

立法會
Legislative Council

LC Paper No. LS12/20-21

**Paper for the House Committee Meeting
on 27 November 2020**

**Legal Service Division Report on
Subsidiary Legislation Gazetted on 20 November 2020**

Tabling in LegCo : Council meeting of 25 November 2020

Amendment to be made by : Council meeting of 16 December 2020 (or that of 13 January 2021 if extended by resolution)

Road Traffic (Registration and Licensing of Vehicles) (Amendment) Regulation 2017 (Commencement) Notice 2020 (L.N. 224)

Road Traffic (Public Service Vehicles) (Amendment) Regulation 2020 (Commencement) Notice 2020 (L.N. 225)

Tsing Ma Control Area (Tolls, Fees and Charges) (Amendment) Regulation 2020 (Commencement) Notice (L.N. 226)

Tsing Ma Control Area (General) (Amendment) Regulation 2020 (Commencement) Notice (L.N. 227)

L.N. 224 to L.N. 227 are made by the Secretary for Transport and Housing ("STH") in connection with the commissioning of the Northern Connection of the Tuen Mun-Chek Lap Kok Link ("TM-CLKL") on 27 December 2020.

L.N. 224

2. By L.N. 224, STH appoints 27 December 2020 as the day on which the uncommenced provision (i.e. section 3(4)) of the Road Traffic (Registration and Licensing of Vehicles) (Amendment) Regulation 2017 (L.N. 62 of 2017)¹ comes into operation. The effect of L.N. 224 is that with effect from 27 December 2020, New Territories ("NT") taxis are permitted to operate on certain roads in the Islands

¹ Section 3(3) of L.N. 62 of 2017 in so far as it relates to expanding the permitted operating area for NT taxis to cover the Southern Connection of TM-CLKL came into operation on 24 October 2018 by virtue of L.N. 204 of 2018. The other provisions of L.N. 62 of 2017 came into operation on 15 December 2017.

District and Tuen Mun District as delineated in Part II of Schedule 1 to the District Councils Ordinance (Cap. 547) (i.e. the Northern Connection of TM-CLKL).

3. According to paragraphs 4 and 6 of the Legislative Council ("LegCo") Brief (File Ref: THB(T)CR 1/4651/2019) issued by the Transport and Housing Bureau on 18 November 2020, L.N. 62 of 2017 was made to revise the permitted operating areas for NT and Lantau taxis so as to facilitate the travelling of passengers between the respective operating areas of the NT and Lantau taxis and the Hong Kong Port upon the commissioning of the Hong Kong-Zhuhai-Macao Bridge ("HZMB") and upon the making of L.N. 224, NT taxis will be able to make use of the Northern Connection of TM-CLKL to enter the HZMB Hong Kong Port.

4. A subcommittee was formed in April 2017 to study L.N. 62 of 2017. Members may refer to the report of the subcommittee (LC Paper No. CB(4)1114/16-17) for further information.

L.N. 225 to L.N. 227

5. By L.N. 225 to L.N. 227, STH respectively appoint 27 December 2020 as the day on which the following regulations come into operation:

- (a) Road Traffic (Public Service Vehicles) (Amendment) Regulation 2020 (L.N. 36 of 2020) (except section 3(1) relating to the waiving of the additional fare for every hiring of taxis involving the use of the Tseung Kwan O Tunnel²);
- (b) Tsing Ma Control Area (Tolls, Fees and Charges) (Amendment) Regulation 2020 (L.N. 37 of 2020); and
- (c) Tsing Ma Control Area (General) (Amendment) Regulation 2020 (L.N. 38 of 2020).

6. The effect of L.N. 225 to L.N. 227 is that with effect from 27 December 2020, the tolls for the use of the Lantau Link and the additional fare for every hiring of taxis involving the use of the Lantau Link will be waived.

7. As stated in paragraph 7 of the LegCo Brief, L.N. 36 to L.N. 38 of 2020 are made to implement the proposal announced in the 2019 Policy Address to waive the tolls of the Lantau Link upon the commissioning of the Tuen Mun-Chek Lap Kok Tunnel, which serves as an alternative land-based route to and from the Hong Kong International Airport, thus providing the necessary condition for toll-free arrangement for both strategic roads.

² It is stated in footnote 2 of the LegCo Brief that section 3(1) of L.N. 36 of 2020 will come into operation on a day to be appointed by STH by a separate commencement notice when the exact commissioning date of the Tseung Kwan O-Lam Tin Tunnel is confirmed.

8. A subcommittee was formed in May 2020 to study L.N. 36 to L.N. 38 of 2020. Members may refer to the report of the subcommittee (LC Paper No. CB(4)661/19-20) for further information.

9. According to the Clerk to the Panel on Transport, the Administration has not consulted the Panel on the above items of subsidiary legislation.

10. No difficulties have been identified in the legal and drafting aspects of the above items of subsidiary legislation.

Prepared by

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