

**立法會**  
***Legislative Council***

LC Paper No. LS59/15-16

**Paper for the House Committee Meeting  
on 24 June 2016**

**Legal Service Division Report on  
Subsidiary Legislation Gazetted on 21 June 2016**

**Tabling in LegCo** : Council meeting of 22 June 2016

**Amendment to be made by** : Second meeting of LegCo in the next session (or the first meeting held not earlier than the 21st day after the second meeting of the next session if extended by resolution)

**Road Traffic (Public Light Buses: Limit on Number)  
Notice 2016**

**(L.N. 101)**

L.N. 101 is made by the Chief Executive in Council under section 23 of the Road Traffic Ordinance (Cap. 374) to limit the total number of vehicles which may be registered as public light buses (PLBs) to 4 350<sup>1</sup>. This limit remains in force for 12 months beginning on 21 June 2016<sup>2</sup>.

2. L.N. 101 also repeals the Public Light Buses (Limitation on Number) Notice (Cap. 374K), which sets out the limit of 4 350 on the total number of PLBs. The limit set out in Cap. 374K has been extended from time to time through resolutions of the Legislative Council (LegCo), and it was last extended in 2011 for five years up to 20 June 2016. The Secretary for Transport and Housing (STH) gave notice to move a motion at the LegCo meeting of 6 January 2016 to seek LegCo's approval to further extend the period for which the limit will remain in force for five years up to 20 June 2021 (Proposed Resolution). However, the Proposed Resolution was not dealt with by the Council before the expiry of the current statutory limit on 20 June 2016. The limit on the number of PLBs set out in Cap. 374K therefore ceased to be in force after 20 June 2016 and may not now be extended. The Proposed Resolution was withdrawn by STH on 21 June 2016.

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<sup>1</sup> The limit of 4 350 on the total number of PLBs was first imposed in 1976 by G.N. 1065 of 1976 published in the Gazette on 21 May 1976.

<sup>2</sup> The Legislative Council may, pursuant to section 23(3) of Cap. 374, from time to time by resolution extend such period.

3. L.N. 101 comes into operation on 21 June 2016.

4. According to paragraph 10 of the LegCo Brief (File Ref.: THB(T) CR 19/5591/72) issued by the Transport and Housing Bureau on 21 June 2016, the Administration does not consider it necessary to adjust the statutory limit on the number of PLBs. The Administration consulted the PLB trade in June 2015 on the statutory limit. According to paragraph 13 of the LegCo Brief, 36 out of the 38 written submissions from the PLB trade indicated support for retaining the statutory cap at 4 350.

5. On 6 November 2015, the Panel on Transport was briefed on the Administration's findings on the review on the statutory limit on the number of PLBs. The Panel noted that the Administration would recommend extending the effective period of the limit for five years from 21 June 2016 to 20 June 2021. Whilst Panel members had no specific objection to the proposed extension, a few members were of the view that limiting the number of PLBs might hamper the efforts to improve PLB service. Other members expressed concerns that increasing the number of PLBs might intensify competition and adversely affect the existing operation of the trade. Quite a number of members expressed support for the proposal to increase the seating capacity of PLBs to enhance the overall capacity without having to increase the number of PLBs.

6. No difficulties have been identified in the legal and drafting aspects of L.N. 101.

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