

立法會
Legislative Council

LC Paper No. LS44/18-19

**Paper for the House Committee Meeting
on 15 February 2019**

**Legal Service Division Report on
Subsidiary Legislation Gazetted on 25 January 2019**

Tabling in LegCo : Council meeting of 30 January 2019

Amendment to be made by : Council meeting of 27 February 2019 (or that of 20 March 2019 if extended by resolution)

Waterworks (Amendment) Regulation 2019 **(L.N. 12)**

Under section 37 of the Waterworks Ordinance (Cap. 102), the Chief Executive ("CE") in Council may make regulations for the charges payable under Cap. 102. Pursuant to section 29A of the Interpretation and General Clauses Ordinance (Cap. 1), the Financial Secretary (which means also the Secretary for Financial Services and the Treasury ("SFST")) under section 3 of Cap. 1) may vary fees and charges which have previously been fixed by subsidiary legislation made by CE in Council.

2. L.N. 12 is made by SFST under section 29A of Cap. 1 by virtue of section 37 of Cap. 102. It amends Schedule 1 to the Waterworks Regulations (Cap. 102A) to increase by 6.2% to 31.6% 25 items of fees and charges payable for the following services under Cap. 102A:

- (a) making a connection to the main and installing (including reinstatement of the ground surface) the part of a fire service or inside service on land held by the Government for pipes of various sizes (six items);
- (b) reconnecting a fire service or inside service (one item);
- (c) providing and installing a meter (one item);
- (d) providing a meter (one item);
- (e) resealing a fire service or meter (one item);

- (f) testing a meter or a private check meter (including removal and refixing) (four items);
- (g) plumber's licence issuance, renewal and examination (three items);
- (h) fishing licence issuance (one item);
- (i) examination of a water sample for various tests (five items);
- (j) attendance for collection of any water sample or samples (one item); and
- (k) providing additional copy of water examination report (one item).

3. According to paragraph 4 of the Legislative Council ("LegCo") Brief (no file reference) issued by the Development Bureau in January 2019, the fees and charges (last revised on 1 January 2015) are increased with a view to recovering gradually the full cost of the public services provided. After the revision, the cost recovery rates of the 25 items of fees and charges will range from 25.8% to 99.5%. Members may refer to Annex 1 to the LegCo Brief for details of the fees and charges revision.

4. As advised by the Clerk to the Panel on Development, the Administration issued an information paper on the revision of the 25 items of fees and charges (LC Paper No. CB(1)32/18-19(01)) which was circulated to Panel members on 15 October 2018. No requests were received from members to discuss the matter at a Panel meeting.

5. L.N. 12 comes into operation on 29 March 2019.

6. No difficulties have been identified in the legal and drafting aspects of L.N. 12.

Prepared by

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