

**立法會**  
**Legislative Council**

LC Paper No. LS25/11-12

**Paper for the House Committee Meeting  
on 3 February 2012**

**Legal Service Division Report on  
Subsidiary Legislation Gazetted on 20 January 2012**

**Date of tabling in LegCo** : 1 February 2012

**Amendment to be made by** : 29 February 2012 (or 21 March 2012 if extended by resolution)

**PART I SCHEDULES OF PUBLIC BUS ROUTES**

**Public Bus Services Ordinance (Cap. 230)**

**Schedule of Routes (Citybus Limited) Order 2012 (L.N. 4)**

**Schedule of Routes (Citybus Limited) (North Lantau and Chek Lap Kok Airport) Order 2012 (L.N. 5)**

**Schedule of Routes (Kowloon Motor Bus Company (1933) Limited) Order 2012 (L.N. 6)**

**Schedule of Routes (Long Win Bus Company Limited) Order 2012 (L.N. 7)**

**Schedule of Routes (New Lantao Bus Company (1973) Limited) Order 2012 (L.N. 8)**

**Schedule of Routes (New World First Bus Services Limited) Order 2012 (L.N. 9)**

The Orders in L.N. 4 to L.N. 9 are made by the Chief Executive in Council under section 5(1) of the Public Bus Services Ordinance (Cap. 230) (the Ordinance) to update the schedules of non-exclusive\* bus routes operated by five franchised bus companies.

2. Under section 5(1) of the Ordinance, the Chief Executive in Council may grant to the existing franchised public bus companies the right to operate public bus service on such routes as specified by order. Section 15(1)

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\* Exclusive bus routes no longer exist due to the Government's policy to remove exclusivity of bus routes to allow greater flexibility in service adjustment and help stimulate healthy competition.

of the Ordinance provides that the Commissioner for Transport may, after consultation with bus companies, require them to introduce new routes and make alterations to specified routes on a temporary basis. Such changes may take effect for a period up to only 24 months unless they are specified in orders made by the Chief Executive in Council under section 5(1) before expiry of the relevant period. According to the LegCo Brief (File Ref: THB(T)L 2/4/115) issued by the Transport and Housing Bureau in January 2012, L.N. 4 to L.N. 9 were made to enable the service changes introduced under section 15(1) of the Ordinance between 1 October 2010 and 30 September 2011 to continue to take effect.

3. L.N. 4 repeals the Schedule of Routes (Citybus Limited) Order 2011 (L.N. 12 of 2011) and updates the schedule of non-exclusive bus routes operated by the Citybus Limited (other than for north Lantau and the airport at Chek Lap Kok). According to the LegCo Brief, Citybus Limited made alterations to 16 routes in respect of its franchise for Hong Kong Island and cross-harbour bus services.

4. L.N. 5 repeals the Schedule of Routes (Citybus Limited) (North Lantau and Chek Lap Kok Airport) Order 2011 (L.N. 13 of 2011) and updates the schedule of non-exclusive bus routes operated by the Citybus Limited for north Lantau and the airport at Chek Lap Kok. According to the LegCo Brief, Citybus Limited made alterations to four routes in respect of its franchise for north Lantau and Chek Lap Kok Airport bus services.

5. L.N. 6 repeals the Schedule of Routes (Kowloon Motor Bus Company (1933) Limited) Order 2011 (L.N. 14 of 2011) and updates the schedule of non-exclusive bus routes operated by the Kowloon Motor Bus Company (1933) Limited. According to the LegCo Brief, Kowloon Motor Bus Company (1933) Limited cancelled one route and made alterations to 56 routes.

6. L.N. 7 repeals the Schedule of Routes (Long Win Bus Company Limited) Order 2011 (L.N. 15 of 2011) and updates the schedule of non-exclusive bus routes operated by the Long Win Company Limited. According to the LegCo Brief, Long Win Bus Company Limited made alterations to one route.

7. L.N. 8 repeals the Schedule of Routes (New Lantao Bus Company (1973) Limited) Order 2011 (L.N. 16 of 2011) and updates the schedule of non-exclusive bus routes operated by the New Lantao Bus Company (1973) Limited. According to the LegCo Brief, New Lantao Bus Company (1973) Limited made alterations to two routes.

8. L.N. 9 repeals the Schedule of Routes (New World First Bus Services Limited) Order 2011 (L.N. 17 of 2011) and updates the schedule of non-exclusive bus routes operated by the New World First Bus Services Limited. According to the LegCo Brief, New World First Bus Services Limited introduced one new route and made alterations to 18 routes.

9. According to the LegCo Brief, the District Councils concerned were consulted on the major changes before the changes were introduced and they generally supported the changes which have been implemented.

10. The Panel on Transport has not been consulted on these six Orders.

11. These six Orders come into operation on 1 April 2012.

## **PART II PUBLIC HEALTH AND MUNICIPAL SERVICES**

### **Public Health and Municipal Services Ordinance (Cap. 132)**

#### **Public Health and Municipal Services (Designation of Public Swimming Pool) Order 2012 (L.N. 10)**

#### **Public Health and Municipal Services Ordinance (Amendment of Fourteenth Schedule) Order 2012 (L.N. 11)**

#### **Public Health and Municipal Services (Setting Aside Places for Use as Public Pleasure Grounds) Order 2012 (L.N. 12)**

#### **Public Health and Municipal Services Ordinance (Amendment of Fourth Schedule) Order 2012 (L.N. 13)**

12. L.N. 10 to L.N. 13 are made by the Director of Leisure and Cultural Services (the Director) for designating a public swimming pool and setting aside places for use as public pleasure grounds, under sections 42A and 106 of the Public Health and Municipal Services Ordinance (Cap. 132) (the Ordinance) respectively.

#### L.N. 10 and L.N. 11

13. L.N. 10 designates the Tuen Mun North West Swimming Pool as a public swimming pool. L.N. 11 adds this swimming pool to the Fourteenth Schedule to the Ordinance to reflect the designation of the new public swimming pool. The effect of both Orders is to vest the management and control of the designated public swimming pool in the Director as the Authority under the Ordinance.

L.N. 12 and L.N. 13

14. L.N. 12 sets aside 25 places in Hong Kong Island, Kowloon and the New Territories for use as public pleasure grounds. L.N. 13 updates the list of public pleasure grounds in the Fourth Schedule to the Ordinance (the Fourth Schedule) to reflect these changes.

15. The effect of L.N. 12 and L.N. 13 is that the management and control of the 25 new public pleasure grounds is vested in the Director as the Authority under the Ordinance.

16. Members may refer to the LegCo Briefs (File Ref: L/M No. (1) in LCS 19/HQ 813/00(16)) issued by the Leisure and Cultural Services Department on 13 January 2012.

17. The Panel on Home Affairs has not been consulted on these four Orders.

18. L.N. 10 to L.N. 13 have come into operation on the date of gazettal, i.e. 20 January 2012.

**Concluding Remarks**

19. No difficulties relating to the legal or drafting aspects of the above items of subsidiary legislation have been identified.

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