

立法會
Legislative Council

LC Paper No. LS28/04-05

**Paper for the House Committee Meeting
on 7 January 2005**

**Legal Service Division Report on
Subsidiary Legislation Gazetted on 31 December 2004**

Date of Tabling in LegCo : 5 January 2005

Amendment to be made by : 2 February 2005 (or 23 February 2005 if extended by resolution)

PART I VARIATION OF FEES UNDER THE BUILDINGS ORDINANCE

Buildings Ordinance (Cap. 123)

***Building (Administration) (Amendment) Regulation 2004 (L.N. 221)**

^Building (Oil Storage Installations) (Amendment) Regulation 2004 (L.N. 222)

L.N. 221 revises the fees for the registration of authorized persons, structural engineers, geotechnical engineers, general building contractors and specialist contractors payable under the Buildings Ordinance (Cap. 123). L.N. 222 reduces the fees for the grant and the renewal of a licence in respect of an oil storage installation for the storage of petroleum products. Both Amendment Regulations would come into operation on 25 February 2005.

2. Members may refer to the LegCo Brief (File Ref.: HPLB(B)30/30/31) issued by the Housing, Planning and Lands Bureau in December 2004 for background information. Annex C to the Brief presents the cost computations and Annexes D and E contain details of the adjustments.

3. The Administration proposes seven increases and twelve reductions, ranging from -80% to +12%. All fees are proposed to be revised to full cost level, based on a costing exercise at 2004-05 price level. The registration fees were last

* fee increase and reduction

^ fee reduction

revised in 1997 and 2000 while the licence fees were last revised in 1997. The Administration believes that the fee adjustments do not have a direct impact on the public at large, and are in line with the 2004-05 Budget Speech of the Financial Secretary that government fees and charges would be revised starting with those that do not directly affect people's livelihood or general business activities.

4. According to the LegCo Brief, the Administration has consulted the Standing Advisory Committee (Oil Storage Installations), the Building Sub-committee of the Lands and Building Advisory Committee and the Authorized Persons and Registered Structural Engineers Committee. Members of these committees raised no objection to the proposals. An information paper was submitted by the Administration to the Panel on Planning, Lands and Works in November 2004.

PART II QUARANTINE AND PREVENTION OF DISEASE ORDINANCE

Quarantine and Prevention of Disease Ordinance (Cap. 141)

Quarantine and Prevention of Disease Ordinance (Amendment of First Schedule)

(No. 3) Order 2004 (L.N. 223)

Prevention of the Spread of Infectious Diseases Regulations (Amendment of Form) (No. 3) Order 2004 (L.N. 224)

5. L.N. 223 adds Influenza A (H7) and Influenza A (H9) to the list of infectious diseases specified in the First Schedule to the Quarantine and Prevention of Disease Ordinance (Cap. 141). L.N. 224 adds these two diseases to Form 2 of the Schedule to the Prevention of the Spread of Infectious Diseases Regulations (Cap. 141 sub. leg. B).

6. The effect of the two Orders is that provisions relating to infectious diseases in that Ordinance and Regulations apply to Influenza A (H7) and Influenza A (H9). Medical practitioners and medical officers are required to notify suspected cases of these diseases to the Director of Health in accordance with Form 2. Both Orders have come into operation on 31 December 2004.

7. Members may refer to the LegCo Brief (File Ref.: HWF CR(H)4/3231/96(04) Pt. 12) issued by the Health, Welfare and Food Bureau dated 28 December 2004 for background information. Annex C to the LegCo Brief contains information on recent occurrence of human avian influenza infection.

8. The Panel on Health Services has not been consulted. According to the Brief, the Administration expects community leaders and members of the public to welcome the Orders which would strengthen surveillance of new strains of avian influenza. Medical practitioners in Hong Kong will be informed individually.

9. No difficulties relating to the legal and drafting aspects of all of the above items of subsidiary legislation have been identified.

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