

**立法會**  
***Legislative Council***

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Tel : 3919 3308

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From : Clerk to the Legislative Council

To : All Members of the Legislative Council

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**Council meeting of 27 April 2016**

**Kai Tak Cruise Terminal Bill**

**Committee stage amendments**

The Second Reading debate on the above Bill will be resumed at the Council meeting of 27 April 2016. Subject to the Bill receiving Second Reading, the President has given permission for the Secretary for Commerce and Economic Development to move proposed amendments to the Bill at its Committee stage.

2. As directed by the President, the proposed amendments are attached for Members' consideration.

(Lilian MOK)  
for Clerk to the Legislative Council

Encl.

# Kai Tak Cruise Terminal Bill

## Committee Stage

### Amendments to be moved by the Secretary for Commerce and Economic Development

<u>Clause</u>	<u>Amendment Proposed</u>
2	<p>In the definition of <i>cruise ship</i>, by deleting everything after “means” and substituting—</p> <p>“—</p> <p>(a) a vessel—</p> <p>(i) carrying or intended to be used to carry passengers exclusively for sightseeing or pleasure purposes; and</p> <p>(ii) plying, along a predetermined route, on any voyage—</p> <p>(A) from a port outside Hong Kong to the same or another port outside Hong Kong, during the course of which Hong Kong is an intermediate port of call; or</p> <p>(B) which begins, ends or begins and ends within the waters of Hong Kong, whether or not the vessel calls at any port outside Hong Kong during its course; or</p> <p>(b) a vessel approved as such under section 22A;”.</p>
7	<p>In the heading, by deleting “<b>Access to and from and remaining in Terminal Area by persons</b>” and substituting “<b>Access by persons to and from Terminal Area and order to leave</b>”.</p>
7	<p>By deleting subclause (2) and substituting—</p> <p>“(2) If the Commissioner or an authorized officer considers it necessary for the operation, safety or security of the Terminal, the Commissioner or officer may order a person to leave the Terminal Area, or any part of it.”.</p>

- 7(3) By deleting “The Commissioner or an authorized” and substituting “If the Commissioner or an authorized officer considers it necessary for the operation, safety or security of the Terminal, the Commissioner or”.
- 7(4) By deleting “or (2)”.
- 7(5) By adding “an order given under subsection (2) or” after “comply with”.
- 8 By deleting subclause (4) and substituting—
- “(4) If the Commissioner or an authorized officer considers it necessary for the operation, safety or security of the Terminal, the Commissioner or officer may—
- (a) give a direction or an order to the driver of a vehicle or the owner or master of a vessel (including an order requiring the vehicle or vessel to leave the Terminal Area, or any part of it); or
- (b) exhibit a notice or sign in a conspicuous place within or near the Terminal Area for vehicles or vessels.”.
- 8(6) By deleting “, (2) or (4)” and substituting “or (2)”.
- 8 By adding—
- “(7) If the driver of a vehicle or the owner or master of a vessel, without reasonable excuse, fails to comply with a direction or an order given, or a notice or sign exhibited, under subsection (4) while the vehicle or vessel is within, entering or leaving the Terminal Area, the driver, owner or master commits an offence and is liable on conviction to a fine at level 1.”.
- 16 By deleting subclause (1) and substituting—

“(1) The Commissioner or an authorized officer may give an order, or exhibit a notice in a conspicuous place within the Terminal Area, to prohibit any person from doing any of the following within the Terminal Area—

- (a) selling anything;
- (b) offering anything for sale, or offering any service;
- (c) displaying or exhibiting any material for the purpose of advertisement or publicity (except where it is displayed or exhibited inside, or on the body of, a vehicle);
- (d) distributing any material;
- (e) making any public announcement—
  - (i) by radio or television; or
  - (ii) by video or cinematographic film.”.

16(2) By deleting “Subsection (1)” and substituting “The prohibition under subsection (1)”.

16(3) By deleting “Subsection (1)” and substituting “The prohibition under subsection (1)”.

16(4) By deleting “contravenes” and substituting “fails to comply with an order given, or a notice exhibited, under”.

17(2) By adding “reasonable” after “his or her”.

17(3) By adding “reasonable” after “his or her”.

18(2) In the English text, by deleting “Terminal Area except” and substituting “Terminal Area unless the activation is”.

19 By deleting the clause and substituting—

**“19. Compliance with direction, notice, etc.**

(1) If the Commissioner or an authorized officer

considers it necessary for the operation, safety or security of the Terminal, the Commissioner or officer may give a reasonable direction or order to any person.

- (2) If the Commissioner or an authorized officer considers it necessary for the operation, safety or security of the Terminal, the Commissioner or officer may exhibit a notice or sign in a conspicuous place within the Terminal Area.
- (3) If a person, without reasonable excuse, fails to comply with a direction or an order given under subsection (1), or a notice or sign exhibited under subsection (2), while the person is within the Terminal Area, the person commits an offence and is liable on conviction to a fine at level 1.”.

20(1)(a) By deleting “, paper”.

20(1)(e) By deleting “without reasonable cause” and substituting “with intent to commit an arrestable offence”.

21(2) By deleting “as soon as practicable” and substituting “to the extent practicable, forthwith”.

21(4) By adding “or a restricted area” after “Terminal Area”.

22(1) By deleting “Without limiting any other law, a” and substituting “A”.

New By adding—

**“22A. Commissioner may approve vessels as cruise ships**

For the purposes of the definition of *cruise ship* in section 2, the Commissioner may approve a vessel not falling within paragraph (a) of that definition as a cruise ship.”.

Schedule 2,  
section 4(1)(e) In the Chinese text, by deleting “ ° ” and substituting “ , ”.