



立法會秘書處 法律事務部
LEGAL SERVICE DIVISION
LEGISLATIVE COUNCIL SECRETARIAT

來函檔號 YOUR REF : THB(T)CR 2/5591/75
本函檔號 OUR REF : LS/B/13/14-15
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By Fax (2104 7274)

6 May 2015

Miss Carrie CHANG
Principal Assistant Secretary for Transport and Housing
(Transport) 1
Transport and Housing Bureau
21/F, East Wing
Central Government Offices
2 Tim Mei Avenue
Tamar
Hong Kong

Dear Miss CHANG,

Peak Tramway (Amendment) Bill 2015

I am scrutinising the captioned Bill with a view to advising Members on its legal and drafting aspects and would like to seek information on the following matters.

According to paragraph 10 of the LegCo Brief (File Ref: THB(T) CR 2/5591/75) issued by the Transport and Housing Bureau dated 22 April 2015, the Department of Justice has confirmed that the mandatory lease and sale arrangements which are proposed under the Bill are consistent with Articles 6 and 105 of the Basic Law. As such, please provide the legal justifications in respect of the consistency.

Further, it is noted that clauses 5, 12(4) and 13 of the Bill would come into operation on 1 January 2016 whereas the rest of the clauses would come into operation on the day on which the Bill is published in the Gazette as an Ordinance. Please provide the relevant considerations of the said commencement arrangement.

As the House Committee will consider the Bill at its meeting on 8 May 2015, we would be grateful for your reply in both Chinese and English language to reach us as soon as practicable.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Evelyn', with a stylized flourish at the end.

(Miss Evelyn LEE)
Assistant Legal Adviser

c.c. DoJ
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Deputy Law Draftsman (Bilingual Drafting and Administration))
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LA