

立法會
Legislative Council

LC Paper No. LS15/20-21

**Paper for the House Committee Meeting
on 4 December 2020**

**Legal Service Division Report on
Subsidiary Legislation Gazetted on 27 November 2020**

Tabling in LegCo : Council meeting of 2 December 2020

Amendment to be made by : Council meeting of 16 December 2020 (or that of 20 January 2021 if extended by resolution)

**Airport Authority Ordinance (Map of Restricted Area)
(Amendment) Order 2020** (L.N. 232)

L.N. 232 is made by the Director-General of Civil Aviation under section 37 of the Airport Authority Ordinance (Cap. 483) after consultation with the Airport Authority. It amends the Schedule to the Airport Authority Ordinance (Map of Restricted Area) Order (Cap. 483L) to specify the new boundaries of the Restricted Area.

2. According to paragraph 4 of the Legislative Council ("LegCo") Brief (File Ref: THB(T)CR2/935/95 and 60/952/12) issued by Transport and Housing Bureau in November 2020, the changes to the maps of the Restricted Area are made to reflect the expansion of the Restricted Area to cover (i) an area abutting the northern seawall of the Hong Kong International Airport to facilitate the tunnel construction works of the Automated People Mover ("APM") system and Baggage Handling System of the Three-Runway System ("3RS") project and to set up an additional security control point to facilitate the construction of 3RS project; (ii) the new depot for the APM system and its associated infrastructure; and (iii) two sets of new escalators located at several levels of the Passenger Terminal Building.

3. According to paragraph 7 of the LegCo Brief, the Airport Authority has consulted stakeholders and will continue to engage stakeholders in the updating exercises. Upon our enquiry, the Administration stated that stakeholders including airport service providers and government departments using the concerned parts of the Restricted Area have been consulted.

4. As advised by the Clerk to the Panel on Economic Development, the Panel has not been consulted on L.N. 232.

5. L.N. 232 comes into operation on 29 January 2021.

**Public Health and Municipal Services Ordinance (Public
Pleasure Grounds) (Amendment of Fourth Schedule)
(No. 3) Order 2020**

(L.N. 233)

6. L.N. 233 is made by the Director of Leisure and Cultural Services ("Director") under section 106 of the Public Health and Municipal Services Ordinance (Cap. 132) to:

- (a) set aside nine places¹ for use as public pleasure grounds with the effect that the general management and control of these public pleasure grounds is vested in the Director;
- (b) provide that Wah Chui Street Sitting-out Area ceases to be set aside for use as public pleasure ground; and
- (c) update the list of public pleasure grounds specified in the Fourth Schedule to Cap. 132 to reflect the above changes.

7. According to paragraph 5 of the LegCo Brief (no file reference) issued by the Leisure and Cultural Services Department ("LCSD") on 20 November 2020, Wah Chui Street Sitting-out Area will be used for site formation and infrastructure works by Civil Engineering and Development Department for public housing development at Pok Fu Lam South. According to paragraph 8 of the LegCo Brief, the Administration has consulted the respective District Councils and they supported the proposals.

8. As advised by the Clerk to the Panel on Home Affairs, the Panel has not been consulted on L.N. 233.

9. L.N. 233 came into operation on the day of publication in the Gazette, i.e. 27 November 2020.

¹ The nine places are: Kai Tak Avenue Park, Kai Tak Station Square, Choi Yee Bridge Garden, Hang Ming Street Sitting-out Area, Ma Wo Road Garden, Shan Ha Tsuen Sitting-out Area, Tin Ping Shan Tsuen Sitting-out Area, Tung Cheong Street Sports Centre and Yat Ming Road Park.

Public Health and Municipal Services Ordinance (Public Swimming Pools) (Amendment of Fourteenth Schedule) Order 2020

(L.N. 234)

10. L.N. 234 is made by the Director under section 42A of Cap. 132 to:
- (a) designate "Tung Cheong Street Swimming Pool" as a public swimming pool with the effect that the management and control of this public swimming pool is vested in the Director; and
 - (b) update the list of public swimming pools specified in the Fourteenth Schedule to Cap. 132 to reflect the above change.
11. According to paragraph 7 of the LegCo Brief (no file reference) issued by LCSD on 20 November 2020, the Administration has consulted the respective District Councils and they supported the proposal.
12. As advised by the Clerk to the Panel on Home Affairs, the Panel has not been consulted on L.N. 234.
13. L.N. 234 came into operation on the day of publication in the Gazette, i.e. 27 November 2020.

Concluding observations

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

Prepared by

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