

立法會
Legislative Council

LC Paper No. LS32/20-21

**Paper for the House Committee Meeting
on 19 February 2021**

**Legal Service Division Report on
Subsidiary Legislation Gazetted on 29 January 2021**

Tabling in LegCo : Council meeting of 3 February 2021

Amendment to be made by : Council meeting of 24 February 2021 (or that of 24 March 2021 if extended by resolution)

Schedule of Routes (Citybus Limited) Order 2021 (L.N. 9)

Schedule of Routes (Citybus Limited) (North Lantau and Hong Kong International Airport) Order 2021 (L.N. 10)

Schedule of Routes (The Kowloon Motor Bus Company (1933) Limited) Order 2021 (L.N. 11)

Schedule of Routes (Long Win Bus Company Limited) Order 2021 (L.N. 12)

Schedule of Routes (New Lantao Bus Company (1973) Limited) Order 2021 (L.N. 13)

Schedule of Routes (New World First Bus Services Limited) Order 2021 (L.N. 14)

L.N. 9 to L.N. 14 are made by the Chief Executive ("CE") in Council under section 5(1) of the Public Bus Services Ordinance (Cap. 230) to update the schedules of bus routes operated by five franchised bus companies.

2. Under section 5(1) of Cap. 230, CE in Council may grant to the existing franchised public bus companies the right to operate a public bus service on such routes as specified by order. Under section 15 of Cap. 230, the Commissioner for

Transport may, after consultation with the bus companies, require them to introduce new routes and make alterations to specified routes on a temporary basis. Such temporary route changes may take effect for an aggregate period not exceeding 24 months unless they are specified in orders by CE in Council under section 5(1) before expiry of that period. According to paragraph 2 of the Legislative Council ("LegCo") Brief (File Ref: THB(T)L 2/4/115) issued by the Transport and Housing Bureau ("THB") on 27 January 2021, L.N. 9 to L.N. 14 are made to formalize the route changes made under section 15 of Cap. 230 between 1 May 2019 and 31 August 2020 so that the changes can continue to be effective.

3. L.N. 9 to L.N. 14 respectively repeal the existing Schedule of Routes Orders made in 2019 (i.e. L.N. 120 of 2019 to L.N. 125 of 2019) and update the schedules of bus routes of the five franchised bus companies to formalize the route changes made between 1 May 2019 and 31 August 2020 as mentioned in paragraph 2 above. According to paragraph 4 of the LegCo Brief, the service changes are as follows:

- (a) Citybus Limited (which operates two bus franchises) introduced four new routes and made alterations to 10 routes under the franchise for the Hong Kong Island and cross-harbour bus network. It introduced two new routes, cancelled one route and made alterations to 18 routes under the franchise for the Airport and North Lantau bus network;
- (b) The Kowloon Motor Bus Company (1933) Limited introduced eight new routes, cancelled one route and made alterations to 61 routes;
- (c) Long Win Bus Company Limited introduced three new routes and made alterations to 19 routes;
- (d) New Lantao Bus Company (1973) Limited made alterations to 15 routes; and
- (e) New World First Bus Services Limited made alterations to 15 routes.

4. For details of the above route changes of the respective franchised bus companies and their justifications, Members may refer to Annexes B to F to the LegCo Brief.

5. It is noted that the third entry of alteration concerning Airbus Route No. A43 as contained in item 8 in section C of Annex D to the LegCo Brief (namely, to re-route via Lok Ma Chau (San Tin) Public Transport Interchange for both bound services; and via AsiaWorld-Expo for Airport (Ground Transportation Centre) bound service) does not seem to appear in L.N. 12 in respect of Route No. A43. Upon the

Legal Service Division's enquiry, the Administration has clarified that the alteration concerned actually involves Airbus Route No. A43's special departures Route No. A43P. The Administration has confirmed that the above alteration is correctly reflected in L.N. 12. The relevant page in Annex D to the LegCo Brief has been replaced and issued to Members on 17 February 2021.

6. According to paragraph 7 of the LegCo Brief, the District Councils ("DC") concerned had been consulted on the major service changes before such changes were introduced under section 15(1) of Cap. 230. Comments, objections and suggestions in relation to those changes were received from DC members. According to THB, DCs' suggestions had been taken on board where justified, while explanations were given to DCs on why some suggestions could not be taken on board.

7. As advised by the Clerk to the Panel on Transport, the Panel has not been consulted by the Administration on L.N. 9 to L.N. 14.

8. L.N. 9 to L.N. 14 come into operation on 30 April 2021.

Concluding observations

9. Subject to Members' views on the matter stated in paragraph 5 above, no difficulties have been identified in relation to the legal and drafting aspects of L.N. 9 to L.N. 14.

Prepared by

Doreen WAN
Assistant Legal Adviser
Legislative Council Secretariat
17 February 2021