

Bills Committee on Kai Tak Cruise Terminal Bill

**List of follow-up actions arising from the discussion
at the meeting on 19 January 2016**

The Administration is requested to consider/provide information on the following –

- (a) examples in other legislation which delegate statutory powers including enforcement powers to persons other than public officers as currently proposed in Clauses 6 and 21 of the Kai Tak Cruise Terminal Bill ("the Bill");
- (b) whether the Administration will align the drafting of "must, as soon as practicable ... take the person to a police station ..." ("在切實可行範圍內盡快...帶往警署") in Clause 21(2) of the Bill along the wording of "... and forthwith take him to a police station" ("立即將他帶到警署") in Section 36 of the Shipping and Port Control (Ferry Terminals) Regulations (Cap. 313H) and if the answer is negative, the reasons for the present drafting of Clause 21(2);
- (c) whether the Port Facility Security Plan is only applicable to the restricted areas of the Kai Tak Cruise Terminal ("KTCT");
- (d) a copy of the tenancy agreement sample including the provisions in relation to the rent and any other fees (if any) to be paid by the terminal operator to the Government under the tenancy agreement;
- (e) the permissible uses under Column I and Column II of the relevant statutory plans that have been determined by the Town Planning Board in respect of KTCT;
- (f) whether the Commissioner for Tourism's power to allow "any activity that the Commissioner considers appropriate" at KTCT under Clause 4(c) of the Bill would override the restrictions on such use of KTCT as imposed by the Town Planning Board and whether the Commissioner's power under Clause 4(c) is subject to any limits or restrictions; and
- (g) details, including the rank(s) and any particular requirements e.g. training, of the terminal operator's or the property manager's employees who could be delegated/sub-delegated to exercise the relevant powers under Clause 6 of the Bill.