under this Ordinance from holding or obtaining a driving licence and "disqualification" (駕駛資格取消) shall be construed accordingly;

"domestic driving permit" (當地駕駛許可證) and "domestic driving licence" (當地駕駛執照) in relation to a place outside Hong Kong mean a document issued under the law of that place authorizing the driver to drive motor vehicles or a specified class or description of motor vehicles in that place;

"driver" (司機、駕駛人), in relation to any vehicle (other than a rickshaw), vehicle of the North-west Railway, or tram, means any person who is in charge of or assisting in the control of it and, in relation to a rickshaw, means any person pulling a rickshaw; (Amended 46 of 1987 s. 2)

"driver operated village vehicle" (司機操作的鄉村車輛) means a motor vehicle having an overall length not exceeding 3.2 m and an overall width not exceeding 1.2 m constructed or adapted primarily for the carriage of goods on roads in rural areas or areas inaccessible or closed to other motor vehicles, in addition to the carriage of a driver only; (Added 31 of 1986 s. 2)

"driving improvement course" (駕駛改進課程) means a driving improvement course provided by a driving improvement school under section 102B(3)(a); (Added 3 of 2002 s. 2)

"driving improvement school" (駕駛改進學校) means a place designated by the Commissioner as a driving improvement school under section 102B(1) and in respect of which the designation is for the time being in force; (Added 3 of 2002 s. 2)

"driving licence" (駕駛執照) means a driving licence issued under this Ordinance;

"educational institution" (教育機構) means-

- (a) any institution, organization or place which provides, or where there is provided, for 10 or more persons during any one day, whether or not at the same time, kindergarten, primary, secondary or post secondary education or any other educational course which is either-
  - (i) registered as a school under the Education Ordinance (Cap 279); or
  - (ii) exempted from registration as a school under the Education Ordinance (Cap 279);
- (b) any post secondary college registered under the Post Secondary Colleges Ordinance (Cap 320);
- (c) the University of Hong Kong referred to in the University of Hong Kong Ordinance (Cap 1053);
- (d) the Chinese University of Hong Kong established under the Chinese University of Hong Kong Ordinance (Cap 1109);
- (e) The Hong Kong Polytechnic University established under the Hong Kong Polytechnic University Ordinance (Cap 1075); (Amended 94 of 1994 s. 25)
- (f) the Hong Kong Baptist University established by the Hong Kong Baptist University Ordinance (Cap 1126); (Added 50 of 1983 s. 34. Amended 93 of 1994 s. 41)
- (g) the City University of Hong Kong established by the City University of Hong Kong Ordinance (Cap 1132); (Added 65 of 1983 s. 25. Amended 92 of 1994 s. 34)
- (h) The Hong Kong Academy for Performing Arts established by The Hong Kong Academy for Performing Arts Ordinance (Cap 1135); (Added 38 of 1984 s. 28)
- (i) The Hong Kong University of Science and Technology established by The Hong Kong University of Science and Technology Ordinance (Cap 1141); (Added 47 of 1987 s. 25)
- (j) The Open University of Hong Kong established by The Open University of Hong Kong Ordinance (Cap 1145); (Replaced 50 of 1997 s. 29)
- (k) Lingnan University established by the Lingnan University Ordinance (Cap 1165); (Replaced 54 of 1999 s. 32)
- (l) The Hong Kong Institute of Education established by The Hong Kong Institute of Education Ordinance (Cap 444); (Added 16 of 1994 s. 27)

"fail" (沒有), for the purposes of section 39B and 39C, includes refuse; (Added 39 of 1995 s. 2)

"golf cart" (高爾夫球車) means a motor vehicle having an overall length not exceeding 3.2 m and an overall width not exceeding 1.2 m constructed or intended for use for the carriage of passengers on golf courses, in addition to the carriage of a driver; (Added 80 of 1988 s. 3)

"goods" (貨、貨物) includes burden of any description;

"goods vehicle" (貨車) means a motor vehicle, or trailer, which is constructed or adapted for use

primarily for the carriage of goods, but does not include-

- (a) a motor tricycle or a motor cycle with or without a sidecar attached thereto; or
- (b) a village vehicle; (Replaced 31 of 1986 s. 2)

"gross vehicle weight" (車輛總重), in relation to a vehicle, means the sum of the weights transmitted to the road surface by all the wheels of the vehicle and includes, in the case of a trailer, any weight of the trailer imposed on the drawing vehicle, and the "permitted gross vehicle weight" (許可車輛總重) of a vehicle means the maximum gross vehicle weight assigned or determined in respect of the vehicle in accordance with regulations made under this Ordinance; (Amended 66 of 1985 s. 2)

"heavy goods vehicle" (重型貨車) means a goods vehicle having a permitted gross vehicle weight exceeding 24 tonnes but not exceeding 38 tonnes;

"hire car permit" (出租汽車許可證) means a permit issued in accordance with this Ordinance authorizing the use of a private car for the carriage of passengers for hire or reward;

"hospital" (醫院) means an institution which provides medical or surgical treatment for in-patients or out-patients; (Added 39 of 1995 s. 2)

"international driving permit" (國際駕駛許可證) means an international driving permit issued under the authority of a country or place other than Hong Kong which is a party to an international agreement for the time being in force in respect of Hong Kong; (Amended 3 of 2002 s. 15)

"invalid carriage" (傷殘者車輛) means a motor vehicle especially designed and constructed for the sole use of a person suffering from physical defects or disabilities;

"kindergarten education" (幼稚園教育) has the meaning assigned to it by section 3 of the Education Ordinance (Cap 279);

"light bus" (小型巴士) means a motor vehicle constructed or adapted for use solely for the carriage of a driver and not more than 16 passengers and their personal effects, but does not include an invalid carriage, motor cycle, motor tricycle, private car or taxi; (Amended 89 of 1988 s. 2; 19 of 2004 s. 2)

"light goods vehicle" (輕型貨車) means a goods vehicle having a permitted gross vehicle weight not exceeding 5.5 tonnes;

"medium goods vehicle" (中型貨車) means a goods vehicle having a permitted gross vehicle weight exceeding 5.5 tonnes but not exceeding 24 tonnes;

"motor cycle" (電單車) means a two-wheeled motor vehicle with or without a sidecar;

"motor tricycle" (機動三輪車) means a three-wheeled motor vehicle other than-

- (a) a motor cycle with a sidecar; and
- (b) a village vehicle; (Replaced 31 of 1986 s. 2)

"motor vehicle" (汽車) means any mechanically propelled vehicle;

"multi-cycle" (多輪車) means a vehicle with-

- (a) 4 or more wheels designed and constructed to be propelled by the use of pedals and of which wheels at least 4 touch the road simultaneously when the vehicle is ridden; and
- (b) a seat (or seats) whose height is not less than 350 mm above the road at any time when the vehicle is ridden; (Added 89 of 1994 s. 2)

"noise emission standards" (噪音發出標準), in relation to the prohibition or control of the emission of noise in respect of motor vehicles intended to be registered under this Ordinance, means the noise emission standards prescribed in or by virtue of regulations made under section 27 of the Noise Control Ordinance (Cap 400); (Added 13 of 1996 s. 2)

"North-west Railway" (西北鐵路) means the North-west Railway within the meaning of the Kowloon-Canton Railway Corporation Ordinance (Cap 372); (Added 56 of 1986 s. 26)

"operator" (營辦商) means, in relation to a parking meter, any person who has entered into a management agreement with the Government to undertake such functions relating to parking

meters as are specified by the Commissioner and on such terms and conditions as are imposed by the Commissioner; (Added 91 of 1993 s. 2)

"overall length" (全長度) and "overall width" (全寬度) in relation to a vehicle, shall have the meanings assigned to them respectively by regulations made under section 9; (Added 31 of 1986 s. 2)

"owner" (擁有人、車主), in relation to-

- (a) a private road, means the person who under common law has the right to restrict access by the public to that road; and
- (b) a vehicle, includes the person in whose name the vehicle is registered or a village vehicle permit is issued, and the person by whom a vehicle is kept and used and, in relation to a vehicle which is the subject of a hiring agreement or hire purchase agreement, means the person in possession of the vehicle under the agreement; (Replaced 80 of 1988 s. 3)

"parking card" (泊車儲值卡) means a card, permit, pass or other similar device issued by the Commissioner or on his behalf or caused to be issued by him and-

- (a) the value of which at any particular time is encoded on it to permit its use in conjunction with-
  - (i) a parking meter for payment of a parking fee;
  - (ii) a pay and display machine, to obtain a display ticket; and
- (b) which when used for payment of a parking fee causes to be indicated on the parking meter the period in respect of which it is so used and whether that period has elapsed; (Added 61 of 1991 s. 2)

"parking fee" (泊車費), in relation to a particular parking space, means a fee payable under section 12(4) for the time being for the use of that space for parking; (Added 61 of 1991 s. 2)

"parking meter" (停車收費錶) means an apparatus constructed and designed to receive and indicate or to indicate payment for the use of a space in a parking place; (Added 61 of 1991 s. 2)

"parking place" (泊車處) means a place designated by the Commissioner under this Ordinance as a parking place;

"parking space" (泊車位) means a space in a parking place indicated by lines or other marks for the accommodation of one vehicle; (Added 61 of 1991 s. 2)

"passenger" (乘客) in relation to a vehicle means any person carried in or on it other than any driver or conductor of it;

"passenger service licence" (客運營業證) means a licence to operate a passenger service issued under this Ordinance;

"pay and display machine" (憑票泊車機) means any machine or other apparatus designed and constructed to issue a display ticket; (Added 61 of 1991 s. 2)

"pedestrian controlled village vehicle" (由徒步者控制的鄉村車輛) means a motor vehicle controlled by a pedestrian, having an overall length not exceeding 3.2 m and an overall width not exceeding 1.2 m, constructed or adapted primarily for the carriage of goods on roads in rural areas or areas inaccessible or closed to other motor vehicles, and not constructed or adapted for the carriage of a driver or any passenger; (Added 31 of 1986 s. 2)

"personal effects" (個人財物) means goods which are the property of the driver of a motor vehicle or any passenger carried therein;

"post secondary education" (專上教育) has the meaning assigned to it by section 3 of the Education Ordinance (Cap 279);

"prescribed limit" (訂明限度) means-

- (a) 22 micrograms of alcohol in 100 millilitres of breath;
- (b) 50 milligrams of alcohol in 100 millilitres of blood; or
- (c) 67 milligrams of alcohol in 100 millilitres of urine,

or such other proportion as the Secretary for the Environment, Transport and Works may

notify in the Gazette under section 39G; (Added 39 of 1995 s. 2. Amended 50 of 1999 s. 2; L.N. 106 of 2002)

"primary education" (小學教育) has the meaning assigned to it by section 3 of the Education Ordinance (Cap 279);

"private bus" (私家巴士) means a bus used or intended for use-

- (a) otherwise than for hire or reward; or
- (b) for the carriage of passengers who are exclusively-
  - (i) the students, teachers and employees of an educational institution; or
  - (ii) disabled persons and persons assisting them, whether or not for hire or reward;

"private car" (私家車) means a motor vehicle constructed or adapted for use solely for the carriage of a driver and not more than 7 passengers and their personal effects but does not include an invalid carriage, motor cycle, motor tricycle or taxi;

"private light bus" (私家小巴) means-

- (a) a school private light bus; or
- (b) a light bus (other than a school private light bus) used or intended for use-
  - (i) otherwise than for hire or reward; or
  - (ii) exclusively for the carriage of persons who are disabled persons and persons assisting them, whether or not for hire or reward; (Replaced 50 of 1999 s. 6)

"private road" (私家路) means every thoroughfare, street, lane, alley, court, square, car park, passage, path, way and place to which access by the public may be restricted under common law, irrespective of whether such access is so restricted, but does not include-

- (a) (Repealed 23 of 2002 s. 91)
- (b) any part of the carriageway of the North-west Railway designated by the Commissioner for the purposes of the definition of "road" (道路) in this section by notice in the Gazette; (Added 80 of 1988 s. 3)

"public bus" (公共巴士) means a bus, other than any private bus, which is used or intended for use for hire or reward;

"public light bus" (公共小巴) means a light bus, other than any private light bus, which is used or intended for use for hire or reward;

"public service vehicle" (公共服務車輛) means any motor vehicle registered as a public bus, public light bus or taxi, or as a private car in respect of which a hire car permit is in force;

"recovery vehicle" (救援車輛) means a motor vehicle which is constructed or adapted for the purpose of removing from a road (by means of towing, carrying or otherwise) a vehicle which is not roadworthy, has been involved in an accident or has otherwise broken down on that road; (Added 71 of 1991 s. 2)

"register" (登記), when used as a verb, includes "re-register";

"register" (登記冊), when used as a noun, means the register of vehicles maintained under this Ordinance;

"registered" (已登記、登記) means registered under this Ordinance;

"registered owner" (登記車主) means the person registered as owner of a vehicle under this Ordinance;

"registration document" (登記文件) means the book or document which relates to the registration of a motor vehicle in the register and which is required to be issued to the registered owner under this Ordinance;

"registration mark" (登記號碼) means the registration mark assigned or deemed to be assigned, or the special registration mark assigned or allocated, to a vehicle under this Ordinance;

"repealed Ordinance" (已廢除條例) means the repealed Road Traffic Ordinance (Cap 220, 1979 Ed.);

"road" (路、道路) includes every highway, thoroughfare, street, lane, alley, court, square, car park,

- passage, path, way and place to which the public have access either continuously or intermittently, whether or not the same is the property of the Government, and includes the carriageway of the North-west Railway, but does not include any private road, or any part of the carriageway of the North-west Railway designated by the Commissioner for the purposes of this definition by notice in the Gazette; (Amended 56 of 1986 s. 26; 46 of 1987 s. 2; 80 of 1988 s. 3; 29 of 1998 s. 105; L.N. 326 of 2000; 23 of 2002 s. 91)
- "road hump" (路丘) means a hump placed transversely across the carriageway of a road for the purpose of regulating the speed of vehicles being driven on that road; (Added 80 of 1988 s. 3)
- "road marking" (道路標記) means a line, word, mark or device placed on, or set into, the surface of a road for conveying to persons using the road any warning, information, requirement, restriction, prohibition or direction and includes a road hump, but does not include a road marking within the meaning of section 121; (Amended 80 of 1988 s. 3)
- "roadworthy" (宜於道路上使用) in relation to any motor vehicle means that the vehicle is suitable and safe for use for any of the purposes for which it may lawfully be used, having regard to the class or any division of the class of motor vehicle within which-
- (a) application has been made to register the vehicle; or
  - (b) the vehicle is registered, or is required to be registered,
- as the case may be;
- "school crossing patrol" (學校交通安全隊員) means any person authorized to act as a school crossing patrol pursuant to regulations made under section 11;
- "school private light bus" (學校私家小巴) means a light bus used or intended for use primarily for the carriage of persons who are the students of an educational institution, persons accompanying or in charge of such students, teachers or employees of the institution, to or from the institution, whether or not for hire or reward; (Added 50 of 1999 s. 6)
- "screening breath test" (檢查呼氣測試) means a preliminary test under section 39B; (Added 39 of 1995 s. 2)
- "secondary education" (中學教育) has the meaning assigned to it by section 3 of the Education Ordinance (Cap 279);
- "semi-trailer" (半拖車) means any trailer designed, constructed or adapted to be coupled to a motor vehicle in such a way that part of it rests on the motor vehicle and that a substantial part of its weight and of the weight of its load is borne by the motor vehicle;
- "special purpose vehicle" (特別用途車輛) means a motor vehicle designed, constructed or adapted primarily for a use other than the carriage on a road of goods, the driver or passengers;
- "special reasons" (特別理由) means special reasons relating to the offence, and in exceptional circumstances special reasons relating to-
- (a) the offender; and
  - (b) to such other circumstance that the court may consider to be relevant;
- "specially authorized vehicle examiner" (特許驗車主任) means a person authorized under section 88(1)(b) to issue suspension of vehicle licence orders;
- "standing or plying for hire" (停車候客) means, in respect of any vehicle, being on any road, whether in motion or stationary, and exhibiting any sign or signal, or having a person who is exhibiting any sign or signal or who in any other way indicates, that the vehicle or any portion of it is available for hire whether on a predetermined route or otherwise;
- "student" (學生) means any person who is attending an educational institution for the purpose of pursuing a course of education;
- "taxi" (的士) means a motor vehicle which is registered as a taxi under this Ordinance;
- "taximeter" (的士計程錶) means any appliance for measuring the time or distance for which a taxi is used, or for measuring both time and distance, or for recording the fare by time or distance or by a combination of time and distance, which is for the time being approved for the purpose by the Commissioner;
- "teacher" (教員) means any person employed at an educational institution for the purpose of

- instructing students;
- "traffic sign" (交通標誌) means a sign, object or device for conveying to persons using a road any warning, information, direction, requirement, restriction or prohibition, but does not include a sign within the meaning of section 121; (Amended 80 of 1988 s. 3)
- "traffic warden" (交通督導員) means a person appointed as traffic warden or a senior traffic warden under section 58;
- "trailer" (拖車) means a vehicle which is not mechanically propelled and is towed or intended for towing by a motor vehicle, including any semi-trailer or draw bar trailer;
- "tram" (電車) includes all electrically powered vehicles and trailers constructed for use on a tramway;
- "Transport Tribunal" (交通審裁處) means a Transport Tribunal appointed under section 17;
- "tricycle" (三輪車) means a vehicle with 3 wheels propelled by the use of pedals;
- "vehicle" (車輛) means any vehicle whether or not mechanically propelled which is constructed or adapted for use on roads but does not include a vehicle of the North-west Railway or a tram; (Amended 46 of 1987 s. 2)
- "vehicle design standards" (車輛設計標準) has the same meaning as in section 2 of the Air Pollution Control Ordinance (Cap 311); (Added 3 of 1991 s. 2)
- "vehicle emission standards" (車輛廢氣排放標準) means the vehicle emission standards set out in a code of practice issued or revised under Part VIIIA; (Added 3 of 1991 s. 2)
- "vehicle examination centre" (驗車中心) means a place designated as a vehicle examination centre under section 88(2);
- "vehicle examiner" (驗車主任) means a person appointed as a vehicle examiner under section 88(1)(a);
- "vehicle identification number" (車輛識別號碼) means a chassis number or any mark assigned to a vehicle by the manufacturer or a mark assigned by the Commissioner primarily for registration and identification purposes; it may consist of numerals or letters, or a combination thereof; (Added 89 of 1994 s. 2)
- "vehicle licence" (車輛牌照) means a licence issued in respect of a vehicle in accordance with regulations made under section 6;
- "vehicle of the North-west Railway" (西北鐵路車輛) means a light rail vehicle including a vehicle used for maintenance purposes operated along and by means of the rails of the North-west Railway; (Added 46 of 1987 s. 2)
- "village vehicle" (鄉村車輛) means-
- a driver operated village vehicle;
  - a pedestrian controlled village vehicle; or
  - a golf cart; (Replaced 80 of 1988 s. 3)
- "village vehicle permit" (鄉村車輛許可證) means a permit issued in respect of a village vehicle in accordance with regulations made under section 12A. (Added 31 of 1986 s. 2)

Chapter:	374	ROAD TRAFFIC ORDINANCE	Gazette Number	Version Date
Section:	6	Regulation of registration and licensing of vehicles	L.N. 106 of 2002	01/07/2002

- (1) The Secretary for the Environment, Transport and Works may make regulations to provide for- (Amended 89 of 1994 s. 4; L.N. 106 of 2002)
- the registration of vehicles within any class specified in Schedule 1 and the transfer

- and cancellation of registration;
- (aa) empowering the Commissioner to assign, on registering or licensing any vehicle, a permitted gross vehicle weight in respect of that vehicle; (Added 66 of 1985 s. 3)
  - (ab) validating the assignment of a permitted gross vehicle weight assigned to a vehicle on or after 25 August 1984 and prior to the commencement of any regulations made under paragraph (aa); (Added 66 of 1985 s. 3)
  - (b) the licensing of vehicles for use on roads and the issue, renewal, transfer and variation of licences and the circumstances in which a vehicle may be exempt from licensing;
  - (c) empowering the Commissioner to license taxis by calling for tenders on payment of a premium, and for the payment of deposits and the forfeiture of deposits in specified circumstances;
  - (d) the issue, use and surrender of fiscal permits, registration and licensing documents, international certificates, international circulation permits and other documents, and registration marks, for Hong Kong vehicles going to places outside Hong Kong and for vehicles from places outside Hong Kong coming to Hong Kong; (Amended 23 of 1998 s. 2)
  - (e) the maintenance of a register of motor vehicles and the issue of extracts therefrom;
  - (f) the assignment, allocation, cancellation or withdrawal at the discretion of the Commissioner, or the allocation and sale by auction, tender, or at a special fee, of special registration marks; (Amended 39 of 1995 s. 5)
  - (g) controlling, restricting or prohibiting the transfer of registration marks and special registration marks;
  - (h) specifying the numbers and letters and numbers which shall be special registration marks for the purposes of this Ordinance;
  - (i) empowering the Commissioner to allocate upon sale by auction or at a special fee any unassigned registration mark, not being a special registration mark, which has been requested by any person and which the Commissioner considers is suitable for allocation in such a manner; (Amended 39 of 1995 s. 5)
  - (j) the issue, use and cancellation of trade licences and trade plates;
  - (k) notification to the Commissioner of alterations to vehicles and of the breaking up, destruction or export of vehicles;
  - (l) notification to the Commissioner of transfer of ownership of vehicles and of changes of particulars recorded in the register;
  - (m) the issue, display on vehicles, surrender and cancellation of-
    - (i) registration marks;
    - (ii) vehicle licences, licence certificates and permits;
    - (iii) certificates of fitness; and
    - (iv) any other means of identification or information relating to the vehicle;
  - (n) keeping a register of journeys made by motor vehicles in use under a trade licence;
  - (o) making the registration and licensing of public service vehicles, or of any type of public service vehicle, subject to tender or a special fee;
  - (p) the Commissioner to impose conditions on vehicle licences with regard to-
    - (i) the places where, and the times when, a vehicle may be used;
    - (ii) the number of passengers that may be carried and the manner in which they may be carried;
    - (iii) the manner in which a vehicle may be used;
    - (iv) the amount or type of goods that may be carried and the manner in which such goods may be carried;
    - (v) the type of trailer that may be towed;
    - (vi) the type of driving licence which must be held for driving a vehicle;
  - (q) the issue of permits with or without conditions to allow for-
    - (i) the movement of unregistered and unlicensed vehicles;
    - (ii) the carriage of passengers or goods otherwise than as permitted by the vehicle licence; and (Amended 58 of 1992 s. 2)



- (iii) the movement of vehicles on roads closed to general traffic, (Amended 58 of 1992 s. 2)
- (iv) (Repealed 58 of 1992 s. 2)  
and the cancellation of such permits;
- (r) the issue of duplicates of any document issued under this Ordinance; and (Amended 89 of 1994 s. 4)
- (s) (Repealed 89 of 1994 s. 4)
- (t) generally carrying into effect the provisions of this Ordinance relating to the registration and licensing of vehicles.

(2) The Chief Executive in Council may make regulations to provide for the fees that may be charged for registration, licensing, permits, certificates of fitness and extracts from the register and the waiving, exemption, reduction or refund of fees. (Added 89 of 1994 s. 4. Amended 3 of 2002 s. 15)

Chapter:	374E	ROAD TRAFFIC (REGISTRATION AND LICENSING OF VEHICLES) REGULATIONS	Gazette Number	Version Date
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Regulation:	2	Interpretation	3 of 2002	01/07/1997
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**Remarks:**

Adaptation amendments retroactively made - see 3 of 2002 s. 15

In these regulations, unless the context otherwise requires-

"articulated vehicle" (掛接式車輛) has the meaning assigned to it by regulation 2 of the Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap 374 sub. leg.);

"closed road permit" (封閉道路通行許可證) means a closed road permit issued under regulation 49;

"1926 Convention" (1926年國際公約) means the International Convention relative to the international circulation of cars concluded at Paris on 24 April 1926;

"1931 Convention" (1931年國際公約) means the International Convention regarding the taxation of foreign motor vehicles concluded at Geneva on 30 March 1931;

"1949 Convention" (1949年國際公約) means the International Convention relative to the international circulation of motor traffic concluded at Geneva on 19 September 1949;

"excess passengers permit" (超額載客許可證) means an excess passengers permit issued under regulation 52;

"goods permit" (裝載貨物許可證) means a goods permit issued under regulation 51;

"Government vehicle" (政府車輛) has the meaning assigned to it by regulation 2 of the Road Traffic (Driving Licences) Regulations (Cap 374 sub. leg.);

"identity document" (身分證明文件) means-

- (a) an identity card issued under the Registration of Persons Ordinance (Cap 177);
- (b) a passport furnished with a photograph of the holder, or some other travel document establishing to the satisfaction of an immigration officer or immigration assistant the identity and nationality of the holder for the purposes of the Immigration Ordinance (Cap 115);
- (c) in the case of a police officer, a warrant card issued to him under the Police Force Ordinance (Cap 232);
- (d) in the case of a body corporate, a certificate of incorporation relating to it; or
- (e) any other document of identity acceptable to the Commissioner for the purposes of these regulations;

"international circulation permit" (國際通行許可證) means an international circulation permit issued under regulation 31;

"long load permit" (運載特長貨物許可證) means a long load permit issued under regulation 54;

"movement permit" (車輛行駛許可證) means a movement permit issued under regulation 53;

"nationality sign" (國籍標誌) means a sign complying with the provisions of Annex 4 to the 1949 Convention or of Annex C to the 1926 Convention and bearing the distinctive letters specified in or under the Convention for the country or place under the law of which the vehicle is registered; (3 of 2002 s. 15)

"policy of insurance" (保險單) means a policy of insurance, or a security, in respect of third party risks as required by the Motor Vehicles Insurance (Third Party Risks) Ordinance (Cap 272);

"special registration mark" (特殊登記號碼) means a registration mark referred to in regulation 9;

"trade licence" (試車牌照) means a trade licence issued under regulation 43;

"trade plate" (試車字牌) means a trade plate issued under regulation 43;

"van-type light goods vehicle" (客貨車) means a light goods vehicle constructed with a fully enclosed body which is an integral part of the vehicle; (40 of 1991 s. 6)

"vehicle licence" (車輛牌照) means a vehicle licence issued under regulation 21(8), 23 or 39(1);

"visitor" (到港人士) means any person who arrives in Hong Kong other than to take up residence for a period exceeding 12 months;

"visitor's registration document" (到港人士登記文件) means-

- (a) in the case of a vehicle registered in a country or place outside Hong Kong which is a party to the 1949 Convention, a registration certificate issued under the law of that country or place and containing the serial number or registration number, the name or the trade name of the maker of the vehicle, the maker's identification or serial number, the date of its registration and the full name and permanent place of residence of the applicant for the said certificate; or (3 of 2002 s. 15)
- (b) a certificate in accordance with Form 2 of Schedule 8 issued under the law of a country outside Hong Kong which is a party to the 1926 Convention;

"wide load permit" (運載特闊貨物許可證) means a wide load permit issued under regulation 54. (L.N. 262 of 1984; L.N. 277 of 1992; 34 of 1993 s. 12)

Chapter:	374E	ROAD TRAFFIC (REGISTRATION AND LICENSING OF VEHICLES) REGULATIONS	Gazette Number	Version Date
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Regulation:	6	Registration		30/06/1997
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- (1) On registering a motor vehicle, the Commissioner shall- (L.N. 240 of 1985)
  - (a) assign to the vehicle a registration mark which shall consist of a number or one or more letters and a number, or the registration mark allocated under regulation 9(1), 13 or 14;
  - (b) register the person by whom or on whose behalf the application for registration is made as owner of the vehicle; and
  - (c) issue to that person a registration document in respect of the vehicle, marked with the registration mark assigned to the vehicle.
- (2) On registering a goods vehicle (other than a trailer) or special purpose vehicle, the Commissioner shall assign to the vehicle a permitted gross vehicle weight which shall be such weight as he shall determine after considering-
  - (a) the particulars contained in the application for registration submitted in respect of the vehicle;
  - (b) any information available from the manufacturer of the vehicle; and
  - (c) any regulations made under the Ordinance. (L.N. 240 of 1985)

(3) The assignment by the Commissioner of a permitted gross vehicle weight to any goods vehicle (other than a trailer) or special purpose vehicle on registration of the vehicle on or after 25 August 1984, and prior to the commencement of the Road Traffic (Registration and Licensing of Vehicles) (Amendment) (No. 2) Regulations 1985 (L.N. 240 of 1985), is hereby declared to be valid and shall be deemed to have been validly assigned under subregulation (2). (L.N. 240 of 1985)

(4) The Commissioner shall assign a permitted gross vehicle weight to a goods vehicle (other than a trailer) or special purpose vehicle registered prior to 25 August 1984 on the licensing of such vehicle after the commencement of the Road Traffic (Registration and Licensing of Vehicles) (Amendment) (No. 2) Regulations 1985 (L.N. 240 of 1985), and such permitted gross vehicle weight shall be a conversion of the maximum laden weight which was assigned to such vehicle on registration under the revoked regulations. (L.N. 240 of 1985)

(5) For the purposes of subregulation (4)-

- (a) "the revoked regulations" (已撤銷的規例) means the Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap 220 sub. leg.) revoked by regulation 61 of these regulations; and
- (b) where the maximum laden weight assigned to a vehicle is expressed in hundredweight, such weight shall be converted to tonnes on the basis that 1 cwt. is equivalent to 0.0508 tonne. (L.N. 240 of 1985)

Chapter:	374E	ROAD TRAFFIC (REGISTRATION AND LICENSING OF VEHICLES) REGULATIONS	Gazette Number	Version Date
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Regulation:	8	Display of registration marks and plates		30/06/1997
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(1) The registered owner of every motor vehicle shall display on the vehicle the registration mark assigned to the vehicle in accordance with Schedule 4 and the registration mark shall conform with Schedule 4 as to form, colours, construction, fitting and illumination.

(2) No person shall drive or use or suffer or permit to be driven or used any motor vehicle on which the registration mark assigned to such vehicle is not displayed in accordance with Schedule 4 or does not conform with Schedule 4 as to form, colours, construction, fitting and illumination.

(3) No person shall drive, use or keep, or suffer or permit to be driven, used or kept, any motor vehicle on which the registration mark displayed under this regulation is in any way obscured or not easily distinguishable.

(4) Subject to subregulation (5) and paragraph 7 of schedule 10, this regulation shall apply-

- (a) to every motor vehicle which is first registered on or after 1 June 1983; and
- (b) with effect from 1 June 1985, to every motor vehicle which is first registered before 1 June 1983.

(5) The registered owner of any motor vehicle which is first registered before 1 June 1983 may before 1 June 1985 display on the vehicle the registration mark assigned to the vehicle in compliance with subregulation (1), in which event subregulations (2) and (3) shall apply to any person who drives, uses or keeps such vehicle or suffers or permits such vehicle to be driven, used or kept.

Chapter:	374E	ROAD TRAFFIC (REGISTRATION AND LICENSING OF VEHICLES) REGULATIONS	Gazette Number	Version Date
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Regulation:	9	Allocation and sale of special registration marks		30/06/1997
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- (1) A special registration mark, which shall consist of-
- (a) any number alone; or
  - (b) one or more letters and a number listed under items 1 to 14 of Schedule 5, other than a registration mark reserved under regulation 11,
- shall, before being assigned under regulation 6, be allocated upon sale by auction.
- (2) A person to whom a special registration mark has been allocated under subregulation (1) shall, within 12 months of its allocation, apply to the Commissioner-
- (a) under regulation 5 for the registration of a motor vehicle of which he is the owner; or
  - (b) to assign the special registration mark to a registered motor vehicle of which he is the owner.
- (3) On receipt of an application under subregulation (2)(b) and the registration fee prescribed in Schedule 2, the Commissioner may cancel the registration of the motor vehicle and register it as if the application had been made under regulation 5 and shall comply with regulation 6.
- (4) If, for whatever cause, a special registration mark allocated under subregulation (1) is not assigned to a motor vehicle within 12 months after its allocation, the Commissioner may, without notice to the person to whom it was allocated, cancel the allocation of the special registration mark to that person and reallocate it under subregulation (1).

Chapter:	374E	ROAD TRAFFIC (REGISTRATION AND LICENSING OF VEHICLES) REGULATIONS	Gazette Number	Version Date
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Regulation:	10	Sale by auction of special registration marks		30/06/1997
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- (1) Sales by auction under regulation 9(1) of a special registration mark shall be conducted under the direction of the Commissioner.
- (2) The Commissioner shall pay the proceeds of such sales, after deduction of expenses incurred in the conduct thereof, into the Lotteries Fund as defined in the Government Lotteries Ordinance (Cap 334).

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Regulation:	11	Marks reserved for Government vehicles	L.N. 320 of 1999	01/01/2000
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- (1) All registration marks consisting of the letters AM and a number are reserved for assignment to Government vehicles.
- (2)-(3) (Repealed 78 of 1999 s. 7)
- (4) All registration marks consisting of the letters LC and a number are reserved for assignment to vehicles owned by The Legislative Council Commission. (L.N. 238 of 1994)

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Regulation:	13	Sale of registration marks on request		30/06/1997
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(1) Any person who wishes to obtain a registration mark, other than a registration mark reserved under regulation 11, bearing a particular number, not being a number listed under items 1 to 14 of Schedule 5 and not being a number consisting of more than 4 digits, may apply to the commissioner to make such a registration mark available for allocation upon sale by auction.

(2) On receipt of an application under subregulation (1) and on payment to the Commissioner by the applicant of a deposit of \$1000 (to be held by the Commissioner and in due course disposed of in accordance with subregulation (4) or (5), as the case may be), the Commissioner shall offer for sale by auction an unassigned registration mark consisting of one or more letters, chosen by the Commissioner, and the particular number requested; and regulation 10 shall apply to sales by auction of such registration marks and to the proceeds of such sales.

(3) The sale by auction under this regulation of a registration mark shall be subject to a reserve price of \$1000, and the persons attending the sale shall be notified accordingly.

(4) If a registration mark is allocated upon sale by auction under this regulation to a person other than the applicant who applied to the Commissioner to make such registration mark available, the deposit paid under subregulation (2) by the applicant shall be refunded to him.

(5) If a registration mark to which this regulation applies remains unsold at the auction, it shall be allocated, at a special fee of \$1000, to the applicant who applied to the Commissioner to make it available, and the deposit paid by the applicant under subregulation (2) shall be taken as payment of the special fee, and shall be paid by the Commissioner into the Lotteries Fund as defined in the Government Lotteries Ordinance (Cap 334).

(6) Regulation 9(2) and (3) shall apply in respect of registration marks allocated under this regulation (whether allocated upon sale by auction or at the special fee of \$1000) in like manner as they apply in respect of special registration marks allocated under regulation 9(1).

(7) If, for whatever cause, a registration mark allocated under this regulation is not assigned to a motor vehicle within 12 months after its allocation, the Commissioner may, without notice to the person to whom it was allocated, cancel the allocation of the registration mark to that person and reallocate it.

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Regulation:	14	Sale of registration marks in Commissioner's discretion		30/06/1997
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(1) The Commissioner may, in his discretion, offer for sale by auction any registration mark, not being a special registration mark or a registration mark reserved under regulation 11, which he considers suitable for sale by auction; and regulation 10 shall apply to sales by auction of such registration marks and to the proceeds of such sales.

(2) Regulation 9(2) and (3) shall apply in respect of registration marks allocated under this regulation in like manner as they apply in respect of special registration marks allocated under regulation 9(1).

(3) If, for whatever cause, a registration mark allocated under this regulation is not assigned to a motor vehicle within 12 months after its allocation, the Commissioner may, without notice to the person to whom it was allocated, cancel the allocation of the registration mark to that person and reallocate it.

Chapter:	374E	ROAD TRAFFIC (REGISTRATION AND LICENSING OF VEHICLES) REGULATIONS	Gazette Number	Version Date
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Regulation:	15	Cancellation of registration for non-licensing		30/06/1997
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(1) If no vehicle licence has been in force in respect of a motor vehicle for a period of 2 years, the Commissioner may send to the registered owner of the vehicle, by ordinary post and addressed to his address appearing on the register a notice informing him that, if the vehicle is not licensed within 15 days after the date of such notice, the registration of the vehicle may be cancelled.

(2) If the vehicle is not licensed within 15 days after the date of the notice referred to in subregulation (1), the Commissioner may cancel the registration of the vehicle and, subject to regulations 9, 12, 13 and 14, assign to any other motor vehicle the registration mark that was assigned to such vehicle.

Chapter:	374E	ROAD TRAFFIC (REGISTRATION AND LICENSING OF VEHICLES) REGULATIONS	Gazette Number	Version Date
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Regulation:	16	Transfer of registration marks		30/06/1997
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(1) If the registered owner of a motor vehicle wishes to have the registration mark thereof transferred to any other motor vehicle or held in abeyance for a period, not exceeding 12 months, until such time as he has acquired such other vehicle, he shall deliver to the Commissioner the registration document relating to that vehicle together with an application for transfer of the registration mark in a form specified by the Commissioner and shall pay to the Commissioner the transfer of registration mark fee prescribed in Schedule 2.

(2) The registration mark of a motor vehicle may be transferred only to a motor vehicle owned by the person who owns or previously owned the vehicle from which the registration mark is to be transferred.

(3) An application under subregulation (1) shall be signed by the registered owner or by some person duly authorized by him in writing, and where the registered owner is a body corporate the application shall be signed by a person nominated by the body corporate.

(4) On receipt of an application under subregulation (1), the Commissioner, if he is satisfied with the particulars contained in the application, shall-

- (a) assign a new registration mark to the motor vehicle the former registration mark of which is transferred under this regulation; and
- (b) either assign the registration mark, formerly assigned to the motor vehicle referred to in paragraph (a), to such other motor vehicle as the registered owner may wish or hold the registration mark in abeyance for such period, not exceeding 12 months, until the registered owner applies for the registration mark to be assigned to another motor vehicle.

(5) If a registration mark is held in abeyance for a period of 12 months and no application is made to the Commissioner to have the registration mark assigned to a motor vehicle, the Commissioner may, without notice to the person for whom the registration mark is held, cancel the allocation of the registration mark and, subject to regulations 9, 12, 13 and 14 reallocate it to any other motor vehicle.

(6) The Financial Secretary may waive the payment of the transfer of registration mark fee payable under this regulation or any part thereof.

Chapter:	374E	ROAD TRAFFIC (REGISTRATION AND LICENSING OF VEHICLES) REGULATIONS	Gazette Number	Version Date
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Regulation:	17	Transfer of motor vehicle ownership	30/06/1997
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(1) On a transfer of ownership of a registered motor vehicle the registered owner shall forthwith deliver to the new owner of the vehicle-

- (a) the registration document relating to the vehicle; and
- (b) a notice of transfer of ownership in a form specified by the Commissioner which shall-
  - (i) specify the name and address of the new owner;
  - (ii) contain such relevant particulars and information as may be required by the Commissioner; and
  - (iii) be signed by the registered owner, in the presence of any public officer designated in that behalf by the Commissioner if the vehicle is registered as a taxi,

and the new owner shall sign the notice of transfer, in the presence of any such public officer if the vehicle is registered as a taxi, verifying the accuracy of the information and particulars contained in the notice. (L.N. 322 of 1994)

(1A) The Commissioner may waive the requirement to sign the notice of transfer in the presence of a designated public officer in subregulation (1) in respect of any person if he is satisfied that it is not reasonably practicable for the person to comply with the requirement. (L.N. 322 of 1994)

(2) Within 72 hours after the transfer of the ownership of a registered motor vehicle-

- (a) the registered owner shall deliver to the Commissioner a duly completed and signed form of notice of transfer of ownership in a form specified by the Commissioner;
- (b) the new owner of the vehicle shall deliver to the Commissioner-
  - (i) the registration document relating to the vehicle and the duly completed and signed form of notice of transfer of ownership referred to in subregulation (1)(b);
  - (ii) a valid policy of insurance in respect of the vehicle in the name of the new owner;
  - (iii) his identity document; and
  - (iv) such other relevant documents as may be required by the Commissioner, and shall pay to the Commissioner the transfer of ownership fee prescribed in Schedule 2:

Provided that the Commissioner may waive the requirement in paragraph (b)(ii) in the case of a motor vehicle which is not licensed. (L.N. 172 of 1989)

(3) Subject to regulations 9 and 12, where the new owner of a motor vehicle complies with subregulation (2)(b) the Commissioner shall-

- (a) enter in the register the name, address and particulars of the identity document of the new owner; or
- (b) cancel the registration of the motor vehicle, re-register the vehicle, assign to it a new registration mark, and enter in the register the name, address and particulars of the identity document of the new owner,

and in either case shall issue a new registration document in respect of the vehicle to the new registered owner or his authorized agent.

(4) If the registered owner of a motor vehicle registered other than as a taxi fails to comply with subregulation (1) and the Commissioner is satisfied that the ownership of the motor vehicle has been transferred to the new owner, the Commissioner may on payment to him of the transfer of ownership fee prescribed in Schedule 2 cause the new owner to be registered as the owner of the vehicle. (L.N. 322 of 1994)

(4A) Where the motor vehicle transferred is a private car, motor cycle or motor tricycle and the new owner of the private car, motor cycle or motor tricycle-

- (a) is a disabled person;
- (b) is the holder of a valid driving licence which entitles him to drive a private car, motor cycle or motor tricycle; and

(c) is, at the time of delivery of notice of transfer of ownership under subregulation (2)(b), not the owner of another private car, motor cycle or motor tricycle in respect of which the transfer of ownership fee prescribed in Schedule 2 has been waived, the Commissioner may waive the transfer of ownership fee prescribed in Schedule 2. (L.N. 88 of 1992; 34 of 1993 s. 13)

(5) If in any case the new owner of a motor vehicle fails to comply with subregulation (2)(b) and if-

- (a) the Commissioner has received from the registered owner a notice of transfer of ownership delivered to him under subregulation (2)(a);
- (b) the registered owner pays the Commissioner the transfer of ownership fee prescribed in Schedule 2; and
- (c) the Commissioner is satisfied that the registered owner of the vehicle is no longer the owner thereof,

the Commissioner may cause the new owner to be registered as the owner of the vehicle.

(6) No person shall drive or use or suffer or permit to be driven or used any registered motor vehicle the ownership of which has been transferred, after the expiration of 72 hours from such transfer, unless-

- (a) the new owner is registered as the owner thereof; and
- (b) the registration document, a valid insurance policy, identity document and other relevant documents have been delivered to the Commissioner in accordance with subregulation (2)(b).

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Regulation:	19	Changes of personal particulars of registered owner		30/06/1997
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(1) Within 72 hours after any change of name, address or identity document of a registered owner entered in a registration document, the registered owner shall forward to the Commissioner a notice of such change in a form specified by the Commissioner together with the registration document.

(2) On receipt of such notice and the registration document, the Commissioner shall enter such change in the register and issue a new registration document to the registered owner or return to the registered owner the registration document forwarded by him with such change entered therein.

Chapter:	374E	ROAD TRAFFIC (REGISTRATION AND LICENSING OF VEHICLES) REGULATIONS	Gazette Number	Version Date
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Regulation:	20	Motor vehicles broken up, destroyed or exported		30/06/1997
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(1) When a motor vehicle is broken up, destroyed, or despatched permanently out of Hong Kong, the registered owner of the vehicle shall, within 15 days after the vehicle is broken up, destroyed or despatched, notify the Commissioner in writing of the breaking up, destruction or despatch and shall at the same time deliver to him the registration document and vehicle licence (if not destroyed) relating to the vehicle.

(2) On receipt of a notification under subregulation (1), the Commissioner shall cancel the



registration of the motor vehicle and at any time thereafter, may, subject to regulations 9, 12, 13 and 14, assign to any other motor vehicle the registration mark that was assigned to such vehicle.

(3) On receipt of a notification under subregulation (1), the Commissioner may require the registered owner to produce-

- (a) a certificate signed by the person by whom the vehicle was broken up or destroyed;
- (b) shipping documents relating to the despatch of the vehicle; or
- (c) such other proof as will satisfy the Commissioner that the vehicle has been broken up, destroyed or despatched permanently out of Hong Kong.

(4) Notwithstanding that he may not have received a notification under subregulation (1), where the Commissioner is satisfied that a motor vehicle has been broken up, destroyed or despatched permanently out of Hong Kong, he shall cancel the registration of the vehicle and may, subject to regulations 9, 12, 13 and 14, assign to any other motor vehicle the registration mark that was assigned to such vehicle.

Chapter:	374E	ROAD TRAFFIC (REGISTRATION AND LICENSING OF VEHICLES) REGULATIONS	Gazette Number	Version Date
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Regulation:	22	Vehicle licence to remain property of the Government		30/06/1997
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(1) A vehicle licence issued to a registered owner shall remain the property of the Government and the Commissioner may require a vehicle licence to be returned to him at any time.

(2) Any police officer or other officer authorized by the Commissioner shall have power to seize a vehicle licence that is cancelled, and for that purpose to detach it from a motor vehicle.

Chapter:	374E	ROAD TRAFFIC (REGISTRATION AND LICENSING OF VEHICLES) REGULATIONS	Gazette Number	Version Date
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Regulation:	34	Registration marks on imported vehicles	3 of 2002	01/07/1997
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**Remarks:**

Adaptation amendments retroactively made - see 3 of 2002 s. 15

(1) The Commissioner shall assign to a motor vehicle in respect of which he has issued an international circulation permit a registration mark which shall be-

- (a) in the case of a vehicle in respect of which a visitor's registration document is produced, the registration mark recorded in that document; and
- (b) in the case of any other vehicle a registration mark consisting of 2 letters and a number of not more than 4 digits.

(2) During the currency of an international circulation permit, regulation 8 shall apply to the motor vehicle to which the permit relates as if the reference therein to the registered owner was a reference to the holder of an international circulation permit and references to the registration mark were references to the registration mark assigned to the motor vehicle under subregulation (1):

Provided that-

- (a) regulation 8 shall not apply to a registration mark assigned under subregulation (1)(a) if the corresponding requirements of the law under which, or authority by whom, the registration mark is issued are complied with, and if any letters in the registration mark are in Roman characters and any numbers therein are in ordinary European numerals; and
- (b) a registration mark assigned under subregulation (1)(a) need not be displayed on the

front of the vehicle if that is not required by the law under which or the authority by whom the registration mark is issued.

(3) The holder of an international circulation permit shall, during the currency of the permit issued in respect of a motor vehicle to which a registration mark is assigned under subregulation (1)(a), display at the back of the vehicle so as to be clearly distinguishable a nationality sign indicating the country or place in which the vehicle is registered. (3 of 2002 s. 15)

(4) During the currency of an international circulation permit issued in respect of a motor vehicle in respect of which a visitor's registration document was produced and to which a registration mark is assigned under subregulation (1)(a), regulation 7(3) shall apply in respect of a visitor's registration document as it applies to a registration document.

(5) This regulation shall apply to a trailer drawn by a motor vehicle to which an international circulation permit relates, during the currency of the permit, as if references to the registration mark were references to the registration mark assigned to the motor vehicle under this regulation.

Chapter:	374E	ROAD TRAFFIC (REGISTRATION AND LICENSING OF VEHICLES) REGULATIONS	Gazette Number	Version Date
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Regulation:	35	Registration cards		30/06/1997
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(1) Where the Commissioner assigns a registration mark to a motor vehicle under regulation 34(1)(b), the Commissioner shall issue with the international circulation permit a registration card free of charge in such form and containing such particulars as the Commissioner thinks fit.

(2) Regulations 7(3) and 59 shall apply to a registration card as if the references therein to a registered owner and to the registration document were references to a holder of a registration card and the registration card respectively.

Chapter:	374E	ROAD TRAFFIC (REGISTRATION AND LICENSING OF VEHICLES) REGULATIONS	Gazette Number	Version Date
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Regulation:	37	Registration, etc. of trailers		30/06/1997
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## PART VI

### TRAILERS

(1) Subject to subregulations (2), (2A), (2B) and (3), the provisions of Part II shall apply to a trailer as if references therein to a motor vehicle and registered owner were references to a trailer and registered owner of a trailer respectively. (L.N. 262 of 1984; L.N. 240 of 1985)

(2) The registration mark assigned to a trailer pursuant to regulation 6(a) shall have the suffix "T".

(2A) On registering a trailer, the Commissioner shall assign to the trailer a permitted gross vehicle weight which shall be such weight as he shall determine after considering-

- the particulars contained in the application for registration submitted in respect of the trailer;
- any information available from the manufacturer of the trailer; and
- any regulations made under the Ordinance. (L.N. 240 of 1985)

(2B) The assignment by the Commissioner of a permitted gross vehicle weight to any trailer on registration of the trailer on or after 25 August 1984, and prior to the Commencement of the Road

Traffic (Registration and Licensing of Vehicles) (Amendment) (No. 2) Regulations 1985 (L.N. 240 of 1985), is hereby declared to be valid and shall be deemed to have been validly assigned under subregulation (2A). (L.N. 240 of 1985)

(3) Regulation 17(2)(b)(ii) shall not apply in the case of the transfer of ownership of a trailer. (L.N. 262 of 1984)

Chapter:	374E	ROAD TRAFFIC (REGISTRATION AND LICENSING OF VEHICLES) REGULATIONS	Gazette Number	Version Date
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Regulation:	44	Trade licences and trade plates		30/06/1997
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- (1) Each trade licence shall contain-
  - (a) the name and address of the person to whom the trade licence is issued;
  - (b) the number of the trade plate issued in respect of such trade licence;
  - (c) the date of expiry of the trade licence which shall be not more than one year from the date of granting of the licence; and
  - (d) the serial number of the trade licence.
- (2) Each trade plate shall display the letter "T" together with the number, or letters and number, allocated in respect thereof in red on a white background in a form specified by the Commissioner.
- (3) Trade plates issued in respect of a trade licence shall remain the property of the Commissioner and shall not be altered in any way after issue, except by the Commissioner.
- (4) When a trade licence is cancelled or is not renewed, the person to whom the set of trade plates relating to the licence were issued shall return the set forthwith to the Commissioner.
- (5) Upon return of the set of trade plates to him under subregulation (4), the Commissioner shall repay the deposit made in respect thereof less such amount as the Commissioner shall consider necessary to make good any damage to such trade plates.

Chapter:	374E	ROAD TRAFFIC (REGISTRATION AND LICENSING OF VEHICLES) REGULATIONS	Gazette Number	Version Date
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Regulation:	59	Issue of duplicate registration documents, licences and permits		30/06/1997
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- (1) If-
  - (a) a registration document is lost, destroyed or defaced; or
  - (b) a vehicle licence is lost, destroyed or defaced, or the figures or the particulars thereof become illegible,
 the registered owner of the vehicle may apply to the Commissioner in a form specified by the Commissioner for a duplicate registration document or vehicle licence, and the Commissioner upon being satisfied as to such loss, destruction, defacement or illegibility and upon receipt of any registration document or vehicle licence which has been defaced or is illegible, shall issue a duplicate registration document or vehicle licence, marked as such, on payment of the appropriate fee prescribed in Schedule 2 (or without payment of a fee where in the case of a vehicle licence the Commissioner is satisfied that the figures or particulars on it have become illegible through no fault of the registered owner) and the duplicate registration document or vehicle licence so issued shall have the same effect as the original registration document or vehicle licence.
- (2) If a trade licence or any permit issued under Part VIII is lost, destroyed or defaced, the

person to whom the trade licence or permit was issued may apply to the Commissioner in a form specified by the Commissioner for a duplicate trade licence or permit, and the Commissioner upon being satisfied as to such loss, destruction or defacement and upon receipt of any trade licence or permit which has been defaced, shall issue a duplicate trade licence or permit, marked as such, on payment of the appropriate fee prescribed in Schedule 2 and the duplicate trade licence or permit so issued shall have the same effect as the original trade licence or permit.

(3) No person shall apply for a duplicate of a registration document, vehicle licence, trade licence or permit on the ground that the original registration document, licence or permit is lost or destroyed knowing that such original registration document, licence or permit has not been lost or destroyed.

(4) On the issue of a duplicate registration document, vehicle licence, trade licence or permit under this regulation, the original registration document, licence or permit shall cease to be valid.

(5) If at any time after the issue of a duplicate registration document, vehicle licence, trade licence or permit under this regulation and during the currency of such duplicate registration document, licence or permit the original registration document, licence or permit is found, the registered owner or the person to whom the licence or permit was issued, as the case may be, shall forthwith report the finding thereof to the Commissioner and shall take all reasonable steps to obtain possession of it and return it as soon as possible to the Commissioner for cancellation.

(6) Where due to circumstances beyond his control the Commissioner is unable for the time being to issue a duplicate registration document, vehicle licence, trade licence or permit under this regulation, the receipt issued by him for the payment of the fee for a duplicate registration document, licence or permit shall be deemed for the purposes of these regulations to be a valid registration document, licence or permit in place of the original registration document, licence or permit, until a duplicate registration document, licence or permit is issued or the expiry of a period of 30 days after the issue of the receipt, whichever is the earlier.

Chapter:	374E	ROAD TRAFFIC (REGISTRATION AND LICENSING OF VEHICLES) REGULATIONS	Gazette Number	Version Date
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Regulation:	60	Offences		30/06/1997
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(1) Any person who without reasonable excuse contravenes any of the provisions of, or any requirement under, regulation 7(2) or (3), 8, 17(1), (2) or (6), 18, 19(1), 20(1) or (3), 22(1), 36(2), 41, 44(3) or (4), 48, 49(5), 50(3), 50A(4), 57(2) or 59(3) or (5) or any condition imposed under regulation 40(4), 51(3), 52(1), 53(3) or 54 commits an offence and is liable to a fine of \$2000. (L.N. 262 of 1984; L.N. 247 of 1991; L.N. 277 of 1992)

(2) Any person who obstructs any police officer or other officer authorized by the Commissioner in the exercise of any power conferred by regulation 22(2) or 57(3) commits an offence and is liable to a fine of \$2000 and to imprisonment for 3 months.

(3) Subject to subregulation (7), if any vehicle is upon or used on any road in contravention of regulation 23(1), 25 or 29(1), (2) or (4), or is upon or used on any private road in contravention of section 23A(1), the registered owner and the driver of the vehicle at the time of such contravention each commits an offence and is liable to a fine of \$2000 and to imprisonment for 3 months and in the case of a second or subsequent conviction under regulation 29(1), (2) or (4) to a fine of \$5000 and to imprisonment for 6 months. (L.N. 21 of 1989)

(4) A holder of an international circulation permit who without reasonable excuse contravenes regulation 33(1), (2), or (4) or 34(3) commits an offence and is liable to a fine of \$2000.

(5) If any vehicle is upon or used on any road in contravention of regulation 45, 46 or 47 the holder of the trade licence and the driver of the vehicle at the time of such contravention each commits an offence and is liable to a fine of \$2000.

(6) Any person who without lawful authority alters, defaces or mutilates or adds anything to

any registration document or card, vehicle licence or any licence or permit issued under these regulations or displays on any vehicle any such vehicle licence, licence or permit which has been so altered, defaced, mutilated or added to or has in his possession, without reasonable excuse, any such registration document or card, vehicle licence, licence or permit which has been so altered, defaced, mutilated or added to commits an offence and is liable to a fine of \$3000 and to imprisonment for 6 months.

(7) It shall be a defence to a charge alleging a contravention of regulation 25 for the defendant to show that the vehicle to which the charge relates was, at the time of that contravention, parked on a private road. (L.N. 21 of 1989)

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Regulation:	62	Transitional provisions		30/06/1997
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(1) Schedule 10 shall have effect for the purposes of transition to the provisions of these regulations from the provisions of the Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap 220 sub. leg.) and the Road Traffic (International Circulation) Regulations (Cap 220 sub. leg.) revoked by regulation 61 of these regulations and shall be in addition to and shall not derogate from section 23 of the Interpretation and General Clauses Ordinance (Cap 1).

(2) (Repealed 89 of 1994 s. 31)

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Schedule:	2	FEES	14 of 2001	22/06/2001
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[regulations 4, 5, 9, 16, 17, 21, 23, 27, 30, 38, 40, 42, 49, 50A, 51, 52, 53, 54, 55 & 59]

	Fee
	\$
Certificate of particulars in the register fee	45
Registration fee	100
Transfer of registration mark fee	560
Transfer of ownership fee	
(a) motor cycles and motor tricycles	250
(b) all other vehicles (40 of 1991 s. 7)	1000
Duplicate registration document or vehicle licence fee, other than in the case of a rickshaw	60
Duplicate vehicle licence fee in the case of a rickshaw	10
Duplicate trade licence or permit	65
(L.N. 300 of 1990; L.N. 267 of 1994; L.N. 201 of 1995; L.N. 525 of 1996; L.N. 28 of 1998; L.N. 141 of 1998)	

## Annual Licence Fees

1.	Goods vehicle (other than van-type light goods vehicle) and special purpose vehicle-	
	(i) not exceeding 1.9 tonnes permitted gross vehicle weight	1175
	(ii) exceeding 1.9 tonnes permitted gross vehicle weight, but not exceeding 5.5 tonnes permitted gross vehicle weight	2290
	(iii) exceeding 5.5 tonnes permitted gross vehicle weight	4580
	(b) Van-type light goods vehicle-	
	(i) not exceeding 1.9 tonnes permitted gross vehicle weight	2115
	(ii) exceeding 1.9 tonnes permitted gross vehicle weight	4140
2.	Public bus-	
	(a) for the driver; and	25
	(b) an additional fee for each seat for a passenger in such vehicle	50
3.	Private bus-	
	(a) for the driver; and	25
	(b) an additional fee for each seat for a passenger in such vehicle	45
4.	Taxi	3045
5.	Private car of which the cylinder capacity of the engine-	
	(a) does not exceed 1500 cubic centimetres	3815
	(b) exceeds 1500 cubic centimetres but does not exceed 2500 cubic centimetres	5680
	(c) exceeds 2500 cubic centimetres but does not exceed 3500 cubic centimetres	7550
	(d) exceeds 3500 cubic centimetres but does not exceed 4500 cubic centimetres	9420
	(e) exceeds 4500 cubic centimetres	11215
	and in addition to the appropriate fee mentioned above, in the case of a private car the engine of which is designed to use as a fuel light diesel oil as defined in section 69 of the Dutiable Commodities Ordinance (Cap 109)	1460
6.	Electrically powered passenger vehicle-	
	(a) not exceeding 1 tonne unladen weight; and	440
	(b) an additional fee for each 250 kg unladen weight or part thereof	95
7.	Motor cycle	1200
8.	Trailer-for each 250 kg permitted gross vehicle weight or part thereof, excluding any gross vehicle weight of the trailer imposed on the drawing vehicle	30
9.	Motor tricycle	1200
10.	Invalid carriage	12
11.	Public light bus	8315
12.	Private light bus	2635
13.	Rickshaw	50

(18 of 1989 s. 3; 26 of 1990 s. 3; 40 of 1991 s. 8; L.N. 61 of 2001)

#### Permit and Certificate Fees

1.	International fiscal permit	145
2.	International certificate	160
3.	Certificate of maximum load and maximum permissible weight	145
4.	Trade licence, per annum	500
5.	Closed road permit (other than for a road in Lantau), per annum-	
(a)	for a private car	540
(b)	for a goods vehicle	456
(c)	for a bus	456
6.	Closed road permit for a road in Lantau, per annum-	
(a)	upon first issue	900
(b)	upon renewal	660
7.	Goods permit	260
8.	Excess passengers permit	175
9.	Movement permit	560
10.	Long load permit	220
11.	Wide load permit	220
12.	Advertising vehicle permit	130
13.	Expressway permit	185

(L.N. 201 of 1995; L.N. 525 of 1996; L.N. 28 of 1998; L.N. 141 of 1998)

#### Notes

1. For the purpose of these regulations, the cylinder capacity of any motor vehicle deriving its motive power wholly from an internal combustion engine worked by a cylinder or cylinders or by a rotary-pistons shall be-

- (a) in the case of a single-cylinder engine, the cylinder capacity attributable to the cylinder of the engine;
- (b) in the case of an engine having two or more cylinders, the sum of the cylinder capacities attributable to the separate cylinders;
- (c) in the case of a rotary-piston engine having a single rotor, the capacity of one of the stator lobes multiplied by the number of lobes attributable to the stator; and
- (d) in the case of a rotary-piston engine having two or more rotors, the sum of the capacities of one of the stator lobes attributable to each stator-motor multiplied by the number of lobes attributable to one stator.

2. The capacity attributable to any cylinder or any stator lobe of an internal combustion engine shall be deemed to be equal to-

- (a) in the case of a cylinder having a single piston, the product, expressed in cubic centimetres, of the square of the internal diameter of such cylinder measured in centimetres, and the distance measured in centimetres, multiplied by 0.7854; through which the piston associated with that cylinder moves during one half of a revolution of the engine;
- (b) in the case of a cylinder having more than one piston, the sum of the products, expressed in cubic centimetres, of the square of the internal diameter of each part of the cylinder in which a piston moves, measured in centimetres and the distance through which the piston associated with that diameter moves during one half of a revolution of the engine measured in centimetres multiplied by 0.7854; and
- (c) in the case of a rotary-piston engine, the volume of the space enclosed between one working face of the motor and one lobe of the stator at its maximum, expressed in cubic centimetres, less the volume of the space enclosed between one working face of the rotor and the stator at its minimum, expressed in cubic centimetres.

3. In measuring cylinders or stator lobes for the purpose of calculating capacity, and in calculating cylinder capacity, fractions of centimetres shall be taken into account.

(L.N. 247 of 1991)

Chapter:	374E	ROAD TRAFFIC (REGISTRATION AND LICENSING OF VEHICLES) REGULATIONS	Gazette Number	Version Date
Schedule:	4	PROVISIONS AS TO DISPLAY OF REGISTRATION MARKS AND PLATES		30/06/1997

[regulation 8]

1. Form of Registration Marks

- (i) The registration mark shall be in conformity with the arrangement of the letters and numerals shown in Diagram 1 or 2.

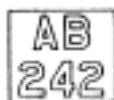


DIAGRAM NO. 1

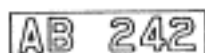


DIAGRAM NO. 2

- (ii) The letters and numerals of a registration mark shall comply with the proportions and form shown in Diagram 3 and with subparagraph (iii).





### DIAGRAM NO.3

- (iii) All letters and numerals in accordance with Diagram 1, 2 or 3 shall be not less than 8 cm and not more than 11 cm high, except that-
  - (a) in the case of invalid carriages and motor cycles, the letters and numerals shall be not less than 5 cm and not more than 11 cm high;
  - (b) where written approval is given by the Commissioner for the letters or numerals to be less than 8 cm high, the letters or numerals shall be not less than the height so approved.
- 2. Colours, Construction, Fitting, Display and Illumination of Registration Marks
  - (i) Except as prescribed in subparagraph (v), the registration mark shall be displayed on the front and on the back of a motor vehicle in a vertical position, so that every letter and numeral of the registration mark is vertical, and is easily distinguishable, in the case of the registration mark displayed on the front of the vehicle, from in front of the vehicle, and in the case of the registration mark displayed on the back of the vehicle, from behind the vehicle.
  - (ii) Subject to subparagraph (iia), registration mark shall be displayed on a reflex-reflecting number plate, being a plate which complies with the requirements laid down by the British Standard Specification for Reflex-reflecting Number Plates published on 11 September 1972 under the number B.S. AU 145a and is of a type in respect of which there has been issued by the Commissioner a certificate that a plate of that type complies with those requirements, and- (L.N. 391 of 1983)
    - (a) the registration mark, where it is displayed on the front of a motor vehicle, shall be formed of black letters and numerals upon a white background and where it is displayed on the back of the vehicle shall be formed of black letters and numerals upon a yellow background;
    - (b) that part of the plate which comprises the said background shall be constructed of reflex-reflecting material which shall at all times be maintained in a clean and efficient condition;
    - (c) no reflex-reflecting material shall be applied to any part of the said letters or numerals; and
    - (d) there shall be legibly and permanently marked on the plate the specification number B.S. AU 145a to indicate that it complies with the British Standard mentioned above, and the name, trade mark or other means of identification of the manufacturer of the plate.
  - (iia) Without prejudice to subparagraph (ii) in the case of a double-decked bus that is designed to have a registration mark display on the back of the bus incorporated in the structure, with internal illumination, the registration mark displayed on the back of the bus may be formed of black letters and numerals indelibly inscribed upon a yellow surface and no letters, numerals or markings other than registration mark shall be inscribed on such surface. (L.N. 391 of 1983)
  - (iii) The reflex-reflecting number plate shall be firmly fixed on to the motor vehicle.
  - (iv) No letter or numeral of a registration mark shall be capable of being detached provided that it shall not be a contravention of this requirement if the letters or numerals are made separately and are either welded or firmly riveted to the surface of the number plate. If the letters and numerals are displayed on a flat plate, the plate may be constructed having raised letters and numerals.
  - (v) The registration mark shall not be displayed on the front of a motor cycle or trailer. In the case of an invalid carriage, the registration mark need not be displayed on the front of the invalid carriage where the Commissioner has exempted such invalid carriage, either in a particular case or by reference to a type of invalid carriage, from such requirement under subparagraph (i). (L.N. 262 of 1984)
  - (vi) No letters, numerals or markings shall be displayed on a reflex-reflecting number plate

other than those required to be displayed or marked under these regulations.

- (vii) When a vehicle of any kind is attached to a mechanically propelled motor vehicle either in front or behind, the registration mark required to be displayed on the front or on the back of the mechanically propelled vehicle or a duplicate of such registration mark shall be displayed on the front or on the back of the vehicle attached, as the case may be, in the same manner as the registration mark is required to be displayed upon the motor vehicle drawing or propelling the same.
- (viii) Whenever a motor vehicle is in motion upon a road during the hours of darkness or in poor visibility conditions (as defined in regulation 2 of the Road Traffic (Traffic Control) Regulations (Cap 374 sub. Leg.)) a lamp shall be kept illuminated upon the motor vehicle so contrived as to illuminate by means of reflection or otherwise and to render easily distinguishable from any point not more than 15.25 m behind the motor vehicle every letter and numeral of the registration mark displayed on the back of the motor vehicle or on the vehicle attached to the back of the motor vehicle, as the case may be.
- (ix) In this paragraph, "reflex-reflecting number plate" (反光字牌) means a flat rectangular plate displaying the registration mark of a motor vehicle in which the background to the registration mark consists of reflex-reflecting material, integrally attached to a suitable backing material.

Chapter:	374E	ROAD TRAFFIC (REGISTRATION AND LICENSING OF VEHICLES) REGULATIONS	Gazette Number	Version Date
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Schedule:	5	LIST OF SPECIAL REGISTRATION MARKS		30/06/1997
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[regulations 9 & 13]

Item

1. 1, 2, 3, 4, 5, 6, 7, 8 and 9.
2. 11, 22, 33, 44, 55, 66, 77, 88 and 99.
3. 111, 222, 333, 444, 555, 666, 777, 888 and 999.
4. 1111, 2222, 3333, 4444, 5555, 6666, 7777, 8888 and 9999.
5. 10, 20, 30, 40, 50, 60, 70, 80 and 90.
6. 100, 200, 300, 400, 500, 600, 700, 800 and 900.
7. 1000, 2000, 3000, 4000, 5000, 6000, 7000, 8000 and 9000.
8. 123, 234, 345, 456, 567, 678 and 789.
9. 1234, 2345, 3456, 4567, 5678 and 6789.
10. 12, 13, 14, 15, 16, 17, 18, 19, 21, 23, 24, 25, 26, 27, 28, 29, 31, 32, 34, 35, 36, 37, 38, 39, 41, 42, 43, 45, 46, 47, 48, 49, 51, 52, 53, 54, 56, 57, 58, 59, 61, 62, 63, 64, 65, 67, 68, 69, 71, 72, 73, 74, 75, 76, 78, 79, 81, 82, 83, 84, 85, 86, 87, 89, 91, 92, 93, 94, 95, 96, 97 and 98.
11. 1100, 1122, 1133, 1144, 1155, 1166, 1177, 1188, 1199, 2200, 2211, 2233, 2244, 2255, 2266, 2277, 2288, 2299, 3300, 3311, 3322, 3344, 3355, 3366, 3377, 3388, 3399, 4400, 4411, 4422, 4433, 4455, 4466, 4477, 4488, 4499, 5500, 5511, 5522, 5533, 5544, 5566, 5577, 5588, 5599, 6600, 6611, 6622, 6633, 6644, 6655, 6677, 6688, 6699, 7700, 7711, 7722, 7733, 7744, 7755, 7766, 7788, 7799, 8800, 8811, 8822, 8833, 8844, 8855, 8866, 8877, 8899, 9900, 9911, 9922, 9933, 9944, 9955, 9966, 9977, 9988.
12. 1001, 1221, 1331, 1441, 1551, 1661, 1771, 1881, 1991, 2002, 2112, 2332, 2442, 2552, 2662, 2772, 2882, 2992, 3003, 3113, 3223, 3443, 3553, 3663, 3773, 3883, 3993, 4004, 4114, 4224, 4334, 4554, 4664, 4774, 4884, 4994, 5005, 5115, 5225, 5335, 5445, 5665, 5775, 5885, 5995, 6006, 6116, 6226, 6336, 6446, 6556, 6776, 6886, 6996, 7007, 7117, 7227, 7337, 7447, 7557, 7667, 7887, 7997, 8008, 8118, 8228, 8338, 8448, 8558, 8668, 8778, 8998, 9009, 9119, 9229, 9339, 9449, 9559, 9669, 9779, 9889.
13. 101, 121, 131, 141, 151, 161, 171, 181, 191, 202, 212, 232, 242, 252, 262, 272, 282, 292, 303, 313, 323, 343, 353, 363, 373, 383, 393, 404, 414, 424, 434, 454, 464, 474, 484, 494, 505, 515, 525, 535, 545, 565, 575, 585, 595, 606, 616, 626, 636, 646, 656, 676, 686, 696, 707, 717, 727, 737, 747, 757, 767, 787, 797, 808, 818, 828, 838, 848, 858, 868, 878, 998, 909, 919, 929, 939, 949, 959, 969, 979, 989.
14. 1010, 1212, 1313, 1414, 1515, 1616, 1717, 1818, 1919, 2020, 2121, 2323, 2424, 2525, 2626, 2727, 2828, 2929, 3030, 3131, 3232, 3434, 3535, 3636, 3737, 3838, 3939, 4040, 4141, 4242, 4343, 4545, 4646, 4747, 4848, 4949, 5050, 5151, 5252, 5353, 5454, 5656, 5757, 5858, 5959, 6060, 6161, 6262, 6363, 6464, 6565, 6767, 6868, 6969, 7070, 7171, 7272, 7373, 7474, 7575, 7676, 7878, 7979, 8080, 8181, 8282, 8383, 8484, 8585, 8686, 8787, 8989, 9090, 9191, 9292, 9393, 9494, 9595, 9696, 9797, 9898.

Chapter:	374E	ROAD TRAFFIC (REGISTRATION AND LICENSING OF VEHICLES) REGULATIONS	Gazette Number	Version Date
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Schedule:	6	PERCENTAGE OF ANNUAL LICENCE FEE WHICH MAY BE REFUNDED		30/06/1997
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[regulation 24]

Number of days in the unexpired period of valid licence	Percentage of annual fee which may be refunded for each day of the unexpired period of valid licence
Not exceeding 60 days	Nil
60 days or over	0.24%
	(L.N. 172 of 1989)

Chapter:	227C	MAGISTRATES (FORMS) RULES	Gazette Number	Version Date
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Schedule:		SCHEDULE	L.N. 320 of 1999	01/01/2000
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## PART I

### FORMS FOR SUMMARY OFFENCES

#### FORM 1

[sections 8 & 72]

Summons to the defendant upon an information or complaint

Case No.:

#### SUMMONS TO DEFENDANT

IN THE MAGISTRATE'S COURT IN HONG KONG  
AT MAGISTRACY

To: (Name and address of the defendant)

[Information has been laid] or [Complaint has been made] THAT YOU

(here state the particulars of the alleged offence)

THIS SUMMONS THEREFORE REQUIRES YOU TO APPEAR on (date) at (time)  
in Court No. , Magistracy before the magistrate presiding there to

answer to the information] or [complaint] and to be further dealt with according to law.

This summons is issued under the Magistrates Ordinance (Cap 227) by a magistrate or an officer of a magistrate's court who is authorized under section 8(1) of that Ordinance.

(Date of the Summons)

(59 of 1994 s. 7; L.N. 355 of 1997)

FORM 1A [section 8A & Fourth Schedule]

MAGISTRATES ORDINANCE

(Chapter 227)

Notice to appear before a Magistrate

IN THE MAGISTRATE'S COURT AT .....

To:

Full Name: .....

Address: .....  
.....  
.....

Sex and Age: \*Male/Female ..... (age) .....

\*\*Hong Kong Identity Card No. ....  
(if known) .....

1. I, ..... (full name), .....  
(office/rank), a public officer specified in the Fourth Schedule to the Magistrates Ordinance (Cap 227), suspect that you have committed an offence specified in that Schedule as follows-

Particulars of alleged offence .....  
 .....  
 Date and time of alleged offence ...../...../19 ..... (date)  
 ..... \* a.m./p.m. (time)  
 Place of alleged offence .....  
 \*Country Park/Special Area .....  
 (if applicable) .....

contrary to-

- \*(a) Part III of the Public Health and Municipal Services Ordinance (Cap 132) section .....
- \*(b) the Public Cleansing and Prevention of Nuisances Regulation (Cap 132 sub. leg.) section .....
- \*(c) (Repealed 78 of 1999 s. 7)
- \*(d) the Country Parks and Special Areas Regulations (Cap 208 sub. leg.) regulation .....
- \*(e) the Summary Offences Ordinance (Cap 228) section 4D(1),

and, in accordance with section 8A of the Magistrates Ordinance (Cap 227), serve on you this notice requiring you to appear before a magistrate to be dealt with according to law at the following time and place-

Date and time of hearing ..... / ..... / 19 ..... (date)  
 ..... a.m./p.m. (time)  
 Place of hearing Court No. ....  
 ..... Magistracy  
 \*Hong Kong/Kowloon/ .....

2. WARNING: If you fail to appear at the time and place of hearing mentioned in paragraph 1-
- (a) the magistrate may issue a warrant for your arrest; and
  - (b) you will be ordered to pay the costs specified in section 8A(5) of the Magistrates Ordinance (Cap 227) whether or not you are convicted of the alleged offence.

Signature of  
 Public Officer: .....  
 Date: .....

\* Delete as necessary.  
 \*\* Where no Hong Kong Identity Card is held a passport or other travel document number may be inserted.  
 (L.N. 201 of 1987; L.N. 158 of 1995; 78 of 1999 s. 7)

FORM 1B

(Repealed L.N. 201 of 1987)

FORM 2

[sections 18A, 20 & 72]

Warrant when summons is disobeyed

HONG KONG.

IN THE MAGISTRATE'S COURT AT

To each and all of the police officers of Hong Kong.

On the                      day of                      19                      , information was laid (or complaint was made) before a magistrate of Hong Kong, that [as in the summons]; and a summons was then issued by the said magistrate to the said [name of defendant] commanding him to be and appear on                      day, the                      day of 19                      , at                      o'clock in the                      noon, at the said court, before such magistrate as might then be there, to answer to the said information (or complaint) and to be further dealt with according to law; and the said [name of defendant] having not appeared at the time and place so appointed in and by the said summons, although it has been proved to me upon oath (or declaration) that the said summons has been duly served on the said [name of defendant]:

These are, therefore, to command you forthwith to apprehend the said [name of defendant] and to bring him before me or such magistrate as may then be sitting to answer to the said information (or complaint) and to be further dealt with according to law.

Dated this                      day of                      19                      .

.....  
Magistrate.

[L.S.]

(59 of 1994 s. 8; L.N. 355 of 1997)

FORM 2A

[section 8A(3)]

Warrant where notice to appear is disobeyed

IN                      THE                      MAGISTRATE'S                      COURT  
AT.....

To each and all of the police officers of Hong Kong.

On the ..... day of ..... 19 .....  
at ..... \*a.m./p.m. a notice to appear before a magistrate was issued by a public

officer specified in the Fourth Schedule to the Magistrates Ordinance (Cap 227), to  
 (a) ..... of  
 (b) ..... requiring him to be  
 and appear on the ..... day  
 of ..... 19 ..... at ..... \*a.m./p.m. at the  
 Magistrate's Court at ..... \*Hong Kong/Kowloon/New  
 Territories before such magistrate as might then be there to be dealt with according to  
 law; and the said  
 (a) .....  
 ..... having not appeared at the time and place so specified in  
 the notice, although it has been proved upon oath that the notice has been served on him  
 personally:

These are, therefore, to command you forthwith to apprehend the said  
 (a) ..... and  
 to bring him before me or such magistrate as may then be sitting to be dealt with  
 according to law.

Dated this ..... day of ..... 19 .....

.....  
 Magistrate.

[L.S.]

\* delete whichever is not applicable.

Notes: (a) insert full name of person on whom the notice has been served  
 (b) insert full address of person on whom the notice has been served.  
 (L.N. 198 of 1972; L.N. 158 of 1995; L.N. 355 of 1997)

FORM 3

[sections 20 & 23]

Warrant where defendant bound by a recognizance has failed to appear

HONG KONG. IN THE MAGISTRATE'S COURT AT

To each and all of the police officers of Hong Kong.

On the ..... day of ..... 19 ....., information was laid (or complaint  
 was made or [name of defendant] was charged), before a magistrate of Hong Kong, that  
 he [here state shortly the matter of the information, complaint or charge];  
 and the said [name of defendant] was then bound by a recognizance to be and appear on  
 day, the ..... day of ..... 19 ....., at ..... o'clock in the ..... noon,  
 at the said court, before me or such magistrate as might then be sitting, to answer to the  
 said information (or complaint or charge) and to be further dealt with according to law;  
 and the said [name of defendant] has not appeared at the time and place so appointed:

These are, therefore, to command you forthwith to apprehend the said [name of



defendant] and to bring him before me or such magistrate may then be sitting to answer to the said information (or complaint or charge) and to be further dealt with according to law.

Dated this                      day of                      19                      .

[L.S.]

.....  
Magistrate.  
(59 of 1994 s. 8; L.N. 355 of 1997)

FORM 4

[sections 9, 72 & 74]

Warrant in the first instance

HONG KONG.

IN THE MAGISTRATE'S COURT AT

To each and all of the police officers of Hong Kong.

Information having this day been laid before the undersigned, a magistrate of Hong Kong, for that [here state shortly the matter of the information]; and oath (or declaration) being now made before me substantiating the matter of such information:

These are, therefore, to command you forthwith to apprehend the said [name of defendant] and to bring him before a magistrate of Hong Kong to answer to the said information, and to be further dealt with according to law.

Dated this                      day of                      19                      .

[L.S.]

.....  
Magistrate.

---

NOTE.-When the offence is committed on the high seas (or outside Hong Kong) the warrant should describe the party injured to have been at the time of the offence "within the jurisdiction of the Hong Kong courts".

(59 of 1994 s. 8; L.N. 355 of 1997)

FORM 5

[sections 20 & 23]

Warrant of committal for safe custody during an  
adjournment of the hearing

HONG KONG.

IN THE MAGISTRATE'S COURT AT

To each and all of the police officers of Hong Kong and to the Commissioner of Correctional Services.

On the            day of            19            , information was laid before the undersigned, a magistrate of Hong Kong for that [here state shortly the matter of the information]; and the hearing of the same having been adjourned to            day, the            day of            19            , at            o'clock in the noon, it is necessary that the said            should in the meantime be kept in safe custody:

These are, therefore, to command you, the said police officers, forthwith to convey the said            to a prison [or some other place of security], and there to deliver him to the Commissioner of Correctional Services, with this precept; and you, the said Commissioner, to receive the said into your custody in a prison [or some other place of security], and there safely to keep him until

   day, the            day of            19            ; when you, the said police officer, and hereby required to convey and have him at the time and place to which the said hearing is so adjourned as aforesaid, at            o'clock in the noon of the same day, before me or such magistrate as may then be there, to answer further to the said information and to be further dealt with according to law, unless you shall be otherwise ordered in the meantime.

Dated this            day of            19            .

.....

[L.S.]

Magistra  
te.

(L.N. 134 of 1967; 59 of 1994 s. 8; L.N. 355 of 1997)

FORM 6            [sections 8, 20, 23, 31, 63, 64 & 65]

(WITH SURETIES)

Recognizance conditioned for appearance

HONG KONG.            IN THE MAGISTRATE'S COURT AT

We, the undersigned            of  
of            and            of  
   , severally acknowledge ourselves to  
owe to the Government the several sums following, namely, the said  
as principal the sum of            , and the said            and            as  
sureties the sum of            each, to be levied on our several goods, lands, and  
tenements if the said            fails in the condition hereon endorsed.

Signed            (where            not            taken            orally)

.....

...

.....  
.....

Taken (orally) before me the            day of            19     .

.....  
[L.S.]  
Magistra  
te.  
(or Magistrate's Clerk or Superintendent  
of Police or Inspector of Police or  
Commissioner of Correctional  
Services as the case may be).

Explained by

.....  
Sworn Interpreter

#### CONDITION ENDORSED

The condition of the within-written recognizance is such that if the within-bounden            appears before such magistrate as may then be sitting at the said court on            day, the            day of            19     , at            o'clock in the            noon, to answer (further) to the charge made against him by and to be (further) dealt with according to law (or appears before such magistrate as may then be sitting at            for sentence when called upon) then the said recognizance shall be void, but otherwise shall remain in full force.

---

NOTE-Where the recognizance is taken orally omit the words "the undersigned" and insert the word "orally" after "Taken".

(L.N. 355 of 1997)

FORM 7            [sections 20, 23, 31,63, 64 &  
65.]

(PERSONAL)

Recognizance conditioned for appearance

HONG KONG.            IN THE MAGISTRATE'S COURT AT

I, the undersigned            of  
do hereby acknowledge myself to owe to the  
Government the sum of to be levied on my goods, lands and tenements if I the said  
shall fail in the condition hereon endorsed.

Signed            (where            not            taken            orally)  
.....

....

Taken (orally) before me the            day of            19     .

.....

[L.S.]  
Magistrate  
te.

Explained by

(or Magistrate's Clerk or Superintendent  
of Police or Inspector of Police or  
Commissioner of Correctional  
Services, as the case may be)

.....  
Sworn Interpreter

### CONDITION ENDORSED

The condition of the within-written recognizance is such that if the within-bounden appears before such magistrate as may then be sitting at the said court on day, the day of 19 , at o'clock in the noon, to answer (further) to the charge made against him by and to be (further) dealt with according to law (or appears before such magistrate as may then be sitting at for sentence when called upon) then the said recognizance shall be void, but otherwise shall remain in full force.

---

NOTE-Where the recognizance is taken orally omit the words "the undersigned" and insert the word "orally" after "Taken".

(L.N. 355 of 1997)

FORM 8 [sections 20, 23, 31, 63, 64 & 65.]

(MONEY DEPOSIT  
WITH SURETIES)

Recognizance conditioned for appearance

HONG KONG.

IN THE MAGISTRATE'S COURT AT

I, the undersigned of  
do hereby acknowledge myself to owe to the  
Government the sum of deposited  
herewith if I fail in the condition hereon endorsed and we, the undersigned  
of and of  
severally acknowledge ourselves as sureties to owe to the Government the several sums  
following, namely, the said the sum of and  
the said the sum of to be levied on our several goods,  
lands and tenements if the said fails in the condition hereon  
endorsed.

Signed (where not taken orally)

....

.....  
.....  
Taken (orally) before me the day of 19 .

[L.S.]

Explained by

.....  
Magistrate.

(or Magistrate's Clerk or Superintendent  
of Police or Inspector of Police or  
Commissioner of Correctional  
Services, as the case may be)

.....  
Sworn Interpreter

### CONDITION ENDORSED

The condition of the within-written recognizance is such that if the within-bounden person appears before such magistrate as may then be sitting at the said court on            day, the day of            19    , at            o'clock in the            noon, to answer (further) to the charge made against him by            and to be (further) dealt with according to law then the said recognizance shall be void, but otherwise shall remain in full force.

NOTE.-Where the recognizance is taken orally omit the words "the undersigned" and insert the word "orally" after "Taken".

(L.N. 355 of 1997)

FORM 9

[sections 20, 23, 31, 63, 64 &  
65.]

(PERSONAL MONEY  
DEPOSIT)

Recognizance conditioned for appearance

HONG KONG.

IN THE MAGISTRATE'S COURT AT

I, the undersigned            of            do hereby  
acknowledge myself to owe to the Government the sum of  
deposited herewith, if I fail in the condition hereon endorsed.

Signed            (where            not            taken            orally)

.....

Taken (orally) before me the            day of            19    .

.....  
[L.S.]  
Magistrate

Explained by

(or Magistrate's Clerk or Superintendent  
of Police or Inspector of Police or

.....  
Sworn Interpreter

CONDITION ENDORSED

The condition of the within-written recognizance is such that if the within-bounden person appears before such magistrate as may then be sitting at the said court on                      day, the                      day of                      19                      , at                      o'clock in the                      noon, to answer (further) to the charge made against him by                      and to be (further) dealt with according to law then the said recognizance shall be void, but otherwise shall remain in full force.

NOTE-Where the recognizance is taken orally omit the words "the undersigned" and insert the word "orally" after "Taken".  
  
(L.N. 355 of 1997)

FORM 10 [section 36]

(WITH SURETIES)

Recognizance to be of good behaviour and to appear for conviction and sentence or for sentence

HONG KONG. IN THE MAGISTRATE'S COURT AT

We, the undersigned                      of                      of and                      of                      severally acknowledge ourselves to owe the Government the several sums following, namely, the said as principal, the sum of                      and the said and                      as sureties the sum of                      each, to be levied on our several goods, lands, and tenements if the said principal fails in the condition hereon endorsed.

Signed                      (where                      not                      taken                      orally)  
.....  
....  
.....  
.....

Taken (orally) before me the                      day of                      19                      .

[L.S.]                      .....  
Explained by                      Magistrate's Clerk.

.....  
Sworn Interpreter

CONDITION ENDORSED

The condition of the within-written recognizance is such that if the within-bounden principal is of good behaviour for the term now next ensuing and appears for conviction and sentence or for sentence when called upon within the said period before such magistrate as may then be sitting at the said or other magistrate's court, then the said recognizance shall be void, but otherwise shall remain in full force.

---

NOTE-Where the recognizance is taken orally omit the words "the undersigned" and insert the word "orally" after "Taken".

(L.N. 355 of 1997)

FORM 11

[section 36]

(PERSONAL)

Recognizance to be of good behaviour and to appear for  
conviction and sentence or for sentence

HONG KONG.

IN THE MAGISTRATE'S COURT AT

I, the undersigned of  
do hereby acknowledge myself to owe to the Government the sum of  
to be levied on my goods, lands and tenements if I fail in the condition hereon endorsed.

Signed (where not taken orally)  
.....

....

Taken (orally) before me the day of 19 .

[L.S.]

Explained by

.....  
Magistrate's Clerk.

.....  
Sworn Interpreter

CONDITION ENDORSED

The condition of the within-written recognizance is such that if the within-bounden person is of good behaviour for the term of now next ensuing and appears for conviction and sentence or for sentence when called upon within the said period before such magistrate as may then be sitting at the said or other magistrate's court, then the said recognizance shall be void, but otherwise shall remain in full force.

---

NOTE-Where the recognizance is taken orally omit the words "the undersigned" and insert the word "orally" after "Taken".

(L.N. 355 of 1997)

FORM 11A

[section 36]

Warrant of commitment on commission of further offence during  
probation period or period of conditional discharge

HONG KONG. IN THE MAGISTRATE'S COURT AT

To each and all of the police officers of Hong Kong and to the Commissioner of  
Correctional Services in Hong Kong.

(hereinafter called the  
defendant) was on the day of 19 ,  
convicted by the Magistrate's Court sitting  
at ..... , [state shortly particulars of offence],  
and on the said date [or on the day of 19 ,] the said Court made  
a probation order which required him/her for the period of [years] from the date hereof  
to be under the supervision of a probation officer [or an order discharging him/her  
subject to the condition that he/she should commit no further offence during the period  
of years from the date thereof]:

And the defendant has this day appeared (or been brought) before me and I was  
satisfied that he/she had on the day of 19 , been  
convicted by the Magistrate's Court sitting at ..... (or  
District Court sitting at ..... or Court of First  
Instance), of a further offence, namely (state shortly particulars of offence), committed  
by him/her on the day of 19 , during the said  
period:

[(or) And the defendant has this day been convicted by me of a further offence,  
namely, (state shortly particulars of offence), and I was satisfied that the said offence  
was committed by him/her on the day of 19 , during the said  
period]:

And it was adjudged that the defendant for the offence in respect of which the said  
order was made be imprisoned in a prison in Hong Kong for the space of :

These are, therefore, to command you, the said police officers, to take the  
defendant and convey him to a prison, and there to deliver him to the Commissioner of  
Correctional Services, together with this warrant; and you, the said Commissioner, to  
receive the defendant into your custody in a prison and then to imprison him for the  
space of : and for your so doing this shall be your sufficient warrant.

Dated this day of 19 .

.....  
[L.S.]  
Magistrate



(L.N. 200 of 1972; 59 of 1994 s. 8; 25 of 1998 s. 2)

FORM 12

[section 64]

Note of forfeiture of recognizance to be given to principal

HONG KONG.

IN THE MAGISTRATE'S COURT AT

Take notice that (on the complaint of \_\_\_\_\_) this Court has this day adjudged that the recognizance entered into by you on the day of \_\_\_\_\_ 19\_\_\_\_\_, be forfeited and that you pay the sum of \_\_\_\_\_ (and for costs) to be paid forthwith (or not later than the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_).

Failure to pay forthwith (or on or before the appointed day) will render your money and goods liable to distraint without further notice.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_.

[L.S.]

.....  
Magistrate's Clerk

FORM 13

[sections 31 & 64]

Certificate of forfeiture to be endorsed on recognizance

The within-named \_\_\_\_\_ not having appeared [or as the case may be] at the time and place in the said condition mentioned, it is hereby certified that the within-written recognizance is forfeited.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_.

[L.S.]

.....  
Magistrate.

FORM 14

[sections 21 & 22]

Summons to a witness

HONG KONG.

IN THE MAGISTRATE'S COURT AT

To

Information having been laid (or complaint having been made) before a magistrate of Hong Kong, for that [as in the summons to defendant]; and it having been

made to appear to me that you are likely to give material evidence on behalf of the informant (or complainant, or defendant, or accused) in this behalf:

These are, therefore, to require you-

- (a) to be and appear on       day, the       day of       , 19       ,  
at       o'clock in the       noon, at the said court, before such  
magistrate as may then be there; and
- (b) to be and appear before such magistrate at the said court at such time  
and on such date as may be directed by such magistrate until the  
conclusion of the proceedings at which your attendance is required,  
to testify what you shall know concerning the matter of the said information (or  
complaint).

Dated this       day of       19       .

.....  
[L.S.]  
Magistrate  
.  
(59 of 1994 ss. 7 & 8)

FORM 15 [sections 21 & 22]

Warrant where a witness has not obeyed a summons

HONG KONG. IN THE MAGISTRATE'S COURT AT

To each and all of the police officers of Hong Kong.

Information having been laid ( or complaint having been made) before a  
magistrate of Hong Kong, for that [as in summons to defendant]; and it having been  
made to appear that

of       , was likely to give material evidence  
on behalf of the informant (or complainant, or defendant, or accused) a summons was  
duly issued by the said magistrate to the said       ,  
requiring him to be and appear on       day, the       day of       19       ,  
at       o'clock in the       noon, at the said court before such magistrate as might then  
be there, to testify what he should know concerning the said       or  
the matter of the said information (or complaint); and proof having this day been made  
before me upon oath (or declaration) of such summons having been duly served on the  
said

and of a reasonable sum having been tendered to him for his costs and  
expenses in that behalf, and the said       having  
refused or neglected to appear at the time and place appointed by the said summons, and  
no just excuse having been offered for such refusal or neglect:

These are, therefore, to command you to take the said  
and to bring and have him on       day, the       day of       19       ,  
at       o'clock in the       noon, at the said court, before such magistrate as may then  
be there, to testify what he shall know concerning the matter of the said information (or  
complaint).



having been charged) before a magistrate of Hong Kong, for that [as in the summons to defendant]; and one now appearing before me on day, the day of 19, at the said court and being required by me to make oath (or declaration) as a witness in that behalf now refuses so to do (or being sworn or declared as a witness in the matter of the said information, or complaint, or charge) refuses to answer certain questions, without offering any just excuse for such his refusal:

These are, therefore, to command you, the said police officers to take the said and him safely to convey to a prison, and there to deliver him to the Commissioner of Correctional Services, together with this precept; and you, the said Commissioner, to receive the said into your custody in a prison, and there imprison him for such his contempt for the space of days, unless he shall in the meantime consent to be examined and to answer concerning the premises; and for your so doing this shall be your sufficient warrant.

Dated this day of 19 .

[L.S.]

.....  
Magistrate.  
(59 of 1994 s. 8)

FORM 18

[sections 20 & 79]

Warrant to remand a defendant when apprehended

HONG KONG.

IN THE MAGISTRATE'S COURT AT

To each and all of the police officers of Hong Kong and to the Commissioner of Correctional Services.

Information having been laid (or complaint having been made, or having been charged) before a magistrate of Hong Kong, for that [as in the summons to defendant]; and the said being now brought before me under and by virtue of a warrant upon such information (or complaint, or charge):

These are, therefore, to command you, the said police officers, forthwith to convey the said to a prison [or some other place of security], and there to deliver him to the Commissioner of Correctional Services, together with this precept; and you, the said Commissioner to receive the said into your custody in a prison [or some other place of security], and there safely to keep him until day, the day of 19; when you, the said police officers, are hereby commanded to convey and have him at the said court at o'clock in the noon of the same day, before such magistrate as may then be there, to answer to the said information (or complaint, or charge) and to be further dealt with according to law.

Dated this day of 19 .

.....

[L.S.]

Magistrate.  
(L.N. 134 of 1967; 59 of 1994 s. 8; L.N. 355 of 1997)

FORM 19

[sections 34 & 81]

Minute and depositions of witnesses

HONG KONG. IN THE MAGISTRATE'S COURT AT

Hong Kong on the information (or complaint) of  
versus , & c.

Before , Esquire, a magistrate of Hong Kong,  
sitting at the said court.

The examination of , of [merchant],  
and , of [labourer], taken upon  
oath (or declaration) this day of 19 , at the said court before the  
undersigned, a magistrate of Hong Kong, in the presence and hearing of  
against whom information is laid (or complaint is made, or who is charged) by  
this day before [me], for that he, the said , on the day of  
19 , at [describing the offence as in the information, summons, or warrant of  
commitment].

This deponent upon his oath (or declaration) saith  
as follows: [stating the  
deposition of the witness as nearly as possible in the words he uses. When his  
deposition is complete, if the offence is an indictable one, let him sign it].

And this deponent upon his oath (or declaration) saith  
as follows:  
[etc.].

The above depositions of and were taken [and sworn]  
before me at , on the day and year first above mentioned.

[L.S ]

.....  
Magistrate.

---

NOTE-Where a fine is inflicted a memorandum of penalties paid into court shall  
be added.

(59 of 1994 s. 8; L.N. 355 of 1997)

FORM 20

[sections 28 & 69]

Conviction for fine, to be levied by distress, etc. and,  
in default of sufficient distress, imprisonment

HONG KONG.

IN THE MAGISTRATE'S COURT AT

Before \_\_\_\_\_, Esquire, a magistrate of Hong Kong,  
sitting at the said court.

The \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_.  
(hereinafter called the defendant) is this day convicted  
before the said court for that he, on the \_\_\_\_\_ day of  
19\_\_\_\_\_, at \_\_\_\_\_ [state offence]; and it is adjudged that the defendant for his  
said offence do forfeit and pay the sum of [state the fine and costs or compensation if  
any,] to be paid and applied according to law; and if the said sum be not paid forthwith  
(or on or before the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_, or by instalments of  
for every \_\_\_\_\_ days, the first instalment to be paid forthwith or on the  
day of \_\_\_\_\_ 19\_\_\_\_\_), \*(it is ordered that the said sum be levied by distress and sale  
of the defendant's goods and chattels, and in default of sufficient distress,)  
\*(then, inasmuch as it has now been made to appear to me that the issuing of a warrant  
of distress in this behalf would be ruinous to the defendant and his family,)  
\*(then, inasmuch as it has now been made to appear to me that the defendant has no  
goods or chattels whereon to levy the said sum by distress,)  
\*(then, inasmuch as I deem it inexpedient to issue such warrant of distress,) it is  
adjudged that the defendant be imprisoned in a prison in Hong Kong, for the space of  
unless the said sum (and all costs and charges of the said distress) [and of the  
commitment and conveying of the defendant to a prison], shall be sooner paid.

[L.S.]

.....  
Magistrate.

—

\* Delete where inapplicable.

(59 of 1994 s. 8)

FORM 21

[sections 28, 41, 51 & 69]

Conviction for fine, to be levied by distress, and,  
in default of sufficient distress, imprisonment

HONG KONG.

IN THE MAGISTRATE'S COURT AT

Before \_\_\_\_\_, Esquire, a magistrate of Hong  
Kong, sitting at the said Court.

The \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_.  
(hereinafter called the defendant) is  
this day convicted before the said court for that he, on the \_\_\_\_\_ day of  
19\_\_\_\_\_, at \_\_\_\_\_ [state offence]; and it is adjudged that the defendant  
for his said offence do forfeit and pay the sum of [state the fine and costs or  
compensation if any] to be paid and applied according to law; and if the said sum be not  
paid forthwith (or on or before the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_, or by  
instalments of \_\_\_\_\_ for every \_\_\_\_\_ days, the first instalment to be paid  
forthwith or on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_), it is ordered that the

said sum be levied by distress and sale of the defendant's goods; and, in default of sufficient distress, it is ordered that the defendant be imprisoned in a prison in Hong Kong for the space of \_\_\_\_\_, unless the said sum, and all costs and charges of the said distress, shall be sooner paid.

[L.S.]

.....  
Magistrate.  
(59 of 1994 s. 8)

FORM 22

[sections 28, 41 & 69]

Conviction for fine, and, in default of payment, imprisonment

HONG KONG.

IN THE MAGISTRATE'S COURT AT

Before \_\_\_\_\_, Esquire, a magistrate of Hong Kong, sitting at the said court.

The \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_.  
(hereinafter called the defendant) is this day convicted before the said court for that he, on the \_\_\_\_\_ day of 19\_\_\_\_\_, at \_\_\_\_\_ [state offence]; and it is adjudged that the defendant for his said offence do forfeit and pay the sum of [state the fine and costs or compensation if any] to be paid and applied according to law; and if the said sum be not paid forthwith (or on or before the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_, or by instalments of \_\_\_\_\_ for every \_\_\_\_\_ days, the first instalment to be paid forthwith or on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_), it is ordered that the defendant be imprisoned in a prison in Hong Kong for the space of \_\_\_\_\_ unless the said sum shall be sooner paid.

[L.S.]

.....  
Magistrate.  
(59 of 1994 s. 8)

FORM 23

[sections 28, 41 & 69]

Conviction when the punishment is by imprisonment. Costs

HONG KONG.

IN THE MAGISTRATE'S COURT AT

Before \_\_\_\_\_, Esquire, a magistrate of Hong Kong, sitting at the said court.

The \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_.  
(hereafter called the defendant) is this day convicted before the said court for that he, on the \_\_\_\_\_ day of 19\_\_\_\_\_, at \_\_\_\_\_ [state offence]; and it is adjudged that the defendant

for his said offence be imprisoned in a prison in Hong Kong for the space of \_\_\_\_\_; and it is also adjudged that the defendant do pay to the said the sum of \_\_\_\_\_ for his costs in this behalf and if the said sum for costs be not paid forthwith (or on or before the \_\_\_\_\_ day of 19\_\_\_\_),

\*(then it is ordered that the said sum be levied by distress and sale of the goods and chattels of the defendant and, in default of sufficient distress in that behalf,)

\*(then inasmuch as it has now been made to appear to me that the issuing of a warrant of distress in this behalf would be ruinous to the defendant and his family,)

\*(then inasmuch as it has now been made to appear to me that the defendant has no goods or chattels whereon to levy the said sums by distress,)

\*(then inasmuch as I deem it inexpedient to issue such warrant of distress,) it is adjudged that the defendant be imprisoned in a prison in Hong Kong for the space of \_\_\_\_\_ to commence at and from the termination of his imprisonment aforesaid, unless the said sum for costs and all costs and charges of the said distress shall be sooner paid.

[L.S.]

.....  
Magistrate.

—  
\* Delete where inapplicable.

(59 of 1994 s. 8)

FORM 24

[section 28]

Conviction where punishment is by imprisonment. No costs

HONG KONG.

IN THE MAGISTRATE'S COURT AT

Before \_\_\_\_\_,  
sitting at the said court.

\_\_\_\_\_, Esquire, a magistrate of Hong Kong,

The \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

\_\_\_\_\_ (hereafter called the defendant) is this day convicted before the said court for that he, on the \_\_\_\_\_ day of 19\_\_\_\_, at \_\_\_\_\_ [state offence]; and it is adjudged that the defendant for his said offence be imprisoned in a prison in Hong Kong for the space of \_\_\_\_\_.

[L.S.]

.....  
Magistrate.  
(59 of 1994 s. 8)

FORM 25

[sections 28 & 41]

Conviction or order where security is to be given for payment

HONG KONG.

IN THE MAGISTRATE'S COURT AT



[Proceed as in ordinary conviction or order down to direction as to time of payment inclusive, and then, instead of inserting any direction as to distress or imprisonment, proceed as follows]-

and it is ordered that \_\_\_\_\_ be at liberty to give, to the satisfaction of a magistrate [or such person as may be named], security in the sum of \_\_\_\_\_, with two sureties (or one surety) in the sum of \_\_\_\_\_ [each], for the payment of the said sums as above directed.

[L.S.]

.....  
Magistrate.

FORM 26

[sections 28, 36 & 41]

Where defendant is discharged conditionally on entering into a recognizance to be of good behaviour and to appear

HONG KONG.

IN THE MAGISTRATE'S COURT AT

Before \_\_\_\_\_, Esquire, a magistrate of Hong Kong, sitting at the said court.

The \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_.

\_\_\_\_\_ (hereinafter called the defendant) is this day found guilty (and convicted) before the said court for that he on the day of \_\_\_\_\_ 19 \_\_\_\_, at \_\_\_\_\_ [state offence]; but being of opinion that it is inexpedient to inflict any punishment (or any other than a nominal punishment), and the defendant having entered into a recognizance without (or with) sureties, in a sum of \_\_\_\_\_ dollars, to be of good behaviour and to appear for conviction and sentence (or for sentence), when called on at any time during a period of \_\_\_\_\_ years (months), he is conditionally discharged; and it is ordered that the defendant do pay to the said \_\_\_\_\_ for compensation (or damages) and \_\_\_\_\_ for costs [if so ordered] forthwith (or on or before the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_, or by instalments of \_\_\_\_\_ for every \_\_\_\_\_ days, the first instalment to be paid on or before the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_).

[L.S.]

.....  
Magistrate.  
(59 of 1994 s. 8)

FORM 27

[sections 28, 41 & 55]

Order for payment of money

HONG KONG.

IN THE MAGISTRATE'S COURT AT

Before \_\_\_\_\_, Esquire, a magistrate of Hong Kong,  
sitting at the said court.

The \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_.  
\_\_\_\_\_ having made complaint that \_\_\_\_\_ (hereinafter  
called the defendant) [state the facts entitling the complainant to the order with the time  
and place when and where they occurred], and the parties aforesaid having appeared (or  
the said \_\_\_\_\_ having appeared but the defendant although duly called, not having  
appeared by himself or his counsel, and it being now satisfactorily proved to me upon  
oath (or declaration) that the defendant has been duly served with the summons in this  
behalf, which required him to be and appear here on this day before such magistrate as  
might now be here, to answer to the said complaint and to be further dealt with  
according to law); and now, having heard the matter of the said complaint, it is  
adjudged and ordered that the defendant do pay to the said \_\_\_\_\_ the sum of  
forthwith (or on or before the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_, or as the enactment  
may require), and also do pay to the said \_\_\_\_\_ the sum of \_\_\_\_\_ for  
his costs in this behalf; and if the said several sums are not paid forthwith (or on or  
before the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_), it is adjudged that the defendant be imprisoned in  
a prison in Hong Kong for the space of \_\_\_\_\_ unless the said several sums  
shall be sooner paid.

[L.S.]

.....  
Magistrate.  
(59 of 1994 s. 8; L.N. 355 of 1997)

#### FORM 27A

Order for payment of money, etc. under section 22(2) of the Fixed  
Penalty (Traffic Contraventions) Ordinance, Cap 237

HONG KONG. IN THE MAGISTRATE'S COURT AT

Before \_\_\_\_\_, Esquire, a magistrate of Hong Kong,  
sitting at the said court.

The \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_.

The Secretary for Justice having made complaint that  
(hereinafter called the defendant) [here state the facts entitling the complainant to the  
order with the time and place when and where they occurred], and the parties aforesaid  
having appeared (or counsel for the Secretary for Justice having appeared but the  
defendant, although duly called, not having appeared by himself or his counsel, and it  
being now satisfactorily proved to me that the defendant has been duly served with the  
summons in this behalf, which required him to be and appear on this day before such  
magistrate as might now be here, to answer to the said complaint and to be further dealt  
with according to law); now, having heard the matter of the said complaint, it is  
adjudged and ordered that-

- (a) the defendant do forthwith pay into this court the sum of \$ \_\_\_\_\_,  
being the fixed penalty of \$ \_\_\_\_\_ [ , an additional penalty of  
\$ \_\_\_\_\_ ] and the sum of \$ \_\_\_\_\_ for his costs in this behalf;
- (b) the Commissioner for Transport do, so long as the defendant fails to pay the

sums hereby adjudged to be paid,-

- (i) take no action under paragraph (3), (4) or (5) of regulation 17 of the Road Traffic (Registration and Licensing of Vehicles) Regulations on receipt of any notice of transfer of ownership of the motor vehicle registered with the mark;
- (ii) refuse to license the said motor vehicle under paragraph (3), (5) or (6) of regulation 21 of the said Registrations; and
- (iii) refuse to issue a driving licence to the defendant or to renew his driving licence as the case may be.

[L.S.]

.....  
Magistrate.  
(L.N. 150 of 1970; L.N. 413 of 1984; 59 of 1994 s. 8; L.N. 362 of 1997)

FORM 28

[section 101A]

Summons to defendant to show cause why a warrant  
of commitment should not issue

HONG KONG.

IN THE MAGISTRATE'S COURT AT

To , of , [labourer].

Whereas on the day of 19 , you were convicted of an offence  
contrary to and were  
fined :

[or Whereas on the day of 19 , it was adjudged that [name  
of defendant] should pay to the sum of and also should  
pay to the said the sum of for costs:]

And whereas you were allowed a period of days within  
which to pay the said sum and the said period has expired:

And whereas the said sum has not been paid:

These are, therefore, to command you to be and appear on  
day the day of 19 , at o'clock in the noon,  
at the said court, before such magistrate as may then be there, to show cause why a  
warrant of commitment should not issue and to be further dealt with according to law.

And take notice that if you fail to appear a warrant to apprehend you may issue.

Dated this day of 19 .

[L.S.]

.....  
Magistrate.

---

CERTIFICATE OF SERVICE

This summons was served by me:  
(PLACE) .....  
(DATE) .....

.....  
.....  
(Signature of Recipient of Summons). (Signature of Process  
Server). Server).  
(L.N. 355 of 1997)

FORM 29

[section 101A]

Warrant to apprehend for non-payment of fine

HONG KONG. IN THE MAGISTRATE'S COURT AT

To each and all of the police officers of Hong Kong.

Whereas on the day of 19 , [name of defendant]  
was convicted of an offence contrary to and was fined :

[or Whereas on the day of 19 , it was adjudged that [name  
of defendant] should pay to the sum of and also  
should pay to the said the sum of for costs:]

And whereas the said [name of defendant] was allowed a period of days  
within which to pay the said sum and the said period has expired:

And whereas the said sum has not been paid:

These are, therefore, to command you forthwith to apprehend the said [name of  
defendant] and to bring him before a magistrate of Hong Kong to show cause why a  
warrant of commitment should not issue and to be further dealt with according to the  
law.

Dated this day of 19 .

[L.S.]

.....  
Magistrate.  
(59 of 1994 s. 8; L.N. 355 of 1997)

FORM 30

[sections 28, 41 & 51]

Order for payment of money to be levied by distress, and,

in default of distress, imprisonment

HONG KONG.

IN THE MAGISTRATE'S COURT AT

Before \_\_\_\_\_, Esquire, a magistrate of Hong Kong,  
sitting at the said court.

The \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_.

\_\_\_\_\_ having made a complaint that \_\_\_\_\_ (hereinafter called the defendant) [state the facts entitling the complainant to the order, with the time and place when and where they occurred]; and the parties aforesaid having appeared (or the said \_\_\_\_\_ having appeared but the defendant, although duly called, not having appeared by himself or his counsel, and it being now satisfactorily proved to me upon oath (or declaration) that the defendant has been duly served with the summons in this behalf, which required him to be and appear here on this day before such magistrate as might now be here, to answer to the said complaint, and to be further dealt with according to law); and now, having heard the matter of the said complaint, it is adjudged and ordered that the defendant do pay to the said \_\_\_\_\_ the sum of \_\_\_\_\_ forthwith (or on or before the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_, or as the enactment may require), and also do pay to the said \_\_\_\_\_ the sum of \_\_\_\_\_ for his costs in this behalf, and if the said several sums are not paid forthwith (or on or before the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_,

\*(then it is ordered that the said sum be levied by distress and sale of the goods and chattels of the defendant and, in default of sufficient distress in that behalf,)

\*(then inasmuch as it has now been made to appear to me that the issuing of a warrant of distress in this behalf would be ruinous to the defendant and his family,)

\*(then inasmuch as it has now been made to appear to me that the defendant has no goods or chattels whereon to levy the said sums by distress,)

\*(then inasmuch as I deem it inexpedient to issue such warrant of distress,) it is adjudged that the defendant be imprisoned in a prison in Hong Kong for the space of \_\_\_\_\_ to commence at and from the termination of his imprisonment aforesaid, unless the said sum for costs and all costs and charges of the said distress shall be sooner paid.

[L.S]

.....  
Magistrate.

\_\_\_\_\_  
\* Delete where inapplicable.

(59 of 1994 s. 8; L.N. 355 of 1997)

FORM 31

[sections 28 & 41]

Order for any matter (other than the payment of a civil debt) where  
disobedience to the order is punishable by imprisonment

HONG KONG.

IN THE MAGISTRATE'S COURT AT

Before \_\_\_\_\_, Esquire, a magistrate of Hong Kong,  
sitting at the said court.

The                      day of                      19                      .

                    having made a complaint that                      (hereinafter called the defendant) [state the facts entitling the complainant to the order, with the time and place when and where they occurred]; and the parties aforesaid having appeared (or the said                      having appeared but the defendant, although duly called, not having appeared by himself or his counsel, and it being now satisfactorily proved to me upon oath (or declaration) that the defendant has been duly served with the summons in this behalf, which required him to be and appear here on this day before such magistrate as might now be here, to answer to the said complaint, and to be further dealt with according to law); and now, having heard the matter of the said complaint, it is adjudged and ordered that the defendant do [state the matter required to be done]; and if, on a copy of a minute of this order being served on the defendant, either personally or by leaving it for him at his last or most usual place of abode, he refuses or neglects to obey this order, then it is adjudged that the defendant for such his disobedience be imprisoned in a prison in Hong Kong for the space of                      unless the said order shall be sooner obeyed [if the enactment authorizes this]; and it is also adjudged and ordered that the defendant do pay to the complainant the sum of                      for his costs in this behalf forthwith (or on the                      day of                      19                      , or by instalments, etc.); and if default is made in payment according to this adjudication and order, it is ordered that the sum due thereunder be levied by distress and sale of the defendant's goods; and, in default of sufficient distress, it is adjudged that the defendant be imprisoned in a prison for the space of                      to commence at and from the termination of his imprisonment aforesaid unless the said sum, and all costs and charges of the said distress, shall be sooner paid.

[L.S.]

.....  
Magistrate.  
(59 of 1994 s. 8; L.N. 355 of 1997)

FORM 32

[sections 19, 28, 41 & 69]

Order of dismissal of an information or complaint

HONG KONG.

IN THE MAGISTRATE'S COURT AT

Before                      , Esquire, a magistrate of Hong Kong,  
sitting at the said court.

The                      day of                      19                      .

Information was laid (or complaint was made) before the undersigned for that [etc. as in the summons to the defendant] and both the said parties having appeared before me in order that I should hear and determine the said information (or complaint) (or the defendant having appeared before me, but the said                      although duly called, not having appeared); and the matter of the said information (or complaint) being by me duly considered, it appears to me that the said information (or complaint) is not proved, and it is therefore dismissed; and it is adjudged that the said                      do pay to the defendant the sum of                      for his costs incurred by him in his defence in this behalf; and if the said sum for costs is not paid forthwith (or on or before the                      day of 19                      ), it is ordered that the same be levied by distress and sale of the goods and

chattels of the said , and in default of sufficient distress in that behalf it is adjudged that the said

be imprisoned in a prison in Hong Kong for the space of unless the said sum for costs, and all costs and charges of the said distress, shall be sooner paid.

[L.S.]

.....  
Magistrate.  
(L.N. 162 of 1993; 59 of 1994 s. 8; L.N. 355 of 1997)

FORM 33

[sections 28, 36 & 41]

Order discharging offender but directing him  
to pay damages or costs or both

HONG KONG.

IN THE MAGISTRATE'S COURT AT

Before , Esquire, a magistrate of Hong Kong,  
sitting at the said court.

The day of 19 .

(hereinafter called the defendant) has been charged on the information (or complaint) of for that he, on the day of 19 , at [state offence]; and being of opinion that though the said charge is proved, the offence was of so trivial a nature (or having regard to the character, antecedents, age, health or mental condition of the defendant or any other extenuating circumstances as the case may be) that it is inexpedient to inflict any punishment, I do therefore hereby discharge the offender.

[If payment of damages or costs is ordered proceed as follows]-

and it is ordered that the defendant do pay to the said for damages and for costs; and it is ordered that the said sums be paid forthwith (or on or before the day of 19 , or by instalments of for every days, the first instalment to be paid forthwith or on or before the day of 19 ); and if default is made [proceed as in form of conviction for fine to be levied by distress].

[L.S.]

.....  
Magistrate.  
(59 of 1994 s. 8)

FORM 34

[sections 28, 36, 41 & 61]

Order to enter into recognizance to keep the peace  
or to be of good behaviour

HONG KONG.

IN THE MAGISTRATE'S COURT AT

Before \_\_\_\_\_, Esquire, a magistrate of Hong Kong,  
sitting at the said court.

The \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_.

\_\_\_\_\_ having made complaint that \_\_\_\_\_ (hereinafter called the defendant) [state the facts entitling the complainant to the order, with the time and place when and where they occurred]; and the defendant having appeared, and on hearing the matter of the complaint, it is this day adjudged and ordered that the defendant do forthwith duly enter into a recognizance in the sum of \_\_\_\_\_ with surety \_\_\_\_\_ in the sum of \_\_\_\_\_ [each] to keep the peace or be of good behaviour, towards the complainant, for the term of \_\_\_\_\_ now next ensuing; and, if the defendant fails to comply with this order it is adjudged that he be imprisoned in a prison in Hong Kong for the space of \_\_\_\_\_, unless he shall sooner comply with this order.

[If costs are ordered proceed as follows]-  
and it is also adjudged and ordered that the defendant do pay to the said \_\_\_\_\_ the sum of \_\_\_\_\_ for costs forthwith (or on or before the \_\_\_\_\_ day of 19 \_\_\_\_\_, or by instalments, etc.); and if default is made in payment according to this adjudication and order, it is ordered [proceed as in form of conviction for fine to be levied by distress].

[L.S.]

.....  
Magistrate.  
(59 of 1994 s. 8)

FORM 35

[sections 61 & 65]

(WITH SURETIES)

Recognizance conditioned to keep the peace or to be of good  
behaviour or not to do or commit some act or thing

HONG KONG.

IN THE MAGISTRATE'S COURT AT

We, the undersigned \_\_\_\_\_ of \_\_\_\_\_  
and \_\_\_\_\_ of \_\_\_\_\_  
severally acknowledge ourselves to owe to the Government the several sums following,  
namely, the said \_\_\_\_\_ as principal the sum of \_\_\_\_\_ and  
the said \_\_\_\_\_ and \_\_\_\_\_ as sureties the sum of \_\_\_\_\_ each,  
to be levied on our several goods, lands, and tenements if the said \_\_\_\_\_ fails  
in the condition hereon endorsed.

Signed \_\_\_\_\_ (where \_\_\_\_\_ not \_\_\_\_\_ taken \_\_\_\_\_ orally)

.....



....

.....  
.....

Taken (orally) before me the                      day of                      19                      .

[L.S.]

Explained by

.....  
Magistrate.

(or Magistrate's Clerk or Superintendent  
of Police or Inspector of Police or  
Commissioner of Correctional  
Services, as the case may be).

.....

Sworn Interpreter

### CONDITION ENDORSED

The condition of the within-written recognizance is such that if the within-bounden keeps the peace or is of good behaviour towards                      of                      for the term of                      now next ensuing (or abstains from doing the thing forbidden, or as the case may be), then the said recognizance shall be void, but otherwise shall remain in full force.

---

NOTE-Where the recognizance is taken orally omit the words "the undersigned" and insert the word "orally" after "Taken".

(L.N. 355 of 1997)

FORM 36

[sections 61 & 65]

(PERSONAL)

Recognizance conditioned to keep the peace or to be of good  
behaviour or not to do or commit some act or thing

HONG KONG.                      IN THE MAGISTRATE'S COURT AT

I, the undersigned  
of                      , do hereby acknowledge myself  
to owe to the Government the sum of                      to be levied on my  
goods, lands and tenements if I the said                      shall fail in the condition hereon  
endorsed.

Signed                      (where                      not                      taken                      orally)

.....

Taken (orally) before me the                      day of                      19                      .

.....

.....

[L.S.]

Explained by

Magistrate.

(or Magistrate's Clerk or Superintendent  
of Police or Inspector of Police or  
Commissioner of Correctional  
Services, as the case may be).

.....

Sworn Interpreter

### CONDITION ENDORSED

The condition of the within-written recognizance is such that if the  
within-bounden

behaviour towards keeps the peace or is of good  
of for  
the term of now next ensuing (or abstains from doing  
the thing forbidden, or as the case may be), then the said recognizance shall be void, but  
otherwise shall remain in full force.

---

NOTE-Where the recognizance is taken orally omit the words "the undersigned" and insert the word  
"orally" after "Taken".

(L.N. 355 of 1997)

FORM 37

[section 65]

Summons to person bound by recognizance which is alleged  
to have been forfeited by conviction of principal

HONG KONG.

IN THE MAGISTRATE'S COURT AT

To , of .

You are hereby summoned to appear before me, the undersigned, a magistrate of  
Hong Kong, sitting at , on the day  
of 19 , at o'clock in the noon  
or before such magistrate as may then be there, to show cause why the recognizance  
entered into on the day of 19 , whereby you  
are bound to pay the sum of should not be adjudged to be forfeited,  
and why you should not be adjudged to pay that sum.

Dated this day of 19 .

[L.S.]

.....

Magistrate.  
(59 of 1994 s. 8)

FORM 38

[sections 28, 41 & 65]

Adjudication of forfeiture of recognizance where person

bound as principal has been convicted of an offence  
which is a breach of the condition

HONG KONG. IN THE MAGISTRATE'S COURT AT

Before \_\_\_\_\_, Esquire, a magistrate of Hong Kong,  
sitting at the said court.

The \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_.

\_\_\_\_\_ (hereinafter called the defendant) was by his  
recognizance entered into the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_,  
bound in the sum of \_\_\_\_\_ the condition of the recognizance being that \_\_\_\_\_,  
of \_\_\_\_\_, should [state condition of recognizance]; and  
proof having been given that the said \_\_\_\_\_ has been  
convicted of the offence of having [state offence], being an offence which is in law a  
breach of the condition of the said recognizance:

Therefore it is adjudged that the said recognizance is forfeited, and that the  
defendant to pay to the magistrates' clerk [or other person specified] the said sum of \_\_\_\_\_  
and do also pay to \_\_\_\_\_ the sum of \_\_\_\_\_ for costs; and it is ordered  
that the said sums be paid forthwith (or on or before the \_\_\_\_\_ day of  
19 \_\_\_\_, or by instalments of \_\_\_\_\_ for every \_\_\_\_\_ days, the first instalment  
to be paid forthwith or on or before the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_); and if default  
is made in payment according to this adjudication and order, it is ordered [proceed as in  
conviction for fine to be levied by distress, or omit as the case may be].

[L.S.]

.....  
Magistrate.  
(59 of 1994 s. 8)

FORM 39

[sections 28 & 65]

Order cancelling or mitigating forfeiture of recognizance  
(To be endorsed on recognizance)

HONG KONG. IN THE MAGISTRATE'S COURT AT

Before \_\_\_\_\_, Esquire, a magistrate of Hong Kong,  
sitting at the said court.

A warrant of distress was, on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_, issued  
for levying the sum of \_\_\_\_\_ declared to be forfeited under the  
within-written recognizance, but no goods have been sold thereunder; and the said

\_\_\_\_\_ has applied to me, the undersigned, to cancel (or mitigate) the forfeiture of the said  
recognizance, and has given security to my satisfaction for the future performance of  
the condition of the said recognizance, and has paid (or given security for payment of)  
the costs incurred in respect of the forfeiture thereof [or insert such other condition as  
the magistrate may think just]:

Therefore the said forfeiture is hereby cancelled (or mitigated to the sum

Dated this                      day of                      19                      .

[L.S.]

Magistrate.  
(59 of 1994 s. 8)

FORM 40

[section 62]

## Summons to attend an application for varying or dispensing with sureties

HONG KONG. IN THE MAGISTRATE'S COURT AT

To \_\_\_\_\_, of \_\_\_\_\_

You are hereby summoned to appear before a magistrate of Hong Kong sitting at \_\_\_\_\_  
on \_\_\_\_\_ day the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, at \_\_\_\_\_ o'clock  
in the \_\_\_\_\_ noon, to show cause why the amount for which it is proposed that the  
surety (or sureties) \_\_\_\_\_ of \_\_\_\_\_ should be  
bound should not be reduced (or why the obligation of \_\_\_\_\_ to find  
a surety (or sureties) should not be dispensed with).

Dated this            day of            19     .

[L.S.]

Magistrate.  
(59 of 1994 s. 8)

FORM 41

[section 62]

### Order varying order for sureties

HONG KONG. IN THE MAGISTRATE'S COURT AT

Before \_\_\_\_\_, Esquire, a magistrate of Hong Kong,  
sitting at the said court.

The day of 19

has been, under a warrant of commitment dated the day of \_\_\_\_\_, 19\_\_\_\_, and issued by this court, committed to prison for default in finding sureties [or a surety] in the sum of \_\_\_\_\_, and, on new evidence having been produced to me (or on proof of a change of circumstances having been given to me), it seems to me just to vary, in manner hereinafter appearing, the order under which the said warrant was issued:

Therefore it is ordered that the amount for which it is proposed that the surety (or sureties) of the said should be bound be reduced to (or that the obligation of the said to find a surety (or sureties) be dispensed with) [or as may be directed].

[L.S.]

.....  
Magistrate.  
(59 of 1994 s. 8)

FORM 42

[sections 41 & 64]

Oral or written acknowledgement of undertaking  
to pay a sum adjudged by a conviction

HONG KONG.

IN THE MAGISTRATE'S COURT AT

(hereinafter called the defendant) was this day (or was on the day of 19 ) convicted before the said court for that he, on the day of 19 , at [state offence]; and it was adjudged by the said conviction that the defendant should pay (as in the conviction); and it was thereby ordered that the defendant should be at liberty to give, to the satisfaction of a magistrate of Hong Kong [or as in the conviction], security in the sum of with surety (or sureties) in the sum of [each] for the payment of the said sum at the time and in the manner by the said conviction directed:

Now therefore I, the said defendant, as principal, and we, of , and , of , as sureties (or I, of , as surety) hereby undertake that the defendant will pay the sum adjudged by the said conviction at the time and in the manner thereby directed; and I, the said defendant, and we (or I), the said sureties (or surety), hereby severally acknowledge ourselves bound to forfeit and pay to the magistrates' clerk [or other person specified] the sum of in case the defendant fails to perform this undertaking.

Signed (where not taken orally) ..... ) Defendant.  
..... ) Sureties.  
..... )

Taken (orally) before me the day of 19 .

[L.S.]

Explained by

.....  
Magistrate.

.....  
Sworn Interpreter.

---

NOTE-Where the recognizance is taken orally omit the words "the undersigned" and insert the word "orally" after "Taken".

(59 of 1994 s. 8)

FORM 43

[section 65]

Oral or written acknowledgment of undertaking to perform  
condition of forfeited recognizance

HONG KONG. IN THE MAGISTRATE'S COURT AT

\_\_\_\_\_ was by his recognizance entered into the day of \_\_\_\_\_ 19\_\_\_\_, bound in the sum of \_\_\_\_\_, the condition of the recognizance being that \_\_\_\_\_ should [state condition of recognizance]; and, default having been made in the performance of this condition, the recognizance was on the \_\_\_\_\_ day of 19\_\_\_\_, declared to be forfeited, and the said \_\_\_\_\_ not having paid the said sum, a warrant of distress was on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, issued for recovery thereof, but no goods have been sold under the warrant; and the said \_\_\_\_\_ has applied to the undersigned magistrate of Hong Kong to cancel or mitigate the forfeiture:

Now therefore I, the said \_\_\_\_\_, as principal, and we, of \_\_\_\_\_, and \_\_\_\_\_, of \_\_\_\_\_ (or I, \_\_\_\_\_ of \_\_\_\_\_), as sureties (or surety), hereby undertake that the condition of the said recognizance shall be duly performed, [and that the said \_\_\_\_\_ shall, on or before the day of \_\_\_\_\_ 19\_\_\_\_, pay the sum of \_\_\_\_\_ for costs incurred in respect of the said forfeiture]; and I, the said principal, and we (or I) the said sureties (or surety), hereby severally acknowledge ourselves bound to forfeit and pay to the magistrates' clerk [or other person specified] the sum of \_\_\_\_\_ in case the said principal fails to perform the condition of the said recognizance.

Signed (where not taken orally) ..... ) Defendant.  
 ..... ) Sureties.  
 ..... )

Taken (orally) before me the            day of            19     .

[L.S.]

Magistrate.

Explained by

Sworn Interpreter

NOTE-Where the recognizance is taken orally omit the words "the undersigned" and insert the word "orally" after "Taken".

(59 of 1994 s. 8)

FORMS 44-45

(Repealed 47 of 1997 s. 10)

FORM 46

[section 93]

Order for restitution of property

HONG KONG.

IN THE MAGISTRATE'S COURT AT

Before \_\_\_\_\_, Esquire, a magistrate of Hong Kong,  
sitting at the said court.

The \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_.

\_\_\_\_\_ was charged before me, a magistrate of Hong Kong, for  
that he, on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_, at \_\_\_\_\_, [state offence  
and describe goods as in conviction], and having dealt with the case summarily, the said  
has been this day convicted before me of the offence with which he was so charged; and  
it is proved to me that the said goods are now in the possession of \_\_\_\_\_,  
of \_\_\_\_\_:

Therefore it is hereby ordered that the said \_\_\_\_\_ do forthwith  
restore the said goods to the said \_\_\_\_\_, the owner thereof.

[L.S.]

.....  
Magistrate.  
(59 of 1994 s. 8)

FORM 47

[section 19]

Certificate of dismissal

HONG KONG.

IN THE MAGISTRATE'S COURT AT

I hereby certify that an information (or complaint) preferred by  
against \_\_\_\_\_, for that [etc., as in the summons to defendant], was  
this day considered by me, a magistrate of Hong Kong, and was by me dismissed [with  
costs].

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_.

[L.S.]

.....  
Magistrate.

FORM 48

[section 51]

Warrant of distress on conviction for fine, with or without  
costs or damages, or for costs or damages without fine

HONG KONG.

IN THE MAGISTRATE'S COURT AT

To [insert name, etc., of officer where the person executing is not a police officer]  
and to each and all of the police officers of Hong Kong.

(hereinafter called the defendant) was on the  
day of 19 , convicted before the said court for that he,  
on the day of 19 , at , [state  
offence]; and it was adjudged that the defendant should for his said offence forfeit and  
pay \*[amount of fine], and should also pay to the said the  
sum of for compensation and for costs and it was ordered that  
the said sums should be paid [etc., as in the conviction]; and that if default should be  
made in payment according to the said adjudication and order, the sum due thereunder  
should be levied by distress and sale of the defendant's goods; and default has been  
made in payment according to the said adjudication and order:

Therefore you are hereby commanded forthwith to make distress of the goods of  
the defendant (except the wearing apparel and bedding of him and his family, and, to  
the value of twenty-five dollars, the tools and implements of his trade); and if, within  
the space of + days next after the making of such distress, the sum of  
being the sum stated at the foot of this warrant to be due under the said adjudication and  
order, together with the reasonable costs and charges of the making and keeping of the  
said distress be not paid, then to sell the said goods by you distrained, and pay the  
money arising therefrom to the magistrates' clerk, in order that it may be applied  
according to law, and that the overplus, if any, may be rendered on demand to the  
defendant; and if no such distress can be found, to certify the same to the said court, in  
order that further proceedings may be had according to law.

Dated this day of 19 .

[L.S.]

.....  
Magistrate.

\$ ¢

Amount adjudged .....

Paid .....

Remaining due .....

Costs of issuing warrant .....

Total amount to be levied ..... \$

\* Omit direction as to payment of fine, or compensation, or costs, as the case may require.



+ N.B.-The goods are not to be sold until after the end of five clear days next following the day on which they are seized, unless the defendant consents or unless the goods are perishable.

(59 of 1994 s. 8)

FORM 49

[section 51]

Warrant of distress on an order for the payment of any sum of money

HONG KONG. IN THE MAGISTRATE'S COURT AT

To [insert name, etc., of officer where the person executing is not a police officer] and to each and all of the police officers of Hong Kong.

On the                      day of                      19                      , it was adjudged and ordered by the undersigned (or                      , Esquire), a magistrate of Hong Kong, that (hereinafter called the defendant) should pay to                      the sum of                      and the sum of                      for costs [or as the case may be], on or before the                      day of                      19                      , [or as ordered]; and that, if default should be made in payment according to the said adjudication and order, the sum due thereunder should be levied by distress and sale of the defendant's goods; and default has been made in payment according to the said adjudication and order:

Therefore you are hereby commanded [proceed as in warrant of distress on conviction for fine].

(59 of 1994 s. 8)

FORM 50

[section 56]

Warrant of distress for costs on a conviction where the offence is punishable by imprisonment

HONG KONG. IN THE MAGISTRATE'S COURT AT

To [insert name, etc., of officer where the person executing is not a police officer] and to each and all of the police officers of Hong Kong.

                    , of                      , [labourer], (hereinafter called the defendant) was, on the                      day of                      19                      , convicted before the said court for that [state the offence as in the conviction], and it was adjudged that the defendant for his said offence should be imprisoned in a prison in Hong Kong for the space of                      ; and it was also adjudged that the defendant should pay to the said the sum of                      for his costs in that behalf; and it was ordered that if the said sum of                      for costs should not be paid [forthwith], the same should be levied by distress and sale of the defendant's goods and chattels; and it was adjudged that, in default of sufficient distress in that behalf, the defendant should be imprisoned in a prison for the space of                      , to commence at and from the termination of his imprisonment aforesaid, unless the said sum for costs, and all costs and charges of the said distress, should be sooner paid; but the defendant having made default in the payment of the said sum of                      for costs:

These are, therefore, to command you that you forthwith make distress of the defendant's goods and chattels, and if, within the space of \_\_\_\_\_ days next after the making of such distress, the said last-mentioned sum, together with the reasonable charges of taking and keeping the said distress, shall not be paid, that then you sell the said goods and chattels so by you distrained, and pay the money arising from such sale to the magistrates' clerk that he may pay the same as by law directed, and may render the overplus, if any, on demand, to the defendant, and, if no such distress can be found, that then you certify the same to the said court, in order that further proceedings may be had according to law.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

[L.S.]

.....  
Magistrate.  
(59 of 1994 s. 8; L.N. 355 of 1997)

FORM 51

[section 56]

Warrant of distress for costs on an order where the disobeying  
of the order is punishable with imprisonment

HONG KONG. IN THE MAGISTRATE'S COURT AT

To [insert name, etc., of officer where the person executing is not a police officer]  
and to each and all of the police officers of Hong Kong.

On the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, complaint was made before the undersigned (or \_\_\_\_\_, Esquire), a magistrate of Hong Kong, for that [etc., as in the order] and on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, at \_\_\_\_\_, the said parties having appeared before me, (or the said \_\_\_\_\_, Esquire, or as it may be in the order) upon consideration of the matter of the said complaint, it was adjudged that the defendant should [etc., as in the order]; and that if, upon a copy of the minute of that order being served on the defendant either personally or by leaving the same for him at his last or most usual place of abode, he should refuse or neglect to obey the same, the defendant for such his disobedience should be imprisoned in a prison in Hong Kong for the space of \_\_\_\_\_ unless the said order should be sooner obeyed; and also that the defendant should pay to the said \_\_\_\_\_ the sum of \_\_\_\_\_ for his costs in that behalf; and it was ordered that if the said sum for costs should not be paid [forthwith], the same should be levied by distress and sale of the defendant's goods and chattels; and it was adjudged that in default of sufficient distress in that behalf the defendant should be imprisoned in a prison for the space of \_\_\_\_\_, to commence at and from the termination of his imprisonment aforesaid unless the said sum for costs, and all costs and charges of the said distress, should be sooner paid; and whereas after the making of the said order a copy of the minute thereof was duly served on the defendant, but he did not then pay, nor has he paid, the said sum of \_\_\_\_\_ for costs but therein has made default:

These are, therefore, to command you that you forthwith make distress of the defendant's goods and chattels, and if, within the space of \_\_\_\_\_ days next after the making of such distress, the said last-mentioned sum together with

(59 of 1994 s. 8)

HONG KONG. IN THE MAGISTRATE'S COURT AT

was, by his recognizance entered into on the day of 19 , bound in the sum of , the condition of the recognizance being that should [state condition of recognizance], and, default having been made in compliance with the said condition, the said recognizance was, on the day of 19 , declared by the undersigned (or , Esquire), a magistrate of Hong Kong to be forfeited; and the said has made default in payment of the sum due under the said recognizance:

Therefore you are hereby commanded forthwith to make distress of the goods of the said \_\_\_\_\_, except the wearing apparel and bedding of him and his family, and, to the value of twenty-five dollars, the tools and implements of his trade, and if, within the space of \* \_\_\_\_\_ days next after the making of such distress, the sum of \_\_\_\_\_, being the sum stated at the foot of his warrant to be due under the said recognizance, together with the reasonable costs and charges of the making and keeping of the said distress, be not paid, then to sell the said goods by you distrained and pay the money arising therefrom to the magistrates' clerk, in order that it may be applied according to law, and that the overplus, if any, may be rendered on demand to the said \_\_\_\_\_, and if no such distress is found, to certify the same to the said court, in order that further proceedings may be had according to law.

Dated this                      day of                      19                      .

[L.S.]

Magistrate.

\$

¢

Amount due under recognizance .....

Paid .....

Remaining due .....

Costs of issuing warrant .....

Total amount to be levied .....\$

\*N.B.-The goods are not to be sold until after the end of five clear days next following the day on which they are seized, unless the owner consents or unless the goods are perishable.

Warrant of distress for sum due under recognizance adjudged  
to be forfeited by conviction of principal

HONG KONG.                      IN THE MAGISTRATE'S COURT AT

To [insert name, etc., of officer where the person executing is not a police officer]  
and to each and all of the police officers of Hong Kong.

(hereinafter called the defendant) was, by his recognizance entered into on the                      day of                      19                      , bound in the sum of                      , the condition of the recognizance being that                      should [state condition of recognizance]; and the said                      having been convicted of the offence of having [state offence], being an offence which is in law a breach of the said condition, it was, on the                      day of                      19                      , adjudged by the undersigned (or                      , Esquire), a magistrate of Hong Kong, that the said recognizance should be forfeited, and that the defendant should pay to the magistrates' clerk the said sum of                      , and should also pay the sum of                      for costs; and it was ordered that the said sum should be paid [as in order], and that if default should be made in payment according to the said adjudication and order, the sum due thereunder should be levied by distress and sale of the defendant's goods; and default has been made in payment according to the said adjudication and order:

Therefore you are hereby commanded [proceed as in warrant of distress for fine].  
(59 of 1994 s. 8)

Warrant of distress for sum due by a principal in pursuance  
of a forfeited security for payment of a sum adjudged by a conviction

HONG KONG.                      IN THE MAGISTRATE'S COURT AT

To [insert name, etc., of officer where the person executing is not a police officer]  
and to each and all of the police officers of Hong Kong.

(hereinafter called the defendant) was, on the                      day of                      19                      , convicted before the said court for that he, on the                      da                      19                      , at                      , [state offence]; and it was adjudged by the said conviction that the defendant should pay [as in the conviction]; and it was ordered that the defendant should be at liberty to give, to the satisfaction of a magistrate of Hong Kong, [or as in the conviction], security with                      surety                      for the payment of the said sum at the time and in the manner by the said conviction directed; and the defendant and                      and                      his sureties (or surety) undertook that the defend would pay the said sum at the time and in the manner so directed, and [severally] acknowledge themselves (or himself) bound to forfeit and pay to                      the sum of                      in case the defendant failed to make payment as so directed; and it appears to me that the sum of                      due by the defendant in pursuance of the said undertaking has not been paid and has been forfeited; and notice of the said forfeiture has been duly served on the defendant:

Therefore you are hereby commanded [proceed as in warrant of distress on conviction for fine, substituting for the words "being the sum stated at the foot of this warrant to be due under the said adjudication and order" the words "being the sum stated at the foot of this warrant to be due in pursuance of the said undertaking", and stating the amount at the foot as "amount due in pursuance of the said undertaking"].

(59 of 1994 s. 8)

FORM 57

[section 53]

Return to a warrant of distress

HONG KONG.

IN THE MAGISTRATE'S COURT AT

I, \_\_\_\_\_, do hereby certify to the said court that by virtue of this warrant I have made diligent search for the goods and chattels of the within-mentioned defendant, and that I can find no sufficient goods or chattels of the defendant whereon to levy the sums within-mentioned.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_.

(Signed) .....

FORM 58

[section 59]

Account of costs and charges incurred in respect of the  
execution of a warrant of distress

HONG KONG.

IN THE MAGISTRATE'S COURT AT

In the matter of an information (or a complaint) by \_\_\_\_\_.

I, \_\_\_\_\_, of \_\_\_\_\_, the officer charged with the execution of the warrant of distress upon the goods of \_\_\_\_\_, dated the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_, hereby declared that the following is a true account of the costs and charges incurred in respect of the execution of the said warrant.

Total ..... \$

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_.

(Signed) .....

## Warrant of commitment on a conviction in the first instance

HONG KONG. IN THE MAGISTRATE'S COURT AT

To each and all of the police officers of Hong Kong and to the Commissioner of Correctional Services in Hong Kong.

, late of , [labourer] (hereinafter called the defendant) was on this day duly convicted before the said court for that [state the offence as in the conviction]; and it was thereby adjudged that the defendant for his said offence should forfeit and pay the sum of , [etc., as in the conviction,] and should pay to the said the sum of for costs; and it was thereby adjudged that, if the said several sums should not be paid [forthwith], the defendant should be imprisoned in a prison for the space of , unless the said several sums should be sooner paid: and whereas the time in and by the said conviction appointed for the payment of the said several sums has elapsed, but the defendant has not paid the same or any part thereof, but therein has made default:

These are, therefore, to command you, the said police officers, to take the defendant and convey him to a prison and there to deliver him to the Commissioner of Correctional Services, together with this warrant; and you, the said Commissioner, to receive the defendant into your custody in a prison and there to imprison him for the space of , unless the said several sums shall be sooner paid; and for your so doing this shall be your sufficient warrant.

Dated this day of 19 .

[L.S.]

.....  
Magistrate.  
(59 of 1994 s. 8)

Warrant of commitment where defendant has not paid  
within time allowed

HONG KONG. IN THE MAGISTRATE'S COURT AT

To each and all of the police officers of Hong Kong and to the Commissioner of Correctional Services in Hong Kong.

of , [labourer] (hereinafter called the defendant) was on the day of 19 , duly convicted before the said court for that [state the offence as in the conviction]; and it was thereby adjudged that the defendant for his said offence should pay the sum of , [etc., as in the conviction] and should pay to the said the sum of and for costs; and default was made in payment according to the said adjudication and order; and a summons was duly issued to the defendant commanding him to appear on this day before this court (or a

warrant to apprehend the defendant was issued):

And whereas the defendant has this day appeared before me:

[And whereas I have made inquiry into the defendant's means in his presence:]

These are, therefore, to command you, the said police officers, to take the defendant and convey him to a prison, and there to deliver him to the Commissioner of Correctional Services, together with this warrant; and you, the said Commissioner, to receive the defendant into your custody in a prison and there to imprison him, for the space of \_\_\_\_\_, unless the said sum shall be sooner paid; and for your so doing this shall be your sufficient warrant.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_.

[L.S.]

.....  
Magistrate.  
(59 of 1994 s. 8)

FORM 61

[section 55]

Warrant of commitment on an order in the first instance

HONG KONG.

IN THE MAGISTRATE'S COURT AT

To each and all of the police officers of Hong Kong and to the Commissioner of Correctional Services in Hong Kong.

On the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_, complaint was made before the undersigned (or \_\_\_\_\_, Esquire), a magistrate of Hong Kong, for that [etc., as in the order] and afterwards, to wit, on the \_\_\_\_\_ day of 19 \_\_\_\_, the parties appeared before me (or \_\_\_\_\_, Esquire), the said magistrate, and thereupon, having considered the matter of the said complaint, it was adjudged that the defendant should pay to the said \_\_\_\_\_ the sum of \_\_\_\_\_, on or before the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_, and also should pay to the said \_\_\_\_\_ the sum of \_\_\_\_\_ for costs; and it was also thereby adjudged that, if the said several sums should not be paid on or before the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_, the defendant should be imprisoned in a prison for the space of \_\_\_\_\_, unless the said several sums should be sooner paid; and whereas the time in and by the said order appointed for the payment of the said several sums of money has elapsed, but the defendant has not paid the same but therein has made default:

These are, therefore, to command you, the said police officers, to take the defendant and convey him to a prison, and there to deliver him to the Commissioner of Correctional Services, together with this warrant; and you, the said Commissioner, to receive the defendant into your custody in a prison and there to imprison him for the space of \_\_\_\_\_, unless the said several sums shall be sooner paid; and for your so doing this shall be your sufficient warrant.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_.



Magistrate.  
(59 of 1994 s. 8)

[section 101A]

HONG KONG. IN THE MAGISTRATE'S COURT AT

On the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, complaint was made before the undersigned (or \_\_\_\_\_, Esquire), a magistrate of Hong Kong, for that [etc., as in the order] and afterwards, to wit, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, the parties appeared before me (or \_\_\_\_\_, Esquire), the said magistrate, and thereupon, having considered the matter of the said complaint, it was adjudged that the defendant should pay to the said \_\_\_\_\_ the sum of \_\_\_\_\_, on or before the day of \_\_\_\_\_, 19\_\_\_\_, [as in order] and also should pay to the said \_\_\_\_\_ the sum of \_\_\_\_\_ for costs; and default was made in payment according to the said adjudication and order; and a summons was duly issued to the defendant commanding him to appear on this day before this court (or a warrant to apprehend the defendant was issued):

[And whereas I have made inquiry into the defendant's means in his presence:]

Dated this                      day of                      19

Magistrate.  
(59 of 1994 s. 8)

[sections 53 & 54]

## Warrant of commitment for want of distress

HONG KONG.

IN THE MAGISTRATE'S COURT AT

To each and all of the police officers of Hong Kong and to the Commissioner of Correctional Services in Hong Kong.

[Proceed as in warrant of distress down to commanding part, and close thus]-and on the                      day of                      19                      , a warrant of distress was handed for execution to                      , a police officer (or bailiff) of Hong Kong, commanding him to levy the sum of [state sum directed to be levied] by distress and sale of the defendant's goods; and it now appears, as well by the return of the said to the said warrant of distress as otherwise, that he has made diligent search for the defendant's goods but that no sufficient distress whereon to levy the said sum could be found:

These are, therefore, to command you, the said police officers, to take the defendant and convey him to a prison, and there to deliver him to the Commissioner of Correctional Services, together with this warrant; and you, the said Commissioner, to receive the defendant into your custody in a prison and there to imprison him for the space of                      , unless the said sum, and all the costs and charges of the said distress, shall be sooner paid; and for your so doing this shall be your sufficient warrant.

Dated this                      day of                      19                      .

[L.S.]

.....  
Magistrate.  
(59 of 1994 s. 8)

FORM 64

[section 52]

Warrant of commitment pending return to warrant of  
distress following conviction

HONG KONG.

IN THE MAGISTRATE'S COURT AT

To each and all of the police officers of Hong Kong and to the Commissioner of Correctional Services in Hong Kong.

(hereinafter called the defendant) was, on the day of                      19                      , (or this day) convicted before the said court for that he [state the offence as in the conviction]; and default has been made in payment according to the said adjudication and order; and a warrant of distress has been issued against the defendant in pursuance of the said conviction, but no return has been made thereto; and the defendant has not given sufficient security, to the satisfaction of this court, for his appearance at the time and place appointed for the return of the said warrant:

These are, therefore, to command you, the said police officers, to take the defendant and convey him to a prison, and there to deliver him to the Commissioner of Correctional Services together with this warrant; and you, the said Commissioner, to receive the defendant into your custody in a prison and there to keep and detain him

Dated this            day of            19     .

Magistrate.  
(L.N. 134 of 1967; 59 of 1994 s. 8)

[section 52]

HONG KONG. IN THE MAGISTRATE'S COURT AT

(hereinafter called the defendant) was, on the day of 19 , (or this day) ordered by the said court to pay to the sum of for [as in order] and for costs [ as in order]; and default has been made in payment according to the said adjudication and order; and a warrant of distress has been issued against the defendant in pursuance of the said order:

day of \_\_\_\_\_ 19\_\_\_\_, being the day appointed for the return of the said warrant, unless he previously enters into a recognizance in the sum of \_\_\_\_\_, with surety (or sureties) \_\_\_\_\_ in the sum of \_\_\_\_\_ [each] conditioned for his appearance on that day; and you, the said police officers, on that day, if such recognizance has not been entered into, to convey and have him before a magistrate of Hong Kong at the said court, at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon, to be further dealt with according to law; and for your so doing this shall be your sufficient warrant.

Dated this                      day of                      19

Magistrate.  
(L.N. 134 of 1967; 59 of 1994 s. 8)

Warrant of commitment on a conviction where the  
punishment is by imprisonment

HONG KONG. IN THE MAGISTRATE'S COURT AT

To each and all of the police officers of Hong Kong and to the Commissioner of  
Correctional Services in Hong Kong.

(hereinafter called the defendant) has been this day convicted  
before the said court for that he [state the offence as in the conviction]; and it has been  
adjudged that the defendant be for his said offence imprisoned in a prison for the space  
of

:

These are, therefore, to command you, the said police officers, to take the  
defendant and convey him to a prison, and there to deliver him to the Commissioner of  
Correctional Services, together with this warrant; and you, the said Commissioner, to  
receive the defendant into your custody in a prison and there to imprison him for the  
space of ; and for your so doing this shall be your sufficient warrant.

Dated this       day of       19       .

[L.S.]

.....  
Magistrate.  
(59 of 1994 s. 8)

FORM 66A

Order of suspended sentence under section 109B of the  
Criminal Procedure Ordinance, Cap 221

HONG KONG. IN THE MAGISTRATE'S COURT AT

Before       , Esquire, a magistrate of Hong Kong, sitting at the said  
Court.

(hereinafter called the defendant), is  
this day convicted [state the offence as in the conviction].

And the Court sentenced the defendant to imprisonment for (state period):

And it is ordered that the said sentence of imprisonment shall not take effect  
unless during the period of       years from today the defendant commits in Hong  
Kong another offence punishable with imprisonment and thereafter an order is made  
under section 109C of the Criminal Procedure Ordinance, Cap 221, that the sentence  
shall take effect.

Dated this                      day of                      19                      .

[L.S.]

.....  
Magistrate.  
(L.N. 200 of 1972; 59 of 1994 s. 8)

FORM 66B

Order that suspended sentence shall take effect under section 109C(1) (a)  
and (b) of the Criminal Procedure Ordinance, Cap 221

HONG KONG.                      IN THE MAGISTRATE'S COURT AT

Before                      , Esquire, a magistrate of Hong Kong, sitting at the said  
Court.

(hereinafter called the defendant)  
was on the                      day of                      19                      , convicted by the said Court  
of [state the offence as in the conviction] and on the said date [or on the                      day  
of                      19                      ,] the said Court sentenced the defendant to imprisonment  
for (state period) but made an order which [, as subsequently varied by                      ,]  
provided that the sentence should not take effect unless during the period beginning on  
the date of the order and ending on the                      day of                      19                      ,  
he/she committed in Hong Kong another offence punishable with imprisonment:

And the defendant had this day appeared [or been brought] before me and I was  
satisfied that the defendant had on the                      day of                      19                      , been  
convicted before the Magistrate's Court sitting at ....., (or  
District Court sitting at ..... or Court of First Instance) of a further  
offence, namely, (state the offence as in the conviction), being an offence punishable  
with imprisonment committed by him/her on the                      day of                      19                      ,  
during the said period:

[(or) And the defendant had this day been convicted by me of (state the offence as  
in the conviction), being an offence punishable with imprisonment and I was satisfied  
that the said offence was committed by him/her on the                      day of  
19                      , during the said period]:

It is ordered that the said suspended sentence take effect [with the substitution of a  
term of imprisonment of                      for the original term].

Dated this                      day of                      19                      .

[L.S.]

.....  
Magistrate.  
(L.N. 200 of 1972; 59 of 1994 s. 8; 25 of 1998 s. 2)

FORM 66C



Warrant of commitment to put the accused upon  
trial for an indictable offence

HONG KONG.

IN THE MAGISTRATE'S COURT AT

To each and all of the police officers of Hong Kong and to the Commissioner of Correctional Services in Hong Kong.

(hereinafter called the defendant) has been this day committed before the said court for that \_\_\_\_\_ contrary to [here state the law applicable] and it has been adjudged that the defendant be committed to prison and there to wait for his/her trial at the Court of First Instance.

These are, therefore, to command you, the said police officers, to take the defendant and convey him/her to a prison, and there to deliver him/her to the Commissioner of Correctional Services together with this warrant; and you, the said Commissioner, to receive the defendant into your custody in a prison and there to keep and detain him/her until such date as the Court of First Instance may require him/her to stand for his/her trial; and for your so doing this shall be your sufficient warrant.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_.

[L.S.]

.....  
Magistrate.

(L.N. 163 of 1971; 59 of 1994 s. 8; 25 of 1998 s. 2)

FORM 68

[sections 40 & 56]

Warrant of commitment on an order where disobedience to the  
order is punishable by imprisonment

HONG KONG.

IN THE MAGISTRATE'S COURT AT

To each and all of the police officers of Hong Kong and to the Commissioner of Correctional Services in Hong Kong.

On the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_, complaint was made before the undersigned (or \_\_\_\_\_, Esquire), a magistrate of Hong Kong, for that [etc., as in the order]; and afterwards, to wit, on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_, at \_\_\_\_\_, the said parties appeared before me [or as in the order]; and thereupon, having considered the matter of the said complaint, it was ordered that the defendant should [as in the order]; and it was adjudged that if, upon a copy of the minute of that order being duly served on the defendant, either personally or by leaving the same for him at his last or most usual place of abode, he should refuse or neglect to obey the same, in such case the defendant for such his disobedience should be imprisoned in a prison for the space of \_\_\_\_\_, unless the said order should be sooner obeyed; and it now having been proved to me that, after the making of the said order, a copy of the minute thereof was duly served on the defendant, but he then refused (or neglected) to obey the same, and has not as yet obeyed the same:

These are, therefore, to command you, the said police officers, to take the

defendant and convey him to a prison, and there to deliver him to the Commissioner of Correctional Services, together with this warrant; and you, the said Commissioner, to receive the defendant into your custody in a prison and there to imprison him for the space of                      ; and for your so doing this shall be your sufficient warrant.

Dated this                      day of                      19                      .

[L.S.]

.....  
Magistrate.  
(59 of 1994 s. 8)

FORM 69

[sections 51 & 56]

Warrant of commitment for want of distress in either of  
the cases mentioned in Forms 48 and 49

HONG KONG.                      IN THE MAGISTRATE'S COURT AT

To each and all of the police officers of Hong Kong and to the Commissioner of Correctional Services in Hong Kong.

[Recite the conviction or order and then proceed thus]-

And whereas afterwards, on the                      day of 19                      , a warrant of distress was issued against the defendant in pursuance of the said conviction (or order); and it having been made to appear to me, as well by the return to the said warrant of distress as otherwise, that diligent search for the defendant's goods and chattels has been made, but that no sufficient distress whereon to levy the sum above mentioned could be found:

These are, therefore, to command you, the said police officers, to take the defendant and convey him to a prison, and there to deliver him to the Commissioner of Correctional Services, together with this warrant; and you, the said Commissioner, to receive the defendant into your custody in a prison and there to imprison him, for the space of                      , unless the said sum, and all costs and charges of the said distress, amounting to the further sum of                      , shall be sooner paid; and for your so doing this shall be your sufficient warrant.

Dated this                      day of                      19                      .

[L.S.]

.....  
Magistrate.  
(59 of 1994 s. 8)

FORM 70

(Repealed L.N. 355 of 1997)



Warrant of commitment reducing term of imprisonment  
on part payment

[Adopt the ordinary form of warrant of commitment but before the commanding part insert the following]-

and on application to the said court to issue a warrant to commit the defendant to prison for non-payment of the sum adjudged to be paid by the said conviction (or order, or for default of sufficient distress), it appears to the said court that, by payment of part of the said sum (or by the net proceeds of the said distress) the amount of the sum so adjudged has been reduced to such an extent that the unsatisfied balance, if it had constituted the original amount so adjudged to be paid, would have subjected the defendant to a maximum term of imprisonment less than the term of imprisonment to which he is liable under the said conviction (or order):

Therefore the said term of imprisonment is hereby revoked; and it is hereby ordered that the defendant be imprisoned in a prison for the space of [the reduced term], unless the said sum, and all costs and charges of the said distress, if any, shall be sooner paid, and you are hereby commanded [proceed as in ordinary warrant of commitment, inserting reduced term of imprisonment].

PART II

FORMS FOR RECOVERY OF CIVIL DEBTS

Complaint

HONG KONG.

IN THE MAGISTRATE'S COURT AT

The complaint of \_\_\_\_\_ of  
who says that \_\_\_\_\_ of  
(hereinafter called "the defendant") [here state the nature of the complaint]  
and the complainant claims from the defendant the sum of \$ \_\_\_\_\_ being money  
recoverable summarily as a civil debt.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_ .

.....  
Complainant.  
(L.N. 150 of 1970)

Summons to defendant

HONG KONG. IN THE MAGISTRATE'S COURT AT

To:

Complaint having been made by \_\_\_\_\_ of  
before the undersigned, a magistrate of Hong Kong, for that you on the \_\_\_\_\_ day  
of \_\_\_\_\_ 19 \_\_\_\_\_ did [here state shortly the matter of the complaint]  
and claiming from you the sum of \$ \_\_\_\_\_, being money recoverable  
summarily as a civil debt; these are, therefore, to command you to be and appear on  
day, the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_, at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon, at  
the said court, before such magistrate as shall then be there, to answer to the said  
complaint.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_.

[L.S.]

.....  
Magistrate.  
(L.N. 150 of 1970; 59 of 1994 s. 8; L.N. 355 of 1997)

FORM 72

[section 67]

Summons to witness

HONG KONG. IN THE MAGISTRATE'S COURT AT

Case No .....

Between

Plaintiff,

(Address  
Description)

and

Defendant.

(Address  
Description)

To \_\_\_\_\_, of \_\_\_\_\_.

You are hereby required to attend before such magistrate of Hong Kong as may be  
sitting at the said court:

(DATE) .....

(TIME) .....

(COURT NO.) .....

to give evidence in the above cause on behalf of the plaintiff/defendant.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_.

[L.S.]

.....  
Magistrate.  
(59 of 1994 s. 8)

FORM 73

[section 67]

Judgment summons

HONG KONG. IN THE MAGISTRATE'S COURT AT

Between

Plaintiff,

(Address  
Description)

and

Defendant.

(Address  
Description)

The            day of            19    .

To the above-named defendant (or plaintiff).

The plaintiff (or defendant) obtained an order against you, the above-named defendant (or plaintiff), before the undersigned (or            , Esquire), a magistrate of Hong Kong, on the            day of            19    , for the payment of            , and you have made default in payment of the sum payable in pursuance of the said order:

Therefore you are hereby summoned to appear personally before such magistrate of Hong Kong as may be sitting at the said court on            day the day of            19    , at            o'clock in the            noon, to be examined upon oath (or declaration) by the said court touching the means you have or have had since the date of the order to satisfy the sum payable in pursuance of the said order; and also to show cause why you should not be committed to prison for such default.

[L.S.]

.....  
Magistrate.

\$

¢

Amount of order, and costs .....

\$      ¢

Deduct      ( Paid                      into                      the  
                  ( Magistracy .....  
                  ( Instalments not required to have  
                  (        been paid before the date of  
                         the summons .....

\$

¢

Sum payable .....

Costs of this summons .....

Amount upon payment of which no further proceedings will be had until  
       default in payment of next instalments .....

(59 of 1994 s. 8)

FORM 74

[section 67]

### Order of commitment

HONG KONG.                      IN THE MAGISTRATE'S COURT AT

Between

Plaintiff,

(Address  
Description)

and

Defendant.

(Address  
Description)

To each and all of the police officers of Hong Kong and to the Commissioner of Correctional Services in Hong Kong.

The plaintiff (or defendant) obtained an order against the defendant (or plaintiff) before the undersigned (or before                      , Esquire), a magistrate of Hong Kong on the                      day of                      19                      , for the payment of                      and the defendant (or plaintiff) has made default in payment of                      , payable in pursuance of the said order; and a summons was, at the instance of the plaintiff (or defendant), duly issued, by which the defendant (or plaintiff) was required to appear personally before such magistrate of Hong Kong as might be sitting at the said court on the                      day of 19                      , to be examined upon oath (or declaration) touching the means he had then or had since the date of the order to satisfy the sum then due and payable in pursuance of the said order, and to show cause why he should not be committed to prison for such default; and at the hearing of the said summons the defendant (or plaintiff) appeared (or the summons was proved to have been duly served), and it has now been proved that the defendant (or plaintiff) now has (or has had since the date of the said order) the means to pay the sum then due and payable in pursuance of the said order, and has refused (or

neglected, or then refused or neglected) to pay the same, and the defendant (or plaintiff) has shown no cause why he should not be committed to prison:

Now, therefore, it is ordered that, for such default, the defendant (or plaintiff) be committed to prison for \_\_\_\_\_ days, unless he shall sooner pay the sum stated below as that on the payment of which he is to be discharged: and you are hereby required, you the said police officers, to take the defendant (or plaintiff) and convey him to a prison, and there to deliver him to the Commissioner of Correctional Services, together with this order; and you, the said Commissioner, to receive the defendant (or plaintiff) and keep him safely in a prison for \_\_\_\_\_ days from the arrest under this order, or until he is sooner discharged by due course of law.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_ .

[L.S.] \_\_\_\_\_ Magistrate.

\$ \_\_\_\_\_ ¢

Total sum payable at the time of hearing of the judgment summons .....

Hearing of summons, and costs of order .....

Total sum on payment of which the prisoner will be discharged .....

\_\_\_\_\_  
(59 of 1994 s. 8)

FORM 75

[section 67]

Certificate for discharge of a prisoner from custody

HONG KONG.

IN THE MAGISTRATE'S COURT AT

Between

Plaintiff,

(Address  
Description)

and

Defendant.

(Address  
Description)

To the Commissioner of Correctional Services in Hong Kong.

I hereby certify that the defendant (or plaintiff), who was committed to your custody by virtue of an order of commitment dated the \_\_\_\_\_ day of 19 \_\_\_\_, has paid and satisfied the sum of money for the non-payment whereof he was so committed, together with all costs due and payable by him in respect thereof, and may in respect of that order be forthwith discharged out of your custody.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_ .

[L.S.]

.....  
Magistrate.  
(59 of 1994 s. 8)

FORM 76

[section 67]

Distress warrant

HONG KONG. IN THE MAGISTRATE'S COURT AT

Between

Plaintiff,

(Address  
Description)

and

Defendant.

(Address  
Description)

To each and all of the police officers and bailiffs of Hong Kong.

On the            day of            19            , it was adjudged and ordered by the undersigned (or            , Esquire), a magistrate of Hong Kong, that the defendant (or plaintiff) should pay to the plaintiff (or defendant)            for debt (or damages) and            for costs, amounting together to the sum of            ; and it was ordered that the said sum should be paid on the            day of            19            (or as in the judgment), and that, if default should be made in payment according to the said adjudication and order, the sum due thereunder should be levied by distress and sale of the defendant's (or plaintiff's) goods; and default has been made in payment according to the said adjudication and order:

Therefore you are hereby commanded forthwith to make distress of the goods of the said defendant (or plaintiff), except the wearing apparel and bedding of him and his family, and, to the value of twenty-five dollars, the tools and implements of his trade, and if, within the space of\*            days next after the making of such distress, the sum of            being the sum stated at the foot of this warrant to be due under the said adjudication and order, together with the reasonable charges of the making and keeping of the said distress, be not paid, then to sell the said goods by you distrained, and pay the money arising thereby to the magistrates' clerk, in order that it may be applied according to law, and that the overplus, if any, may be rendered on demand to the defendant (or plaintiff); and, if no such distress can be found, to certify the same to the said court, in order that further proceedings may be had according to law.

Dated this            day of            19            .

[L.S.]

.....  
Magistrate.

—

\$

¢  
Amount adjudged .....  
Paid .....  
  
Remaining due .....  
Costs of issuing this warrant .....  
  
Total amount to be levied ..... \$

— \* N.B.-The goods are not to be sold until after the end of five clear days next following the day on which they were seized, unless the defendant otherwise consents or unless the goods are perishable.  
(59 of 1994 s. 8)

FORM 77 [section 67]

Oral or written acknowledgment of undertaking to pay civil debt

HONG KONG. IN THE MAGISTRATE'S COURT AT

Between  
  
(Address  
Description)  
  
and  
  
(Address  
Description)  
  
Plaintiff,  
  
Defendant.

It was this day (or on the day of 19 ,) adjudged by the undersigned (or , Esquire), a magistrate of Hong Kong, that the plaintiff should recover against the defendant the sum of for debt (or damages) and for costs, amounting together to the sum of ; and it was ordered that the defendant should pay the same to the plaintiff forthwith (or on or before the day of 19 , or by instalments of for every days, the first instalment to be paid on the day of 19 ), and that the defendant should be at liberty to give, to the satisfaction of a magistrate [or as in the judgment], security in the sum of , with surety in the sum of [each], for the payment of the sum so ordered to be paid as thereby directed:

Now, therefore, I, the defendant, as principal, and we, of , and , of , as sureties (or I, , as surety), hereby undertake that the defendant will pay the sum so ordered to be paid as thereby directed; and I, the said defendant, and we (or I) the said sureties (or surety), hereby severally acknowledge ourselves bound to forfeit and pay to the sum of in case the defendant fails to perform this undertaking.

Signed (where not taken orally) ..... ) Defendant.  
..... ) Sureties.  
..... )

Taken [orally] before me this       day of       19       .

[L.S.] ..... Magistrate.  
Explained by  
.....  
Sworn Interpreter.

— NOTE.—Where the recognizance is taken orally omit the words "the undersigned" and insert the word "orally" after "Taken".

(59 of 1994 s. 8)

### PART III

#### FORMS FOR INDICTABLE OFFENCES

#### FORM 78

[section 82]

#### Caution to and statement by accused

HONG KONG.       IN THE MAGISTRATE'S COURT AT

Before       , Esquire, a magistrate of Hong Kong.

(hereinafter called the accused) stands charged before the undersigned, a magistrate of Hong Kong, for that he, on the day of       19       , at       [etc., as in the heading to the depositions] and the said charge being read to the accused and the witnesses for the prosecution       and       being severally examined in his presence, the accused is now addressed by me as follows: "Having heard the evidence, do you wish to say anything in answer to the charge? You are not obliged to say anything unless you desire to do so; but whatever you say will be taken down in writing, and may be given in evidence upon your trial and you are clearly to understand that you have nothing to hope from any promise of favour and that you have nothing to fear from any threat which may have been held out to you to induce you to make any admission or confession of your guilt, but that whatever you say now may be given in evidence upon your trial notwithstanding such promise or threat"; whereupon the said saith as follows:

[Here state whatever the prisoner may say, and in his very words as nearly as possible. Get him to sign it, if he will].

This       day of       19       .



Taken before me at (Signed) .....  
the day and year last above written.

.....  
Magistrate.  
(59 of 1994 s. 8)

FORM 79

[section 84]

Witness Order

HONG KONG. IN THE MAGISTRATE'S COURT AT

Date:

To: (Witness)

Address:

Order: That you attend and give evidence at the trial of (accused) in the Court of First Instance if notice is later given to you to that effect.\*

Note: Failure to comply with this order may render you liable to imprisonment and a fine. You will be notified of the date and time at which you are to attend by the Registrar of the High Court, to whom any inquiry should be addressed.

.....  
Magistrate.

\* Delete the words in italics unless the order is a conditional order.  
(L.N. 330 of 1981; 25 of 1998 s. 2)

FORM 80

[section 84(2)(b)]

Notice to witness that a witness order is to be treated  
as a conditional order

HONG KONG. IN THE MAGISTRATE'S COURT AT

Date:

To: (Witness)

Address:

Whereas you were on (date) ordered to attend and give  
evidence at the trial of (accused) in the Court of First Instance, you

are NOT now required to attend UNLESS you receive a further notice directing you to do so.

.....  
Magistrate.  
(L.N. 330 of 1981; 25 of 1998 s. 2)

FORM 81

[section 84(3)(b)]

Notice to witness that his attendance will not be  
required in the Court of First Instance in any event

HONG KONG. IN THE MAGISTRATE'S COURT AT

Date:

To: (Witness)

Address:

Whereas you were on (date) ordered to attend and give  
evidence at the trial of (accused) in the Court of First Instance, your  
attendance in that court will NOT now be required since the accused has/have not been  
committed for trial.

.....  
Magistrate.  
(L.N. 330 of 1981; 25 of 1998 s. 2)

FORM 84

[section 79]

Warrant remanding accused

HONG KONG. IN THE MAGISTRATE'S COURT AT

To each and all of the police officers of Hong Kong and to the Commissioner of  
Correctional Services in Hong Kong.

Whereas was this day charged before the undersigned,  
a magistrate of Hong Kong, for that [etc., as in the warrant to apprehend]; and it appears  
to me to be necessary to remand the said :

These are, therefore, to command you, the said police officers, forthwith to  
convey the said to a prison [or some other place of security]  
and there deliver him to the Commissioner of Correctional Services together with this  
precept; and you, the said Commissioner, to receive the said into your  
custody in a prison [or some other place of security] and there safely keep him until

day, the                      day of                      19                      ; when I hereby command you, the said police officers, to convey and have him at the said court, at                      o'clock in the noon of the same day, before such magistrate of Hong Kong as may be sitting at the said court, to answer further to the said charge, and to be further dealt with according to law, unless you shall be otherwise ordered in the meantime.

Dated this                      day of                      19                      .

[L.S.]

.....  
Magistrate.  
(L.N. 134 of 1967; 59 of 1994 s. 8; L.N. 355 of 1997)

FORM 85

[section 79]

(WITH SURETIES)

Recognizance of bail instead of remand, on an adjournment  
of examination

HONG KONG.                      IN THE MAGISTRATE'S COURT AT

We, the undersigned                      of  
                    , of                      and                      of                      severally  
acknowledge ourselves to owe to the Government the several sums following, namely,  
the said as principal the sum of                      , and the said                      and                      as sureties  
the sum of                      each, to be levied on our several goods, lands and tenements  
if the said                      fails in the condition hereon endorsed.

Signed                      (where                      not                      taken                      orally)

.....  
.....  
..  
.....  
..

Taken (orally) before me the                      day of                      19                      .

[L.S.]

.....  
Magistrate.  
(or Magistrate's Clerk or  
Superintendent of Police or  
Inspector of Police or  
Commissioner of Correctional  
Services, as the case may be)

Explained by

.....  
Sworn Interpreter.

CONDITION ENDORSED

The condition of the within-written recognizance is such that if the within-bounden

appears before such magistrate as may then be sitting at the said court on day, the day of 19 , at o'clock in the noon, to answer (further) to the charge made against him by and to be (further) dealt with according to law (or appears before such magistrate as may then be sitting at for sentence when called upon) then the said recognizance shall be void, but otherwise shall remain in full force.

NOTE.-Where the recognizance is taken orally omit the words "the undersigned" and insert the word "orally" after "Taken".

(L.N. 355 of 1997)

FORM 86

[section 79]

(PERSONAL)

Recognizance of bail instead of remand, on an adjournment of examination

HONG KONG.

IN THE MAGISTRATE'S COURT AT

I, the undersigned of do hereby acknowledge myself to owe to the Government the sum of to be levied on my goods, lands and tenements if I the said shall fail in the condition hereon endorsed.

Signed (where not taken orally)

..

Taken (orally) before me the day of 19 .

[L.S.]

Magistrate.  
(or Magistrate's Clerk or Superintendent of Police or Inspector of Police or Commissioner of Correctional Services, as the case may be)

Explained by

Sworn Interpreter.

CONDITION ENDORSED

The condition of the within-written recognizance is such that if the within-bounden appears before such magistrate as may then be sitting at the said

court on \_\_\_\_\_ day, the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_,  
at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon, to answer (further) to the charge made against  
him by \_\_\_\_\_ and to be (further) dealt with according to law (or appears  
before such magistrate as may then be sitting at \_\_\_\_\_ for sentence  
when called upon) then the said recognizance shall be void, but otherwise shall remain  
in full force.

---

NOTE.-Where the recognizance is taken orally omit the words "the undersigned" and insert the  
word "orally" after "Taken".

(L.N. 355 of 1997)

FORM 87

[section 79]

Notice of the said recognizance to be given to accused  
and his sureties

HONG KONG. IN THE MAGISTRATE'S COURT AT

Take notice that you \_\_\_\_\_, of \_\_\_\_\_, are bound  
in the sum of \_\_\_\_\_, and your sureties, \_\_\_\_\_, and \_\_\_\_\_, in  
the sum of \_\_\_\_\_ each, that you, \_\_\_\_\_, appear  
before me a magistrate of Hong Kong, on \_\_\_\_\_ day, the \_\_\_\_\_ day  
of \_\_\_\_\_ 19\_\_\_\_\_, at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon,  
at \_\_\_\_\_, to answer further to the charge made against you by \_\_\_\_\_ and  
to be further dealt with according to law; and unless you \_\_\_\_\_,  
personally appear accordingly, the recognizance entered into by yourself and your  
sureties will be forthwith levied on your several goods, lands and tenements.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_.

[L.S.]

.....  
Magistrate.  
(59 of 1994 s. 8)

FORM 88

[section 102]

(WITH SURETIES)

Recognizance conditioned for appearance

HONG KONG. IN THE MAGISTRATE'S COURT AT

We, the undersigned \_\_\_\_\_ of \_\_\_\_\_,  
of \_\_\_\_\_, and \_\_\_\_\_  
of \_\_\_\_\_, severally acknowledge ourselves to owe to  
the Government the several sums following, namely, the said \_\_\_\_\_ as  
principal the sum of \_\_\_\_\_, and the said \_\_\_\_\_ and \_\_\_\_\_ as

sureties the sum of  
and tenements if the said  
endorsed.

each, to be levied on our several goods, lands  
fails in the condition hereon

Signed (where not taken orally)

.....  
.....  
.....

Taken (orally) before me the day of 19 .

[L.S.]

.....  
Magistrate.  
(or Magistrate's Clerk or  
Superintendent of Police or  
Inspector of Police or  
Commissioner of Correctional  
Services, as the case may be)

Explained by

.....  
Sworn Interpreter.

#### CONDITION ENDORSED

The condition of the above-written recognizance is such that whereas the said was this day charged before me for that he . If therefore the said will appear at the Court of First Instance on such date as the Registrar may appoint and there surrender himself (if so required) into the custody of the Commissioner of Correctional Services in Hong Kong, and plead to such indictment as may be filed against him by the Secretary for Justice and take his trial upon the same, and not depart the said Court without leave, then the said recognizance shall be void, but otherwise shall remain in full force.

---

NOTE.-Where the recognizance is taken orally omit the words "the undersigned" and insert the word "orally" after "Taken".  
(L.N. 163 of 1971; 59 of 1994 s. 8; L.N. 355 of 1997; L.N. 362 of 1997; 25 of 1998 s. 2)

FORM 89

[section 102]

(PERSONAL)

Recognizance conditioned for appearance

HONG KONG.

IN THE MAGISTRATE'S COURT AT

I, the undersigned  
of do hereby acknowledge myself to owe to the Government the  
sum of to be levied on my goods, lands and tenements if I the said  
shall fail in the condition thereon endorsed.

Signed (where not taken orally)

.....  
.....

Taken (orally) before me the day of 19 .

[L.S.]

.....  
Magistrate.

(or Magistrate's Clerk or Superintendent of  
Police or Inspector of Police or  
Commissioner of Correctional  
Services, as the case may be)

Explained by

.....  
Sworn Interpreter

#### CONDITION ENDORSED

The condition of the above-written recognizance is such that whereas the said  
If therefore the said will appear at the Court of First Instance on such date  
as the Registrar may appoint and there surrender himself (if so required) into the  
custody of the Commissioner of Correctional Services in Hong Kong, and plead to such  
indictment as may be filed against him by the Secretary for Justice and take his trial  
upon the same, and not depart the said Court without leave, then the said recognizance  
shall be void, but otherwise shall remain in full force.

was this

---

NOTE.-Where the recognizance is taken orally omit the words "the undersigned" and insert the  
word "orally" after "Taken".

(L.N. 134 of 1967; 59 of 1994 s. 8; L.N. 355 of 1997; L.N. 362 of 1997; 25 of 1998 s. 2)

FORM 90

[section 102]

Notice of the said recognizance to be given to accused  
and his sureties

HONG KONG. IN THE MAGISTRATE'S COURT AT

Take notice that you, , of , are bound  
in the sum of , and your sureties, and , in the  
sum of [each], that you appear [etc.,  
as in the condition of the recognizance], and not depart the said court without leave; and  
unless you, , personally appear and plead, and take your trial  
accordingly, the recognizance entered into by yourself and your sureties will be  
forthwith levied on your several goods, lands and tenements.

Dated this day of 19 .

Magistrate

[section 102]

Magistrate.

[section 103]



FORMS FOR INDICTABLE OFFENCES TRIABLE SUMMARILY

FORM 93

[sections 91, 92 & 93]

Summary conviction of indictable offence

HONG KONG.

IN THE MAGISTRATE'S COURT AT

Before \_\_\_\_\_, Esquire, a magistrate of Hong Kong.  
(hereinafter called the defendant) having been charged for that he, on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, at \_\_\_\_\_, [state offence]; and the magistrate having determined to try the case summarily; the defendant is this day convicted of the said offence, and it is adjudged that he pay [or that he be imprisoned, insert particulars] for his said offence [proceed as in ordinary forms of summary conviction].

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

[L.S.]

.....  
Magistrate.  
(59 of 1994 s. 8)

FORM 94

[section 93]

Order of dismissal where an indictable  
offence has been tried summarily

HONG KONG.

IN THE MAGISTRATE'S COURT AT

Before \_\_\_\_\_, Esquire, a magistrate of Hong Kong.

The \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

(hereinafter called the defendant) having been charged on the information of \_\_\_\_\_ for that he, on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, at \_\_\_\_\_ [state offence]; and the magistrate having determined to try the case summarily; and the matter of the said charge having been duly considered by the said magistrate, it manifestly appears to him that the said charge is not proved:

Therefore the said information is hereby dismissed; and it is ordered that the informant pay to the defendant the sum of \_\_\_\_\_ for costs forthwith (or on or before the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_); and if default is made [proceed as in a conviction for fine to be levied by distress or omit as the case may be.]

[L.S.]

.....  
Magistrate.

PART V

FORMS RELATING TO APPEALS AND CASE STATED

FORM 95

[section 105]

Application to magistrate to state a case

HONG KONG.

IN THE MAGISTRATE'S COURT AT

To \_\_\_\_\_, Esquire, a magistrate of Hong Kong.

In the matter of an information (or complaint) wherein I, the undersigned \_\_\_\_\_, was informant (or prosecutor, or complainant) and was defendant, heard and determined before you at the said court on the \_\_\_\_\_ day of 19\_\_\_\_\_, being dissatisfied with your determination, upon the hearing of the above information (or complaint) and being aggrieved thereby as being erroneous in point of law [or as the case may be], I hereby, pursuant to section 105 of the Magistrates Ordinance (Chapter 227), make application to you to state and sign a case setting forth the facts and grounds of such your determination, in order that I may appeal therefrom to a judge of the Court of First Instance.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_.

(Signed) .....  
(59 of 1994 s. 8; 25 of 1998 s. 2)

FORM 96

[section 111]

Magistrate's certificate of refusal to state case

HONG KONG.

IN THE MAGISTRATE'S COURT AT

Whereas on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_, an information [or complaint] preferred by \_\_\_\_\_ against \_\_\_\_\_ of (hereinafter called the defendant) for that he [etc., as in the information, complaint or summons] was heard and determined by me, the undersigned, a magistrate of Hong Kong, and thereon [here state the adjudication, order or determination together with any consequential order as to fine, imprisonment, costs or other matter]:

And whereas the defendant (or \_\_\_\_\_) being dissatisfied with the said determination and alleging that he is aggrieved thereby as being erroneous in point of law (or as being in excess of jurisdiction), has applied to me pursuant to section 105 of the Magistrates Ordinance (Chapter 227), to state and sign a case setting forth the facts and grounds of such determination in order that he may appeal therefrom:

2. And whereas the appellant, being dissatisfied with my determination upon the hearing of the said information (or complaint) and alleging himself to be aggrieved

by such determination as being erroneous in point of law has, pursuant to section 105 of the Magistrates Ordinance, duly applied to me in writing to state and sign a case setting forth the facts and the grounds of such determination as aforesaid, in order that he may appeal therefrom to a judge of the Court of First Instance, and has duly entered into a recognizance as required by the said Ordinance in that behalf.

(Where the case stated has been refused in the first instance-but I, being of opinion that the application of the appellant was merely frivolous, refused to state and sign such case, and at his request signed and delivered to him a certificate of such refusal; and whereas a judge of the High Court has since ordered me to state such case.)

3. Now therefore I, the said magistrate, in compliance with the said application (or in obedience to the said order of a judge of the Court of First Instance) and the provisions of the said Ordinance (if more facts are introduced than proved and by consent of the said parties), do hereby state and sign the following case.

4. Upon the hearing of the information (or complaint) it was proved on the part of the respondent, and found as a fact, that [here state so much of the evidence given and of the facts as are necessary to raise the point of law in question].

5. It was contended on the part of the appellant that [here state the legal objection or objections to the findings on the facts taken by the defendant or his counsel].

6. I, however, being of opinion that [here state the grounds of the decision], held that [here state the decision and judgment].

If it is desired to refer to a portion of the evidence by consent, insert the following paragraph-

7. The questions of law arising on the above statement for the opinion of this court therefore are, 1st whether, etc., 2nd whether, etc.

Dated this                      day of                      19                      .

[L.S.]

.....  
Magistrate.  
(59 of 1994 s. 8; L.N. 355 of 1997; 25 of 1998 s. 2)

FORM 98                      [sections 110, 114 & 119]

(PERSONAL)

Recognizance to prosecute appeal and to appear  
if appellant is liberated from custody

HONG KONG.                      IN THE MAGISTRATE'S COURT AT

I, the undersigned	do hereby
acknowledge myself to owe to the Government, the sum of	to
be levied on my goods, lands and tenements if I	fail

Signed (where not taken orally)  
.....  
...

[L.S.] Explained by \_\_\_\_\_ Magistrate.  
(or Commissioner of Correctional  
Services, or as the case may be).  
\_\_\_\_\_  
Sworn Interpreter.

The condition of the within-written recognizance is such that if the within-bounden

- then this recognizance shall be void, but otherwise shall remain in full force.

- FORM 99 [sections 110, 114 & 119]

Recognizance to prosecute appeal and to appear if  
appellant is liberated from custody

HONG KONG.

IN THE MAGISTRATE'S COURT AT

I, the undersigned do  
hereby acknowledge myself to owe to the Government, the sum of  
, if I fail  
in the condition hereon endorsed.

Signed (where not taken orally)  
.....

...

Taken (orally) before me the day of 19 .

[L.S.]

Explained by

.....  
Magistrate.

(or Commissioner of Correctional  
Services, or as the case may be).

.....  
Sworn Interpreter.

#### CONDITION ENDORSED

The condition of the within-written recognizance is such that if the  
within-bounden

- (a) shall without delay prosecute a certain appeal to a judge of the Court of First Instance from a conviction (or order or determination) of , Esquire, a magistrate of Hong Kong, dated the day of 19 , whereby [here state effect of conviction or order or determination] and further shall abide by and duly perform the order of the said judge or the Court of Appeal to be made upon the hearing of such appeal, and shall pay such costs as may be awarded by the said judge or court; and
- (b) shall personally appear and surrender himself at before and to a judge of the Court of First Instance or the Court of Appeal at each and every hearing of his appeal by such judge or court and to then and there abide by the judgment of such judge or court and not to depart or be absent from court at any hearing without the leave of such judge or court and in the meantime not to depart out of Hong Kong;

then this recognizance shall be void, but otherwise shall remain in full force.

---

NOTE.-(1) Where the recognizance is take orally omit the words "the undersigned" and insert the word "orally" after "Taken".

(2) The conditions (a) or (b) may be used separately or together as occasion demands, but the conditions in (b) will only be required if the appellant is released from custody under section 119(a).

(59 of 1994 s. 8; L.N. 355 of 1997; 25 of 1998 s. 2)

Order to bring up appellant in custody to enter into  
recognizance of appeal

HONG KONG.                      IN THE MAGISTRATE'S COURT AT

To the Commissioner of Correctional Services in Hong Kong.

You are hereby ordered to bring \_\_\_\_\_, now in prison custody, before the undersigned, a magistrate of Hong Kong, or such magistrate as may then be sitting at the said court, on \_\_\_\_\_ day, the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_, at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon, that he may enter into a recognizance with surety conditioned to appear and prosecute and appeal from the conviction (or order), dated the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_, of the undersigned (or \_\_\_\_\_, Esquire), a magistrate of Hong Kong.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_. .

[L.S.]

.....  
Magistrate.  
(L.N. 134 of 1967; 59 of 1994 s. 8)

Notice of appeal to a judge against conviction

HONG KONG.                      IN THE MAGISTRATE'S COURT AT

To \_\_\_\_\_, the magistrates' clerk at the said Court.

I, \_\_\_\_\_, of \_\_\_\_\_, do hereby give you notice that it is my intention to appeal to a judge of the Court of First Instance of Hong Kong against a certain conviction of me by \_\_\_\_\_, Esquire, a magistrate sitting at the said court for having on at \_\_\_\_\_ [state offence, etc.]. And that the general grounds of such appeal are [state here each ground of appeal, such as that the conviction was against the weight of evidence upon the hearing of the proceedings in that behalf, or that certain evidence was improperly admitted or rejected (as the case may be) upon the hearing of the proceedings in that behalf, or that there was no evidence, or no sufficient evidence whereon to found the said conviction, (or as the case may be) ], and that I am not guilty of the said offence.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_. .

(Signed) .....  
(25 of 1998 s. 2)

## Notice of appeal to a judge against sentence

HONG KONG. IN THE MAGISTRATE'S COURT AT

To , the magistrates' clerk at the said Court.

I, , of , do hereby give you notice that it is my intention to appeal to a judge of the Court of First Instance of Hong Kong against my sentence on a certain conviction of me by , Esquire, a magistrate sitting at the said court for having on at [state offence, etc.]. And that the general grounds of my appeal are that my sentence was too severe.

Dated this day of 19 .

(Signed) .....  
(25 of 1998 s. 2)

## Application for extension of time for giving notice of appeal

HONG KONG. IN THE MAGISTRATE'S COURT AT

I, the undersigned ..... of ..... hereby apply to a \*magistrate/judge of the Court of First Instance for an extension of time within which I may give notice of appeal against a conviction (or order or determination) of ....., a magistrate sitting at the said magistrate's court, dated the .....day of ..... 19 ..... whereby [here state effect of conviction, order or determination] upon the following grounds-

Dated this day of 19 .

(Signed) .....

\* Delete whichever is inapplicable.

Note: If this application is being made to a magistrate it must be sent to the magistrate's clerk. If this application is being made to a judge of the Court of First Instance it must be sent to the Registrar of the High Court.  
(L.N. 174 of 1969; 25 of 1998 s. 2)



FORM RELATING TO MINOR OFFENCE NOTICE PROCEDURE

FORM 104

Notice of Prosecution for Minor Offence

(Section 7D Magistrates Ordinance Chapter 227)

MAGISTRATE'S COURT

M.O.N. No.

COMPLAINANT/COURT COPY

Name

Address

I/D Card No.

Driving Licence No.  
(where applicable)

TAKE NOTICE that I  
of  
allege that the abovenamed  
did on the                      day of                      19                      at  
commit an offence contrary to                      in that he

The facts on which I base this allegation are contained in the summary set out below/attached to the notice and signed by me.

PENALTY

The maximum penalty/ies for this offence is/are-

- \*1. A fine not exceeding \$                      .
- \*2. A sentence of                      months' imprisonment.
- \*3. Disqualification from holding or obtaining a driver's licence for year/s.
- \*4.                      penalty points.

\* (Delete as appropriate)

IMPORTANT NOTICE-In no circumstances will a defendant be sentenced to a term of imprisonment or disqualified from holding or obtaining a driving licence in his absence.

I CERTIFY that I believe that I have just cause for this allegation and that to best of my knowledge and belief the SUMMARY OF FACTS and other particulars relating to the offence or to the defendant which particulars are set out below or on an attached sheet of paper signed by me are true and correct.

Date this                      day of                      19                      .

\_\_\_\_\_ Informant

SUMMARY OF FACTS (and other relevant matters). The facts on which the Informant bases his allegation are as follows-

#### RECORD OF HEARING

Action Date:

Plea

Decision:

Signature(s) \_\_\_\_\_

(L.N. 374 of 1984; L.N. 158 of 1995)

#### FORM 105

Notice of Prosecution for Minor Offence

(Section 7D Magistrates Ordinance Chapter 227)

COURT

MAGISTRATE'S

M.O.N. No.

#### DEFENDANT'S COPY

Name

Address

I/D Card No.

Driving Licence No.  
(where applicable)

TAKE NOTICE that I of  
allege that the abovenamed

did

on the                      day of                      19                      at commit an offence contrary to                      in  
that he

The facts on which I base this allegation are contained in the summary set out below/attached to the notice and signed by me.

#### PENALTY

The maximum penalty/ies for this offence is/are-

- \*1. A fine not exceeding \$                      .
- \*2. A sentence of                      months' imprisonment.
- \*3. Disqualification from holding or obtaining a driver's licence for                      year/s.
- \*4.                      penalty points.

\*(Delete as appropriate)

**IMPORTANT NOTICE**-In no circumstances will you be sentenced to a term of imprisonment or disqualified from holding or obtaining a driving licence in your absence.

I CERTIFY that I believe that I have just cause for this allegation and that to the best of my knowledge and belief the SUMMARY OF FACTS and other particulars relating to the offence or to the defendant which particulars are set out below or on an attached sheet of paper signed by me are true and correct.

Dated this                      day of                      19                      .

\_\_\_\_\_ Informant

**SUMMARY OF FACTS** (and other relevant matters). The facts on which the Informant bases his allegation are as follows-

**YOU MUST READ CAREFULLY THE STATEMENT  
OF YOUR RIGHTS AND OPTIONS ON THE  
BACK OF THIS NOTICE**

#### **IMPORTANT NOTICE TO DEFENDANT STATEMENT OF RIGHTS AND OPTIONS**

1. You have been charged with the offence specified overleaf.
2. The maximum penalties for the offence are also set out overleaf. NOTE. These are maximum penalties and under no circumstances will you be sentenced to a term of imprisonment or disqualified from holding or obtaining a licence without your being present and being given the opportunity to make representations. Should the Court consider that a fine is not adequate punishment a summons will be issued ordering you to appear before the Court.

3. If you want to plead not guilty, you must send written notice to the First Clerk of this Court by \_\_\_\_\_ a summons will then be sent to you ordering you to appear before the Court.
4. If you want to plead guilty but would like to appear before the Court to explain any matter, you must send written notice saying so to the First Clerk of this Court by the date set out in paragraph 3. A summons will then be sent to you ordering you to appear before the Court.
5. If you want to plead guilty and do not wish to appear before the Court, you may do so by writing to the First Clerk; you can also include in your letter anything you want to explain to the Court about the offence or why a heavy penalty should not be imposed.
6. If you do nothing by the date specified in paragraph 3 above, the Court has the power to deal with the case as if you have pleaded guilty for the charge and agreed that the summary of facts set out overleaf is correct.
7. If the charge against you is one of unlawful possession contrary to section 30 of the Summary Offences Ordinance (Cap 228) it is possible that you may be entitled to legal aid and you should consult the Court Liaison Officer of the Duty Lawyer Service at the Magistracy from which this notice has been issued.

First Clerk

Date

Office hours: 9.00 a.m. to 4.30 p.m.

Note:

- A. If you do not understand this notice, you should consult the First Clerk or a solicitor immediately.
- B. Please notify the Court of any change of address.
- C. If the Court determines the charge in your absence, a notice will be sent to you.
- D. If you write to the Court or ask the Court for any information please give the M.O.N. number shown on the front of this form.  
(L.N. 347 of 1984; L.N. 158 of 1995; 21 of 1999 s. 33)

FORM 106

Notice of Imposition of Penalty

(Section 7G(1) Magistrates Ordinance Chapter 227)

MAGISTRATE'S COURT

M.O.N. No.:

### COURT COPY

TAKE NOTICE that on the                      day of                      19                      a  
fine of \$                      [together with costs of \$                      ](hereinafter called 'the  
penalty') was imposed on you by the above-mentioned Magistrate's Court in respect of  
the offence of                      which it was alleged was committed on the                      day of  
19                      .

NOTICE is hereby given that you are required to pay the aforesaid penalty of \$  
within 21 days from the date of this notice to-

Magistracy  
Hong Kong/Kowloon/New Territories  
(To be completed)

.....  
Magistrate.

Date:

### COURT ACTION

1. Notice received from defendant on the                      day of                      19                      that he wishes Magistrate to review his decision.
2. Application by defendant under 1 above determined on the day of                      19                      . Penalty confirmed/set aside.
3. Following confirmation under 2 above penalty paid/not paid by the day of                      19                      .
4. No notice having been received from defendant under 1 above, notice in Form 106 issued on the                      day of                      19                      for payment by the                      day of                      19                      .
5. Following issue of Form 106, penalty paid/not paid by the day of                      19                      .
6. Penalty not having been paid (3 or 5 above), Form 107 issued on the day of                      19                      for payment of penalty by the                      day of                      19                      .
7. Following issue of Form 107, penalty paid/not paid by the day of                      19                      .
8. Penalty not having been paid under 7 above, warrant issued on the day of                      19                      .
9. Warrant executed on the                      day of                      19                      .  
(L.N. 413 of 1984)

FORM 106A

Notice of Imposition of Penalty

(Section 7G(1) Magistrates Ordinance Chapter 227)

MAGISTRATE'S COURT

M.O.N. No.

DEFENDANT'S COPY

TAKE NOTICE that on the                      day of                      19                      a  
fine of \$                      [together with costs of \$                      ] (hereinafter called 'the  
penalty') was imposed on you by the above-mentioned Magistrate's Court in respect of  
the offence of                      which it was alleged was committed on the                      day of  
19                      .

NOTICE is hereby given that you are required to pay the aforesaid penalty of \$  
within 21 days from the date of this notice to-

Magistracy  
Hong Kong/Kowloon/New Territories  
(To be completed)

.....  
Magistrate.

Date:

IMPORTANT NOTICE

1. If you have not received a notice of prosecution in respect of these proceedings and wish to dispute the penalty you should immediately make application to the First Clerk of the above-mentioned Court requesting that an appointment be made for you to attend before the Magistrate to request him to review his decision.
2. Any such application should be made within 14 days of receipt of this notice, otherwise a summons or warrant will be issued against you under section 101A of the Magistrates Ordinance. An application should include your full postal address for a reply.

(L.N. 413 of 1984)

FORM 107

Notice of Non-payment of Penalty

(Section 7G(2) Magistrates Ordinance Chapter 227)

MAGISTRATE'S COURT

M.O.N. No.

COURT COPY

TAKE NOTICE that on the                      day of                      19                      a fine of \$                      [together with costs of \$                      ](hereinafter called 'the penalty') was imposed on you by the above-mentioned Magistrate's Court in respect of the offence of                      which it was alleged was committed on the                      day of 19                      .

A Notice of Imposition of Penalty dated the                      day of 19                      was later served on you requiring you to pay the penalty of \$ within 21 days but as of the date of this notice, the said penalty remains unpaid.

YOU ARE THEREFORE notified that unless the penalty is paid in full within 14 days of the service on you of this notice, a summons or warrant will be issued against you to enforce payment of the penalty under section 101A of the Magistrates Ordinance.

Payment should be made to-

Magistracy  
Hong Kong/Kowloon/New Territories  
(To be completed)

.....  
Magistrate.

Date:

STATEMENT OF PERSONAL SERVICE

This document was served by me by delivering a copy of the same to the defendant personally on the                      day of                      19                      at

a.m./p.m. at .....  
(State full address of service)

being the RESIDENTIAL/WORK\* address of the defendant.

[Where service was at defendant's work address]-

The defendant's residential address is

The same as that on the summons OR\*

.....  
(Specify)

(Signed) .....

Full name .....

Date:

Designation .....

\*Officer of the  
Court/Police Officer/  
Authorized Person

\*Delete as appropriate.

(L.N. 413 of 1984; L.N. 158 of 1995)

FORM 107A

Notice of Non-payment of Penalty

(Section 7G(2) Magistrates Ordinance Chapter 227)

MAGISTRATE'S COURT

M.O.N. No.

DEFENDANT'S COPY

TAKE NOTICE that on the                      day of                      19      a  
fine of \$                      [together with costs of \$                      ](hereinafter called 'the penalty')  
was imposed on you by the above-mentioned Magistrate's Court in respect of the  
offence of                      which it was alleged was committed on the                      day of  
19      .

A Notice of Imposition of Penalty dated the                      day of  
19      was later served on you requiring you to pay the penalty of \$  
within 21 days but as of the date of this notice, the said penalty remains unpaid.

YOU ARE THEREFORE notified that unless the penalty is paid in full within 14  
days of the service on you of this notice, a summons or warrant will be issued against  
you to enforce payment of the penalty under section 101A of the Magistrates  
Ordinance.

Payment should be made to-

Magistracy  
Hong Kong/Kowloon/New Territories  
(To be completed)

.....  
Magistrate.

Date:

IMPORTANT NOTICE

1. If you have not received a notice of prosecution in respect of these proceedings and wish to dispute the penalty you should immediately make application to the First Clerk of the above-mentioned Court requesting that an appointment be made for you to attend before the Magistrate to request him to review his decision.



2. Any such application should be made within 14 days of receipt of this notice, otherwise a summons or warrant will be issued against you under section 101A of the Magistrates Ordinance. An application should include your full postal address for a reply.

(L.N. 413 of 1984)

FORM 108

Notice of Hearing of Review

(Section 7H Magistrates Ordinance Chapter 227)

M.O.N. No.

Name

Address

I/D Card No.

Driving Licence No.  
(where applicable)

Pursuant to your application of the                      day of                      19                      I hereby  
give notice that the said application will be heard by                      , Magistrate, on the  
day of                      19                      at                      a.m./p.m., in Court No.                      of this Magistracy.

If you wish to call any witnesses in support of your application, they should attend court with you.

If you do not attend court at the above-mentioned place and time, your application will be determined in your absence.

\_\_\_\_\_  
First Clerk,                      Magistracy.

Date:

FORM 109

Summons to Defendant-Minor Offence

(Section 7E(1) Magistrates Ordinance Chapter 227)

MAGISTRATE'S COURT

M.O.N. No.

Summons No.

DEFENDANT'S COPY

Name

Address

I/D Card No.

Driving Licence No.  
(where applicable)

of \_\_\_\_\_, Complainant,  
a notice of prosecution for a minor offence, signed by him on \_\_\_\_\_ has filed  
you, the said \_\_\_\_\_ alleging that  
at \_\_\_\_\_ did on  
an \_\_\_\_\_ commit  
offence contrary to \_\_\_\_\_ in  
that you \_\_\_\_\_

The facts on which this allegation is based are contained in the Summary of Facts set out in, or attached to, the said Notice of Prosecution.

You have indicated that you wish to deny the charge or to appear before the court for that or another purpose.

A magistrate has directed that this summons be issued-

\*(1) in accordance with your above-mentioned wishes

\*(2) because he wishes to give you the opportunity of being heard prior to proceeding to sentence.

You are therefore summoned to appear on \_\_\_\_\_ at  
a.m./p.m., at the Magistrate's Court at \_\_\_\_\_ to answer  
the said notice of prosecution.

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_.

\_\_\_\_\_  
Magistrate.

\* Delete as appropriate.

(L.N. 158 of 1995)

FORM 110

Summons to Defendant-Minor Offence

(Section 7E(1) Magistrates Ordinance Chapter 227)

MAGISTRATE'S COURT

M.O.N. No.

Summons No.

COURT COPY

Name

Address

I/D Card No.

Driving Licence No.  
(where applicable)

Complainant, of \_\_\_\_\_,  
has filed a notice of prosecution for a minor offence, signed by him on \_\_\_\_\_,  
alleging that you, the said \_\_\_\_\_,  
did on \_\_\_\_\_ at \_\_\_\_\_  
commit an \_\_\_\_\_  
offence contrary to \_\_\_\_\_  
in that you \_\_\_\_\_

The facts on which this allegation is based are contained in the Summary of Facts set out in, or attached to, the said Notice of Prosecution.

You have indicated that you wish to deny the charge or to appear before the court for that or another purpose.

A Magistrate has directed that this summons be issued-

\*(1) in accordance with your above-mentioned wishes

\*(2) because he wishes to give you the opportunity of being heard prior to proceeding to sentence.

You are therefore summoned to appear on \_\_\_\_\_ at \_\_\_\_\_  
a.m./p.m., at the Magistrate's Court at \_\_\_\_\_ to answer  
the said Notice of Prosecution.

Date at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_.

\_\_\_\_\_  
Magistrate.

\*Delete as appropriate.

STATEMENT OF SERVICE

This document was served by me by delivering a copy of the same to the defendant personally on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ at \_\_\_\_\_ a.m./p.m.  
at \_\_\_\_\_

Where served on the Defendant personally

(State full address of service)

being the RESIDENTIAL/WORK address.

Residential address is \_\_\_\_\_ The same as that OR \_\_\_\_\_ (Specify)  
on the summons

Delete option which does not apply  
Delete box which does not apply

(Signed) \_\_\_\_\_

Officer of the Court/  
Authorized Person/  
Police Officer\*

at \_\_\_\_\_

Designation \_\_\_\_\_

\*Delete as appropriate.

This document was served by me by leaving a copy of the same for the defendant on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ at \_\_\_\_\_ a.m./p.m.  
at \_\_\_\_\_

Where served by delivering to a member of family

(State full address of service)

his usual place of residence with

the # \_\_\_\_\_ of the said defendant residing with the defendant and appearing to be over the age of eighteen years.

(Signed) \_\_\_\_\_

Officer of the Court/  
Authorized Person/  
Police Officer\*

at \_\_\_\_\_

Designation \_\_\_\_\_

# Father, mother, wife, husband, child, brother, sister, half-brother or half-sister.

\*Delete as appropriate.

Dated Posted \_\_\_\_\_

Where served by Post

(L.N. 158 of 1995)

FORM 111

Summons to Defendant-Minor Offence

(Section 7E(1) Magistrates Ordinance Chapter 227)

MAGISTRATE'S COURT

M.O.N. No. \_\_\_\_\_

Summons No.

INFORMANT'S COPY

Name

Address

I/D Card No.

Driving Licence No.  
(where applicable)

Complainant, of \_\_\_\_\_,  
has filed a notice of prosecution for a minor offence, signed by him on \_\_\_\_\_  
alleging that you, the said \_\_\_\_\_ did on \_\_\_\_\_  
at \_\_\_\_\_  
commit an  
offence contrary to  
in that you

The facts on which this allegation is based are contained in the Summary of Facts  
set out in, or attached to, the said Notice of Prosecution.

You have indicated that you wish to deny the charge or to appear before the court  
for that or another purpose.

A Magistrate has directed that this summons be issued-

\*(1) in accordance with your above-mentioned wishes

\*(2) because he wishes to give you the opportunity of being heard prior to  
proceeding to sentence.

You are therefore summoned to appear on \_\_\_\_\_ at \_\_\_\_\_  
a.m./p.m., at the Magistrate's Court at \_\_\_\_\_ to answer  
the said notice of prosecution.

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_.

\*Delete as appropriate.

\_\_\_\_\_  
Magistrate.  
(L.N. 158 of 1995)

Chapter:	237	FIXED PENALTY (TRAFFIC CONTRAVENTIONS) ORDINANCE	Gazette Number	Version Date
----------	-----	--	----------------	--------------

Section:	22	Other orders at conclusion of proceedings		30/06/1997
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(1) If at the conclusion of any proceedings a complaint is dismissed, the magistrate may at the same time make an order for the payment of costs by the complainant of not less than \$80 or more than \$1500. (Amended 39 of 1984 s. 11)

(2) If at the conclusion of any proceedings an order for payment of the fixed penalty either with or without an additional penalty is made, the magistrate-

- (a) may at the same time make an order for the payment of costs by the defendant of not less than \$80 or more than \$1500; and
- (b) shall at the same time make an order directing the Commissioner, for so long as the defendant fails to pay the sum adjudged to be paid-
  - (i) to refuse to issue a driving licence to the defendant or to refuse to renew his driving licence; and
  - (ii) in respect of any motor vehicle of which the defendant is the registered owner to take no action under regulation 17(3), (4) or (5) of the Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap 374 sub. leg.) on receipt of any notice of transfer of ownership of the motor vehicle and to refuse to license the motor vehicle under regulation 21(3), (5) or (6) of the regulations. (Replaced 59 of 1977 s. 17. Amended 56 of 1981 s. 12; 39 of 1984 s. 11; 79 of 1991 s. 2)

(3) An order under subsection (2)(b) shall specify-

- (a) the name of the defendant;
- (b) (Repealed 79 of 1991 s. 2)
- (c) the sum adjudged to be paid. (Replaced 59 of 1977 s. 17)

(3A) Where an order under subsection (2)(b) is made, the magistrate shall cause notice of the order to be sent to the Commissioner if the sum adjudged to be paid is not paid within 24 hours of the making of the order. (Added 59 of 1977 s. 17)

(4) An order under subsection (2)(b) shall cease to have effect if the defendant produces to the Commissioner a receipt or other evidence to prove that the sum adjudged to be paid has been paid. (Replaced 56 of 1981 s. 12)

(4A) An order under subsection (2)(b)(ii) shall cease to have effect if the defendant sells or otherwise disposes of the motor vehicle and the new owner of the motor vehicle is, at the time of delivery of notice of transfer of ownership under regulation 17 of the Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap 374 sub. leg.), in possession of a valid certificate in the prescribed form issued by the Commissioner to the effect that no notice of a valid order under subsection (2)(b)(ii) appears in the records of the Commissioner in respect of the motor vehicle. (Added 56 of 1981 s. 12. Amended 39 of 1984 s. 11)

(5) A certificate issued under subsection (4A) shall be valid for not more than 72 hours from the time of issue: (Amended 79 of 1991 s. 2)

Provided that no day which is a general holiday shall be taken into account in computing any such period of 72 hours.

(6) The Legislative Council may, by resolution, amend any of the sums specified in subsection (1) or (2)(a). (Added 39 of 1984 s. 11)

Chapter:	237A	FIXED PENALTY (TRAFFIC CONTRAVENTIONS) REGULATIONS	Gazette Number	Version Date
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Schedule:		SCHEDULE	L.N. 29 of 2004	27/02/2004
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[通知書號碼:]

[Notice No.: ]

[第2(1)條]

表格1  
FORM 1

[regulation  
2(1)]

**FPP**

涉嫌犯定額罰款交通違例事項的通知書  
NOTICE OF PARTICULARS OF ALLEGED FIXED PENALTY TRAFFIC  
CONTRAVENTION  
《定額罰款(交通違例事項)條例》  
(第237章第15(2)條)  
FIXED PENALTY (TRAFFIC CONTRAVENTIONS) ORDINANCE  
(Chapter 237, section 15(2))

字母 letters      號碼 numbers

右述車輛的車主/司機

車輛號碼

THE OWNER/DRIVER

OF VEHICLE NO.

車輛類別

VEHICLE

檔號

TYPE

TRANSACTION NO.

涉嫌犯交通違例事項

IS ALLEGED TO HAVE COMMITTED A TRAFFIC CONTRAVENTION

違例事項詳情

CONTRAVENTION DETAILS

\$  
3  
2  
0

日 day    月 month      年 year

日期  
DATE

時 分 minutes  
hours

違例事項編號

時間  
TIME

CONTRAVENTION  
CODE NO.

地點(如以英文填寫請用正楷)必須填寫A及B

PLACE (Use block letters if in English) Always complete A and B

A. 路名  
ROAD

\* B. 位置 (如項目1或2不適用, 則填寫項目3)

LOCATION (If item 1 or 2 is not applicable, then complete item 3)

1.

在右述地點

外 / 對面 / 附近 / 內  
O/S / OPP / NEAR / I/S

屋宇/地段/路段/燈柱/咪錶號碼  
Hse. / Lot / Ch. / L/P / Meter No.

2.

在 / 近  
AT/ NEAR

與右列道路交匯處  
Junction with

3.

在右述地點

外 / 對面  
O/S / OPP

大廈 / 建築物 / 其他可予識別的特徵  
Bldg. / Erection / Other identifying feature

\* 在適當方格上「      」號並刪去不適用者。 \* Tick the appropriate box(es) and delete where appropriate.

發出日期  
DATE OF ISSUE

日 day      月      年 year  
month

簽發通知書人員  
ISSUING OFFICER

\* 字母 \* Letter

號碼 Number

所屬單位 Unit

(\* 輔警請在此欄填寫"A"字) (\* Auxiliary Police Officer write "A" in the box)

如對本通知書的發出有任何疑問, 可與任何警署的值日警官聯絡。

Enquiries concerning the issue of this notice may be made by contacting the Duty Officer of any Police Station.





[ 條碼 ]  
[ Bar Code ]

郵寄付款須知：  
請沿左面虛線撕下郵寄付款回  
條，並將回條連同支票、匯票  
或本票寄回。

**Instruction for Postal Payment :**  
**Please detach along the perforated line on the**  
**left and send in the Slip for Payment by Post**  
**together with the cheque, draft or cashier order.**

局部繳款、逾期繳款或不能予以識  
辨的繳款將不會視為有效的繳款。

Partial Payment, late payment or  
unidentifiable payment will not be  
regarded as a valid payment.

郵寄付款回條  
**Slip for Payment by Post**

↑  
下列機印所票款項收訖  
RECEIVED the sum imprinted below

電子繳款號碼 E-Payment Number

請輸入下列18位數字

Please key in the following 18 digit nos.

帳類 01  
Bill  
type

附註(請細心閱讀)

Notes (Please read carefully)

- |   |  |
|---|--|
| <p><b>A.</b> 如於本通知書發出日期起計21天內繳付定額罰款，即可解除就有關違例事項所須負的法律責任。若按照繳款辦法第1(e)段繳款，本通知書必須保持完整並於繳款時出示。</p> <p><b>B.</b> 繳款通知書將會在適當時候發出，如你已依照本通知書繳付罰款，則無須理會該通知書。</p> <p><b>C.</b> 如你不依照本通知書繳付罰款或通知警務處處長意欲就法律責任提出爭議，則可能須繳付附加罰款。</p> <p><b>D.</b> 如對本通知書有任何查詢，請致電中央交通違例檢控科。<br/>(電話:2866 6552)</p> | <p><b>A.</b> Liability for the contravention can be discharged by paying the Fixed Penalty within 21 days of the date of issue. For payment made in accordance with paragraph 1(e) of the Payment Instructions, this notice must be kept intact and produced at the time of payment.</p> <p><b>B.</b> Demand Notice will be issued in due course. You may ignore the Demand Notice only if you have made prior payment on this notice.</p> <p><b>C.</b> Failure to pay or to notify the Commissioner of Police that you wish to dispute liability in accordance with this notice may result in an additional penalty being imposed.</p> <p><b>D.</b> For enquiry on this notice, please contact the Central Traffic Prosecutions Bureau.<br/>(Tel.: 2866 6552)</p> |
|---|--|

320 元

**FP P**

**\$320**

**C.R.C.**

**105**

## 繳款辦法：

1. 可按下列方式繳款—
  - (a) **使用銀行自動櫃員機繳款**  
在任何貼有“繳款服務”或“繳費易”標誌的銀行櫃員機繳付。繳款時，請選擇“政府”，然後再選擇“交通違例定額罰款”，並輸入帳單類別“01”及輸入本通知書正面右上角的18位“電子繳款號碼”。
  - (b) **使用「繳費聆」繳款**  
以電話繳款，請先使用音頻電話進行登記(電話號碼：18013)，選擇“商戶編號”“9175”，並輸入本通知書正面右上角的18位“電子繳款號碼”。如欲繳款，請致電18033，並按照指示輸入所需資料。如需查詢，請致電「繳費聆」熱線：2311 9876。
  - (c) **透過互聯網繳款**  
透過銀行或「繳費聆」在互聯網上提供的繳費服務繳款。詳情請瀏覽庫務署網站(URL 位址：<http://www.info.gov.hk/tsy>)。同時亦可透過“公共服務電子化”計劃的網站(URL 位址：<http://www.esd.gov.hk>)或任何該計劃的服務站繳付。繳款時，請選擇“交通違例定額罰款”。
  - (d) **郵遞繳款**  
凡郵寄支票、匯票或本票繳款，請在支票、匯票或本票的背面寫上“通知書號碼”，並連同本通知書的「郵寄付款回條」郵寄香港告士打道郵政局信箱28000號(註明庫務署為收件人)。請勿郵寄現金。請注意：以郵遞方式繳款將不會獲發收據。有關的郵戳日期視為繳款的日期。

## Payment Instructions:

1. Payment may be made—
  - (a) **Through Bank Automated Teller Machine (ATM)**  
Pay at any ATM affixed with "Bill Payment Service" or "JET Payment" signage. Please select "GOVERNMENT", then choose "Traffic Tickets (Fixed Penalty)". Enter the bill type number "01" and key in the 18-digit "E-Payment Number" shown on the top right-hand corner of this notice for making payment.
  - (b) **By Phone by using Payment By Phone Service (PPS)**  
Before making payment, please register this notice through a tone phone (Tel. no.: 18011). After selecting the "Merchant Code" of "9175", key in the 18-digit "E-Payment Number" shown on the top right-hand corner of this notice. For making payment, please dial 18031 and follow the instructions to enter the information required. For enquiries, please call PPS Hotline : 2311 9876.
  - (c) **Through Internet**  
Pay through bill payment services provided by banks and PPS on the Internet. For details, please visit Treasury's web site (URL address : <http://www.info.gov.hk/tsy>). Payment could also be made through the web site of the "Electronic Service Delivery" (ESD) Scheme (URL address: <http://www.esd.gov.hk>) or at any of the ESD kiosks. Please select "Traffic Tickets (Fixed Penalty)" for making payment.
  - (d) **By Post**  
A cheque, draft or cashier order should be sent together with the Slip for Payment by Post to the Treasury, P.O. Box No. 28000, Gloucester Road Post Office, Hong Kong. Please write the "Notice Number" on the back of the cheque, draft or cashier order. Cash should not be sent through the post. Please note that no receipt will be issued for Fixed Penalty paid by post. The date of the relevant post mark is to be regarded as

(e) 親自繳款

親自或由代理人往下列辦事處繳付—

- (i) 任何郵政局(郵政局信箱及流動郵政局除外)。如欲查詢有關地址及辦公時間，請致電香港郵政熱線：2921 2222 或瀏覽其網站(URL 位址：<http://www.hongkongpost.com>)；

**港島**

- (ii) 薄扶林道2號A西區裁判法院；  
(iii) 西灣河太安街29號東區法院大樓東區裁判法院；

**九龍**

- (iv) 亞皆老街147號M九龍城裁判法院大樓九龍城裁判法院；  
(v) 觀塘鯉魚門道10號觀塘法院大樓觀塘裁判法院；  
(vi) 大埔道292號北九龍裁判法院；

**新界**

- (vii) 粉嶺馬會道302號粉嶺裁判法院；  
(viii) 荃灣大河道70號荃灣法院大樓荃灣裁判法院；  
(ix) 沙田宜正里1號沙田法院大樓沙田裁判法院；  
(x) 屯門屯喜路1號屯門裁判法院。

上述裁判法院於下列時間收款—

星期一至星期五：上午9時至下午1時；  
下午2時至4時  
星期六：上午9時至中午12時

本通知書必須保持完整並於繳款時出示。

the date of payment.

(e) **In Person**

Payment may be made personally or by an agent at any of the following offices—

- (i) Any Post Office other than a post office letter box or a mobile post office. For addresses and opening hours, please call the Hongkong Post Hotline: 2921 2222 or visit their web site (URL address: <http://www.hongkongpost.com>);

**Hong Kong Island**

- (ii) Western Magistracy, 2A Pok Fu Lam Road;  
(iii) Eastern Magistracy, Eastern Law Courts Building, 29 Tai On Street, Sai Wan Ho;

**Kowloon**

- (iv) Kowloon City Magistrates' Courts, Kowloon City Law Courts Building, 147M Argyle Street;  
(v) Kwun Tong Magistracy, Kwun Tong Law Courts Building, 10 Lei Yue Mun Road, Kwun Tong;  
(vi) North Kowloon Magistracy, 292 Tai Po Road;

**New Territories**

- (vii) Fanling Magistracy, 302 Jockey Club Road, Fanling;  
(viii) Tsuen Wan Magistracy, Tsuen Wan Law Courts Building, 70 Tai Ho Road, Tsuen Wan;  
(ix) Shatin Magistracy, Shatin Law Courts Building, 1 Yi Ching Lane, Shatin;  
(x) Tuen Mun Magistracy, 1 Tuen Hi Road, Tuen Mun.

The above magistracies receive payments during the hours of—

Monday : 9 a.m. to 1 p.m.;  
to and  
Friday 2 p.m. to 4 p.m.  
Saturday : 9 a.m. to 12 noon

This notice must be kept intact and produced at the time of payment.

- |   |  |
|---|--|
| <p>2. 支票、匯票或本票均須以“香港特別行政區政府”或“特區政府”為收款人，並加以劃線。切勿以任何個別人員為收款人。支票兌現後繳款方為有效。期票恕不接受。</p> | <p>2. Cheques, drafts or cashier orders should be made payable to "The Government of the Hong Kong Special Administrative Region" or "The Government of the HKSAR" and crossed. They should not be made payable to any individual officer. Payment is valid only after the cheque is cleared. Post-dated cheques will not be accepted.</p> |
| <p>3. 局部繳款、逾期繳款或不能予以識辨的繳款將不會視為有效的繳款。</p>  | <p>3. Partial payment, late payment or unidentifiable payment will not be regarded as a valid payment.</p>   |

### 違例事項一覽表 LIST OF CONTRAVENTIONS

該汽車—

The motor vehicle was-

(違例事項編號)：

(Contravention Code No.):

- (01) 停泊方式相當可能對道路造成不必要的障礙，或對其他使用該道路的人造成不必要的危險(條例第4條)。

Parked in a manner likely to cause an unnecessary obstruction of a road or danger to other persons using the road (section 4).

- (02) 在斑馬綫的範圍內停車(條例第5條)。

Stopped within the limits of a zebra crossing (section 5).

- (03) 在斑馬綫控制區停車(條例第6條)。

Stopped in a zebra controlled area (section 6).

- (04) 在非泊車處停泊(條例第7(1)條)。

Parked other than in an authorized parking place (section 7(1)).

- (05) 在行人路、行人道、中央分道帶、路旁、路肩或交通島上停泊(條例第7(2)(a)條)。

Parked on a pavement, pedestrian way, central reservation, verge, hard shoulder or traffic island (section 7(2)(a)).

- (06) 停泊方式對進出毗連車路的處所車輛造成阻礙(條例第7(2)(b)條)。

Parked so as to obstruct vehicular access to or from premises adjacent to the carriage-way (section 7(2)(b)).

- (07) 停泊方式對由車路至消防龍頭的通道造成阻礙(條例第7(2)(c)條)。

Parked so as to obstruct access to a fire hydrant from the carriage-way (section 7(2)(c)).

- (08) 在違反交通標誌或道路標記的情況下在泊車處停泊(條例第8(1)條)。

Parked in a parking place in contravention of a traffic sign or road marking (section 8(1)).

- (09) 停泊時不必要地佔用超過1個泊車位，或不必要地跨越該泊車位的任何劃分界綫(條例第8(2)條)。

Unnecessarily parked in more than one space, or unnecessarily projecting over any line delineating a parking space (section 8(2)).

- (10) 停泊在被運輸署署長中止或取消的泊車處(條例第8(4)條)。

Parked in a parking place where parking is suspended or cancelled by the Commissioner for Transport (section 8(4)).

- (11) 停泊在被警務處處長中止使用的泊車處(條例第8(5)條)。

Parked in a parking place where parking is suspended by the Commissioner of Police (section 8(5)).

(12) 在違反交通標誌的情況下在臨時泊車處停泊(條例第8(6)條)。

Parked in a temporary parking place contrary to a traffic sign (section 8(6)).

(13) 在違反“不准停泊車輛”的交通標誌或道路標記的情況下停泊(條例第9條)。

Parked in contravention of no parking traffic sign or road marking (section 9).

(14) 停泊在設有硬幣停車收費錶的泊車位，但沒有在泊車後盡快將適當硬幣投入收費錶內(條例第10(1)(a)(i)條)。

Parked in a parking space in respect of which there is a coin operated parking meter without as soon as possible after parking inserting an appropriate coin in the meter (section 10(1)(a)(i)).

(15) 停泊在設有儲值卡停車收費錶的泊車位，但沒有在泊車後盡快使用泊車儲值卡或(如適用的話)認可卡繳付泊車費(條例第10(1)(a)(ii)條)。

Parked in a parking space in respect of which there is a card operated parking meter without as soon as possible after parking using a parking card or where applicable an approved card for the payment of the parking fee (section 10(1)(a)(ii)).

(16) 停泊在憑票泊車車位，但沒有在泊車後盡快將泊車票放在擋風玻璃內向外展示，使該泊車票得以顯示已獲繳付的泊車費、有關的泊車位、繳款日期和已繳費的有效時限(條例第10(1)(b)(i)條)。

Parked in a pay and display parking space without as soon as possible after parking displaying a display ticket on the inside of the windscreen so that the ticket shows the payment of the parking fee, the relevant parking space, the date on and the time until which payment is made (section 10(1)(b)(i)).

(17) 停泊在憑票泊車車位，但停泊時間已超逾車內展示的泊車票註明已繳費用的時限，或車內展示的泊車票並沒有註明使用該車位或在該日使用該車位所需費用已獲繳付(條例第10(1)(b)(ii)條)。

Parked in a pay and display parking space beyond the time indicated on the display ticket as the time until which payment is made or when the display ticket does not indicate payment for the use of that parking space or for that date (section 10(1)(b)(ii)).

(18) 停泊在設有硬幣停車收費錶的泊車位時佔用超過1個泊車位，但沒有將適當硬幣投入每個泊車位的收費錶內(條例第10(4)條)。

Parked in more than one parking space in respect of which there is a coin operated parking meter without inserting an appropriate coin in each meter (section 10(4)).

(19) 停泊在設有儲值卡停車收費錶的泊車位時佔用超過1個泊車位，但沒有把泊車儲值卡或(如適用的話)認可卡插進每個泊車位的收費錶內(條例第10(4)條)。

Parked in more than one parking space in respect of which there is a card operated parking meter without inserting a parking card or where applicable an approved card in each meter (section 10(4)).

(20) 停泊在憑票泊車車位時佔用超過1個車位，但沒有把適當數目的泊車票展示出來(條例第10(4)條)。

Parked in more than one pay and display parking space without displaying the appropriate number of display tickets (section 10(4)).

(21) 停泊在設有停車收費錶的泊車位，但該收費錶沒有顯示泊車費用已獲繳付(條例第11(1)條)。

Parked in a parking space in respect of which there is a parking meter when the meter does not indicate that payment has been made (section 11(1)).

(L.N. 166 of 2001; L.N. 29 of 2004)

通知書號碼：

Notice No.:

表格2

FORM 2

[第2(2)條] [regulation 2(2)]

《 定額罰款(交通違例事項)條例 》  
(第237章)

FIXED PENALTY (TRAFFIC  
CONTRAVENTIONS) ORDINANCE

電子繳款號碼 E-Payment Number

請輸入下列18位數字

Please key in the following 18 digit nos.

帳類

03

編號：

Serial No.:

(Chapter 237)

繳付定額罰款通知書  
(第15(3)條)

NOTICE DEMANDING PAYMENT OF  
FIXED PENALTY

(Section 15(3))

個人資料

FP P

PERSONAL DATA

先寫姓氏  
Surname  
First

致：

To:

地址：  
of

於(日期)  
On

大約(時間)  
at about

在(地點)  
at

發生一宗違反本例第  
a contravention of section

條 ( )  
( )

的事件而你須對該事件負法律責任，因為當時你是 號汽車的登記車主/司機。  
of the Ordinance was committed for which you as the registered owner/driver of motor vehicle no. at the time are  
liable.

本人現要求你繳付定額罰款，並通知你若意欲就上述違例事項的法律責任提出爭

I hereby demand payment of the Fixed Penalty of and inform you that, if you wish to  
議，你必須通知本人。你必須在 或之前—  
dispute liability for the contravention, you should inform me. You are required-

- (a) 繳付定額罰款；或  
to pay the Fixed Penalty; or
- (b) (使用背頁的通知書)告知本人你意欲就該違例事項的法律責任提出爭議。  
to notify me that you wish to dispute liability for the contravention (by using the notification form  
overleaf),

on or before

倘若你不按照本通知書繳付定額罰款或告知本人你意欲就法律責任提出爭議，本人將向裁判  
官申請頒發命令，飭令你繳付定額罰款、一項相等於定額罰款數額的附加罰款及訟費。  
with this notice, an application will be made to a magistrate for an order that you pay the Fixed Penalty, an additional  
penalty equal to the amount of the Fixed Penalty and costs.

下列機印所示款項收訖。

RECEIVED the sum imprinted below.

日期：

警務處處長( 代行)  
for Commissioner of Police

Date:

繳款/通知爭議的最後日期：

Last Date for Payment/Notification of Dispute:

**郵寄付款回條**

***Slip for Payment by Post***

請注意：

Please note:

1. 就此事根據本條例第15(2)條發出的通知書(號碼： )可能經已向你送達。  
A notice under section 15(2) of the Ordinance (No.: ) may already have been served on you in this case.

如你已繳付該通知書所指明的定額罰款，則無須理會本通知書。

**C.R.C**

**If you have paid the Fixed Penalty specified by that notice, you should ignore this demand. 105**

2. 款項應按照背面所載的指示繳付。  
Payment should be made according to the instructions set out overleaf.
3. 若按照繳款辦法第1(e)段所示方法繳款，本通知書必須保持完整並於繳款時出示。  
For payment made in accordance with paragraph 1(e) of the Payment Instructions, this notice must be kept intact and produced at the time of payment.

**FP P**

通知書號碼：

Notice No.:

身分證號碼：

I.D. No.:

編號：

Serial Number.:

違例日期：

Contravention Date:

定額罰款：

Fixed Penalty:

繳款類別：

Payment Type:



## 繳款辦法：

### 1. 可按下列方式繳款—

#### (a) 使用銀行自動櫃員機繳款

在任何貼有“繳款服務”或“繳費易”標誌的銀行櫃員機繳付。繳款時，請選擇“政府”，然後再選擇“交通違例定額罰款”，並輸入帳單類別“03”及輸入本通知書正面右上角的18位“電子繳款號碼”。

#### (b) 使用「繳費聆」繳款

以電話繳款，請先使用音頻電話進行登記(電話號碼：18013)，選擇“商戶編號”“9175”，並輸入本通知書正面右上角的18位“電子繳款號碼”。如欲繳款，請致電18033，並按照指示輸入所需資料。如需查詢，請致電「繳費聆」熱線：2311 9876。

#### (c) 透過互聯網繳款

透過銀行或「繳費聆」在互聯網上提供的繳費服務繳款。詳情請瀏覽庫務署網站(URL 位址：

<http://www.info.gov.hk/tsy>)。同時亦可透過“公共服務電子化”計劃的網站(URL 位址：

<http://www.esd.gov.hk>)或任何該計劃的服務站繳付。繳款時，請選擇“交通違例定額罰款”。

#### (d) 郵遞繳款

凡郵寄支票、匯票或本票繳款，請在支票、匯票或本票的背面寫上“通知書號碼”，並連同本通知書的「郵寄付款回條 郵寄香港告士打道郵政局信箱28000號(註明庫務署為收件人)。請勿郵寄現金。請注意：以郵遞方式繳款將不會獲發收據。有關的郵戳日期視為繳款的日期。

#### (e) 親自繳款

## PAYMENT INSTRUCTIONS:

### 1. Payment may be made-

#### (a) Through Bank Automated Teller Machine (ATM)

Pay at any ATM affixed with "Bill Payment Service" or "JET Payment" signage. Please select "GOVERNMENT", then choose "Traffic Tickets (Fixed Penalty)". Enter the bill type number "03" and key in the 18-digit "E-Payment Number" shown on the top right-hand corner of this notice for making payment.

#### (b) By Phone by using Payment By Phone Service (PPS)

Before making payment, please register this notice through a tone phone (Tel. no.: 18011). After selecting the "Merchant Code" of "9175", key in the 18-digit "E-Payment Number" shown on the top right-hand corner of this notice. For making payment, please dial 18031 and follow the instructions to enter the information required. For enquiries, please call PPS Hotline: 2311 9876.

#### (c) Through Internet

Pay through bill payment services provided by banks and PPS on the Internet. For details, please visit Treasury's web site (URL address: <http://www.info.gov.hk/tsy>). Payment could also be made through the web site of the "Electronic Service Delivery" (ESD) Scheme (URL address: <http://www.esd.gov.hk>) or at any of the ESD kiosks. Please select "Traffic Tickets (Fixed Penalty)" for making payment.

#### (d) By Post

A cheque, draft or cashier order should be sent together with the Slip for Payment by Post to the Treasury, P.O. Box No. 28000, Gloucester Road Post Office, Hong Kong. Please write the "Notice Number" on the back of the cheque, draft or cashier order. Cash should not be sent through the post. Please note that no receipt will be issued for Fixed Penalty paid by post. The date of the relevant post mark is to be regarded as the date of payment.

#### (e) In Person

親自或由代理人往下列辦事處繳付—

- (i) 任何郵政局(郵政局信箱及流動郵政局除外)。如欲查詢有關地址及辦公時間，請致電香港郵政熱線：2921 2222 或瀏覽其網站(URL 位址：<http://www.hongkongpost.com>)；

### **港島**

- (ii) 薄扶林道2號A西區裁判法院；  
(iii) 西灣河太安街29號東區法院大樓東區裁判法院；

### **九龍**

- (iv) 亞皆老街147號M九龍城裁判法院大樓九龍城裁判法院；  
(v) 觀塘鯉魚門道10號觀塘法院大樓觀塘裁判法院；  
(vi) 大埔道292號北九龍裁判法院；

### **新界**

- (vii) 粉嶺馬會道302號粉嶺裁判法院；  
(viii) 荃灣大河道70號荃灣法院大樓荃灣裁判法院；  
(ix) 沙田宜正里1號沙田法院大樓沙田裁判法院；  
(x) 屯門屯喜路1號屯門裁判法院。

上述裁判法院於下列時間收款—

星期一至星期五：上午9時至下午1時；  
至及下午2時至4時  
星期六：上午9時至中午12時

本通知書必須保持完整並於繳款時出示。

2. 支票、匯票或本票均須以“香港特別行政區政府”或“特區政府”為收款人，並加以劃線。切勿以任何個別人員為收款人。支票兌現後繳款方為

Payment may be made personally or by an agent at any of the following offices-

- (i) Any Post Office other than a post office letter box or a mobile post office. For addresses and opening hours, please call the Hongkong Post Hotline: 2921 2222 or visit their web site (URL address: <http://www.hongkongpost.com>),

### **Hong Kong Island**

- (ii) Western Magistracy, 2A Pok Fu Lam Road;  
(iii) Eastern Magistracy, Eastern Law Courts Building, 29 Tai On Street, Sai Wan Ho;

### **Kowloon**

- (iv) Kowloon City Magistrates' Courts, Kowloon City Law Courts Building, 147M Argyle Street;  
(v) Kwun Tong Magistracy, Kwun Tong Law Courts Building, 10 Lei Yue Mun Road, Kwun Tong;  
(vi) North Kowloon Magistracy, 292 Tai Po Road;

### **New Territories**

- (vii) Fanling Magistracy, 302 Jockey Club Road, Fanling;  
(viii) Tsuen Wan Magistracy, Tsuen Wan Law Courts Building, 70 Tai Ho Road, Tsuen Wan;  
(ix) Shatin Magistracy, Shatin Law Courts Building, 1 Yi Ching Lane, Shatin;  
(x) Tuen Mun Magistracy, 1 Tuen Hi Road, Tuen Mun.

The above magistracies receive payments during the hours of-

Monday : 9 a.m. to 1 p.m.;  
to and  
Friday 2 p.m. to 4 p.m.  
Saturday : 9 a.m. to 12 noon

This notice must be kept intact and produced at the time of payment.

2. Cheques, drafts or cashier orders should be made payable to "The Government of the Hong Kong Special Administrative Region" or "The Government of the HKSAR" and crossed. They should not be

有效。期票恕不接受。

3. 局部繳款、逾期繳款或不能予以識辨的繳款將不會視為有效的繳款。

**查詢：**

如對本通知書有任何查詢，請致電中央交通違例檢控科。

(電話：2866 6552)

欲就法律責任提出爭議者請注意：

1. 若你意欲就上述違例事項的法律責任提出爭議，可簽署下列表格，並於通知爭議的最後日期或該日之前將之交付本人，以告知本人你有此意欲。
2. 如你告知本人欲就上述違例事項的法律責任提出爭議，事件會以申訴方式交由裁判官按照上述條例裁定，傳票將會在適當時候向你送達。
3. 如你在告知本人欲就上述違例事項的法律責任提出爭議後，沒有應傳票出庭應訊，或在應訊後你並沒有提出免責辯護或你提出瑣屑無聊或無理取鬧的免責辯護，則可被判繳付定額罰款、一項相等於定額罰款數額的附加罰款及訟費。

made payable to any individual officer. Payment is valid only after the cheque is cleared. Post-dated cheques will not be accepted.

3. Partial payment, late payment or unidentifiable payment will not be regarded as a valid payment.

**Enquiries :**

For enquiries on this notice, please contact the Central Traffic Prosecutions Bureau. (Tel.: 2866 6552 )

**NOTES FOR THOSE WHO WISH TO DISPUTE LIABILITY :**

1. You may notify me, if you wish to dispute liability for the contravention, by signing the form appended below and delivering it to me on or before the last day for notification of dispute.
2. If you notify me that you wish to dispute liability for the contravention, the matter will be determined by a magistrate on complaint in accordance with the Ordinance and you will be served with a summons in due course.
3. If, having notified me that you wish to dispute liability for the contravention, you do not appear in court to answer the summons or, having appeared, you offer no defence or a defence which is frivolous or vexatious, you are liable to the Fixed Penalty, an additional penalty equal to the amount of the Fixed Penalty and costs.

《 定額罰款(交通違例事項)條例 》

(第237章)

FIXED PENALTY (TRAFFIC CONTRAVENTIONS) ORDINANCE

(Chapter 237)

致 警務處處長意欲就違例事項的法律責任提出爭議的通知書(第15(3)條)

NOTIFICATION TO COMMISSIONER OF POLICE OF WISH TO DISPUTE  
LIABILITY FOR CONTRAVENTIONS

(Section 15(3))

致：警務處處長  
香港灣仔軒尼詩道1號  
熙信大廈15樓  
香港警務處交通總部第4組

To: The Commissioner of Police  
Traffic Branch Headquarters, Unit 4  
15th Floor, Asian House,  
1 Hennessy Road, Wan Chai, Hong Kong.

就貴處根據《 定額罰款(交通違例事項)條例 》第15(3)條所發出的通知書(詳情見

背頁而本人經已閱悉)，本人意欲就該通知書所指的違例事項的法律責任提出爭議，特此通知。

Take notice that I wish to dispute liability for the contravention specified in your notice (details of which are given overleaf and of which I have taken notice) issued under section 15(3) of the Fixed Penalty (Traffic Contraventions) Ordinance.

日期：

Date : .....

.....

簽名 Signature

(L.N. 166 of 2001)

FORM 3

[regulation 4(1)]

FIXED PENALTY (TRAFFIC CONTRAVENTIONS) ORDINANCE

(Chapter 237)

CERTIFICATE OF POSTING OF NOTICE

(Section 15(6))

This is to certify that

on the                      day of                      a Notice under section 15(3) of the Fixed Penalty (Traffic Contraventions) Ordinance was posted. The particulars of the Notice are as follows-

Serial No.:

Date of Notice:

Name of Addressee:

Address:

Date:

.....  
for Commissioner of Police.

.....  
(Full name in block letters)

FORM 4

[regulation 4(2)]

FIXED PENALTY (TRAFFIC CONTRAVENTIONS) ORDINANCE

(Chapter 237)

CERTIFICATE OF POSTING OF SUMMONS

(Section 17(2))

This is to certify that  
on the            day of            a Summons issued by the magistrate sitting  
in the Magistrate's Court at            was posted. The particulars  
of the Summons are as follows-

Serial No.:            Date of Summons:  
Name of Defendant:  
Address:  
Date:

.....  
for Commissioner of Police.

.....  
(Full name in block letters)

FORM 5

[regulation 4(3)]

FIXED PENALTY (TRAFFIC CONTRAVENTIONS) ORDINANCE

(Chapter 237)

CERTIFICATE OF IDENTITY OF REGISTERED OWNER,  
REGISTERED ADDRESS AND NON-PAYMENT OF  
FIXED PENALTY

(Section 21(1))

This is to certify that

- (a) \*on the ..... day of ..... at about ..... the  
registered owner of motor vehicle registration mark .....  
was .....
- (b) \*\*on the ..... day of ..... the registered address of such person  
was .....
- (c) \*\*\*on the ..... day of ..... the registered address of such person  
was .....
- (d) \*\*\*\* before the ..... day of ..... no payment was made of the fixed  
penalty in respect of the contravention specified in Notice No. .... dated  
the ..... day of ..... under section 15(3) of the Fixed Penalty (Traffic  
Contraventions) Ordinance; and
- (e) before the ..... day of ..... such person  
had not notified the Commissioner of Police that he wished to dispute liability for the said  
contravention.

Date .....

.....  
for Commissioner of Police.

.....  
(Full name in block letters)

- \* Insert date and time of the contravention to which the proceedings relate.
  - \*\* Insert date on which notice under section 15(3) in respect of such contravention was posted.
  - \*\*\* Insert date on which summons under section 17(1) in respect of such proceedings was posted.
  - \*\*\*\* Insert last date of payment specified in the notice under section 15(3).
- (L.N. 90 of 1984)

FORM 6

[regulation 5]

FIXED PENALTY (TRAFFIC CONTRAVENTIONS) ORDINANCE

(Chapter 237)

APPLICATION FOR CERTIFICATE OF CLEARANCE

(Section 22(4A))

To: The Commissioner for Transport,  
Hong Kong.

Dear Sir,

\* I am [I intended to become] the new owner of motor vehicle registration mark ..... I hereby under regulation 5 of the Fixed Penalty (Traffic Contraventions) Regulations for a Certificate of Clearance under section 22(4A) of the Fixed Penalty (Traffic Contraventions) Ordinance in respect of the motor vehicle.

Yours faithfully,

Date .....

(Signature) .....

Name: (In block letters) .....  
.....

Address: (In block letters) .....  
.....  
.....

- \* Delete whichever is inapplicable.

(L.N. 219 of 1991; L.N. 450 of 1995)

FORM 7

[regulation 5]

FIXED PENALTY (TRAFFIC CONTRAVENTIONS) ORDINANCE

(Chapter 237)

CERTIFICATE OF CLEARANCE

(Section 22(4A))

This is to certify that no notice of a valid order under section 22(2)(b) of the Fixed Penalty (Traffic Contraventions) Ordinance appears in my records in respect motor vehicle registration mark .....

Issue on the ..... day of ..... at ..... a.m./p.m.

Date .....

.....  
Commissioner for Transport.

.....  
(Full name in block letters)

Note: This certificate remains valid for not more than 72 hours from the time of issue. No general holiday will be taken into account in computing the period of 72 hours.

(L.N. 219 of 1991; L.N. 450 of 1995; L.N. 532 of 1995; L.N. 166 of 2001)

(Schedule replaced L.N. 3 of 1979)

Chapter:	240	FIXED PENALTY (CRIMINAL PROCEEDINGS) ORDINANCE	Gazette Number	Version Date
Section:	10	Effect of non-payment of fines		30/06/1997

(1) Where-

- (a) proceedings are taken against a person who failed to pay the fixed penalty in accordance with a notice served on him under section 3(3) and that person is convicted of the offence specified in the notice but fails to pay immediately the fine imposed, any additional penalty imposed under section 9A and any costs ordered to be paid under the Magistrates Ordinance (Cap 227); or
- (b) a person fails to pay immediately the fixed penalty and the additional penalty which, under section 3A(1), he was ordered to pay; or
- (c) a person fails to pay within 21 days the fixed penalty and the additional penalty which, under section 3B(1)(b), he was ordered to pay, (Added 12 of 1984 s. 7)

the Commissioner shall, notwithstanding anything in the Road Traffic Ordinance (Cap 374)-

- (i) refuse to issue a driving licence to that person or refuse to renew his driving licence;
- (ii) in respect of any motor vehicle of which the defendant is the registered owner, take no action under regulation 17(3), (4) or (5) of the Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap 374 sub. leg.) on receipt of any notice of transfer of ownership of the motor vehicle and refuse to license the motor vehicle under regulation 21(3), (5) or (6) of the regulations. (Replaced 57 of 1981 s. 10)

(2) Subsection (1) shall cease to have effect if-

- (a) such person produces to the Commissioner a receipt or other evidence to prove that the fine, costs and any additional penalty, or fixed penalty and additional penalty, as

- the case may be, have been paid;
- (b) such person serves any sentence of imprisonment imposed on him by the court in default of payment of the fine, costs and any additional penalty, or fixed penalty and additional penalty, as the case may be; or
- (c) such person's conviction is quashed on appeal. (Amended 57 of 1981 s. 10)
- (3) Subsection (1)(ii) shall cease to have effect in respect of a motor vehicle which has been sold or otherwise disposed of by such person if the purchaser of the motor vehicle is, at the time of delivery to the Commissioner of notice of transfer of ownership in accordance with regulations made under the Road Traffic Ordinance (Cap 374), in possession of a certificate in the prescribed form issued by the Commissioner to the effect that no such fine or costs are unpaid by such person.
- (4) A certificate issued under subsection (3) shall be valid for not more than 72 hours from the time of issue.
- (5) Where a person-
- (a) having been convicted of a scheduled offence and having failed to pay any fine, additional penalty and costs imposed; or
- (b) having been ordered, under section 3A(1), to pay the fixed penalty and any additional penalty and having failed to pay such penalties; or
- (c) having been ordered, under section 3B(1)(b), to pay the fixed penalty and additional penalty and having failed to pay such penalties, (Added 12 of 1984 s. 7)
- is sentenced to imprisonment by virtue of section 68 of the Magistrates Ordinance (Cap 227), that person shall be ordered to pay an additional sum by way of costs of not less than \$50 or more than an amount equal to the fixed penalty, which for the purposes of subsection (1), shall be deemed to be a fine imposed on conviction. (Added 57 of 1981 s. 10)

Chapter:	240A	FIXED PENALTY (CRIMINAL PROCEEDINGS) REGULATIONS	Gazette Number	Version Date
Schedule:		SCHEDULE	L.N. 122 of 2004	01/08/2004

[通知書號碼: ]

[Notice No.: ]

表格1  
FORM 1

[第2(1)條]  
[regulation 2(1)]

涉嫌犯定額罰款交通罪行的通知書  
NOTICE OF PARTICULARS OF ALLEGED FIXED PENALTY TRAFFIC OFFENCE

《定額罰款(刑事訴訟)條例》  
(第240章第3(1)條)  
FIXED PENALTY (CRIMINAL PROCEEDINGS) ORDINANCE  
(Chapter 240, section 3(1))

字母 letters

號碼  
numbers

右述車輛的司機  
THE DRIVER

車主  
OWNER

車輛號碼  
OF VEHICLE NO.

檔號  
TRANSACTION NO.

涉嫌犯交通罪行  
IS ALLEGED TO HAVE COMMITTED A TRAFFIC OFFENCE



司機詳情(如知悉者)

DETAILS OF DRIVER (IF AVAILABLE)

駕駛執照/身分證號碼

DRIVING LICENCE / IDENTITY CARD NO.

罪行詳情

OFFENCE DETAILS

日 day 月 month 年 year

時 分 罪行編號 OFFENCE CODE NO.

hour  
s minut  
es

電單車 車輛類別(在其中一格加 號) 其他車輛  
M. Cycle VEHICLE TYPE (tick one) other

英文姓氏

SURNAME

(從左方起每格填一個字母)

(one letter per box from left)

定額罰款(在其中一格加 號)

FIXED PENALTY (tick one)

\$1000 \$600 \$450 \$320 \$230

地點(如以英文填寫請用正楷) 必須填寫A及B PLACE (Use block letters if in English) Always complete A and B

A. 路名  
ROAD

\*B. 位置(如項目1或2不適用, 則填寫項目3)  
LOCATION (If item 1 or 2 is not applicable, then complete item 3)

1. ☐ 在右述地點 外 / 對面 / 附近 / 內 屋宇 / 地段 / 路段 / 燈柱 / 咪錶號碼  
O/S / OPP / NEAR / I/S Hse. / Lot / Ch. / L/P / Meter No.
2. ☐ 在 / 近 與右列道路交匯處  
AT / NEAR Junction with
3. ☐ 在右述 外 / 對面 大廈 / 建築物 / 其他可予識別的特徵  
地點 O/S / OPP Bldg. / Erection / Other identifying feature
- \* 在適當方格加上「」號並刪去不適用者。 \* Tick the appropriate box(es) and delete where appropriate.

發出日期 DATE OF ISSUE

日 day 月 年  
m  
ont  
h ye  
ar

簽發通知書人員

\*字母 \*Letter

ISSUING OFFICER

號碼 Number

所屬單位

Unit

(\* 輔警請在此欄填寫“A”字) (\* Auxiliary Police Officer write "A" in the box)

如對本通知書的發出有任何疑問, 可與任何警署的值日警官聯絡。

Enquiries concerning the issue of this notice may be made by contacting the Duty Officer of any Police Station.

[ 條碼 ]  
[ Bar Code ]

郵寄付款須知：

請沿左面虛線撕下郵寄付款回條，並將回條連同支票、匯票或本票寄回。

Instruction for Postal Payment :

Please detach along the perforated line on the left and send in the Slip for Payment by Post together with the cheque, draft or cashier order.

局部繳款、逾期繳款或不能予以識辨的繳款將不會視為有效的繳款。

Partial payment, late payment or unidentifiable payment  
will not be regarded as a valid payment.

郵寄付款回條  
Slip for Payment by Post

↑  
下列機印所示款項收訖—  
RECEIVED the sum imprinted below-



電子繳款號碼 E-Payment Number

請輸入下列18位數字

Please key in the following 18 digit nos.

帳 類  
Bill  
Type

02

C.R.C.

105

附註 (請細心閱讀)

Notes (Please read carefully)

- A. 罪行編號指《定額罰款(刑事訴訟)條例》的附表第1欄內所列的項目編號。  
The Offence Code Number refers to the item number shown in the first column of the Schedule to the Fixed Penalty (Criminal Proceedings) Ordinance.
- B. 如於本通知書發出日期起計21天內繳付定額罰款，即可解除就有關罪行所須負的法律責任。若按照繳款辦法第1(e)段繳款，本通知書必須保持完整並於繳款時出示。  
Liability for the offence can be discharged by paying the Fixed Penalty within 21 days of the date of issue. For payment made in accordance with paragraph 1(e) of the Payment Instructions, this notice must be kept intact and produced at the time of payment.
- C. 不論是否已收到罰款，在每宗個案中都會發出註明本通知書號碼的繳款通知書，而繳款則可藉相同方式作出。  
A Demand Notice quoting the number of this notice, on which payment may be similarly made, will be sent in every case, whether or not payment has already been received.
- D. 如不依時繳付罰款，可能會被起訴。  
Failure to pay in time may result in the institution of court proceedings.
- E. 如對本通知書有任何查詢，請致電中央交通違例檢控科。  
(電話：2866 6552)  
For enquiry on this notice, please contact the Central Traffic Prosecutions Bureau.  
(Tel.: 2866 6552)

**FP M**

郵寄付款回條

Slip for Payment by Post

## 繳款辦法：

### 1. 可按下列方式繳款—

#### (a) 使用銀行自動櫃員機繳款

在任何貼有“繳款服務”或“繳費易”標誌的銀行櫃員機繳付。繳款時，請選擇“政府”，然後再選擇“交通違例定額罰款”，並輸入帳單類別“02”及輸入本通知書正面右上角的18位“電子繳款號碼”。

#### (b) 使用「繳費聆」繳款

以電話繳款，請先使用音頻電話進行登記(電話號碼：18013)，選擇“商戶編號”“9175”，並輸入本通知書正面右上角的18位“電子繳款號碼”。如欲繳款，請致電18033，並按照指示輸入所需資料。如需查詢，請致電「繳費聆」熱線：2311 9876。

#### (c) 透過互聯網繳款

透過銀行或「繳費聆」在互聯網上提供的繳費服務繳款。詳情請瀏覽庫務署網站(URL 位址：<http://www.info.gov.hk/tsy>)。同時亦可透過“公共服務電子化”計劃的網站(URL 位址：<http://www.esd.gov.hk>)或任何該計劃的服務站繳付。繳款時，請選擇“交通違例定額罰款”。

#### (d) 郵遞繳款

凡郵寄支票、匯票或本票繳款，請在支票、匯票或本票的背面寫上“通知書號碼”，並連同本通知書的「郵寄付款回條」郵寄香港告士打道郵政局信箱28000號(註明庫務署為收件人)。請勿郵寄現金。請注意：以郵遞方式繳款將不會獲發收據。有關的郵戳日期視為繳款的日期。

#### (e) 親自繳款

親自或由代理人往下列辦事處繳付—

## PAYMENT INSTRUCTIONS :

### 1. Payment may be made-

#### (a) Through Bank Automated Teller Machine (ATM)

Pay at any ATM affixed with "Bill Payment Service" or "JET Payment" signage. Please select "GOVERNMENT", then choose "Traffic Tickets (Fixed Penalty)". Enter the bill type number "02" and key in the 18-digit "E-Payment Number" shown on the top right-hand corner of this notice for making payment.

#### (b) By Phone by using Payment By Phone Service (PPS)

Before making payment, please register this notice through a tone phone (Tel. no.: 18011). After selecting the "Merchant Code" of "9175", key in the 18-digit "E-Payment Number" shown on the top right-hand corner of this notice. For making payment, please dial 18031 and follow the instructions to enter the information required. For enquiries, please call PPS Hotline : 2311 9876.

#### (c) Through Internet

Pay through bill payment services provided by banks and PPS on the Internet. For details, please visit Treasury's web site (URL address :<http://www.info.gov.hk/tsy>). Payment could also be made through the web site of the "Electronic Service Delivery" (ESD) Scheme (URL address :<http://www.esd.gov.hk>) or at any of the ESD kiosks. Please select "Traffic Tickets (Fixed Penalty)" for making payment.

#### (d) By Post

A cheque, draft or cashier order should be sent together with the Slip for Payment by Post to the Treasury, P.O. Box No. 28000, Gloucester Road Post Office, Hong Kong. Please write the "Notice Number" on the back of the cheque, draft or cashier order. Cash should not be sent through the post. Please note that no receipt will be issued for Fixed Penalty paid by post. The date of the relevant post mark is to be regarded as the date of payment.

#### (e) In Person

Payment may be made personally or by an agent at any of the following offices-

- (i) 任何郵政局(郵政局信箱及流動郵政局除外)。如欲查詢有關地址及辦公時間，請致電香港郵政熱線：2921 2222 或瀏覽其網站(URL 位址：  
<http://www.hongkongpost.com>);

### 港島

- (ii) 薄扶林道2號A西區裁判法院；  
(iii) 西灣河太安街29號東區法院大樓東區裁判法院；

### 九龍

- (iv) 亞皆老街147號M九龍城裁判法院大樓九龍城裁判法院；  
(v) 觀塘鯉魚門道10號觀塘法院大樓觀塘裁判法院；  
(vi) 大埔道292號北九龍裁判法院；

### 新界

- (vii) 粉嶺馬會道302號粉嶺裁判法院；  
(viii) 荃灣大河道70號荃灣法院大樓荃灣裁判法院；  
(ix) 沙田宜正里1號沙田法院大樓沙田裁判法院；  
(x) 屯門屯喜路1號屯門裁判法院。

上述裁判法院於下列時間收款—

星期一	：上午9時至下午1時；
至	及
星期五	下午2時至4時
星期六	：上午9時至中午12時

本通知書必須保持完整並於繳款時出示。

- 支票、匯票或本票均須以“香港特別行政區政府”或“特區政府”為收款人，並加以劃線。切勿以任何個別人員為收款人。支票兌現後繳款方為有效。期票恕不接受。
- 局部繳款、逾期繳款或不能予以識辨的繳款將不會視為有效的繳款。

- (i) Any Post Office other than a post office letter box or a mobile post office. For addresses and opening hours, please call the Hongkong Post Hotline: 2921 2222 or visit their web site (URL address: <http://www.hongkongpost.com>);

### Hong Kong Island

- (ii) Western Magistracy, 2A Pok Fu Lam Road;  
(iii) Eastern Magistracy, Eastern Law Courts Building, 29 Tai On Street, Sai Wan Ho;

### Kowloon

- (iv) Kowloon City Magistrates' Courts, Kowloon City Law Courts Building, 147M Argyle Street;  
(v) Kwun Tong Magistracy, Kwun Tong Law Courts Building, 10 Lei Yue Mun Road, Kwun Tong;  
(vi) North Kowloon Magistracy, 292 Tai Po Road;

### New Territories

- (vii) Fanling Magistracy, 302 Jockey Club Road, Fanling;  
(viii) Tsuen Wan Magistracy, Tsuen Wan Law Courts Building, 70 Tai Ho Road, Tsuen Wan;  
(ix) Shatin Magistracy, Shatin Law Courts Building, 1 Yi Ching Lane, Shatin;  
(x) Tuen Mun Magistracy, 1 Tuen Hi Road, Tuen Mun.

The above magistracies receive payments during the hours of-

Monday	： 9 a.m. to 1 p.m.;
to	and
Friday	2 p.m. to 4 p.m.
Saturday	： 9 a.m. to 12 noon

This notice must be kept intact and produced at the time of payment.

- Cheques, drafts or cashier orders should be made payable to "The Government of the Hong Kong Special Administrative Region" or "The Government of the HKSAR" and crossed. They should not be made payable to any individual officer. Payment is valid only after the cheque is cleared. Post-dated cheques will not be accepted.
- Partial payment, late payment or unidentifiable payment will not be regarded as a valid payment.

罪行及定額罰款一覽表  
LIST OF OFFENCES AND FIXED PENALTY

編號 Code Number	罪行 Offence	違反 Contrary To	定額罰 款 Fixed Penalty
<i>《道路交通條例》(第374章)</i> <i>Road Traffic Ordinance (Cap 374)</i>			
1.	以比速度限制高出每小時15公里或以下的速度駕駛 Driving in excess of speed limit by 15 km/h or less	第41條 Section 41	\$320 \$320
#2.	以比速度限制高出逾每小時15公里的速度駕駛，但罪行編號2A或2B適用的情況除外 Driving in excess of speed limit by more than 15 km/h, other than where Code Number 2A or 2B applies	第41條 Section 41	\$450 \$450
!2A.	以比速度限制高出逾每小時30公里的速度駕駛，但罪行編號2B適用的情況除外 Driving in excess of speed limit by more than 30 km/h, other than where Code Number 2B applies	第41條 Section 41	\$600 \$600
2B.	以比速度限制高出逾每小時45公里的速度駕駛 Driving in excess of speed limit by more than 45 km/h	第41條 Section 41	\$1000 \$1000
3.	持過期駕駛執照駕駛 Driving with an expired driving licence	第42(1)條 Section 42(1)	\$320 \$320
4.	駕駛時沒有攜帶駕駛執照 Failing to carry driving licence when driving	第42(2)條 Section 42(2)	\$320 \$320
5.	沒有出示駕駛執照 Failing to produce driving licence	第43(3)條 Section 43(3)	\$320 \$320
6.	駕駛未獲發牌照的車輛 Driving unlicensed vehicle	第52(1)條 Section 52(1)	\$450 \$450
7.	駕駛運載重量超過200公斤的貨物的私家車 Driving a private car which is carrying goods weighing more than 200 kg	第52(8)條 Section 52(8)	\$320 \$320
*8.	違反車輛牌照的條件 Contravening condition of a vehicle licence	第52(9)條 Section 52(9)	\$450 \$450

《道路交通(交通管制)規例》(第374章, 附屬法例)  
*Road Traffic (Traffic Control) Regulations (Cap 374 sub. leg.)*

9.	非法進入黃色方格路口 Unlawfully entering box junction	第10(1)條 Regulation 10(1)	\$320 \$320
9A.	非法進入交通燈控制的黃條過路處 Unlawfully entering yellow striped light signal crossing	第10A條 Regulation 10A	\$320 \$320
#10.	橫過連續雙白綫或附有虛綫的連續雙白綫 Crossing continuous double white line or white line with a broken white line	第11(1)條 Regulation 11(1)	\$450 \$450
11.	在禁區內駕駛 Driving in prohibited zone	第14(5)條 Regulation 14(5)	\$450 \$450
12.	在限制區內讓乘客上落 Picking up/setting down passengers in restricted zone	第14(6)條 Regulation 14(6)	\$450 \$450
13.	在限制區內裝卸貨物 Loading/unloading goods in restricted zone	第14(7)條 Regulation 14(7)	\$450 \$450
#14.	沒有遵從交通燈的指示 Failing to comply with traffic signals	第18條 Regulation 18	\$450 \$450
15.	沒有許可證而在封閉道路上駕駛 Driving on closed road without permit	第27(4)條 Regulation 27(4)	\$320 \$320
#16.	沒有讓斑馬綫上的行人先行 Failing to give precedence to pedestrians on a zebra crossing	第31條 Regulation 31	\$450 \$450
#17.	沒有為學校交通安全隊員而停車 Failing to stop for school crossing patrol	第38(2)條 Regulation 38(2)	\$450 \$450
18.	車輛作“U”字形轉向導致阻礙 "U" turn causing obstruction	第42(d)條 Regulation 42(d)	\$320 \$320
19.	在不必要的情況下鳴響發聲警報設備 Sounding audible warning device unnecessarily	第43條 Regulation 43	\$320 \$320
20.	未經授權而在巴士站、公共小巴士站、的士站或公共小巴停車處停車 Unauthorized stopping at bus stop/public light bus stand/taxi stand/public light bus stopping place	第45條 Regulation 45	\$320 \$320
21.	在沒有亮着所需車燈的情況下駕駛 Driving without necessary lights illuminated	第47(1)(a)條 Regulation 47(1)(a)	\$320 \$320
22.	車尾亮着並非准許亮着的燈 Light other than permitted illuminated lights showing to rear	第47(1)(b)及(c)條 Regulation 47(1)(b) and (c)	\$320 \$320
23.	超額載客 Excess passengers	第53(3)條 Regulation 53(3)	\$450 \$450
24.	超重 Overloading	第54(1)條 Regulation 54(1)	\$1000 \$1000
25.	負載物不穩固 Insecure load	第57條 Regulation 57	\$450 \$450
26.	沒有遵從交通標誌 Failing to comply with traffic signs	第59條 Regulation 59	\$450 \$450

27.	沒有遵從道路標記 Failing to comply with road markings	第59條 Regulation 59	\$450 \$450
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*《道路交通(車輛構造及保養)規例》(第374章，附屬法例)*  
*Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap 374 sub. leg.)*

*28.	轉向指示器欠妥 Defective direction indicator	第5(4)條 Regulation 5(4)	\$320 \$320
*29.	煙霧或可見氣體過量 Excess smoke or visible vapour	第31(1)(a)條 Regulation 31(1)(a)	\$1000 \$1000
*30.	低燈機制欠妥或不適當 Defective or inadequate dipping mechanism	第90(2)條 Regulation 90(2)	\$320 \$320

*《道路交通(車輛登記及領牌)規例》(第374章，附屬法例)*  
*Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap 374 sub. leg.)*

31.	沒有展示、亮起或裝妥車輛登記號碼 Registration mark not displayed/lit/adequately fitted	第8(2)條 Regulation 8(2)	\$320 \$320
*32.	沒有申報已變更的車輛資料 Failing to report change of vehicle particulars	第18(1)條 Regulation 18(1)	\$320 \$320
*33.	沒有展示有效的車輛牌照 Failing to display valid licence	第25條 Regulation 25	\$320 \$320

*《道路交通(駕駛執照)規例》(第374章，附屬法例)*  
*Road Traffic (Driving Licences) Regulations (Cap 374 sub. leg.)*

33A.	駕駛沒有展示“P”字牌的車輛 Driving a vehicle without a "P" plate	第12K(1)條 Regulation 12K(1)	\$450 \$450
33B.	違反禁止運載乘客的規定 Failing to comply with restriction on carrying passengers	第12K(2)條 Regulation 12K(2)	\$450 \$450
34.	違反駕駛執照的條件 Contravening condition of driving licence	第17(4)條 Regulation 17(4)	\$320 \$320
35.	沒有展示“學”字牌 Failing to display "L" plates	第30(3)(b)條 Regulation 30(3)(b)	\$450 \$450
36.	違反學習駕駛執照的條件 Contravening condition of learner's driving licence	第30(4)條 Regulation 30(4)	\$450 \$450

*《道路交通(安全裝備)規例》(第374章，附屬法例)*  
*Road Traffic (Safety Equipment) Regulations (Cap 374 sub. leg.)*

37.	在沒有戴上防護頭盔的情況下駕駛電單車 Driving motor cycle without protective helmet	第3(1)條 Regulation 3(1)	\$320 \$320
38.	在沒有穩妥繫上安全帶的情況下駕駛私家車 Driving private car without being securely fastened with seat belt	第7(1)(a)條 Regulation 7(1)(a)	\$320 \$320
39.	在前排座位乘客沒有穩妥繫上安全帶的情況下駕駛私家車 Driving private car when front seat passenger not securely fastened with seat belt	第7(3)條 Regulation 7(3)	\$230 \$230



《道路交通(公共服務車輛)規例》(第374章，附屬法例)  
*Road Traffic (Public Service Vehicles) Regulations (Cap 374 sub. leg.)*

40.	公共小巴站內最前面的第一或第二輛公共小巴的司機離開其車輛 Driver of first or second public light bus at public light bus stand leaving vehicle	第35(1)(a)條 Regulation 35(1)(a)	\$320 \$320
41.	公共小巴站內最前面的第一或第二輛公共小巴的司機沒有隨時準備或不願意將其車輛駛離該站 Driver of first or second public light bus at public light bus stand not ready/willing to drive from public light bus stand	第35(1)(b)條 Regulation 35(1)(b)	\$320 \$320
42.	公共小巴司機在公共小巴站內不將其車輛駛前 Public light bus driver not moving forward at public light bus stand	第35(2)(a)條 Regulation 35(2)(a)	\$320 \$320
43.	公共小巴在公共小巴站內阻礙其他公共小巴 Public light bus obstructing other public light bus at public light bus stand	第35(2)(b)條 Regulation 35(2)(b)	\$320 \$320
44.	公共小巴司機在車站內不遵從警務人員或交通督導員給予的指示 Public light bus driver at stand not obeying directions given by police officer/traffic warden	第35(2)(c)條 Regulation 35(2)(c)	\$320 \$320
45.	的士司機在的士站內不將車輛駛前 Taxi driver not moving forward at taxi stand	第36(2)條 Regulation 36(2)	\$320 \$320
45A.	的士站內最前面的第一或第二輛的士的司機不坐在其車內或不站在其車旁 Taxi driver of first or second taxi at a taxi stand not sitting in or standing beside his taxi	第36(1)條 Regulation 36(1)	\$320 \$320
46.	的士司機在的士站內不依輪候次序載客 Taxi driver at stand accepting fare out of turn	第36(3)(b)條 Regulation 36(3)(b)	\$320 \$320
47.	司機沒有採取一切合理預防措施，以確保公共巴士、公共小巴或的士乘客的安全 Driver not taking all reasonable precautions to ensure safety of passengers of a public bus, public light bus or taxi	第45(1)(d)條 Regulation 45(1)(d)	\$320 \$320
48.	公共巴士、公共小巴或的士上落乘客時停車超過所需的時間 Stopping public bus, public light bus or taxi longer than necessary when picking up/setting down passengers	第45(1)(h)條 Regulation 45(1)(h)	\$320 \$320
49.	沒有將的士計程錶設定於記錄位置 Not setting taxi meter to recording position	第49(2)條 Regulation 49(2)	\$320 \$320

《道路交通(安全裝備)規例》(第374章，附屬法例F)  
Road Traffic (Safety Equipment) Regulations (Cap 374 sub. leg. F)

50.	在沒有穩妥繫上安全帶的情況下駕駛的士 Driving taxi without being securely fastened with seat belt	第7A(1)(a)條 Regulation 7A(1)(a)	\$320 \$320
51.	在沒有穩妥繫上安全帶的情況下駕駛小型巴士 Driving light bus without being securely fastened with seat belt	第7A(1)(a)條 Regulation 7A(1)(a)	\$320 \$320
52.	在沒有穩妥繫上安全帶的情況下駕駛貨車 Driving goods vehicle without being securely fastened with seat belt	第7A(1)(a)條 Regulation 7A(1)(a)	\$320 \$320
53.	在有15歲以下的前排座位乘客沒有穩妥繫上安全帶的情況下駕駛私家小巴 Driving private light bus when front seat passenger under 15 years of age not securely fastened with seat belt	第7A(3)條 Regulation 7A(3)	\$230 \$230
54.	在有15歲以下的前排座位乘客沒有穩妥繫上安全帶的情況下駕駛貨車 Driving goods vehicle when front seat passenger under 15 years of age not securely fastened with seat belt	第7A(3)條 Regulation 7A(3)	\$230 \$230
55.	在後排座位乘客沒有穩妥繫上安全帶的情況下駕駛私家車 Driving private car when rear seat passenger not securely fastened with seat belt	第7B(2)條 Regulation 7B(2)	\$230 \$230
55A.	在有15歲以下的後排座位乘客沒有穩妥繫上安全帶的情況下駕駛私家車 Driving private car when rear seat passenger under 15 years of age not securely fastened with seat belt	第7B(3)條 Regulation 7B(3)	\$230 \$230
55B.	在一個並沒設有安全帶的私家車後排座位上有乘客但該私家車內有另外一個設有安全帶且無人佔用的後排座位的情況下，駕駛該私家車 Driving private car when rear seat passenger occupies rear seat without seat belt when there is vacant rear seat with seat belt	第7B(6)條 Regulation 7B(6)	\$230 \$230

《道路交通(快速公路)規例》(第374章，附屬法例Q)  
Road Traffic (Expressway) Regulations (Cap 374 sub. leg. Q)

56.	沒有遵守使用右邊行車綫的限制 Failing to comply with restriction on using offside lane	第11條 Regulation 11	\$450 \$450
57.	在其他車輛的左邊超越該車輛 Overtaking another vehicle on its nearside	第13條 Regulation 13	\$450 \$450

- # 凡有“#”符號的罪行每宗記3分。  
Offences marked with "#" carry 3 driving-offence points.
- ! 凡有“!”符號的罪行每宗記5分。  
Offence marked with "!" carries 5 driving-offence points.
- 凡有“ ”符號的罪行每宗記10分。  
Offence marked with " " carries 10 driving-offence points.
- \* 凡有“\*”符號的罪行，車主均須負法律責任。  
Vehicle owners liable for offences marked with "\*".

(L.N. 165 of 2001; L.N. 103 of 2004)

通知書號碼：  
Notice No. :

表格 2  
FORM 2

[第2(2)條]  
[regulation  
2(2)]

《定額罰款(刑事訴訟)條例》  
(第240章)

FIXED PENALTY (CRIMINAL PROCEEDING) ORDINANCE

(Chapter 240)

電子繳款號碼 E-Payment Number

請輸入下列18位數字  
Please key in the following 18 digit  
nos.

帳類 Bill Type 0  
4

批次日期：  
Batch Date:

繳付定額罰款通知書  
(第3(3)條)

NOTICE DEMANDING PAYMENT OF FIXED PENALTY

(Section 3(3))

FP M

致：

個人資料

PERSONAL DATA

先寫姓氏 T  
o:

地址： Surname of  
First

於 (日期)  
On

大約 (時間)  
at about

在 (地點)  
at

發生一犯交通罪行的事件，違反  
a traffic offence contrary to

而你作為汽車 的  
was committed for which you as the

涉嫌須對該事件負法律責任。  
of the motor vehicle no.

are alleged to be liable.

該罪行屬本條例的附表內所列的第 項，即

The offence is listed at item of the Schedule to the Ordinance, namely .

本人現要求你繳付 ，作為該罪行的定額罰款，並通知你若意欲就該罪行的法  
I hereby demand payment of which is the Fixed Penalty for this offence and inform you

律責任提出爭議，你必須通知本人。你必須在 或之前一

that, if you wish to dispute liability for the offence, you should inform me. You are required-

(a) 繳付定額罰款；或  
to pay the Fixed Penalty; or

(b) (使用背頁的通知書)告知本人你意欲就該罪行的法律責任提出爭議。

to notify me that you wish to dispute liability for the offence (by using the notification  
form overleaf),

on or before .

倘若你不按照本通知書繳付定額罰款或告知本人你意欲就法律責任提出爭議，本人將向

If you do not pay the Fixed Penalty or notify me that you wish to dispute liability in accordance with this  
裁判官申請頒發命令，飭令你繳付定額罰款、一項相等於定額罰款數額的附加罰款及訟費。  
notice, an application will be made to a magistrate for an order that you pay the Fixed Penalty, an additional  
penalty equal to the amount of the Fixed Penalty and costs.

下列機印所示款項收訖。

RECEIVED the sum imprinted below.

警務處處長( 代行)  
for Commissioner of Police

日期：  
Date:

繳款/通知爭議的最後日期：

Last Date for Payment/Notification of Dispute:

**郵寄付款回條**

***Slip for Payment by Post***

請注意：

Please note:

1. 就此事根據本條例第3(1)條發出的通知書(號碼： )可能經已向你送達。  
A notice under section 3(1) of the Ordinance (No.: ) may already have been served on you in this case.

**如你已繳付該通知書所指明的定額罰款，則無須理會本通知書。**

**If you have paid the Fixed Penalty specified by that notice, you should ignore this demand.**

**C.R.C.**

**105**

**FP M**

2. 款項應按照背面所載的指示繳付。  
Payment should be made according to the instructions set out overleaf.
3. 若按照繳款辦法第1(e)段所示方法繳款，本通知書必須保持完整並於繳款時出示。  
For payment made in accordance with paragraph 1(e) of the Payment Instructions, this notice must be kept intact and produced at the time of payment.

通知書號碼：

Notice No.:

身分證號碼：

I.D. No.:

罪行編號：

Offence Code:

犯罪日期：

Offence Date:

定額罰款：

Fixed Penalty:

繳款類別：

Payment Type:

## 繳款辦法：

### 1. 可按下列方式繳款—

#### (a) 使用銀行自動櫃員機繳款

在任何貼有“繳款服務”或“繳費易”標誌的銀行櫃員機繳付。繳款時，請選擇“政府”，然後再選擇“交通違例定額罰款”，並輸入帳單類別“04”及輸入本通知書正面左上角的18位“電子繳款號碼”。

#### (b) 使用「繳費聆」繳款

以電話繳款，請先使用音頻電話進行登記(電話號碼：18013)，選擇“商戶編號”“9175”，並輸入本通知書正面左上角的18位“電子繳款號碼”。如欲繳款，請致電18033，並按照指示輸入所需資料。如需查詢，請致電「繳費聆」熱線：2311 9876。

#### (c) 透過互聯網繳款

透過銀行或「繳費聆」在互聯網上提供的繳費服務繳款。詳情請瀏覽庫務署網站(URL 位址：<http://www.info.gov.hk/tsy>)。同時亦可透過“公共服務電子化”計劃的網站 (URL 位址：<http://www.esd.gov.hk>)或任何該計劃的服務站繳付。繳款時，請選擇“交通違例定額罰款”。

#### (d) 郵遞繳款

凡郵寄支票、匯票或本票繳款，請在支票、匯票或本票的背面寫上“通知書號碼”，並連同本通知書的「郵寄付款回條」郵寄香港告士打道郵政局信箱28000號(註明庫務署為收件人)。請勿郵寄現金。請注意：以郵遞方式繳款將不會獲發收據。有關的郵戳日期視為繳款的日期。

#### (e) 親自繳款

親自或由代理人往下列辦事處繳付

## PAYMENT INSTRUCTIONS :

### 1. Payment may be made-

#### (a) Through Bank Automated Teller Machine (ATM)

Pay at any ATM affixed with "Bill Payment Service" or "JET Payment" signage. Please select "GOVERNMENT", then choose "Traffic Tickets (Fixed Penalty)". Enter the bill type number "04" and key in the 18-digit "E-Payment Number" shown on the top right-hand corner of this notice for making payment.

#### (b) By Phone by using Payment By Phone Service (PPS)

Before making payment, please register this notice through a tone phone (Tel. no.: 18011). After selecting the "Merchant Code" of "9175", key in the 18-digit "E-Payment Number" shown on the top right-hand corner of this notice. For making payment, please dial 18031 and follow the instructions to enter the information required. For enquiries, please call PPS Hotline : 2311 9876.

#### (c) Through Internet

Pay through bill payment services provided by banks and PPS on the Internet. For details, please visit Treasury's web site (URL address :<http://www.info.gov.hk/tsy>). Payment could also be made through the web site of the "Electronic Service Delivery" (ESD) Scheme (URL address :<http://www.esd.gov.hk>) or at any of the ESD kiosks. Please select "Traffic Tickets (Fixed Penalty)" for making payment.

#### (d) By Post

A cheque, draft or cashier order should be sent together with the Slip for Payment by Post to the Treasury, P.O. Box No. 28000, Gloucester Road Post Office, Hong Kong. Please write the "Notice Number" on the back of the cheque, draft or cashier order. Cash should not be sent through the post. Please note that no receipt will be issued for Fixed Penalty paid by post. The date of the relevant post mark is to be regarded as the date of payment.

#### (e) In Person

Payment may be made personally or by an agent at any of the following offices-

(i) Any Post Office other than a

- (i) 任何郵政局(郵政局信箱及流動郵政局除外)。如欲查詢有關地址及辦公時間,請致電香港郵政熱線:2921 2222或瀏覽其網站(URL 位址:  
<http://www.hongkongpost.com>);

post office letter box or a mobile post office. For addresses and opening hours, please call the Hongkong Post Hotline: 2921 2222 or visit their web site (URL address:  
<http://www.hongkongpost.com>);

### 港島

### Hong Kong Island

- (ii) 薄扶林道2號A西區裁判法院;  
(iii) 西灣河太安街29號東區法院大樓東區裁判法院;

- (ii) Western Magistracy, 2A Pok Fu Lam Road;  
(iii) Eastern Magistracy, Eastern Law Courts Building, 29 Tai On Street, Sai Wan Ho;

### 九龍

### Kowloon

- (iv) 亞皆老街147號M九龍城裁判法院大樓九龍城裁判法院;  
(v) 觀塘鯉魚門道10號觀塘法院大樓觀塘裁判法院;  
(vi) 大埔道292號北九龍裁判法院;

- (iv) Kowloon City Magistrates' Courts, Kowloon City Law Courts Building, 147M Argyle Street;  
(v) Kwun Tong Magistracy, Kwun Tong Law Courts Building, 10 Lei Yue Mun Road, Kwun Tong;  
(vi) North Kowloon Magistracy, 292 Tai Po Road;

### 新界

### New Territories

- (vii) 粉嶺馬會道302號粉嶺裁判法院;  
(viii) 荃灣大河道70號荃灣法院大樓荃灣裁判法院;  
(ix) 沙田宜正里1號沙田法院大樓沙田裁判法院;  
(x) 屯門屯喜路1號屯門裁判法院。

- (vii) Fanling Magistracy, 302 Jockey Club Road, Fanling;  
(viii) Tsuen Wan Magistracy, Tsuen Wan Law Courts Building, 70 Tai Ho Road, Tsuen Wan;  
(ix) Shatin Magistracy, Shatin Law Courts Building, 1 Yi Ching Lane, Shatin;  
(x) Tuen Mun Magistracy, 1 Tuen Hi Road, Tuen Mun.

上述裁判法院於下列時間收款—

星期一至星期五 : 上午9時至下午1時;  
至及下午2時至4時  
星期六 : 上午9時至中午12時

The above magistracies receive payments during the hours of-

Monday : 9 a.m. to 1 p.m.;  
to and  
Friday 2 p.m. to 4 p.m.  
Saturday : 9 a.m. to 12 noon

本通知書必須保持完整並於繳款時出示。

This notice must be kept intact and produced at the time of payment.

2. 支票、匯票或本票均須以“香港特別行政區政府”或“特區政府”為收款人,並加以劃線。切勿以任何個別人員為收款人。支票兌現後繳款方為有效。期票恕不接受。
3. 局部繳款、逾期繳款或不能予以識辨的繳款將不會視為有效的繳款。

2. Cheques, drafts or cashier orders should be made payable to "The Government of the Hong Kong Special Administrative Region" or "The Government of the HKSAR" and crossed. They should not be made payable to any individual officer. Payment is valid only after the cheque is cleared. Post-dated cheques will not be accepted.
3. Partial payment, late payment or unidentifiable payment will not be regarded as a valid payment.

查詢:

Enquiries:

如對本通知書有任何查詢，請致電中央交通違例檢控科。(電話：2866 6552)  
For enquiries on this notice, please contact the Central Traffic Prosecutions Bureau.  
(Tel. : 2866 6552 )

欲就法律責任提出爭議者請注意：

NOTES FOR THOSE WHO WISH TO DISPUTE  
LIABILITY :

- |  |   |
|--|---|
| 1. 若你意欲就上述罪行的法律責任提出爭議，可簽署下列表格，並於通知爭議的最後日期或該日之前將之交付本人，以告知本人你有此意欲。                                       | 1. You may notify me, if you wish to dispute liability for the offence, by signing the form appended below and delivering it to me on or before the last day for notification of dispute.   |
| 2. 如你告知本人欲就上述罪行的法律責任提出爭議，事件會以告發方式交由裁判官按照上述條例裁定，傳票將會在適當時候向你送達。  | 2. If you notify me that you wish to dispute liability for the offence, the matter will be determined by a magistrate on information in accordance with the Ordinance and you will be served with a summons in due course.  |
| 3. 如你在告知本人欲就上述罪行的法律責任提出爭議後，沒有應傳票出庭應訊，或在應訊後你並沒有提出免責辯護或你提出瑣屑無聊或無理取鬧的免責辯護，則可被判繳付定額罰款、一項相等於定額罰款數額的附加罰款及訟費。 | 3. If, having notified me that you wish to dispute liability for the offence, you do not appear in court to answer the summons or, having appeared, you offer no defence or a defence which is frivolous or vexatious, you are liable to the Fixed Penalty, an additional penalty equal to the amount of the Fixed Penalty and costs. |

《定額罰款(刑事訴訟)條例》  
(第240章)

FIXED PENALTY (CRIMINAL PROCEEDINGS) ORDINANCE  
(Chapter 240)

致 警務處處長意欲就罪行的法律責任提出爭議的通知書  
(第3(3)條)

NOTIFICATION TO COMMISSIONER OF POLICE OF WISH TO DISPUTE  
LIABILITY FOR OFFENCE  
(Section 3(3))

致：警務處處長  
香港灣仔軒尼詩道1號  
熙信大廈15樓  
香港警務處交通總部第3組

To : The Commissioner of Police  
Traffic Branch Headquarters, Unit 3  
15th Floor, Asian House,  
1 Hennessy Road, Wan Chai, Hong Kong.

就貴處根據《定額罰款(刑事訴訟)條例》第3(3)條所發出的通知書(詳情見背頁而本人經已閱悉)，本人意欲就該通知書所指罪行的法律責任提出爭議，特此通知。

Take notice that I wish to dispute liability for the offence specified in your notice (details of which are given overleaf and of which I have taken notice) issued under section 3(3) of the Fixed Penalty (Criminal Proceedings) Ordinance.

日期：  
Date : .....

.....  
簽名                      Signature

(L.N. 165 of 2001)

## FIXED PENALTY (CRIMINAL PROCEEDINGS) ORDINANCE

(Chapter 240)

CERTIFICATE OF IDENTITY, REGISTERED ADDRESS AND  
NON-PAYMENT OF FIXED PENALTY

(Section 8)

This is to certify that-

- A. On the \_\_\_\_\_ at about \_\_\_\_\_ the registered owner of the motor vehicle bearing registration mark was-
- B. On the \_\_\_\_\_ the registered address of the person specified at A above was-
- C. On the \_\_\_\_\_ the holder of driving licence number was-
- D. On the \_\_\_\_\_ the registered address of the person specified at C above was-
- E. On the \_\_\_\_\_ the registered address of the person specified at \_\_\_\_\_ above was-
- F. Before the \_\_\_\_\_ full payment of the Fixed Penalty in respect of the offence shown at item \_\_\_\_\_ in the Schedule to the Fixed Penalty (Criminal Proceedings) Ordinance specified in a notice under section 3(3) of the Ordinance, bearing the number \_\_\_\_\_ and dated \_\_\_\_\_ was not made.
- G. Before the \_\_\_\_\_ the person specified at \_\_\_\_\_ above had not notified the Commissioner of Police that he wished to dispute liability for the offence specified at F above.

.....

(Date)

.....

(Signature)

.....

(Full Name)  
for Commissioner of  
Police.

(L.N. 89 of 1984)



FIXED PENALTY (CRIMINAL PROCEEDINGS) ORDINANCE

(Chapter 240)

CERTIFICATE OF CLEARANCE

(Section 10(3))

This is to certify that there are no fines or costs unpaid by .....  
the registered owner of motor vehicle registration mark .....

Issued on the ..... day of ..... at ..... a.m./p.m.

.....  
for Commissioner of Transport.

NOTE: This certificate remains valid for not more than 72 hours from the time of issue.  
(L.N. 533 of 1995; L.N. 165 of 2001)

Chapter:	272A	MOTOR VEHICLES INSURANCE (THIRD PARTY RISKS) REGULATIONS	Gazette Number	Version Date
Schedule:		SCHEDULE		30/06/1997

[regulations 3, 5, 6 & 15]

FORM 1

MOTOR VEHICLES INSURANCE (THIRD PARTY RISKS) ORDINANCE  
(Chapter 272)

Certificate of Insurance

Certificate No. .... Policy No. ....

1. Registration mark assigned to the vehicle under regulation 6, 9(1), 13 or 14 of the Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap 374 sub. leg.) or if no registration mark yet assigned, make and chassis number.
2. Name of policy holder.
3. Effective date of the commencement of Insurance for the purposes of the above Ordinance.
4. Date of expiry of Insurance.
5. Persons or classes of persons entitled to drive.\*
6. Limitations as to use.\*

(I)/(We) hereby certify that the policy to which this certificate relates is issued in accordance with the provisions of the abovementioned Ordinance.

Date of issue .....

.....  
Authorized Insurer.

- \* Limitations rendered inoperative by section 12 of the above Ordinance are not to be included under this heading.  
(G.N.A. 8 of 1957; L.N. 169 of 1989)

\_\_\_\_\_  
FORM 2

MOTOR VEHICLES INSURANCE (THIRD PARTY RISKS) ORDINANCE  
(Chapter 272)

Certificate of Insurance

Certificate No. .... Policy No. ....

1. Description of vehicles.
2. Name of policy holder.
3. Effective date of the commencement of Insurance for the purposes of the above Ordinance.
4. Date of expiry of Insurance.
5. Persons or classes of persons entitled to drive.\*
6. Limitations as to use.\*

(I)/(We) hereby certify that the policy to which this certificate relates is issued in accordance with the provisions of the abovementioned Ordinance.

Date of issue .....

.....  
Authorized Insurer.

- \* Limitations rendered inoperative by section 12 of the above Ordinance are not to be included under this heading.  
(G.N.A. 8 of 1957)

\_\_\_\_\_  
FORM 3

MOTOR VEHICLES INSURANCE (THIRD PARTY RISKS) ORDINANCE  
(Chapter 272)

Certificate of Insurance

(I)/(We) hereby certify that this covering note is issued in accordance with the provisions of the abovementioned Ordinance.

.....  
Authorized Insurer.  
(G.N.A. 78 of 1952)

\_\_\_\_\_  
FORM 4

MOTOR VEHICLES INSURANCE (THIRD PARTY RISKS) ORDINANCE  
(Chapter 272)

Certificate of Security

Certificate No. .... Security No. ....  
(Optional)

1. Name of holder of security.
2. Date of the commencement of security.
3. Date of expiry of security.
4. Conditions to which security is subject.\*

(I)/(We) hereby certify that the security to which this certificate relates is issued in accordance with the provisions of the abovementioned Ordinance.

.....  
(authorized under the said  
Ordinance to issue securities.)

\* Limitations rendered inoperative by section 12 of the above Ordinance are not to be included under this heading.

---

FORM 5

MOTOR VEHICLES INSURANCE (THIRD PARTY RISKS) ORDINANCE  
(Chapter 272)

Certificate of Deposit

(I)/(We) hereby certify that (I am)/(we are) the (owner)/(owners) of the vehicle of which the registration mark and number are .....  
..... and that in pursuance of the provisions of section 4(4)(c) of the abovementioned Ordinance (I)/(we) have made a deposit with the Director of Accounting Services to the value of \$2000000 and have not required such deposit to be returned to (me)/(us).

Signed .....

on behalf of .....  
(L.N. 54 of 1968; L.N. 16 of 1977; L.N. 216 of 1985)

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FORM 6

MOTOR VEHICLES INSURANCE (THIRD PARTY RISKS) ORDINANCE  
(Chapter 272)

Certificate of Foreign Insurance

Certificate No. .... Policy No. ....

1. Date to which certificate is valid.
2. Identification mark and number or numbers and make of vehicle.
3. Persons or classes of persons authorized to drive the vehicle.
4. Date of commencement of policy.
5. Date of expiry of policy.

I hereby certify that this certificate is issued in accordance with the regulations made under the Motor Vehicles Insurance (Third Party Risks) Ordinance.

Signed .....

on behalf of .....

(Issuing Authority)

Chapter:	283C	HOUSING (TRAFFIC CONTRAVENTIONS) (FIXED PENALTY) BYLAW	Gazette Number	Version Date
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Section:	20	Other orders at conclusion of proceedings		30/06/1997
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(1) If at the conclusion of any proceedings a complaint is dismissed, the magistrate may at the same time make an order for the payment of costs by the complainant of a sum as referred to in subsection (9).

(2) If at the conclusion of any proceedings an order for payment of the fixed penalty either with or without an additional penalty is made, the magistrate-

(a) may at the same time make an order for the payment of costs by the defendant of a sum as referred to in subsection (9); and

(b) shall at the same time make an order directing the Commissioner, for so long as the defendant fails to pay the sum adjudged to be paid -

(i) to refuse to issue a driving licence to the defendant or to refuse to renew his driving licence; and

(ii) in respect of any motor vehicle of which the defendant is the registered owner, to take no action under regulation 17(3), (4), (4A) or (5) of the Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap 374 sub. leg.) on receipt of any notice of transfer of ownership of the motor vehicle and to refuse to license the motor vehicle under regulation 21(3), (5) or (6) of those Regulations.

(3) An order under subsection (2)(b) shall specify -

(a) the name of the defendant;

(b) the sum adjudged to be paid.

(4) Where an order under subsection (2)(b) is made, the magistrate shall cause notice of the order to be sent to the Commissioner if the sum adjudged to be paid is not paid within 24 hours of the making of the order.

(5) An order under subsection (2)(b) shall cease to have effect if the defendant produces to the Commissioner a receipt or other evidence to prove that the sum adjudged to be paid has been paid.

(6) An order under subsection (2)(b)(ii) shall cease to have effect if the defendant sells or otherwise disposes of the motor vehicle and the new owner of the motor vehicle is, at the time of delivery of notice of transfer of ownership under regulation 17 of the Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap 374 sub. leg.), in possession of a valid certificate issued by the Commissioner in accordance with Form 7 in Schedule 3 to the effect that no notice of a valid order under subsection (2)(b)(ii) appears in the records of the Commissioner in respect of the motor vehicle.

(7) An application for a certificate under subsection (6) shall be made to the Commissioner and shall be in accordance with Form 6 in Schedule 3.

(8) A certificate issued under subsection (6) shall be valid for not more than 72 hours from the time of issue; but no day which is a general holiday shall be taken into account in computing any such period of 72 hours.

(9) The sums which may be ordered by the magistrate for the payment of costs for the purpose of subsections (1) and (2)(a) shall be the same as the sums which may be ordered by a magistrate for the payment of costs for the purpose of section 22(1) and (2)(a) of the Fixed Penalty (Traffic Contraventions) Ordinance (Cap 237) respectively.  
(Enacted 1994)

Chapter:	283C	HOUSING (TRAFFIC CONTRAVENTIONS) (FIXED PENALTY) BYLAW	Gazette Number	Version Date
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Schedule:	3	HONG KONG HOUSING AUTHORITY	L.N. 43 of 2003	01/03/2003
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[sections 8, 9, 13,  
19 & 20]

[通知書號碼:]

[Notice No. :]



**FP T**

香港房屋委員會  
HONG KONG HOUSING AUTHORITY

表格1

FORM 1

關於涉嫌犯定額罰款交通違例事項的通知書

NOTICE OF PARTICULARS OF ALLEGED FIXED PENALTY TRAFFIC CONTRAVENTION

《房屋(交通違例事項)(定額罰款)附例》(第283章，附屬法例C)第8(2)條

Housing (Traffic Contraventions) (Fixed Penalty) Bylaw (Cap 283 sub. leg. C), Section 8(2)

右述車輛的車主/司機

THE OWNER/DRIVER

字母 letters  
numbers

號碼

車輛號碼  
OF  
VEHICLE  
NO.

車輛類別  
VEHICLE TYPE

檔號  
TRANSACTION  
NO.

涉嫌犯交通違例事項  
IS ALLEGED TO HAVE COMMITTED A TRAFFIC CONTRAVENTION

違例事項詳情

CONTRAVENTION DETAILS

日 day 月 month 年 year

日期

DATE

時 hours 分 minutes

時間

TIME

**\$320**

違例事項編號

CONTRAVENTION

CODE NO.

地點 (如以英文填寫請用正楷) A及B欄必須填寫。如B欄不詳，則盡可能填寫C欄。

PLACE (Use block letters if in English) Always complete A and B. If B not available, complete C if possible.

A. 屋邨

ESTATE

B. 鄰近 座／樓

NEAR BLOCK/HOUSE

C. 其他可資識別的特徵

OTHER IDENTIFYING FEATURE

1. 鄰近／位於泊車位編號

☐

Near/In parking space no. \_\_\_\_\_

2. 其他

☐

Other

日 day

月 month

年 year

字母 letters

號碼 numbers

發出日期

DATE OF ISSUE

發通知書人員

ISSUING OFFICER

發通知書辦事處

ISSUING

OFFICE

如對本通知書的發出有任何疑問，可與有關屋邨辦事處聯絡。

Enquiries concerning the issue of this notice may be made by contacting the relevant estate office.

HD 734(S)

[

條碼

]

[

Bar Code

]

郵寄付款須知：

請沿左面虛線撕下郵寄付款回

條，並將回條連同支票、匯票

或本票寄回。

Instruction for Postal Payment :  
Please detach along the perforated  
line on the left and send in the Slip  
for Payment by Post together with  
the cheque, draft or cashier order.

局部繳款、逾期繳款或不能予以識  
辨的繳款將不會視為有效的繳款。

Partial payment, late payment or  
unidentifiable payment will not be  
regarded as a valid payment.

↑  
下列機印所示款項收訖  
RECEIVED the sum imprinted below

郵寄付款回條  
Slip for Payment by Post

電子繳款號碼 E-Payment Number

請輸入下列18位數字

Please key in the following 18 digit nos.

帳類 01  
Bill  
type

附註(請細心閱讀)

A. 如於本通知書發出日期後  
21天內繳付定額罰款,即可  
解除就有關違例事項所須  
負的法律責任。若按照繳  
款辦法第1(e)段繳款,本通

Notes (Please read carefully)

A Liability for the contravention can be  
discharged by paying the Fixed Penalty  
within 21 days after the date of issue of this  
notice. For payment made in accordance with  
paragraph 1(e) of the Payment Instructions,  
this notice must be kept intact and produced

- 知書必須保持完整並於繳款時出示。
- B. 繳款通知書將會在適當時候發出，如你已依照本通知書繳付罰款，則無須理會該通知書。
- C. 如你不依照本通知書繳付罰款，或不通知房屋署署長意欲就法律責任提出爭議，則可能須繳付附加罰款。
- D. 如對本通知書有任何查詢，請致電房屋署檢控組。(電話:2761 0715)
- at the time of payment.
- B. A Demand Notice will be issued in due course. You may ignore the Demand Notice only if you have made prior payment on this notice.
- C. Failure to pay in accordance with this notice or to notify the Director of Housing that you wish to dispute liability may result in an additional penalty being imposed.
- D. For enquiry on this notice, please contact the Prosecutions Section, Housing Department. (Tel. 2761 0715)

320 元  
FP T

C.R.C.  
\$320 105

### 違例事項一覽表

該車輛—  
(違例事項編號):

- (51) 停泊受限制道路上而非泊車處的地方(第4(1)(a)條)。
- (52) 在違反標誌或道路標記的情況下停泊於受限制道路上的泊車處(第4(1)(b)條)。
- (53) 停泊於受限制道路上而停泊方式相當可能危及使用該道路的其他人士(第4(1)(c)條)。
- (54) 停泊於受限制道路上的泊車處但車輛不必要地越出有關泊車位(第4(2)條)。
- (55) 停泊於受限制道路上已被房屋委員會中止或取消的泊車處(第4(3)條)。

### List of Contraventions

The motor vehicle was—  
(Code No.):

- (51) Parked on a restricted road other than in a parking place (section 4(1)(a)).
- (52) Parked in a parking place on a restricted road in contravention of any sign or road marking (section 4(1)(b)).
- (53) Parked on a restricted road in a manner likely to cause danger to other persons using the road (section 4(1)(c)).
- (54) Parked in a parking place on a restricted road with the vehicle projecting unnecessarily outside a parking space (section 4(2)).
- (55) Parked in a parking place on a restricted road where parking is suspended or cancelled by the Housing Authority (section 4(3)).



## 繳款辦法：

1. 可按下列方式繳款—
  - (a) **使用銀行自動櫃員機繳款**  
在任何貼有“繳款服務”或“繳費易”標誌的銀行櫃員機繳付。繳款時，請選擇“政府”，然後再選擇“交通違例(定額罰款)”，並輸入帳單類別“01”及輸入本通知書正面右上角的18位“電子繳款號碼”。
  - (b) **使用「繳費聆」繳款**  
以電話繳款，請先使用音頻電話將本通知書登記(電話號碼：18013)，選擇“商戶編號”“9175”，並輸入本通知書正面右上角的18位“電子繳款號碼”。如欲繳款，請致電18033，並按照指示輸入所需資料。如需查詢，請致電「繳費聆」熱線：2311 9876。
  - (c) **透過互聯網繳款**  
透過銀行或「繳費聆」在互聯網上提供的繳費服務繳款。詳情請瀏覽庫務署網站(URL 位址：<http://www.info.gov.hk/tsy>)。同時亦可透過“公共服務電子化”計劃的網站(URL 位址：<http://www.esd.gov.hk>)或任何該計劃的服務站繳付。繳款時，請選擇“交通違例(定額罰款)”。
  - (d) **郵遞繳款**  
凡郵寄支票、匯票或本票繳款，請在支票、匯票或本票的背面寫上“通知書號碼”，並連同本通知書的「郵寄付款回條」郵寄香港告士打道郵政局信箱28000號(註明庫務署為收

## Payment Instructions:

1. Payment may be made—
  - (a) **Through Bank Automated Teller Machine (ATM)**  
Pay at any ATM affixed with "Bill Payment Service" or "JET Payment" signage. Please select "GOVERNMENT", then choose "Traffic Tickets (Fixed Penalty)". Enter the bill type number "01" and key in the 18-digit "E-Payment Number" shown on the top right-hand corner of this notice for making payment.
  - (b) **By Phone by using Payment By Phone Service (PPS)**  
Before making payment, please register this notice through a tone phone (Tel. No.: 18011). After selecting the "Merchant Code" of "9175", key in the 18-digit "E-Payment Number" shown on the top right-hand corner of this notice. For making payment, please dial 18031 and follow the instructions to enter the information required. For enquiries, please call PPS Hotline : 2311 9876.
  - (c) **Through Internet**  
Pay through bill payment services provided by banks and PPS on the Internet. For details, please visit Treasury's web site (URL address : <http://www.info.gov.hk/tsy>). Payment could also be made through the web site of the "Electronic Service Delivery" (ESD) Scheme (URL address : <http://www.esd.gov.hk>) or at any of the ESD kiosks. Please select "Traffic Tickets (Fixed Penalty)" for making payment.
  - (d) **By Post**  
A cheque, draft or cashier order should be sent together with the Slip for Payment by Post to the Treasury, P.O. Box No. 28000, Gloucester Road Post Office, Hong Kong. Please write the "Notice Number" on the back of the cheque, draft or

件人)。請勿郵寄現金。請注意：以郵遞方式繳款將不會獲發收據。有關的郵戳日期視為繳款的日期。

**(e) 親自繳款**

親自或由代理人往下列辦事處繳付—

- (i) 任何郵政局(郵政局信箱及流動郵政局除外)。如欲查詢有關地址及辦公時間，請致電香港郵政熱線：2921 2222 或瀏覽其網站(URL 位址：  
<http://www.hongkongpost.com>)；

**港島**

- (ii) 薄扶林道2號A  
西區裁判法院；
- (iii) 西灣河太安街  
29號東區法院  
大樓東區裁判  
法院；

**九龍**

- (iv) 亞皆老街147號M九龍城裁判法院大樓九龍城裁判法院；
- (v) 觀塘鯉魚門道10號觀塘法院大樓觀塘裁判法院；
- (vi) 大埔道292號北九龍裁判法院；

**新界**

- (vii) 粉嶺璧峰路1號粉嶺裁判法院；
- (viii) 荃灣大河道70號荃灣法院大樓荃灣裁判法院；
- (ix) 沙田宜正里1號沙田法院大樓沙田裁判法院；

cashier order. Cash should not be sent through the post. Please note that no receipt will be issued for Fixed Penalty paid by post. The date of the relevant post mark is to be regarded as the date of payment.

**(e) In Person**

Payment may be made personally or by an agent at any of the following offices—

- (i) Any Post Office other than a post office letter box or a mobile post office. For addresses and opening hours, please call the Hongkong Post Hotline: 2921 2222 or visit their web site (URL address :  
<http://www.hongkongpost.com>) ;

**Hong Kong Island**

- (ii) Western Magistracy, 2A Pok Fu Lam Road ;
- (iii) Eastern Magistracy, Eastern Law Courts Building, 29 Tai On Street, Sai Wan Ho ;

**Kowloon**

- (iv) Kowloon City Magistrates' Courts, Kowloon City Law Courts Building, 147M Argyle Street ;
- (v) Kwun Tong Magistracy, Kwun Tong Law Courts Building, 10 Lei Yue Mun Road, Kwun Tong ;
- (vi) North Kowloon Magistracy, 292 Tai Po Road ;

**New Territories**

- (vii) Fanling Magistrates' Courts, No. 1, Pik Fung Road, Fanling ;
- (viii) Tsuen Wan Magistracy, Tsuen Wan Law Courts Building, 70 Tai Ho Road, Tsuen Wan ;
- (ix) Shatin Magistracy, Shatin Law Courts Building, 1 Yi Ching Lane, Shatin ;

(x) 屯門屯喜路1號屯門裁判法院。

(x) Tuen Mun Magistracy, 1 Tuen Hi Road, Tuen Mun.

上述裁判法院於下列時間收款—

The above magistracies receive payments during the hours of-

星期一： 上午9時至下午1時；  
至 及  
星期五 下午2時至5時  
星期六： 上午9時至中午12時

Monday : 9 a.m. to 1 p.m.;  
to and  
Friday 2 p.m. to 5 p.m.  
Saturday : 9 a.m. to 12 noon

本通知書必須保持完整並於繳款時出示。

This notice must be kept intact and produced at the time of payment.

2. 支票、匯票或本票均須以“香港特別行政區政府”或“特區政府”為收款人，並加以劃線。切勿以任何個別人員為收款人。支票兌現後繳款方為有效。期票恕不接受。

2. Cheques, drafts or cashier orders should be made payable to "The Government of the Hong Kong Special Administrative Region" or "The Government of the HKSAR" and crossed. They should not be made payable to any individual officer. Payment is valid only after the cheque is cleared. Post-dated cheques will not be accepted.

3. 局部繳款、逾期繳款或不能予以識辨的繳款將不會視為有效的繳款。

3. Partial payment, late payment or unidentifiable payment will not be regarded as a valid payment.

(L.N. 43 of 2003)

HD735(S)



## FORM 2

《房屋(交通違例事項)(定額罰款)附例》  
(第283章，附屬法例C)

電子繳款號碼 E-Payment  
Number

通知書號碼：

HOUSING (TRAFFIC CONTRAVENTIONS)  
(FIXED

請輸入下列18位數字

Notice No.:  
編號：

PENALTY) BYLAW (Cap 283 sub. leg. C)  
繳付定額罰款通知書(第8(3)條)

Please key in the following 18 digit  
nos.

Bill type

帳類

Serial No.:

NOTICE DEMANDING PAYMENT OF FIXED  
PENALTY (Section 8(3))

致：  
To:

先寫姓氏  
Surname  
First

地址：  
of

個人資料  
PERSONAL DATA

FP T

於(日期)  
On

大約(時間)  
at about

在(地點)  
at

發生一宗違反本附例第  
a contravention of section

條 ( )  
( )

的事件而你須對該事件負法律責任，因為當時你是 號汽車的登記車主/司機。  
of the Bylaw was committed for which you as the registered owner/driver of motor vehicle no. at  
the time are liable.

本人現要求你繳付定額罰款，並通知你若意欲就上述違例事項的法律責任提出  
爭

I hereby demand payment of the Fixed Penalty of and inform you that, if you wish to  
議，你必須通知本人。你必須在 或之前—  
dispute liability for the contravention, you should inform me. You are required-

- (a) 繳付定額罰款；或  
to pay the Fixed Penalty; or
- (b) (使用背頁的通知書)告知本人你意欲就該違例事項的法律責任提出爭議。  
to notify me that you wish to dispute liability for the contravention (by using the notification  
form overleaf),

on or before

倘若你不按照本通知書繳付定額罰款或告知本人你意欲就法律責任提出爭議，本人將向  
裁判官

If you do not pay the Fixed Penalty or notify me that you wish to dispute liability in accordance  
with

申請頒發命令，飭令你繳付定額罰款、一項相等於定額罰款數額的附加罰款及訟費。  
this notice, an application will be made to a magistrate for an order that you pay the Fixed Penalty, an  
additional  
penalty equal to the amount of the Fixed Penalty and costs.

下列機印所示款項收訖。

RECEIVED the sum imprinted below.  
( 代行)

房 屋 署 署 長  
for Director of

Housing  
日期：  
Date:

繳款/通知爭議的最後日期：  
Last Date for Payment/  
by Post  
Notification of Dispute:

郵寄付款回條  
Slip for Payment

請注意：

Please note:

1. 根據本附例第8(2)條所發出有關此事的通知書(號碼 )可能經已向你送達。  
A notice under section 8(2) of the Bylaw (No.: ) may already have been served on you in this case.

如你已繳付該通知書所指明的定額罰款，則無須理會本通知書。

**C.R.**

**C.**

**If you have paid the Fixed Penalty specified in that notice, you should ignore this demand.**

**105**

2. 你須依照背頁所列的繳款辦法付款。

**FP T**

Payment should be made according to the instructions set out overleaf.

3. 若按照繳款辦法第1(e)段所示方法繳款，本通知書必須保持完整並於繳款時出示。

For payment made in accordance with paragraph 1(e) of the Payment Instructions, this notice must be kept intact and produced at the time of payment.

[條碼 ]

[Bar Code ]

通知書號碼：

Notice No.:

身分證號碼：

I.D. No.:

編號：

Serial No.:

違例日期：

Contravention Date:

定額罰款：

Fixed Penalty:

繳款類別：

Payment Type:

HD735(S)

## 繳款辦法：

1.

### 可按下列方式繳款—

- (a) **使用銀行自動櫃員機繳款**  
在任何貼有“繳款服務”或“繳費易”標誌的銀行櫃員機繳付。繳款時，請選擇“政府”，然後再選擇“交通違例(定額罰款)”，並輸入帳單類別“03”及輸入本通知書正面右上角的18位“電子繳款號碼”。
- (b) **使用「繳費聆」繳款**  
以電話繳款，請先使用音頻電話將本通知書登記(電話號碼：18013)，選擇“商戶編號”“9175”，並輸入本通知書正面右上角的18位“電子繳款號碼”。如欲繳款，請致電18033，並按照指示輸入所需資料。如需查詢，請致電「繳費聆」熱線：2311 9876。
- (c) **透過互聯網繳款**  
透過銀行或「繳費聆」在互聯網上提供的繳費服務繳款。詳情請瀏覽庫務署網站(URL 位址：<http://www.info.gov.hk/tsy>)。同時亦可透過“公共服務電子化”計劃的網站(URL 位址：<http://www.esd.gov.hk>)或任何該計劃的服務站繳付。繳款時，請選擇“交通違例(定額罰款)”。
- (d) **郵遞繳款**  
凡郵寄支票、匯票或本票繳款，請在支票、匯票或本票的背面寫上“通知書號碼”，並連同本通知書的「郵寄付款回條」郵寄香港告士打道郵政局信箱28000號(註

## PAYMENT INSTRUCTIONS:

1. **Payment may be made-**

- (a) **Through Bank Automated Teller Machine (ATM)**  
Pay at any ATM affixed with "Bill Payment Service" or "JET Payment" signage. Please select "GOVERNMENT", then choose "Traffic Tickets (Fixed Penalty)". Enter the bill type number "03" and key in the 18-digit "E-Payment Number" shown on the top right-hand corner of this notice for making payment.
- (b) **By Phone by using Payment by Phone Service (PPS)**  
Before making payment, please register this notice through a tone phone (Tel. no.: 18011). After selecting the "Merchant Code" of "9175", key in the 18-digit "E-Payment Number" shown on the top right-hand corner of this notice. For making payment, please dial 18031 and follow the instructions to enter the information required. For enquiries, please call PPS Hotline: 2311 9876.
- (c) **Through Internet**  
Pay through bill payment services provided by banks and PPS on the Internet. For details, please visit Treasury's web site (URL address: <http://www.info.gov.hk/tsy>). Payment could also be made through the web site of the "Electronic Service Delivery" (ESD) Scheme (URL address: <http://www.esd.gov.hk>) or at any of the ESD kiosks. Please select "Traffic Tickets (Fixed Penalty)" for making payment.
- (d) **By Post**  
A cheque, draft or cashier order should be sent together with the Slip for Payment by Post to the Treasury, P.O. Box No. 28000, Gloucester Road Post Office, Hong Kong. Please write the

明庫務署為收件人)。請勿郵寄現金。請注意：以郵遞方式繳款將不會獲發收據。有關的郵戳日期視為繳款的日期。

**(e) 親自繳款**

親自或由代理人往下列辦事處繳付—

- (i) 任何郵政局(郵政局信箱及流動郵政局除外)。如欲查詢有關地址及辦公時間，請致電香港郵政熱線：2921 2222 或瀏覽其網站(URL 位址：  
<http://www.hongkongpost.com>)；

**港島**

- (ii) 薄扶林道2號A西區裁判法院；
- (iii) 西灣河太安街29號東區法院大樓東區裁判法院；

**九龍**

- (iv) 亞皆老街147號M九龍城裁判法院大樓九龍城裁判法院；
- (v) 觀塘鯉魚門道10號觀塘法院大樓觀塘裁判法院；
- (vi) 大埔道292號北九龍裁判法院；

**新界**

- (vii) 粉嶺璧峰路1號粉嶺裁判法院；
- (viii) 荃灣大河道70號荃灣法院大樓荃灣裁判法院；
- (ix) 沙田宜正里1號沙田法院大樓沙田裁判法院；

"Notice Number" on the back of the cheque, draft or cashier order. Cash should not be sent through the post. Please note that no receipt will be issued for Fixed Penalty paid by post. The date of the relevant post mark is to be regarded as the date of payment.

**(e) In Person**

Payment may be made personally or by an agent at any of the following offices-

- (i) Any Post Office other than a post office letter box or a mobile post office. For addresses and opening hours, please call the Hongkong Post Hotline: 2921 2222 or visit their web site (URL address: <http://www.hongkongpost.com>);

**Hong Kong Island**

- (ii) Western Magistracy, 2A Pok Fu Lam Road;
- (iii) Eastern Magistracy, Eastern Law Courts Building, 29 Tai On Street, Sai Wan Ho;

**Kowloon**

- (iv) Kowloon City Magistrates' Courts, Kowloon City Law Courts Building, 147M Argyle Street;
- (v) Kwun Tong Magistracy, Kwun Tong Law Courts Building, 10 Lei Yue Mun Road, Kwun Tong;
- (vi) North Kowloon Magistracy, 292 Tai Po Road;

**New Territories**

- (vii) Fanling Magistrates' Courts, No. 1 Pik Fung Road, Fanling;
- (viii) Tsuen Wan Magistracy, Tsuen Wan Law Courts Building, 70 Tai Ho Road, Tsuen Wan;
- (ix) Shatin Magistracy, Shatin Law Courts Building, 1 Yi Ching Lane, Shatin;

(x) 屯門屯喜路1號屯門裁判法院。

(x) Tuen Mun Magistracy, 1 Tuen Hi Road, Tuen Mun.

上述裁判法院於下列時間收款—

星期一： 上午9時至下午1時；  
至 及  
星期五 下午2時至5時  
星期六： 上午9時至中午12時

本通知書必須保持完整並於繳款時出示。

The above magistracies receive payments during the hours of-

Monday : 9 a.m. to 1 p.m.;  
to and  
Friday 2 p.m. to 5 p.m.  
Saturday: 9 a.m. to 12 noon

This notice must be kept intact and produced at the time of payment.

2. 支票、匯票或本票均須以“香港特別行政區政府”或“特區政府”為收款人，並加以劃線。切勿以任何個別人員為收款人。支票兌現後繳款方為有效。期票恕不接受。

- 2 Cheques, drafts or cashier orders should be made payable to "The Government of the Hong Kong Special Administrative Region" or "The Government of the HKSAR" and crossed. They should not be made payable to any individual officer. Payment is valid only after the cheque is cleared. Post-dated cheques will not be accepted.

3. 局部繳款、逾期繳款或不能予以識辨的繳款將不會視為有效的繳款。

- 3 Partial payment, late payment or unidentifiable payment will not be regarded as a valid payment.

**查詢：**

如對本通知書有任何查詢，請致電房屋署檢控組。  
(電話：2761 0715)

**Enquiries：**

For enquiries on this notice, please contact the Prosecutions Section of Housing Department.  
(Tel.: 2761 0715)

**欲就法律責任提出爭議者請注意：**

1. 若你意欲就上述違例事項的法律責任提出爭議，可簽署下列表格，並於通知爭議的最後日期或該日之前將之交付本人，以告知本人你有此意欲。
2. 如你告知本人欲就上述違例事項的法律責任提出爭議，事件會以申訴方式交由裁判官按照上述附例裁定，傳票將會在適當時候向你送達。
3. 如你在告知本人欲就上述違例事項的法律責任提出爭議後，沒有應傳票出庭應訊，或在應訊後你並沒有提出免責辯護或你提出瑣屑無聊或無理取鬧的免責辯護，則可被判繳

**NOTES FOR THOSE WHO WISH TO DISPUTE LIABILITY：**

- 1 You may notify me, if you wish to dispute liability for the contravention, by signing the form appended below and delivering it to me on or before the last day for notification of dispute.
- 2 If you notify me that you wish to dispute liability for the contravention, the matter will be determined by a magistrate on complaint in accordance with the Bylaw and you will be served with a summons in due course.
- 3 If, having notified me that you wish to dispute liability for the contravention, you do not appear in court to answer the summons or, having appeared, you offer no defence or a defence which is frivolous or vexatious, you are liable



付定額罰款、一項相等於定額罰款  
款額的附加罰款及訟費。

to the Fixed Penalty, an additional  
penalty equal to the amount of the  
Fixed Penalty and costs.

《房屋(交通違例事項)(定額罰款)附例》(第283章，附屬法例C)  
HOUSING (TRAFFIC CONTRAVENTIONS) (FIXED PENALTY) BYLAW  
(Cap 283 sub. leg. C)

致 房屋署署長意欲就違例事項的法律責任提出爭議的通知書(第8(3)條)  
NOTIFICATION TO DIRECTOR OF HOUSING OF WISH TO DISPUTE  
LIABILITY FOR CONTRAVENTIONS (Section 8(3))

致： 房屋署署長  
九龍何文田佛光街33號  
房屋委員會總辦事處  
檢控組

To: The Director of Housing  
Prosecutions Section  
Housing Authority Headquarters  
33 Fat Kwong street, Homantin,  
Kowloon.

就貴署根據《房屋(交通違例事項)(定額罰款)附例》第8(3)條所發出的  
通知書(詳情見背頁而本人經已閱悉)，本人意欲就該通知書所指的違例事  
項的法律責任提出爭議，特此通知。

Take notice that I wish to dispute liability for the contravention specified in your  
notice (details of which are given overleaf and of which I have taken notice) issued  
under section 8(3) of the Housing (Traffic Contraventions) (Fixed Penalty) Bylaw.

日期：

Date : .....

簽名 Signature  
(L.N. 43 of 2003)

FORM 3

HOUSING (TRAFFIC CONTRAVENTIONS) (FIXED PENALTY) BYLAW  
(Cap. 283 subsidiary legislation C)

CERTIFICATE OF POSTING OF NOTICE

(Section 8(8))

This is to certify that

on the ..... day of ..... a Notice under section  
8(3) of the Housing (Traffic Contraventions) (Fixed Penalty) Bylaw was posted. The  
particulars of the Notice are as follows-

Serial No.: ..... Date ..... of  
Notice: .....  
Name of Addressee: .....  
Address: .....  
.....

.....  
for Director of Housing

.....  
(Full name in block letters)

Date: .....

\_\_\_\_\_  
FORM 4

HOUSING (TRAFFIC CONTRAVENTIONS) (FIXED PENALTY) BYLAW

(Cap. 283 subsidiary legislation C)

CERTIFICATE OF POSTING OF SUMMONS

(Section 13(2))

This is to certify that

on the ..... day of ..... a Summons issued by the magistrate sitting  
in ..... the ..... Magistrate's ..... Court  
at .....  
was posted. The particulars of the Summons are as follows-

Serial No.: ..... Date ..... of  
Notice: .....  
Name ..... of  
Defendant: .....  
Address: .....  
.....  
.....  
.....

.....  
for Director of Housing

.....  
(Full name in block letters)

Date: .....

FORM 5

HOUSING (TRAFFIC CONTRAVENTIONS) (FIXED PENALTY) BYLAW

(Cap. 283 subsidiary legislation C)

CERTIFICATE OF IDENTITY OF REGISTERED OWNER/DRIVER,  
REGISTERED  
ADDRESS AND NON-PAYMENT OF FIXED PENALTY

(Section 19)

This is to certify that

- (a) \*on the ..... day of ..... at about ..... the  
registered owner/driver of motor vehicle registration  
mark ..... was  
.....  
.;
- (b) +on the ..... day of ..... the registered address of such person  
was .....  
.....  
.;
- (c) #on the ..... day of ..... the registered address of such person  
was .....  
.....  
.;
- (d) @before the ..... day of ..... no payment was made of the fixed  
penalty in respect of the contravention specified in Notice No. .... dated  
the ..... day of ..... under section 8(3) of the Housing (Traffic  
Contraventions) (Fixed Penalty) Bylaw; and
- (e) before the ..... day of ..... such person had not notified the  
Director of Housing that he wished to dispute liability for the contravention.

.....  
for Director of Housing

.....  
(Full name in block letters)

Date: .....

- \* Insert date and time of the contravention to which the proceedings relate.  
+ Insert date on which notice under section 8(3) in respect of such contravention was posted.  
# Insert date on which summons under section 13(1) in respect of such proceedings was posted.  
@ Insert last date of payment specified in the notice under section 8(3).

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FORM 6

HOUSING (TRAFFIC CONTRAVENTIONS) (FIXED PENALTY) BYLAW

(Cap. 283 subsidiary legislation C)

APPLICATION FOR CERTIFICATE OF CLEARANCE

(Section 20(7))

To: The Commissioner for Transport,  
Hong Kong.

Dear Sir,

\*I am [I intend to become] the new owner of motor vehicle registration  
mark .....  
..... I hereby apply for a Certificate of Clearance under section 20(7) of the  
Housing (Traffic Contraventions) (Fixed Penalty) Bylaw in respect of the motor  
vehicle.

Yours

faithfully,

(Signature) .....

Name: (in block letters) .....

.....

Address: (in block letters) .....

.....

.....

Date: .....

\* Delete whichever is inapplicable.

(L.N. 249 of 1997)

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FORM 7

HOUSING (TRAFFIC CONTRAVENTIONS) (FIXED PENALTY) BYLAW

(Cap. 283 subsidiary legislation C)

CERTIFICATE OF CLEARANCE

(Section 20(6))

This is to certify that no notice of a valid order under section 20(2)(b)(ii) of the Housing (Traffic Contraventions) (Fixed Penalty) Bylaw appears in my records in respect of motor vehicle registration mark .....

Issued on the ..... day of ..... at ..... a.m./p.m.

.....  
Commissioner for Transport

.....  
(Full name in block letters)

Note: This certificate remains valid for not more than 72 hours from the time of issue.  
No general holiday will be taken into account in computing the period of 72 hours.

(L.N. 249 of 1997; L.N. 43 of 2003)

Chapter:	442	ADMINISTRATIVE APPEALS BOARD ORDINANCE	Gazette Number	Version Date
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Schedule:		SCHEDULE	L.N. 130 of 2004	29/06/2004
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[sections 3, 4 & 22]

Item	Ordinance	Decision
1.	Apprenticeship Ordinance (Cap 47)	A decision of the Director of Apprenticeship or any public officer in the performance or exercise of any function, duty or power under the Ordinance.
2.	Boilers and Pressure Vessels Ordinance (Cap 56)	<ul style="list-style-type: none"> <li>(a) The revocation or suspension of an appointment as a boiler inspector, air receiver inspector or pressurized fuel container inspector under section 5A. (Amended 15 of 2002 s. 8)</li> <li>(b) A decision of the Boilers and Pressure Vessels Authority on the issue or endorsement of a certificate of competency under section 6(1)(a) or (3A)(a). (Added 15 of 2002 s. 8)</li> <li>(c) A decision of the Boilers and Pressure Vessels Authority to revoke or amend a certificate of competency under section 6(4)(a) or (b), as the case may be. (Added 15 of 2002 s. 8)</li> </ul>
3.	Employment Ordinance (Cap 57)	A decision of the Commissioner for Labour under section 53(1) to refuse to issue or renew or to revoke a licence to operate an employment agency.
4.	Factories and Industrial Undertakings Ordinance (Cap 59)	<ul style="list-style-type: none"> <li>(a) An exemption by the Commissioner for Labour under section 7(4) of an industrial undertaking from any regulation.</li> <li>(b) An order by the Commissioner for Labour under section 7(4), for an industrial undertaking to adopt special precautions in addition to any precautions required by any regulation.</li> <li>(c) Under section 9A- <ul style="list-style-type: none"> <li>(i) the issue by the Commissioner for Labour of a prohibition notice in respect of a notifiable workplace;</li> <li>(ii) a refusal by the Commissioner for Labour to cancel a prohibition notice;</li> <li>(iii) the giving by the Commissioner for Labour of any direction upon the cancellation of a prohibition notice.</li> </ul> </li> <li>(d) (Repealed 39 of 1997 s. 49)</li> </ul>
5.	Quarries (Safety) Regulations (Cap 59 sub. leg. F)	<ul style="list-style-type: none"> <li>(a) A refusal by the Commissioner for Labour to approve any person as a supervisor or deputy supervisor under regulation 4(1) or 6(1).</li> <li>(b) A withdrawal by the Commissioner for Labour of his approval of a supervisor or deputy supervisor under regulation 10(1).</li> </ul>
6.	Factories and Industrial Undertakings (Safety Officers and Safety Supervisors) Regulations (Cap 59 sub. leg. Z)	<ul style="list-style-type: none"> <li>(a) A refusal by the Commissioner for Labour to register a person as a safety officer under regulation 7.</li> <li>(b) The cancellation by the Commissioner for Labour of a person's registration as a safety officer under regulation 9.</li> <li>(c) The suspension by the Commissioner for Labour of a person's registration as a safety officer under regulation 10.</li> <li>(d) A refusal by the Commissioner for Labour to renew or revalidate a person's registration as a safety officer under regulation 7B. (Added L.N. 100 of 2002)</li> </ul>

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| 7.  | Weights and Measures Ordinance (Cap 68)                                | A decision of the Commissioner, as defined in section 2, or of an authorized officer which is taken in the exercise or performance of any function under the Ordinance.  |
| 8.  | Miscellaneous Licences Ordinance (Cap 114)                             | The decision under section 5 of any officer authorized to issue a licence under the Ordinance as to the grant of a licence, the renewal of a licence or the revocation of a licence.   |
| 9.  | Control of Chemicals Ordinance (Cap 145)<br>(Amended 23 of 2002 s. 14) | <p>A decision of the Commissioner, as defined in section 2(1), under the Ordinance, relating to-</p> <ul style="list-style-type: none"> <li>(a) the issue of a licence or permit;</li> <li>(b) the refusal to issue a licence or permit;</li> <li>(c) the cancellation or suspension of a licence or permit;</li> <li>(d) the cancellation or variation of any condition or the specification of a new condition in a licence or permit.</li> </ul>  |
| 10. | Gambling Ordinance (Cap 148)   | The decision under section 22 of the Commissioner for Television and Entertainment Licensing as to the grant of a licence, the renewal of a licence, the imposition of conditions of a licence or the cancellation of a licence.   |
| 11. | Chinese Temples Ordinance (Cap 153)                                    | <ul style="list-style-type: none"> <li>(a) The refusal by the Chinese Temples Committee under section 4 to grant an exemption from section 4(1).</li> <li>(b) The withdrawal by the Chinese Temples Committee under section 4 of an exemption granted under section 4(1).</li> </ul>   |
| 12. | Weapons Ordinance (Cap 217)  | A decision of the Commissioner of Police under section 9(1) to order the delivery up to him or seizure of any martial arts weapon.   |
| 13. | Travel Agents Ordinance (Cap 218)                                      | <p>A decision of the Registrar of Travel Agents-</p> <ul style="list-style-type: none"> <li>(a) to refuse to grant a licence under section 12(1);</li> <li>(b) to impose conditions on a licence under section 11(1) or 18;</li> <li>(c) to refuse consent to a change of ownership or control under section 18(c);</li> <li>(d) to suspend or revoke a licence under section 19.</li> </ul>   |
| 14. | Firearms and Ammunition Ordinance (Cap 238)                            | <ul style="list-style-type: none"> <li>(a) A decision of the Commissioner of Police refusing to grant a licence under section 30 or to renew a licence under section 32.</li> <li>(b) A decision of the Commissioner of Police, under section 33, cancelling a licence or varying or revoking any condition attached thereto or adding any further condition or deleting any premises from a dealer's licence at which business may be carried on.</li> <li>(c) The imposition of a condition of licence which is considered to be unreasonable.</li> <li>(d) A decision of the Commissioner referred to in section 34(1AA). (Added 14 of 2000 s. 33)</li> <li>(e) The imposition of a term or condition under section 4(3), 12(4), 12A(3), 27A(1), 29 or</li> </ul> |

46C(3), which is considered to be unreasonable.  
(Added 14 of 2000 s. 33)



15.	Massage Establishments Ordinance (Cap 266)	A decision of the licensing authority under section 6, 7, 8 or 9.
16.	Grant Schools Provident Fund Rules (Cap 279 sub. leg. C)	A question of interpretation or application of the Rules.
17.	Subsidized Schools Provident Fund Rules (Cap 279 sub. leg. D)	A decision of the Board under the Rules.
18.	Mining Ordinance (Cap 285)	The cancellation of an Authorized Buyer's Licence under section 41.
19.	Mining (General) Regulations (Cap 285 sub. leg. A)	A decision of the Commissioner of Mines under regulation 30(4A)(a) specifying the rate per tonne at which royalty shall be payable in respect of minerals and the period for which it shall be payable.
20.	Dangerous Goods Ordinance (Cap 295)	A decision under section 9 of an officer authorized under the Ordinance to issue a licence- (a) to refuse to grant a licence; (b) to refuse to renew a licence; or (c) to revoke a licence.
21.	Dangerous Goods (General) Regulations (Cap 295 sub. leg. B)	Prohibiting or imposing conditions on the continued use of a storage tank under regulation 127.
22.	Business Registration Ordinance (Cap 310)	(a) The service of a notice under section 3(4) by the Commissioner of Inland Revenue that a person is to be deemed to be a person carrying on business. (b) The service of a notice under section 3(4AA) by the Commissioner of Inland Revenue that a person is to be deemed to be a person carrying on business at a branch of a business. (c) The service of a notice under section 6(4D) by the Commissioner of Inland Revenue requesting a person to make an application for registration under a different name. (Amended 3 of 1999 s. 19) (d) The service of a notice under section 9(5) by the Commissioner of Inland Revenue that an exemption is not granted. (Added 23 of 2002 s. 14)
23.	Motor Vehicles (First Registration Tax) Ordinance (Cap 330)	A decision of the Commissioner for Transport under the Ordinance.
24.	Animals (Control of Experiments) Ordinance (Cap 340)	A refusal to issue a licence, endorsement or permit under section 7, 8, 9, 10 or 14.
25.	Chinese Permanent Cemeteries Rules (Cap 1112 sub. leg. A)	A decision of the Board of Management of the Chinese Permanent Cemeteries not to withdraw a notice in rule 12(2) regarding reversion of a subscriber lot to the Board. Note: The Board of Management of the Chinese Permanent Cemeteries is specified for the purpose of section 22(5) of this Ordinance.
26.	Sewage Services Ordinance (Cap 463)	A decision of the Drainage Authority under the Ordinance. (Added 105 of 1994 s. 15)
27.	Timber Stores Ordinance (Cap 464)	A decision of the Director relating to- (a) an application for a licence under section 4;

- (b) an application for transfer of a licence under section 5;
  - (c) the revocation, suspension, refusal to renew or transfer; amendment or variation of conditions of a licence under section 8. (Added 11 of 1995 s. 23)
- 28. Marine Parks Ordinance (Cap 476) A decision of the Country and Marine Parks Authority under section 11 or 22 of the Ordinance. (Added 37 of 1995 s. 36)
- 29. Personal Data (Privacy) Ordinance (Cap 486) A decision of the Privacy Commissioner for Personal Data-
  - (a) to impose conditions on his consent to the carrying out of a matching procedure under section 32(1)(b)(i);
  - (b) to refuse to consent to the carrying out of a matching procedure under section 32(1)(b)(ii);
  - (c) to refuse under section 39(3) to carry out or continue an investigation initiated by a complaint;
  - (d) not to delete under section 46(5) a matter from a report under the Ordinance;
  - (e) not to serve an enforcement notice under section 47;
  - (f) to serve an enforcement notice under section 50. (Added 81 of 1995 s. 73)
- 30. Dutiable Commodities Ordinance (Cap 109) A decision of the Commissioner of Customs and Excise under section 7, 26, 26A or 29. (Added 46 of 1996 s. 43)
- 31. Dogs and Cats Ordinance (Cap 167)
  - (a) A decision by a police officer or an authorized officer under section 6(1)(c)(i) or (ii) to destroy a dog.
  - (b) A decision by an authorized officer under section 9 in specifying the place or period of detention of a dog or cat or any other thing under this Ordinance.
  - (c) A decision by an authorized officer under section 10 to vary the period of detention of a dog or cat or any other thing under this Ordinance.
  - (d) A decision by an authorized officer under section 11(1) to refuse an application for the removal from detention under this Ordinance of a dog or cat or any other thing.
  - (e) A decision by the Director under section 11(2) to order the forfeiture of a dog or cat or any other thing.
  - (f) A decision by the Director under section 17(2) to impose any condition in granting an exemption under section 17. (Added 97 of 1997 s. 11)
- 33. Child Care Services Ordinance (Cap 243) A decision of the Director of Social Welfare-
  - (a) under section 7(2), refusing an application for registration;
  - (b) under section 9, cancelling a registration;
  - (c) under section 11B(3), refusing an

- application for exemption from registration;
  - (d) under section 11D, revoking an exemption from registration;
  - (e) under section 15B(2), determining a person to be unsuited to act as a childminder;
  - (f) under section 15C(4), refusing a request for the issue of a certificate;
  - (g) under section 15D(4), refusing to make a declaration that a person should no longer be deemed unsuited to act as a childminder.
- (Added 38 of 1997 s. 19)

34.	Wild Animals Protection Ordinance (Cap 170)	A decision of the Director in relation to- (a) the granting of or the refusal to grant a permit or a special permit pursuant to section 13 or 15; or (b) the cancellation of a permit or a special permit under section 15A. (Added 77 of 1996 s. 22)
35.	Occupational Safety and Health Ordinance (Cap 509)	A decision of the Commission for Labour under Part III. (Added 39 of 1997 s. 49)
36.	Ozone Layer Protection Ordinance (Cap 403)	A decision of the Director of Environmental Protection under section 5, 6 or 7 or under provisions of the regulations that may be specified to be subject to an appeal under section 8. (Added 6 of 1997 s. 10)
39.	Volunteer and Naval Volunteer Pensions Ordinance (Cap 202)	A decision in a review under section 22. (Added 56 of 1997 s. 7)
40.	Child Care Services Regulations (Cap 243 sub. leg. A)	A decision of the Director of Social Welfare under regulation 4 refusing an application for inclusion in a register or removing the name of a person from a register. (Added L.N. 272 of 1997. Amended 32 of 2000 s. 37)
41.	Prevention of Copyright Piracy Ordinance (Cap 544)	A decision of the Commissioner of Customs and Excise under section 11 or 12 of the Ordinance. (Added 22 of 1998 s. 43)
42.	Education Ordinance (Cap 279)	(a) An attendance order made under section 74(1). (b) A variation of an attendance order made under section 74(2). (Added 8 of 2001 s. 31)
44.	Dangerous Dogs Regulation (Cap 167 sub. leg. D)	A direction by an authorized officer under section 14 of the Regulation. (Added L.N. 185 of 2000)
	Factories and Industrial Undertakings (Safety Management) Regulation (Cap 59 sub. leg. AF)	45. (a) A decision of the Commissioner for Labour to refuse to register a person under section 6 or to register a person under that section subject to conditions. (b) A decision of the Commissioner for Labour under section 24(1) to require the appointment of a new safety review officer. (c) A decision of the disciplinary board under section 29(2) to reprimand a registered person, cancel the registration of a registered person or suspend the registration of a registered person. (Added L.N. 298 of 1999)
46.	Port Control (Cargo Working Areas) Regulations (Cap 81 sub. leg. A)	A decision of the Director or the supervisor under regulation 4A(4), 5B, 6AA, 7, 7A, 7B, 7C, 7D, 7E, 13 or 21. (Added L.N. 280 of 1999)
47.	Karaoke Establishments Ordinance (Cap 573)	A decision of the Secretary for Home Affairs or the Director of Food and Environmental Hygiene (as the case may be) under section 5, 6, 8, 9 or 10. (Added 22 of 2002 s. 22)
48.	Drug Dependent Persons Treatment and Rehabilitation Centres (Licensing) Ordinance (Cap 566)	A determination or decision of the Director of Social Welfare under section 6(2)(b), 8(3)(b), 9(3)(b) or 14. (Added 10 of 2001 s. 33)
49.	Road Traffic Ordinance (Cap 374)	A decision of the Commissioner of Police under section 55(3). (Added 3 of 2002 s. 17)

50.	Dutiable Commodities Regulations (Cap 109 sub. leg. A)	A forfeiture of security under regulation 27(2). (Added 23 of 2002 s. 14)
51.	Security and Guarding Services Ordinance (Cap 460)	A decision under section 14(5), 15(3), 16(4), 18(4), 21(2), 23(4), 24(4), 24A(13) or 25(4). (Added 23 of 2002 s. 14)
52.	Merchant Shipping (Seafarers) Ordinance (Cap 478)	A decision of the Superintendent of the Mercantile Marine Office- (a) to refuse to grant a permit; (b) to impose any condition under section 52(3); (c) to refuse to approve any person for the purposes of section 57(1); or (d) to cancel a permit. (Added 23 of 2002 s. 14)
53.	Merchant Shipping (Seafarers) (Certification of Officers) Regulation (Cap 478 sub. leg. J)	A decision of the Seafarers' Authority under section 8(2) or 10(2) to refuse to issue a certificate or licence. (Added 23 of 2002 s. 14)
54.	Merchant Shipping (Seafarers) (Tankers-Officers and Ratings) Regulation (Cap 478 sub. leg. K)	A decision of the Seafarers' Authority to refuse to make an entry referred to in section 5(2) or (3) in an employment registration book, service record book or discharge book. (Added 23 of 2002 s. 14)
55.	Merchant Shipping (Seafarers) (Engine Room Watch Ratings) Regulation (Cap 478 sub. leg. V)	A decision of the Seafarers' Authority to refuse to issue an Engine Room Watch Rating Certificate under section 5(1). (Added 23 of 2002 s. 14)
56.	Merchant Shipping (Seafarers) (Navigational Watch Ratings) Regulation (Cap 478 sub. leg. W)	A decision of the Seafarers' Authority to refuse to issue a Navigational Watch Rating Certificate under section 5(1). (Added 23 of 2002 s. 14)
57.	Merchant Shipping (Seafarers) (Certificates of Competency as A.B.) Rules (Cap 478 sub. leg. Y)	A decision of the Seafarers' Authority- (a) under section 6(3) to refuse an application for the grant of a certificate of competency as A.B.; or (b) under section 10 (whether to confirm, vary or reverse the decision concerned of the examiner or to substitute another decision for that decision). (Added 23 of 2002 s. 14)
58.	Merchant Shipping (Seafarers) (Certificates of Proficiency in Survival Craft, Rescue Boats and Fast Rescue Boats) Rules (Cap 478 sub. leg. Z)	A decision of the Seafarers' Authority- (a) to refuse to issue a certificate of proficiency in survival craft and rescue boats under section 4; (b) to refuse to issue a certificate of proficiency in fast rescue boats under section 4A; or (c) to cancel a certificate of proficiency in survival craft and rescue boats or a certificate of proficiency in fast rescue boats under section 7(2). (Added 23 of 2002 s. 14)
59.	(Repealed 23 of 2002 s. 14)	
60.	Land (Miscellaneous Provisions) Ordinance (Cap 28)	A decision of the Director of Highways under section 10M(13) relating to an assessment made under section 10M(1)(d), (g), (h) or (i). (Added 17 of 2003 s. 15)
64.	Merchant Shipping (Security of Ships and Port Facilities) Ordinance (Cap 582)	A decision of the Director of Marine under section 7(1)(a) or (c) or 8(2). (Added 13 of 2004 s. 18)
65.	Merchant Shipping (Security of Ships and Port Facilities) Rules (Cap 582 sub. leg. A)	A decision of the Director of Marine under rule 27(1). (Added L.N. 130 of 2004)

(Enacted 1994)

Chapter:	553B	ELECTRONIC TRANSACTIONS (EXCLUSION) ORDER	Gazette Number	Version Date
Schedule:	1	PROVISIONS EXCLUDED FROM APPLICATION OF SECTION 5 OF ORDINANCE	16 of 2004	09/07/2004

[section 2]

Item	Enactment	Provision
1.	(Repealed 16 of 2004 s. 16)	
2-4.	(Repealed L.N. 36 of 2003)	
5.	Contracts for Employment Outside Hong Kong Ordinance (Cap 78)	Sections 5(1), 6 and 8(a) and (b)
6.	(Repealed L.N. 36 of 2003)	
7.	Dutiable Commodities (Liquor) Regulations (Cap 109 sub. leg. B)	Regulations 15 and 26
8.	Immigration Ordinance (Cap 115)	Sections 2AB(2)(a), 2AC(2)(a), 5(6) and (7) and 6(1) and (2) (L.N. 36 of 2003)
9.	Buildings Ordinance (Cap 123)	Sections 8B(1), 8C(2), 8D(2), 17(1) (Column B), 19(1) and (4), 20(2), 21(2), 25(1) and 42(2)
10.	Building (Administration) Regulations (Cap 123 sub. leg. A)	Regulations 6(1), 11, 18(1), 18A, 23(1A) and (2), 29(1), 31(1), 33(1), 38 and 47
11.	Building (Planning) Regulations (Cap 123 sub. leg. F)	Regulations 51(1), 53(1) and 64(1) and (2)
12.	Building (Private Streets and Access Roads) Regulations (Cap 123 sub. leg. G)	Regulation 28
13.	Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations (Cap 123 sub. leg. I)	Regulations 62(1) and 73(1)
14.	Building (Oil Storage Installations) Regulations (Cap 123 sub. leg. K)	Regulations 6(1) and 10(2)
15.	Lands Resumption Ordinance (Cap 124)	Sections 6(2) and 8(1)
16.	Foreshore and Sea-bed (Reclamations) Ordinance (Cap 127)	Sections 6(1) and 12(1)
17.	Land Acquisition (Possessory Title) Ordinance (Cap 130)	Section 6(1)
18.	Town Planning Ordinance (Cap 131)	Sections 16(2), 17(1) and 24(1)
19.	Commercial Bathhouses Regulation (Cap 132 sub. leg. I)	Section 5(1)
20.	Food Business Regulation (Cap 132 sub. leg. X)	Section 32(1)
21.	Frozen Confections Regulation (Cap 132 sub. leg. AC)	Section 18(1)
22.	Milk Regulation (Cap 132 sub. leg. AQ)	Section 15(1)
23.	Offensive Trades Regulation (Cap 132 sub. leg. AX)	Section 9(2)
24.	Places of Amusement Regulation (Cap 132 sub. leg. BA)	Section 5(1)
25.	Public Cemeteries Regulation (Cap 132 sub. leg. BI)	Section 5(a)
26.	Slaughterhouses Regulation (Cap 132 sub. leg. BU)	Section 10(1)
27.	Swimming Pools Regulation (Cap 132 sub. leg. CA)	Section 5(1)
28.	Places of Public Entertainment Regulations (Cap 172 sub. leg. A)	Regulations 3(1), 5(1) and (2) and 162(1), (3), (4) and (5)
29.	Births and Deaths Registration Ordinance (Cap 174)	Sections 8(1), 12(2)(b)(i) and (c)(i) and 12A(b)(i) and (c)(i)
30.	Registration of Persons Regulations (Cap 177 sub. leg. A)	Regulation 4(1) and (1B)(a)
31.	Marriage Reform Ordinance (Cap 178)	Section 9(4)(a)

32.	Marriage Ordinance (Cap 181)	Section 14(1)
33.	Aerial Ropeways (Safety) Ordinance (Cap 211)	Section 7
34.	Aerial Ropeways (Operation and Maintenance) Regulations (Cap 211 sub. leg. A)	Regulations 6(1) and 20(5)
35.	Peak Tramway (Safety) Regulations (Cap 265 sub. leg. A)	Regulation 30
36.	Mass Transit Railway (Land Resumption and Related Provisions) Ordinance (Cap 276)	Section 21(1)
37.	(Repealed L.N. 36 of 2003)	
38.	Reserved Commodities (Control of Imports, Exports and Reserve Stocks) Regulations (Cap 296 sub. leg. A)	Regulations 11(2) and 12(2)
39.	Reserved Commodities (Control of Sales by Wholesale) Regulations (Cap 296 sub. leg. B)	Regulation 3(2)
40.	Lifts and Escalators (Safety) Ordinance (Cap 327)	Section 6(1)
41.	Hotel and Guesthouse Accommodation Ordinance (Cap 349)	Sections 6(1) and (4), 7(2), 8(1), 9(2) and 12(2)
42.	Water Pollution Control (Sewerage) Regulation (Cap 358 sub. leg. AL)	Sections 14(1) and 16(1)
43.	Roads (Works, Use and Compensation) Ordinance (Cap 370)	Sections 10(1) and (3) and 29(1) and (4)
44.	Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap 374 sub. leg. E)	Regulations 5(1), 17(2) and 20(1) and (3)
45.	Dangerous Goods (Consignment by Air) (Safety) Regulations (Cap 384 sub. leg. A)	Regulation 6(1)(b)
46.	Land Drainage (Consent and Approval) Regulation (Cap 446 sub. leg. A)	Sections 3(1) and (2) and 4
47.	Amusement Rides (Safety) Ordinance (Cap 449)	Sections 5 and 39
48.	Amusement Rides (Safety) (Operation and Maintenance) Regulation (Cap 449 sub. leg. B)	Section 6(1)
49.	Builders' Lifts and Tower Working Platforms (Safety) Ordinance (Cap 470)	Sections 12(3) and 15(a)
50.	Land Survey Ordinance (Cap 473)	Section 30(4) and (6)
51.	New Territories Land Exchange Entitlements (Redemption) Ordinance (Cap 495)	Section 5(1), (2), (4) and (5)
52.	Environmental Impact Assessment Ordinance (Cap 499)	Sections 4(5), 5(1), (2) and (4), 6(2), 7(1)(a), 8(1), 10(1)(a), 12(1) and (2) and 13(1)
53.	Railways Ordinance (Cap 519)	Sections 10(1) and (4) and 34(1)
54.	Electoral Affairs Commission (Registration of Electors) (Legislative Council Geographical Constituencies) (District Council Constituencies) Regulation (Cap 541 sub. leg. A)	Section 5(2) (L.N. 261 of 2000)
55.	Electoral Affairs Commission (Registration) (Electors for Legislative	Section 21(2) (L.N. 261 of 2000; L.N. 268 of 2001)



	Council Functional Constituencies) (Voters for Election Committee Subsectors) (Members of Election Committee) Regulation (Cap 541 sub. leg. B)	
56.	Electoral Affairs Commission (Nominations Advisory Committees (Legislative Council)) Regulation (Cap 541 sub. leg. C)	Sections 5(13) and 8(2)
57.	Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation (Cap 541 sub. leg. D)	Sections 23(8) and (12), 25(6) and (15), 42(11) and (13) and 66(7) and (10) (L.N. 268 of 2001)
58.	Electoral Affairs Commission (Nominations Advisory Committees (District Councils)) Regulation (Cap 541 sub. leg. E)	Sections 5(8) and 8(2)
59.	Electoral Affairs Commission (Electoral Procedure) (District Councils) Regulation (Cap 541 sub. leg. F)	Sections 26(5) and (9), 28(3), (9) and (12), 45(8) and (10), 66(6) and (9) and 102(4)
59A.	Electoral Affairs Commission (Nominations Advisory Committees (Election Committee)) Regulation (Cap 541 sub. leg. H)	Sections 6(13) and 9(2) (L.N. 268 of 2001)
59B.	Electoral Affairs Commission (Electoral Procedure) (Election Committee) Regulation (Cap 541 sub. leg. I)	Sections 23(5) and (9), 25(2), 42(8) and (10) and 64(8) and (10) (L.N. 268 of 2001)
59C.	Electoral Procedure (Chief Executive Election) Regulation (Cap 541 sub. leg. J)	Sections 4(1), 9(2), 14(3) and (5), 25(5) and (7), 44(4) and (6), 80(2) and 81(1)(b) (L.N. 282 of 2001)
60.	Legislative Council Ordinance (Cap 542)	Sections 13(1), 14(1), 26(6), 38(3), 40(1)(b) and 42(2) (21 of 2001 s.75)
61.	Registration of Electors (Appeals) Regulation (Cap 542 sub. leg. B)	Section 2(1) and (2)(c)
62.	(Repealed L.N. 268 of 2001)	
63.	District Councils Ordinance (Cap 547)	Sections 15(1), 23(1), 25(1), 34(1)(b), 35(2) and 63(1) and Schedule 5, section 2
64.	Election (Corrupt and Illegal Conduct) Ordinance (Cap 554)	Section 37(1) and (2) (L.N. 167 of 2000)
65.	Chief Executive Election Ordinance (Cap 569)	Sections 16(2) and (7), 31(1), 33(1) and 34(2) and the Schedule, sections 3(3), 13(6) and 21(2) (21 of 2001 s. 75)
66.	Election Committee (Appeals) Regulation (Cap 569 sub. leg. A)	Sections 4(1) and 5(1) and (2)(c) (L.N. 268 of 2001)
67.	Election Committee (Registration) (Voters for Subsectors) (Members of Election Committee) (Appeals) Regulation (Cap 569 sub. leg. B)	Section 3(1) and (2)(c) (L.N. 268 of 2001)
68.	Village Representative Election Ordinance (Cap 576)	Sections 8(1), 10(1), 24 and 26(2) (2 of 2003 s. 68)
69.	Antibiotics Ordinance (Cap 137)	Section 4(1)(c) (L.N. 36 of 2003)
70.	Pharmacy and Poisons Regulations (Cap 138 sub. leg. A)	Regulation 9(3)(a) (L.N. 36 of 2003)
71.	Traffic Accident Victims	Section 9(1) (L.N. 36 of 2003)

(Assistance Fund) Ordinance  
(Cap 229)

Chapter:	556D	MASS TRANSIT RAILWAY (TRANSPORT INTERCHANGE) BYLAW	Gazette Number	Version Date
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Section:	51	Other court orders at conclusion of proceedings	L.N. 136 of 2000; G.N. 3903 of 2000	30/06/2000
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(1) If at the conclusion of any proceedings a complaint is dismissed, the magistrate may at the same time make an order for the payment of costs by the complainant of a sum as referred to in subsection (9).

(2) If at the conclusion of any proceedings an order for payment of the fixed penalty either with or without an additional penalty is made, the magistrate-

- (a) may at the same time make an order for the payment of costs by the defendant of a sum as referred to in subsection (9); and
- (b) shall at the same time make an order directing the Commissioner, for so long as the defendant fails to pay the sum adjudged to be paid-
  - (i) to refuse to issue a driving licence to the defendant or to refuse to renew his driving licence; and
  - (ii) in respect of any motor vehicle of which the defendant is the registered owner, to take no action under regulation 17(3), (4), (4A) or (5) of the Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap 374 sub. leg.) on receipt of any notice of transfer of ownership of the motor vehicle and to refuse to license the motor vehicle under regulation 21(3), (5) or (6) of those Regulations.

(3) An order under subsection (2)(a) shall specify-

- (a) the name of the defendant;
- (b) the sum adjudged to be paid.

(4) Where an order under subsection (2)(b) is made, the magistrate shall cause notice of the order to be sent to the Commissioner if the sum adjudged to be paid is not paid within 24 hours of the making of the order.

(5) An order under subsection (2)(b) shall cease to have effect if the defendant produces to the Commissioner a receipt or other evidence to prove that the sum adjudged to be paid has been paid.

(6) An order under subsection (2)(b)(ii) shall cease to have effect if the defendant sells or otherwise disposes of the motor vehicle and the new owner of the motor vehicle is, at the time of delivery of notice of transfer of ownership under regulation 17 of the Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap 374 sub. leg.), in possession of a valid certificate issued by the Commissioner in accordance with the form prescribed by the Commissioner from time to time to the effect that no notice of a valid order under subsection (2)(b)(ii) appears in the records of the Commissioner in respect of the motor vehicle.

(7) An application for a certificate under subsection (6) shall be made to the Commissioner and shall be in accordance with the form prescribed by the Commissioner from time to time.

(8) A certificate issued under subsection (6) shall be valid for not more than 72 hours from the time of issue;

(9) The sums which may be ordered by the magistrate for the payment of costs for the purpose of subsections (1) and (2)(a) shall be the same as the sums which may be ordered by a magistrate for the payment of costs for the purpose of section 22(1) and (2)(a) of the Fixed Penalty (Traffic Contraventions) Ordinance (Cap 237) respectively.