

立法會
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Paper for the House Committee meeting on 27 November 2020

**Report of Subcommittee on Five Pieces of Subsidiary Legislation on
Fee Waiving and Concession Measures Relating to the Tourism
and Entertainment Sectors**

Purpose

This paper reports on the deliberations of the Subcommittee on Five Pieces of Subsidiary Legislation on Fee Waiving and Concession Measures Relating to the Tourism and Entertainment Sectors ("the Subcommittee").

Background

2. On 15 August 2019, the Financial Secretary announced a package of relief measures with a view to countering the challenging external economic environment and softening local economy. The relief measures included waivers and reduction of various government fees and charges for one year in different sectors. On 15 September 2020, the Administration announced the extension of the waivers and concessions of government fees and charges implemented in 2019 and the introduction of new waivers to sustain the support for businesses and relieve individuals' financial burden in view of the impact of coronavirus disease 2019.

3. On 22 September 2020, the Chief Executive in Council made the following four items of subsidiary legislation, among others, to give effect to the extension of the existing waivers or concessions:

- (a) Karaoke Establishments (Fees) (Amendment) Regulation 2020 (L.N. 186 of 2020);

- (b) Karaoke Establishments (Fees) (Amendment) (Fee Concessions) Regulation 2019 (Amendment) Regulation 2020 (L.N. 187 of 2020);
- (c) Travel Agents (Amendment) Regulation 2020 (L.N. 188 of 2020);
and
- (d) Travel Agents (Amendment) (Fee Concessions) Regulation 2019 (Amendment) Regulation 2020 (L.N. 189 of 2020).

4. Separately, the Secretary for Home Affairs has made the Places of Public Entertainment (Fee Concessions) Regulation 2019 (Amendment) Regulation 2020 (L.N. 196 of 2020) to give effect to the extension of an existing waiver and the introduction of a new waiver.

The subsidiary legislation

5. L.N. 186 and L.N. 187 of 2020 extend the waiving or reduction of certain fees payable for the grant, issue or renewal of a permit, provisional permit, licence and provisional licence to operate karaoke establishments under the Karaoke Establishments (Fees) Regulation (Cap. 573B).

6. L.N. 188 and L.N. 189 of 2020 extend the waiving of fees payable for the application for, renewal of, or issuing a duplicate of, licence to operate as travel agents under the Travel Agents Regulations (Cap. 218A).

7. L.N. 196 of 2020 extends the waiving of fees payable for the grant or renewal of provisional licences or licences for keeping or using places of public entertainment specially designed as a theatre or cinema under the Places of Public Entertainment (Fee Concessions) Regulation 2019 (Cap. 172F). It also provides for concessions within the period from 1 October 2020 to 30 September 2021 on fees payable for the grant or renewal of licences for keeping or using other places of public entertainment (such as family amusement centres, exhibition venues, etc.).

Commencement

8. L.N. 186 and L.N. 188 of 2020 came into operation upon gazettal on 25 September 2020, except that the relevant provisions extending the concession period came into operation on 1 October 2020. L.N. 187 and L.N. 189 of 2020 came into operation upon gazettal on 25 September 2020. L.N. 196 of 2020 came

into operation on 1 October 2020.

The Subcommittee

9. At the House Committee meeting held on 16 October 2020, Members agreed that a subcommittee should be formed to examine L.N. 186 to L.N. 189 and L.N. 196 of 2020 in detail. The membership list of the Subcommittee is in the **Appendix**.

10. The Subcommittee has held two meetings on 2 November 2020 and 13 November 2020. The Subcommittee has considered it unnecessary to meet with deputations for views on the five pieces of subsidiary legislation.

11. To allow more time for scrutiny, the Subcommittee has agreed that the Chairman of the Subcommittee should move a motion at the Council meeting of 11 November 2020 to extend the scrutiny period of L.N. 186 to L.N. 189 and L.N. 196 of 2020 to the Council meeting of 2 December 2020. The motion was, however, not moved. The scrutiny period of the five pieces of subsidiary legislation therefore expired at the Council meeting of 11 November 2020.

Deliberations

Supportive measures for the tourism sector

12. Members support the Administration's measures which they consider would afford basic relief to many sectors facing difficulties in stringent economic environment. Some members have requested the Administration to continue to implement further supportive measures for the tourism sector.

13. The Administration has responded that supportive measures have been introduced under the Anti-epidemic Fund to provide one-off subsidies to travel agents and their staff. These measures include, for example the Travel Industry Support Scheme and the Travel Agents and Practitioners Support Scheme. The Administration assures the Subcommittee that it would keep in view the development of the pandemic situation and would consider appropriate measures as necessary.

Licence fees for hotels and guesthouses

14. One member has asked whether similar licence fee waivers or concessions would be provided in respect of hotels and guesthouses. The

Administration has advised that the Secretary for Home Affairs has the power to extend the waiving and refunding of fees for hotel and guesthouse licences as provided for under the Hotel and Guesthouse Accommodation (Fees) Regulations (Cap. 349B). The fee waiving/refunding arrangements can be implemented through administrative means (i.e. without the need to introduce subsidiary legislation) and has, in fact, been extended for one more year to cover the period from 1 October 2020 to 30 September 2021.

Work on creation of travel bubbles

15. Some members have suggested that the Administration should step up efforts to create travel bubbles with other places to facilitate the recovery of Hong Kong's tourism industry. One member has pointed out that as the majority of Hong Kong's inbound travelers are from the Mainland, the Administration should, as a matter of priority, implement suitable arrangements to facilitate passage of travellers between the Mainland and Hong Kong. The Administration has responded that it is following up the matter with the Guangdong and Macau authorities.

Section-by-section examination of L.N. 186 to L.N. 189 and L.N. 196 of 2020

16. Members have not raised queries on the five items of subsidiary legislation.

Recommendation

17. The Subcommittee has completed the scrutiny of L.N. 186 to L.N. 189 and L.N. 196 of 2020. Members support the five items of subsidiary legislation.

Advice sought

18. Members are invited to note the deliberations of the Subcommittee.

**Subcommittee on Five Pieces of Subsidiary Legislation on
Fee Waiving and Concession Measures Relating to the Tourism
and Entertainment Sectors**

Membership list*

Chairman (Vacant)

Member Hon Tommy CHEUNG Yu-yan, GBS, JP
Hon YIU Si-wing, BBS
Hon MA Fung-kwok, GBS, JP
Hon Christopher CHEUNG Wah-fung, SBS, JP
Hon SHIU Ka-fai, JP

(Total: 5 members)

Clerk Mr Daniel SIN

Legal Adviser Mr Cliff IP

* Changes in membership are shown in **Annex to Appendix**.

**Subcommittee on Five Pieces of Subsidiary Legislation on
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and Entertainment Sectors**

Changes in membership

| Member | Relevant date |
|---------------------------------------|------------------------|
| Hon Claudia MO | Up to 4 November 2020 |
| Hon SHIU Ka-chun | Up to 4 November 2020 |
| Dr Hon Fernando CHEUNG Chiu-hung | Up to 8 November 2020 |
| Prof Hon Joseph LEE Kok-long, SBS, JP | Up to 10 November 2020 |
| Hon IP Kin-yuen | Up to 10 November 2020 |
| Hon HUI Chi-fung | Up to 11 November 2020 |
| Hon Jeremy TAM Man-ho | Up to 11 November 2020 |
| Hon James TO Kun-sun | Up to 12 November 2020 |
| Hon WU Chi-wai, MH | Up to 12 November 2020 |
| Dr Hon Helena WONG Pik-wan | Up to 12 November 2020 |
| Hon Andrew WAN Siu-kin | Up to 12 November 2020 |
| Hon LAM Cheuk-ting | Up to 12 November 2020 |
| Hon KWONG Chun-yu | Up to 12 November 2020 |
| Hon LEUNG Yiu-chung | Up to 15 November 2020 |

According to the announcement made by the Hong Kong Special Administrative Region Government on 11 November 2020 pursuant to the Decision of the Standing Committee of the National People's Congress on Issues Relating to the Qualification of the Members of the Legislative Council ("LegCo") of the Hong Kong Special Administrative Region, Kenneth LEUNG, KWOK Ka-ki, Dennis KWOK Wing-hang and Alvin YEUNG were disqualified from being members of LegCo on 30 July 2020.