

立法會
Legislative Council

LC Paper No. LS35/06-07

**Paper for the House Committee Meeting
on 23 February 2007**

**Legal Service Division Report on
Subsidiary Legislation Gazetted on 2 February 2007**

Date of tabling in LegCo : 7 February 2007

Amendment to be made by : 7 March 2007 (or 28 March 2007 if extended by resolution)

Road Traffic Ordinance (Cap. 374)

Road Traffic (Traffic Control) (Amendment) Regulation 2007 (L.N. 16)

The Road Traffic (Traffic Control) (Amendment) Regulation 2007 (the Amendment Regulation) is made by the Secretary for the Environment, Transport and Works under sections 11 and 13 of the Road Traffic Ordinance (Cap. 374) to amend regulation 27 of and Schedule 1 to the Road Traffic (Traffic Control) Regulations (Cap. 374 sub. leg. G) (Principal Regulations). The Amendment Regulation:

- (a) empowers the Commissioner for Transport (the Commissioner) to grant an exemption to any category of taxis from any closure of road under regulation 27(1) of the Principal Regulations; and
 - (b) adds a new traffic sign (Figure No. 433) in Schedule 1 to the Principal Regulations which may be used with the traffic sign (Figure No. 149) to indicate the exception of the specified category of taxis to the particular restriction indicated by the traffic sign (Figure No. 149).
2. The Amendment Regulation shall come into operation on 1 April 2007.
 3. Members may refer to the LegCo Brief issued by the Environment, Transport and Works Bureau on 1 February 2007 (File Ref: ETWB(T)CR 2/2/5593/98) for background information.
 4. According to the LegCo Brief, the public transport interchange at the Sheung Shui to Lok Ma Chau Spur Line Terminus (PTI) will be opened in 2007. All urban and New Territories taxis will be allowed to operate at the PTI but the roads

leading to the PTI are closed under regulation 27(1) of the Principal Regulations. The Commissioner will exercise his power to grant exemption to such taxis from the closed road restriction having regard to the actual commissioning date of the PTI.

5. The Panel on Transport was briefed on 26 January 2007 on the public transport arrangements at the PTI. Whilst supporting the proposal to provide urban and New Territories taxi and franchised bus services in the PTI, members have requested the Administration to allow non-franchised buses to access the PTI. The Panel will meet with representatives of various transport trades, including taxi, public light bus, non-franchised bus and cross-boundary bus operators on 2 March 2007 and continue discussion with the Administration on related matters.

Immigration Ordinance (Cap. 115)

Immigration (Anchorage and Landing Places) (Amendment) Order 2007 (L.N. 17)

6. The Immigration (Anchorage and Landing Places) (Amendment) Order 2007 is made by the Secretary for Security under section 60 of the Immigration Ordinance (Cap. 115) to replace item I in Schedule 1A to the Immigration (Anchorage and Landing Places) Order (Cap. 115 sub. leg. C).

7. The new item I sets out anew the description of the Hong Kong International Airport Immigration Anchorage to provide for its revised boundary as a result of the alteration works at the SkyPier, and for the extension of pontoons from the SkyPier for use as temporary immigration anchorages during the construction of SkyPier II.

8. The Amendment Order shall come into operation on 29 March 2007.

9. Members may refer to the LegCo Brief issued by the Economic Development and Labour Bureau dated 2 February 2007 for background information.

10. The Panel on Security has not been consulted on the Amendment Order.

Securities and Futures Ordinance (Cap. 571)

Securities and Futures (Contracts Limits and Reportable Positions) (Amendment) Rules 2007 (L.N. 18)

11. The Securities and Futures (Contracts Limits and Reportable Positions) (Amendment) Rules 2007 are made by the Securities and Futures Commission under section 35(1) of the Securities and Futures Ordinance (Cap. 571) (the Ordinance) to amend Schedule 1 to the Securities and Futures (Contracts Limits and Reportable Positions) Rules (Cap. 571 sub. leg. Y) to combine the prescribed limits of Hang Seng China Enterprises Index futures contracts and Hang Seng China Enterprises Index

options contracts into an aggregate limit applicable to all Hang Seng China Enterprises Index futures contracts and options contracts.

12. The Amendment Rules shall come into operation on 30 March 2007.

13. Members may refer to the LegCo Brief issued by the Securities and Futures Commission dated 29 January 2007 for background information.

14. According to the LegCo Brief, the Commission does not consider it necessary to conduct a public consultation as the amendments are essentially of a technical nature and in response to market feedback. The Risk Management Committee (formed under section 65 of the Ordinance) and the Derivative Market Consultative Panel of Hong Kong Exchanges and Clearing Limited have been consulted on the proposed amendment, and have not indicated any objection.

15. The Amendment Rules have not been discussed by the Financial Affairs Panel.

Tax Reserve Certificates (Fourth Series) Rules (Cap. 289 sub. leg. A)
Tax Reserve Certificates (Rate of Interest) Notice 2007 (L.N. 19)

16. By this Notice made under rule 7(2)(h) of the Tax Reserve Certificates (Fourth Series) Rules (Cap. 289 sub. leg. A), the Financial Secretary prescribed the rate of interest payable on tax reserve certificates issued on or after 5 February 2007 to be 2.6167% per annum (“the new rate”). The Schedule to the Tax Reserve Certificates (Rate of Interest) (Consolidation) Notice (Cap. 289 sub. leg. B) is amended accordingly by adding “and before 5 February 2007” at the end of item 155 and the new rate as item 156.

17. The Notice has not been discussed in the Financial Affairs Panel.

Concluding Remarks

18. No difficulties relating to the legal and drafting aspects of L.N. 16 to L.N. 19 of 2007 have been identified.

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