

Road Tunnels (Government) (Amendment) Bill 2023

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A BILL

To

Amend the Road Tunnels (Government) Ordinance and its subsidiary legislation to extend their application to the Western Harbour Crossing; to empower the Chief Executive in Council to set different tolls for different time slots, or different parts of a time slot, in any day; to provide for new tolls in respect of the three harbour crossings on the takeover of the Western Harbour Crossing, and to provide for time-varying tolls to be charged for the three harbour crossings; to authorize the Commissioner for Transport to make adjustments of tolls, time and duration in relation to peak time slots; to provide for transitional matters; and to make related amendments.

Enacted by the Legislative Council.

Part 1

Preliminary

1. Short title and commencement

- (1) This Ordinance may be cited as the Road Tunnels (Government) (Amendment) Ordinance 2023.
- (2) Subject to subsection (3), this Ordinance comes into operation on 2 August 2023.

- (3) Sections 11(1), 17, 20(4), (7) and (9) and 21 come into operation from a time to be appointed by the Secretary for Transport and Logistics by notice published in the Gazette.

2. Enactments amended

The enactments specified in Parts 2, 3 and 4 are amended as set out in those Parts.

Part 2

Amendments to Road Tunnels (Government) Ordinance (Cap. 368)

3. Section 2 amended (interpretation)

Section 2(1)—

Add in alphabetical order

“*adjust* (調整), in relation to a toll, means to increase or decrease the amount of the toll;

peak time slot (繁忙時段) means a peak time slot (a.m.) or a peak time slot (p.m.);

peak time slot (a.m.) (上午繁忙時段)—

- (a) means a time slot specified as such by regulations made under section 20(4)(ca); and
- (b) includes the time slot mentioned in paragraph (a) the starting and end time or the duration of which is adjusted by the Authority under section 20AA;

peak time slot (p.m.) (下午繁忙時段)—

- (a) means a time slot specified as such by regulations made under section 20(4)(ca); and
- (b) includes the time slot mentioned in paragraph (a) the starting and end time or the duration of which is adjusted by the Authority under section 20AA;”.

4. Section 14A amended (evidence of facilities-related matter by record and test certificate)

- (1) Section 14A(7), definition of *prescribed facilities*, paragraph (a)(i)—

Repeal

“; and”

Substitute a semicolon.

- (2) Section 14A(7), definition of *prescribed facilities*, paragraph (a)(ii)—

Repeal the semicolon**Substitute**

“; and”.

- (3) Section 14A(7), definition of *prescribed facilities*, after paragraph (a)(ii)—

Add

“(iii) includes a boothless tolling system as defined by regulation 12(8) of the Road Tunnels (Government) Regulations (Cap. 368 sub. leg. A);”.

5. Section 20 amended (regulations)

- (1) Section 20(1)(m)(i), after “tunnel”—

Add

“, which may be set at above cost recovery level”.

- (2) Section 20(4)—

Repeal paragraph (c)**Substitute**

“(c) may provide that different tolls are payable for the use of a tunnel for either or both of the following—

- (i) different classes of vehicles;
- (ii) different time slots, or different parts of a time slot, in any day;
- (ca) may, in relation to the use of a tunnel, specify any 2 time slots in any day as a peak time slot (a.m.) and a peak time slot (p.m.); and”.

6. Section 20AA added

After section 20—

Add

“20AA. Power of Authority to adjust tolls, time and duration for peak time slots

- (1) Where a time slot is specified as a peak time slot for a tunnel, the Authority may adjust any one or more of the following by notice published in the Gazette, if the conditions set out in Schedule 1B in respect of the tunnel are met—
 - (a) the tolls payable for the use of the tunnel for different classes of vehicles during the peak time slot;
 - (b) the starting and end time of the peak time slot;
 - (c) the duration of the peak time slot.
- (2) The notice referred to in subsection (1) must state the date on which the adjustment is to take effect and such date must not be earlier than 14 days after the day on which the notice is published in the Gazette.
- (3) The Chief Executive in Council may, by notice published in the Gazette, amend Schedule 1B.

- (4) If a notice is published in the Gazette under subsection (1), the Authority must publish the notice on the website of the Transport Department or in any other way that the Authority, or the officer authorized by the Authority, considers appropriate.
- (5) A notice under subsection (1) is not subsidiary legislation.”.

7. Sections 27 and 28 added

After section 26—

Add

“27. Western Harbour Crossing Ordinance and its subsidiary legislation repealed

The following enactments are repealed—

- (a) the Western Harbour Crossing Ordinance (Cap. 436);
- (b) the Western Harbour Crossing (Designation of Agreements) Notice (Cap. 436 sub. leg. A);
- (c) the Western Harbour Crossing (Application of Buildings Ordinance) Notice 1994 (Cap. 436 sub. leg. B);
- (d) the Western Harbour Crossing Regulation (Cap. 436 sub. leg. C);
- (e) the Western Harbour Crossing Bylaw (Cap. 436 sub. leg. D).

28. Savings and transitional arrangements for Road Tunnels (Government) (Amendment) Ordinance 2023

Schedule 4 provides for the savings and transitional arrangements that relate to the Road Tunnels (Government) (Amendment) Ordinance 2023 (of 2023).”.

8. Schedule 1 amended (tunnels to which this Ordinance applies)

Schedule 1—

Add in alphabetical order

“Western Harbour Crossing (西區海底隧道)”.

9. Schedule 1B added

After Schedule 1A—

Add

“Schedule 1B

[s. 20AA]

**Conditions to be Met for Authority to Make
Adjustments under Section 20AA**

Part 1

General

1. In this Schedule—

prevailing base amount (現行基準款額), in relation to a toll for a peak time slot, means the prevailing amount of the toll that is provided for for a class of vehicle in the specified Schedule for the peak time slot;

prevailing base duration (現行基準時限), in relation to a peak time slot, means the prevailing duration of the peak time slot that is provided for in the specified Schedule;

prevailing base starting time (現行基準開始時間), in relation to a peak time slot, means the prevailing starting time of the peak time slot that is provided for in the specified Schedule;

specified Schedule (指明附表) means Schedule 2 to the Road Tunnels (Government) Regulations (Cap. 368 sub. leg. A).

Part 2

Time for Adjustment

2. Adjustment under section 20AA, whether in respect of the toll, the starting and end time, or the duration relating to one, or more than one, peak time slot or any combination of them, may be made in relation to a tunnel only once within each successive period of 6 months after the day on which any of the following is provided for in the specified Schedule and takes effect in respect of the tunnel—
 - (a) the first specification of any peak time slots for a class of vehicles;

- (b) the addition of peak time slots for a day for a class of vehicles;
 - (c) any adjustment to the toll, the starting and end time, or the duration relating to a peak time slot.
- 3. For the purposes of section 2 of this Schedule, it does not matter—
 - (a) whether the adjustment to the toll is made in respect of one, or more than one, class of vehicles; and
 - (b) whether the adjustment to the starting and end time, or the duration, is made only in respect of one, but not both, of the peak time slots in a day for a class of vehicles.

Part 3

Adjustment of Tolls for Peak Time Slots under Section 20AA(1)(a)

- 4. Each adjustment of the toll for private cars must not be more than \$3.
- 5. The adjusted amount of the toll for private cars must be higher than the toll for any time slot that is not a peak time slot for private cars prevailing at the time of adjustment.
- 6. The aggregate adjustments of the toll for private cars must not be more than \$15 above, or below, the prevailing base amount of the toll for private cars.

7. If the toll for private cars is adjusted, the toll for motor cycles and motor tricycles must accordingly be adjusted so that the adjusted amount of the toll for motor cycles and motor tricycles is equal to 40% of the adjusted amount of the toll for private cars.
8. Adjustment under section 20AA(1)(a) may only be made if the Authority has taken into account, and has only taken into account, the considerations set out in Part 5 of this Schedule.

Part 4

Adjustment of Time and Duration of Peak Time Slots under Section 20AA(1)(b)

9. Any adjustment must not result in—
 - (a) the starting time of a peak time slot being more than one hour earlier, or later, than the prevailing base starting time of the peak time slot; and
 - (b) the total duration of a peak time slot (a.m.) and a peak time slot (p.m.) being extended or shortened for more than 15 minutes.
10. The aggregate adjustments made to the duration of a peak time slot (a.m.) and a peak time slot (p.m.) must not result in the total duration of those two time slots being extended or shortened in such a way that the difference between the total duration and the total of the prevailing base duration of those two time slots is more than 30 minutes.

11. Adjustment under section 20AA(1)(b) may only be made if the Authority has taken into account, and has only taken into account, the considerations set out in Part 5 of this Schedule.

Part 5

Considerations for Adjustment

12. The considerations are—
 - (a) whether the traffic demand (as exemplified by traffic flow and traffic queues) for the tunnel concerned has been constantly exceeding the capacity of the tunnel and resulting in congestion; and
 - (b) whether the traffic queues tailing back from the tunnel concerned constantly and adversely affects traffic in any critical location in Hong Kong in an extensive manner.
13. For the purposes of section 12(b) of this Schedule—

critical location (關鍵地點), means a junction or an intercepting point along the approaching road to a tunnel where blockage to the junction or point will lead to congestion involving non-tunnel and cross-district traffic.”.

10. Schedule 4 added

After Schedule 3—

Add

“Schedule 4

[s. 28]

**Savings and Transitional Arrangements for Road
Tunnels (Government) (Amendment) Ordinance
2023 (of 2023)**

1. Interpretation

In this Schedule—

specified Regulations (《指明規例》) means the Road Tunnels (Government) Regulations (Cap. 368 sub. leg. A);

WHC Bylaw (《西區海底隧道附例》) means the Western Harbour Crossing Bylaw (Cap. 436 sub. leg. D) as in force immediately before its repeal.

2. Section 18E of Magistrates Ordinance continues to apply

Section 18E of the Magistrates Ordinance (Cap. 227) continues to apply on and after 2 August 2023 in relation to an offence under the WHC Bylaw that was committed before that date as if the Bylaw had not been repealed.

3. Road Traffic (Driving-offence Points) Ordinance continues to apply

The Road Traffic (Driving-offence Points) Ordinance (Cap. 375) continues to apply on and after 2 August 2023

in relation to an offence under the WHC Bylaw that was committed before that date as if the Bylaw had not been repealed.

4. Transitional arrangements for certain traffic signs

- (1) For the purposes of this section, a traffic sign is a pre-existing traffic sign if it was—
 - (a) erected in the tunnel area of the Western Harbour Crossing before 2 August 2023; and
 - (b) in force immediately before that date.
- (2) A pre-existing traffic sign of the type shown in Figure No. 5 in the Schedule to the WHC Bylaw is, on and after 2 August 2023, to be regarded for all purposes as a traffic sign of the type shown in Figure No. 17 in Schedule 1 to the specified Regulations.
- (3) A pre-existing traffic sign of the type shown in Figure No. 8 in the Schedule to the WHC Bylaw is, on and after 2 August 2023, to be regarded for all purposes as a traffic sign of the type shown in Figure No. 8 in Schedule 1 to the specified Regulations.
- (4) A pre-existing traffic sign of the type shown in Figure No. 14 in the Schedule to the WHC Bylaw is, on and after 2 August 2023, to be regarded for all purposes as a traffic sign of the type shown in Figure No. 405 in Schedule 1 to the Road Traffic (Traffic Control) Regulations (Cap. 374 sub. leg. G).

5. Schedule 4 not in derogation of section 23 of Interpretation and General Clauses Ordinance

The provisions in this Schedule are in addition to, and not in derogation of, section 23 of the Interpretation and General Clauses Ordinance (Cap. 1).”

Part 3

Amendments to Road Tunnels (Government) Regulations (Cap. 368 sub. leg. A)

11. Regulation 2 amended (interpretation)

(1) Regulation 2(1)—

Add in alphabetical order

“***normal time slot*** (一般時段), in relation to a tunnel, means a time slot that is specified as a normal time slot in Schedule 2 that relates to the use of the tunnel;

off-peak time slot (a.m.) (上午非繁忙時段), in relation to a tunnel, means a time slot that—

- (a) starts from the beginning of a day; and
- (b) is specified as an off-peak time slot (a.m.) in Schedule 2 that relates to the use of the tunnel;

off-peak time slot (p.m.) (下午非繁忙時段), in relation to a tunnel, means a time slot that—

- (a) ends immediately before the beginning of the next day; and
- (b) is specified as an off-peak time slot (p.m.) in Schedule 2 that relates to the use of the tunnel;

transitional time slot (過渡時段) means—

- (a) a transitional time slot (off-peak to peak);
- (b) a transitional time slot (peak to normal);
- (c) a transitional time slot (normal to peak); or
- (d) a transitional time slot (peak to off-peak);

transitional time slot (normal to peak) (過渡時段(一般至繁忙)), in relation to a tunnel, means a time slot that is specified as a transitional time slot (normal to peak) in Schedule 2 that relates to the use of the tunnel;

transitional time slot (off-peak to peak) (過渡時段(非繁忙至繁忙)), in relation to a tunnel, means a time slot that is specified as a transitional time slot (off-peak to peak) in Schedule 2 that relates to the use of the tunnel;

transitional time slot (peak to normal) (過渡時段(繁忙至一般)), in relation to a tunnel, means a time slot that is specified as a transitional time slot (peak to normal) in Schedule 2 that relates to the use of the tunnel;

transitional time slot (peak to off-peak) (過渡時段(繁忙至非繁忙)), in relation to a tunnel, means a time slot that is specified as a transitional time slot (peak to off-peak) in Schedule 2 that relates to the use of the tunnel;”.

(2) Regulation 2(2)—

Repeal

“or 3A”

Substitute

“, 3A or 3B”.

12. Regulation 3 amended (prescribed signs and road markings)

(1) Regulation 3(1)(a)—

Repeal

“24”

Substitute

“24, 25A, 26A”.

- (2) Regulation 3(6)(a)—

Repeal

“26,”

Substitute

“25A, 26, 26A,”.

- 13. Regulation 8 amended (left-driving tunnel (other than Central-Wan Chai Bypass Tunnel): certain vehicles confined to left most lane)**

- (1) Regulation 8, heading, after “**Tunnel**”—

Add

“**and Western Harbour Crossing**”.

- (2) Regulation 8(1), after “**Tunnel**”—

Add

“**and the Western Harbour Crossing**”.

- 14. Regulation 8AAB added**

After regulation 8AA—

Add

“8AAB. Western Harbour Crossing: control of use of traffic lanes for certain vehicles

- (1) This regulation applies to the Western Harbour Crossing.

- (2) Except when directed or signalled to do otherwise by an authorized officer, a person must not drive any of the following vehicles on a road inside a tunnel tube other than in the left most lane—
 - (a) a bus;
 - (b) a vehicle requiring permission under regulation 11A(2) or a permit under regulation 14;
 - (c) a vehicle towing another vehicle.
- (3) Except when directed or signalled to do otherwise by an authorized officer, a person must not drive a goods vehicle of a permitted gross vehicle weight exceeding 5.5 tonnes on a road inside a tunnel tube other than in—
 - (a) the left most lane; or
 - (b) the lane next to the left most lane.”.

15. Regulation 11A amended (vehicles conveying dangerous goods in specified tunnels)

- (1) Regulation 11A(4), definition of *specified tunnel*, paragraph (a)—

Repeal

“or”.

- (2) Regulation 11A(4), definition of *specified tunnel*, paragraph (b)—

Repeal the full stop

Substitute

“; or”.

- (3) Regulation 11A(4), definition of *specified tunnel*, after paragraph (b)—

Add

“(c) the Western Harbour Crossing.”.

16. Regulation 12 amended (liability for, and amount of, toll)

(1) Regulation 12—

Repeal paragraph (1)

Substitute

“(1) Subject to subsection (1A), the toll payable for each occasion of use of a tunnel by a vehicle is the appropriate toll specified in Part 1, 2, 3, 3A or 3B of Schedule 2.”.

(2) After regulation 12(1)—

Add

“(1A) Where different tolls are specified for different time slots, or different parts of a time slot, in a day for the use of a boothless mode tunnel by a vehicle of a particular class, the amount of the toll payable for the use of the tunnel is determined according to the time of the vehicle using the tunnel as shown in the record of the boothless tolling system of the tunnel.”.

(3) After regulation 12(7)—

Add

“(8) In this regulation—

boothless tolling system (無亭收費系統), in relation to the determination of the time of a vehicle using a boothless mode tunnel (***use time***), means a system—

(a) that is composed of two or more of the facilities falling within paragraph (a)(i) or (ii) of the definition of ***prescribed facilities*** in section 14A(7) of the Ordinance; and

- (b) that produces a record of the use time after correlating all data relating to the vehicle as gathered by those facilities.”.

17. Regulation 12AAA added

After regulation 12—

Add

“12AAA. Schedule 2A has effect as a result of adjustments to peak time slots by Authority

Where an adjustment is made by the Authority to any of the matters referred to in section 20AA(1)(a) or (b) of the Ordinance in respect of a peak time slot of a tunnel, Schedule 2A has effect in relation to the following—

- (a) the end time and the duration of the off-peak time slot (a.m.) of the tunnel;
- (b) the starting and end time of the normal time slot of the tunnel;
- (c) the starting time and the duration of the off-peak time slot (p.m.) of the tunnel;
- (d) the starting and end time, the number of intervals, the duration, and the toll for each interval, of the transitional time slots of the tunnel.”.

18. Regulation 14 amended (vehicles requiring permits)

Regulation 14(1A)—

Repeal

“or Eastern Harbour Crossing”

Substitute

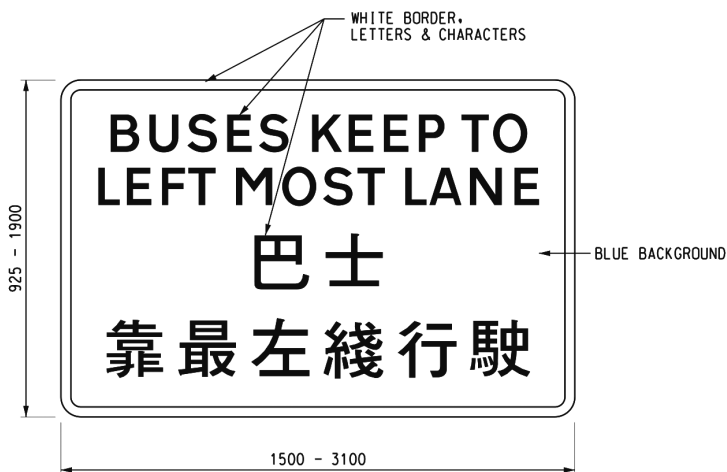
“, Eastern Harbour Crossing or Western Harbour Crossing”.

19. Schedule 1 amended (traffic signs and road markings)

(1) Schedule 1, after Figure No. 25—

Add

“Figure No. 25A



Keep to Left Most Lane in Left-driving Tunnel

This sign indicates that buses must keep to the left most lane of a road inside a tube of a left-driving tunnel.

The word and characters “BUSES” and “巴士” may be replaced by the descriptions of any other motor vehicles to indicate that such vehicles must keep to the left most lane of a road inside a tube of a left-driving tunnel.”.

(2) Schedule 1, after Figure No. 26—

Add

“Figure No. 26A



Keep to Left Most Lane or Middle Lane in Left-driving Tunnel

This sign indicates that medium goods vehicles and heavy goods vehicles must keep to the left most lane, or the middle lane, of a road inside a tube of a left-driving tunnel.”.

20. Schedule 2 amended (tolls and fees)

(1) Schedule 2, Part 1, heading—

Repeal

“and Tate’s Cairn Tunnel”

Substitute

“, Tate’s Cairn Tunnel and Western Harbour Crossing”.

- (2) Schedule 2, Part 2, item 2—

Repeal

“\$10”

Substitute

“\$25”.

- (3) Schedule 2, Part 2, item 3—

Repeal

“\$20”

Substitute

“\$30”.

- (4) Schedule 2—

Repeal Part 2

Substitute

“Part 2

Tolls (for Cross-Harbour Tunnel)

**Division 1—Motor Cycles, Motor Tricycles and
Private Cars (Monday to Saturday (Excluding Public
Holiday))**

Time slot	Starting time	End time (immediately before)	Toll for motor cycles and motor tricycles	Toll for private cars
Off-peak (a.m.)	00:00	07:30	\$8	\$20
Transitional (off-peak to peak)	07:30	07:48	\$8.8 for the first 2-minute interval with increase of \$0.8 for each successive 2-minute interval	\$22 for the first 2-minute interval with increase of \$2 for each successive 2-minute interval
	Intervals			
	07:30	07:32	\$8.8	\$22
	07:32	07:34	\$9.6	\$24
	07:34	07:36	\$10.4	\$26
	07:36	07:38	\$11.2	\$28
	07:38	07:40	\$12	\$30
	07:40	07:42	\$12.8	\$32
	07:42	07:44	\$13.6	\$34
	07:44	07:46	\$14.4	\$36
	07:46	07:48	\$15.2	\$38
Peak (a.m.)	07:48	10:15	\$16	\$40
Transitional (peak to normal)	10:15	10:23	\$15.2 for the first 2-minute interval with decrease of \$0.8 for each successive 2-minute interval	\$38 for the first 2-minute interval with decrease of \$2 for each successive 2-minute interval
	Intervals			

Time slot	Starting time	End time (immediately before)	Toll for motor cycles and motor tricycles	Toll for private cars
	10:15	10:17	\$15.2	\$38
	10:17	10:19	\$14.4	\$36
	10:19	10:21	\$13.6	\$34
	10:21	10:23	\$12.8	\$32
Normal	10:23	16:30	\$12	\$30
Transitional (normal to peak)	16:30	16:38	\$12.8 for the first 2-minute interval with increase of \$0.8 for each successive 2-minute interval	\$32 for the first 2-minute interval with increase of \$2 for each successive 2-minute interval
	Intervals			
	16:30	16:32	\$12.8	\$32
	16:32	16:34	\$13.6	\$34
	16:34	16:36	\$14.4	\$36
	16:36	16:38	\$15.2	\$38
Peak (p.m.)	16:38	19:00	\$16	\$40
Transitional (peak to off-peak)	19:00	19:18	\$15.2 for the first 2-minute interval with decrease of \$0.8 for each successive 2-minute interval	\$38 for the first 2-minute interval with decrease of \$2 for each successive 2-minute interval
	Intervals			
	19:00	19:02	\$15.2	\$38
	19:02	19:04	\$14.4	\$36

Time slot	Starting time	End time (immediately before)	Toll for motor cycles and motor tricycles	Toll for private cars
	19:04	19:06	\$13.6	\$34
	19:06	19:08	\$12.8	\$32
	19:08	19:10	\$12	\$30
	19:10	19:12	\$11.2	\$28
	19:12	19:14	\$10.4	\$26
	19:14	19:16	\$9.6	\$24
	19:16	19:18	\$8.8	\$22
Off-peak (p.m.)	19:18	00:00 (next day)	\$8	\$20

Division 2—Motor Cycles, Motor Tricycles and Private Cars (Sunday and Public Holiday)

Time slot		Toll for motor cycles and motor tricycles	Toll for private cars
Starting time	End time (immediately before)		
00:00	10:11	\$8	\$20
10:11	10:13	\$8.4	\$21
10:13	10:15	\$9.2	\$23
10:15	19:15	\$10	\$25
19:15	19:17	\$9.2	\$23
19:17	19:19	\$8.4	\$21

Time slot		Toll for motor cycles and motor tricycles	Toll for private cars
Starting time	End time (immediately before)		
19:19	00:00 (next day)	\$8	\$20

Division 3—Taxis

Time slot	Toll for taxis
Whole day	\$25

Division 4—Vehicles other than Motor Cycles, Motor Tricycles, Private Cars and Taxis

Time slot	Toll for vehicles other than motor cycles, motor tricycles, private cars and taxis
Whole day	\$50

(5) Schedule 2, Part 3—

Repeal item 2

Substitute

“2. Taxis \$25”.

(6) Schedule 2, Part 3—

Repeal item 3

Substitute

“3. Private cars \$30”.

(7) Schedule 2—

Repeal Part 3

Substitute

“Part 3

Tolls (for Eastern Harbour Crossing)

**Division 1—Motor Cycles, Motor Tricycles and
Private Cars (Monday to Saturday (Excluding Public
Holiday))**

Time slot	Starting time	End time (immediately before)	Toll for motor cycles and motor tricycles	Toll for private cars
Off-peak (a.m.)	00:00	07:30	\$8	\$20
Transitional (off-peak to peak)	07:30	07:48	\$8.8 for the first 2-minute interval with increase of \$0.8 for each successive 2-minute interval	\$22 for the first 2-minute interval with increase of \$2 for each successive 2-minute interval
	Intervals			
	07:30	07:32	\$8.8	\$22
	07:32	07:34	\$9.6	\$24
	07:34	07:36	\$10.4	\$26

Time slot	Starting time	End time (immediately before)	Toll for motor cycles and motor tricycles	Toll for private cars
	07:36	07:38	\$11.2	\$28
	07:38	07:40	\$12	\$30
	07:40	07:42	\$12.8	\$32
	07:42	07:44	\$13.6	\$34
	07:44	07:46	\$14.4	\$36
	07:46	07:48	\$15.2	\$38
Peak (a.m.)	07:48	10:15	\$16	\$40
Transitional (peak to normal)	10:15	10:23	\$15.2 for the first 2-minute interval with decrease of \$0.8 for each successive 2-minute interval	\$38 for the first 2-minute interval with decrease of \$2 for each successive 2-minute interval
	Intervals			
	10:15	10:17	\$15.2	\$38
	10:17	10:19	\$14.4	\$36
	10:19	10:21	\$13.6	\$34
	10:21	10:23	\$12.8	\$32
Normal	10:23	16:30	\$12	\$30
Transitional (normal to peak)	16:30	16:38	\$12.8 for the first 2-minute interval with increase of \$0.8 for each successive 2-minute interval	\$32 for the first 2-minute interval with increase of \$2 for each successive 2-minute interval
	Intervals			

Time slot	Starting time	End time (immediately before)	Toll for motor cycles and motor tricycles	Toll for private cars
	16:30	16:32	\$12.8	\$32
	16:32	16:34	\$13.6	\$34
	16:34	16:36	\$14.4	\$36
	16:36	16:38	\$15.2	\$38
Peak (p.m.)	16:38	19:00	\$16	\$40
Transitional (peak to off-peak)	19:00	19:18	\$15.2 for the first 2-minute interval with decrease of \$0.8 for each successive 2-minute interval	\$38 for the first 2-minute interval with decrease of \$2 for each successive 2-minute interval
	Intervals			
	19:00	19:02	\$15.2	\$38
	19:02	19:04	\$14.4	\$36
	19:04	19:06	\$13.6	\$34
	19:06	19:08	\$12.8	\$32
	19:08	19:10	\$12	\$30
	19:10	19:12	\$11.2	\$28
	19:12	19:14	\$10.4	\$26
	19:14	19:16	\$9.6	\$24
	19:16	19:18	\$8.8	\$22
Off-peak (p.m.)	19:18	00:00 (next day)	\$8	\$20

**Division 2—Motor Cycles, Motor Tricycles and
Private Cars (Sunday and Public Holiday)**

Time slot		Toll for motor cycles and motor tricycles	Toll for private cars
Starting time	End time (immediately before)		
00:00	10:11	\$8	\$20
10:11	10:13	\$8.4	\$21
10:13	10:15	\$9.2	\$23
10:15	19:15	\$10	\$25
19:15	19:17	\$9.2	\$23
19:17	19:19	\$8.4	\$21
19:19	00:00 (next day)	\$8	\$20

Division 3—Taxis

Time slot	Toll for taxis
Whole day	\$25

Division 4—Vehicles other than Motor Cycles, Motor Tricycles, Private Cars and Taxis

Time slot	Toll for vehicles other than motor cycles, motor tricycles, private cars and taxis	
Whole day	\$50	”.

(8) Schedule 2, after Part 3A—
Add

“Part 3B

Tolls (for Western Harbour Crossing)

Column 1	Column 2	Column 3
Item	Vehicle	Tolls
1.	Motor cycles, motor tricycles	\$25
2.	Taxis	\$25
3.	Private cars	\$60
4.	Public and private light buses	\$85
5.	Light goods vehicles and special purpose vehicles of a permitted gross vehicle weight not exceeding 5.5 tonnes	\$85
6.	Medium goods vehicles and special purpose vehicles of a permitted gross vehicle weight exceeding 5.5 tonnes but not exceeding 24 tonnes	\$110

Column 1	Column 2	Column 3
Item	Vehicle	Tolls
7.	Heavy goods vehicles and special purpose vehicles of a permitted gross vehicle weight exceeding 24 tonnes but not exceeding 38 tonnes	\$140
8.	Public and private single-decked buses	\$140
9.	Public and private double-decked buses	\$200
10.	For vehicles with more than 2 axles—	
	(a) if the tunnel is a booth mode tunnel	\$30 for each additional axle in excess of 2
	(b) if the tunnel is a boothless mode tunnel	No additional toll”.

- (9) Schedule 2—
Repeal Part 3B
Substitute

“Part 3B

Tolls (for Western Harbour Crossing)

**Division 1—Motor Cycles, Motor Tricycles and
Private Cars (Monday to Saturday (Excluding Public
Holiday))**

Time slot	Starting time	End time (immediately before)	Toll for motor cycles and motor tricycles	Toll for private cars
Off-peak (a.m.)	00:00	07:30	\$8	\$20
Transitional (off-peak to peak)	07:30	08:08	\$8.8 for the first 2-minute interval with increase of \$0.8 for each successive 2-minute interval	\$22 for the first 2-minute interval with increase of \$2 for each successive 2-minute interval
	Intervals			
	07:30	07:32	\$8.8	\$22
	07:32	07:34	\$9.6	\$24
	07:34	07:36	\$10.4	\$26
	07:36	07:38	\$11.2	\$28
	07:38	07:40	\$12	\$30
	07:40	07:42	\$12.8	\$32
	07:42	07:44	\$13.6	\$34
	07:44	07:46	\$14.4	\$36
	07:46	07:48	\$15.2	\$38
	07:48	07:50	\$16	\$40
	07:50	07:52	\$16.8	\$42
	07:52	07:54	\$17.6	\$44
	07:54	07:56	\$18.4	\$46
	07:56	07:58	\$19.2	\$48
	07:58	08:00	\$20	\$50
	08:00	08:02	\$20.8	\$52

Time slot	Starting time	End time (immediately before)	Toll for motor cycles and motor tricycles	Toll for private cars
	08:02	08:04	\$21.6	\$54
	08:04	08:06	\$22.4	\$56
	08:06	08:08	\$23.2	\$58
Peak (a.m.)	08:08	10:15	\$24	\$60
Transitional (peak to normal)	10:15	10:43	\$23.2 for the first 2-minute interval with decrease of \$0.8 for each successive 2-minute interval	\$58 for the first 2-minute interval with decrease of \$2 for each successive 2-minute interval
	Intervals			
	10:15	10:17	\$23.2	\$58
	10:17	10:19	\$22.4	\$56
	10:19	10:21	\$21.6	\$54
	10:21	10:23	\$20.8	\$52
	10:23	10:25	\$20	\$50
	10:25	10:27	\$19.2	\$48
	10:27	10:29	\$18.4	\$46
	10:29	10:31	\$17.6	\$44
	10:31	10:33	\$16.8	\$42
	10:33	10:35	\$16	\$40
	10:35	10:37	\$15.2	\$38
	10:37	10:39	\$14.4	\$36
	10:39	10:41	\$13.6	\$34

Time slot	Starting time	End time (immediately before)	Toll for motor cycles and motor tricycles	Toll for private cars
	10:41	10:43	\$12.8	\$32
Normal	10:43	16:30	\$12	\$30
Transitional (normal to peak)	16:30	16:58	\$12.8 for the first 2-minute interval with increase of \$0.8 for each successive 2-minute interval	\$32 for the first 2-minute interval with increase of \$2 for each successive 2-minute interval
	Intervals			
	16:30	16:32	\$12.8	\$32
	16:32	16:34	\$13.6	\$34
	16:34	16:36	\$14.4	\$36
	16:36	16:38	\$15.2	\$38
	16:38	16:40	\$16	\$40
	16:40	16:42	\$16.8	\$42
	16:42	16:44	\$17.6	\$44
	16:44	16:46	\$18.4	\$46
	16:46	16:48	\$19.2	\$48
	16:48	16:50	\$20	\$50
	16:50	16:52	\$20.8	\$52
	16:52	16:54	\$21.6	\$54
	16:54	16:56	\$22.4	\$56
	16:56	16:58	\$23.2	\$58
Peak (p.m.)	16:58	19:00	\$24	\$60

Time slot	Starting time	End time (immediately before)	Toll for motor cycles and motor tricycles	Toll for private cars
Transitional (peak to off-peak)	19:00	19:38	\$23.2 for the first 2-minute interval with decrease of \$0.8 for each successive 2-minute interval	\$58 for the first 2-minute interval with decrease of \$2 for each successive 2-minute interval
	Intervals			
	19:00	19:02	\$23.2	\$58
	19:02	19:04	\$22.4	\$56
	19:04	19:06	\$21.6	\$54
	19:06	19:08	\$20.8	\$52
	19:08	19:10	\$20	\$50
	19:10	19:12	\$19.2	\$48
	19:12	19:14	\$18.4	\$46
	19:14	19:16	\$17.6	\$44
	19:16	19:18	\$16.8	\$42
	19:18	19:20	\$16	\$40
	19:20	19:22	\$15.2	\$38
	19:22	19:24	\$14.4	\$36
	19:24	19:26	\$13.6	\$34
	19:26	19:28	\$12.8	\$32
	19:28	19:30	\$12	\$30
	19:30	19:32	\$11.2	\$28
	19:32	19:34	\$10.4	\$26
	19:34	19:36	\$9.6	\$24

Time slot	Starting time	End time (immediately before)	Toll for motor cycles and motor tricycles	Toll for private cars
	19:36	19:38	\$8.8	\$22
Off-peak (p.m.)	19:38	00:00 (next day)	\$8	\$20

Division 2—Motor Cycles, Motor Tricycles and Private Cars (Sunday and Public Holiday)

Time slot		Toll for motor cycles and motor tricycles	Toll for private cars
Starting time	End time (immediately before)		
00:00	10:11	\$8	\$20
10:11	10:13	\$8.4	\$21
10:13	10:15	\$9.2	\$23
10:15	19:15	\$10	\$25
19:15	19:17	\$9.2	\$23
19:17	19:19	\$8.4	\$21
19:19	00:00 (next day)	\$8	\$20

Division 3—Taxis

Time slot	Toll for taxis
Whole day	\$25

Division 4—Vehicles other than Motor Cycles, Motor Tricycles, Private Cars and Taxis

Time slot	Toll for vehicles other than motor cycles, motor tricycles, private cars and taxis
Whole day	\$50

(10) Schedule 2, Part 4, section 2, Table—

Add in alphabetical order

“Western Harbour Crossing \$140 \$175 \$215”.
 (西區海底隧道)

(11) Schedule 2, Part 5—

Add in alphabetical order

“Western Harbour Crossing (西區海底隧道) \$82”.

21. Schedule 2A added

After Schedule 2—

Add

“Schedule 2A

[reg. 12AAA]

Adjustments of Starting and End Time, Duration and Tolls etc. for Various Time Slots as a Result of Adjustments to Peak Time Slots by Authority

Part 1

Intervals for Transitional Time Slots

1. Determination of number of intervals—where toll difference is multiple of \$2

For a tunnel, where the toll difference for private cars between—

- (a) an off-peak time slot (a.m.) and a peak time slot (a.m.);
- (b) a peak time slot (a.m.) and a normal time slot;
- (c) a normal time slot and a peak time slot (p.m.);
or
- (d) a peak time slot (p.m.) and an off-peak time slot (p.m.),

is a multiple of \$2, the number of intervals (*NI*) for the transitional time slot concerned between the respective time slots mentioned in paragraph (a), (b), (c) or (d), for motor cycles, motor tricycles and private cars, is determined by dividing the toll difference between the respective time slots by \$2, and then by subtracting 1 from the quotient.

2. Determination of number of intervals—where toll difference is not multiple of \$2

For a tunnel, where the toll difference for private cars between—

- (a) an off-peak time slot (a.m.) and a peak time slot (a.m.);
- (b) a peak time slot (a.m.) and a normal time slot;
- (c) a normal time slot and a peak time slot (p.m.);
or
- (d) a peak time slot (p.m.) and an off-peak time slot (p.m.),

is not a multiple of \$2, the number of intervals ($N2$) for the transitional time slot concerned between the respective time slots mentioned in paragraph (a), (b), (c) or (d), for motor cycles, motor tricycles and private cars, is determined by dividing the toll difference between the respective time slots by \$2, and then by rounding down the quotient to the nearest integer.

Part 2**Time Slots other than Peak Time Slots****Division 1—Off-peak Time Slot (A.M.)****1. End time**

The end time of an off-peak time slot (a.m.) of a tunnel is the time immediately before the starting time of the transitional time slot (off-peak to peak) of the tunnel.

2. Duration

The duration of an off-peak time slot (a.m.) of a tunnel is the difference between 00:00 and the starting time of the transitional time slot (off-peak to peak) of the tunnel.

Division 2—Transitional Time Slot (Off-peak to Peak)**1. Starting time**

The starting time of a transitional time slot (off-peak to peak) of a tunnel is the time, when adding the duration of the time slot (determined in accordance with section 4 of this Division), that corresponds to the time immediately before the starting time of the peak time slot (a.m.) of the tunnel.

2. End time

The end time of a transitional time slot (off-peak to peak) of a tunnel is the time immediately before the starting time of the peak time slot (a.m.) of the tunnel.

3. Number of intervals

The number of intervals for a transitional time slot (off-peak to peak) of a tunnel is N1 or N2 (as the case may be).

4. Duration

The duration of a transitional time slot (off-peak to peak) of a tunnel is the product of 2 minutes multiplying N1 or N2 (as the case may be).

5. Toll for each interval

- (1) Where N1 is the number of intervals determined under Part 1 of this Schedule in relation to a transitional time slot (off-peak to peak) of a tunnel—
 - (a) for motor cycles and motor tricycles, the toll for the first interval of the transitional time slot (off-peak to peak) is the toll for motor cycles and motor tricycles for the off-peak time slot (a.m.) of the tunnel plus \$0.8 with an increase of \$0.8 in the toll for each successive interval; and
 - (b) for private cars, the toll for the first interval of the transitional time slot (off-peak to peak) is the toll for private cars for the off-peak time slot (a.m.) of the tunnel plus \$2 with an increase of \$2 in the toll for each successive interval.
- (2) Where N2 is the number of intervals determined under Part 1 of this Schedule in relation to a transitional time slot (off-peak to peak) of a tunnel—
 - (a) for motor cycles and motor tricycles, the toll for the first interval of the transitional time slot (off-peak to peak) is the toll for motor cycles and motor tricycles for the off-peak time slot (a.m.) of the tunnel plus \$0.4 with an increase of \$0.8 in the toll for each successive interval; and
 - (b) for private cars, the toll for the first interval of the transitional time slot (off-peak to peak) is the toll for private cars for the off-peak time slot (a.m.) of the tunnel plus \$1 with an increase of \$2 in the toll for each successive interval.

Division 3—Transitional Time Slot (Peak to Normal)

1. Starting time

The starting time of a transitional time slot (peak to normal) of a tunnel is the time immediately after the end time of the peak time slot (a.m.) of the tunnel.

2. End time

The end time of a transitional time slot (peak to normal) of a tunnel is the time, when deducting the duration of the time slot (determined in accordance with section 4 of this Division), that corresponds to the time immediately after the end time of the peak time slot (a.m.) of the tunnel.

3. Number of intervals

The number of intervals for a transitional time slot (peak to normal) of a tunnel is N1 or N2 (as the case may be).

4. Duration

The duration of a transitional time slot (peak to normal) of a tunnel is the product of 2 minutes multiplying N1 or N2 (as the case may be).

5. Toll for each interval

- (1) Where N1 is the number of intervals determined under Part 1 of this Schedule in relation to a transitional time slot (peak to normal) of a tunnel—
 - (a) for motor cycles and motor tricycles, the toll for the first interval of the transitional time slot (peak to normal) is the toll for motor cycles and motor tricycles for the peak time slot (a.m.) of

- the tunnel minus \$0.8 with a decrease of \$0.8 in the toll for each successive interval; and
- (b) for private cars, the toll for the first interval of the transitional time slot (peak to normal) is the toll for private cars for the peak time slot (a.m.) of the tunnel minus \$2 with a decrease of \$2 in the toll for each successive interval.
- (2) Where N_2 is the number of intervals determined under Part 1 of this Schedule in relation to a transitional time slot (peak to normal) of a tunnel—
- (a) for motor cycles and motor tricycles, the toll for the first interval of the transitional time slot (peak to normal) is the toll for motor cycles and motor tricycles for the peak time slot (a.m.) of the tunnel minus \$0.8 with a decrease of \$0.8 in the toll for each successive interval (except the last interval) and a decrease of \$0.4 in the toll for the last interval; and
 - (b) for private cars, the toll for the first interval of the transitional time slot (peak to normal) is the toll for private cars for the peak time slot (a.m.) of the tunnel minus \$2 with a decrease of \$2 in the toll for each successive interval (except the last interval) and a decrease of \$1 in the toll for the last interval.

Division 4—Normal Time Slot

1. Starting time

The starting time of a normal time slot of a tunnel is the time immediately after the end time of the transitional time slot (peak to normal) of the tunnel.

2. End time

The end time of a normal time slot of a tunnel is the time immediately before the starting time of the transitional time slot (normal to peak) of the tunnel.

Division 5—Transitional Time Slot (Normal to Peak)**1. Starting time**

The starting time of a transitional time slot (normal to peak) of a tunnel is the time, when adding the duration of the time slot (determined in accordance with section 4 of this Division), that corresponds to the time immediately before the starting time of the peak time slot (p.m.) of the tunnel.

2. End time

The end time of a transitional time slot (normal to peak) of a tunnel is the time immediately before the starting time of the peak time slot (p.m.) of the tunnel.

3. Number of intervals

The number of intervals for a transitional time slot (normal to peak) of a tunnel is N1 or N2 (as the case may be).

4. Duration

The duration of a transitional time slot (normal to peak) of a tunnel is the product of 2 minutes multiplying N1 or N2 (as the case may be).

5. Toll for each interval

- (1) Where N_1 is the number of intervals determined under Part 1 of this Schedule in relation to a transitional time slot (normal to peak) of a tunnel—
 - (a) for motor cycles and motor tricycles, the toll for the first interval of the transitional time slot (normal to peak) is the toll for motor cycles and motor tricycles for the normal time slot of the tunnel plus \$0.8 with an increase of \$0.8 in the toll for each successive interval; and
 - (b) for private cars, the toll for the first interval of the transitional time slot (normal to peak) is the toll for private cars for the normal time slot of the tunnel plus \$2 with an increase of \$2 in the toll for each successive interval.
- (2) Where N_2 is the number of intervals determined under Part 1 of this Schedule in relation to a transitional time slot (normal to peak) of a tunnel—
 - (a) for motor cycles and motor tricycles, the toll for the first interval of the transitional time slot (normal to peak) is the toll for motor cycles and motor tricycles for the normal time slot of the tunnel plus \$0.4 with an increase of \$0.8 in the toll for each successive interval; and
 - (b) for private cars, the toll for the first interval of the transitional time slot (normal to peak) is the toll for private cars for the normal time slot of the tunnel plus \$1 with an increase of \$2 in the toll for each successive interval.

Division 6—Transitional Time Slot (Peak to Off-peak)

1. Starting time

The starting time of a transitional time slot (peak to off-peak) of a tunnel is the time immediately after the end time of the peak time slot (p.m.) of the tunnel.

2. End time

The end time of a transitional time slot (peak to off-peak) of a tunnel is the time, when deducting the duration of the time slot (determined in accordance with section 4 of this Division), that corresponds to the time immediately after the end time of the peak time slot (p.m.) of the tunnel.

3. Number of intervals

The number of intervals for a transitional time slot (peak to off-peak) of a tunnel is N1 or N2 (as the case may be).

4. Duration

The duration of a transitional time slot (peak to off-peak) of a tunnel is the product of 2 minutes multiplying N1 or N2 (as the case may be).

5. Toll for each interval

- (1) Where N1 is the number of intervals determined under Part 1 of this Schedule in relation to a transitional time slot (peak to off-peak) of a tunnel—

- (a) for motor cycles and motor tricycles, the toll for the first interval of the transitional time slot (peak to off-peak) is the toll for motor cycles and motor tricycles for the peak time slot (p.m.) of the tunnel minus \$0.8 with a decrease of \$0.8 in the toll for each successive interval; and
 - (b) for private cars, the toll for the first interval of the transitional time slot (peak to off-peak) is the toll for private cars for the peak time slot (p.m.) of the tunnel minus \$2 with a decrease of \$2 in the toll for each successive interval.
- (2) Where N_2 is the number of intervals determined under Part 1 of this Schedule in relation to a transitional time slot (peak to off-peak) of a tunnel—
 - (a) for motor cycles and motor tricycles, the toll for the first interval of the transitional time slot (peak to off-peak) is the toll for motor cycles and motor tricycles for the peak time slot (p.m.) of the tunnel minus \$0.8 with a decrease of \$0.8 in the toll for each successive interval (except the last interval) and a decrease of \$0.4 in the toll for the last interval; and
 - (b) for private cars, the toll for the first interval of the transitional time slot (peak to off-peak) is the toll for private cars for the peak time slot (p.m.) of the tunnel minus \$2 with a decrease of \$2 in the toll for each successive interval (except the last interval) and a decrease of \$1 in the toll for the last interval.

Division 7—Off-peak Time Slot (P.M.)

1. Starting time

The starting time of an off-peak time slot (p.m.) of a tunnel is the time immediately after the end time of the transitional time slot (peak to off-peak) of the tunnel.

2. Duration

The duration of an off-peak time slot (p.m.) of a tunnel is the difference between the starting time of the off-peak time slot (p.m.) of the tunnel and the time immediately before 00:00 of the next day.”.

Part 4

Related Amendments

Division 1—Amendment to Prevention of Bribery Ordinance (Cap. 201)

22. Schedule 1 amended (public bodies)

Schedule 1—

Repeal item 70.

Division 2—Amendment to Magistrates Ordinance (Cap. 227)

**23. Third Schedule amended (offences to which defendant may plead
guilty by letter)**

Third Schedule—

Repeal paragraph 15.

Division 3—Amendment to Road Traffic Ordinance (Cap. 374)

**24. Schedule 11 amended (offences specified for the purposes of
section 72A)**

Schedule 11—

Repeal

“37A, 37D, 37G, 37J, 37K, 38, 42.”

Division 4—Amendments to Road Traffic (Public Service Vehicles) Regulations (Cap. 374 sub. leg. D)

25. Schedule 5 amended (taxi fares)

- (1) Schedule 5, item 4(iii)—

Repeal

“or the Eastern Harbour Crossing”

Substitute

“, the Eastern Harbour Crossing or the Western Harbour Crossing”.

- (2) Schedule 5, item 4(iii)—

Repeal

“or 3A”

Substitute

“, 3A or 3B”.

- (3) Schedule 5, item 4(iiiia)—

Repeal

“or the Western Harbour Crossing”.

- (4) Schedule 5, item 4(iiiia)—

Repeal

“concerned”.

- (5) Schedule 5, item 4(iv)(a)—

Repeal

“\$10.00”

Substitute

“An amount equivalent to the appropriate toll for the use of the tunnel, as specified in Part 2 of Schedule 2 to the Road Tunnels (Government) Regulations (Cap. 368 sub. leg. A).”.

- (6) Schedule 5, item 4(iv)(b)—

Repeal

“\$15.00”

Substitute

“An amount equivalent to the appropriate toll for the use of the tunnel concerned, as specified in Part 3 or 3B of Schedule 2 to the Road Tunnels (Government) Regulations (Cap. 368 sub. leg. A).”.

Division 5—Amendments to Road Traffic (Driving-offence Points) Ordinance (Cap. 375)

26. Schedule amended (offence)

- (1) The Schedule, before item 37A, column 2—

Repeal

“Western Harbour Crossing Bylaw (Cap. 436 sub. leg. D)”.

- (2) The Schedule—

Repeal items 37A, 37B, 37C, 37D, 37E, 37F, 37G, 37H, 37I, 37J and 37K.

- (3) The Schedule—

Repeal

“Western Harbour Crossing Bylaw (Cap. 436 sub. leg. D) as it was in force immediately before 20 July 2012”.

(4) The Schedule—

Repeal items 38, 39, 40 and 42.

Division 6—Amendment to Legislative Council Ordinance (Cap. 542)

27. Schedule 1A amended (composition of the transport functional constituency)

Schedule 1A—

Repeal item 152.

Division 7—Amendment to Chief Executive Election Ordinance (Cap. 569)

28. Schedule amended (Election Committee)

The Schedule, Annex 1—

Repeal item 119.

Division 8—Amendment to Road Traffic (Public Service Vehicles) (Amendment) Regulation 2005 (L.N. 83 of 2005)

29. Section 2 amended (taxi fares)

Section 2—

Repeal paragraph (b).

**Division 9—Amendments to Resolution Made and Passed
by Legislative Council under Section 72A(10) of Road
Traffic Ordinance and Section 4(3) of Road Traffic
(Driving-offence Points) Ordinance on 29 May 2013
(L.N. 100 of 2013)**

30. Paragraph (d) amended

(1) Paragraph (d)—

Repeal

“1(7), (9), (11)”

Substitute

“1(11)”.

(2) Paragraph (d)—

Repeal

“1(14), (15), (20)”

Substitute

“1(20)”.

31. Schedule 1 amended (amendments to Road Traffic Ordinance)

Schedule 1, section 1—

Repeal subsections (7) and (9).

32. Schedule 2 amended (amendments to Road Traffic (Driving-offence Points) Ordinance)

Schedule 2, section 1—

Repeal subsections (14) and (15).

Explanatory Memorandum

The main object of this Bill is to amend the Road Tunnels (Government) Ordinance (Cap. 368) (*principal Ordinance*) and the Road Tunnels (Government) Regulations (Cap. 368 sub. leg. A) (*principal Regulations*) to—

- (a) extend their application to the Western Harbour Crossing and repeal the Western Harbour Crossing Ordinance (Cap. 436) and its subsidiary legislation;
- (b) empower the Chief Executive in Council to set the tolls for the use of tunnels at above cost recovery level, and to set different tolls for different time slots, or different parts of a time slot, in any day;
- (c) provide for new tolls in respect of the Eastern Harbour Crossing, the Cross-Harbour Tunnel and the Western Harbour Crossing (*three harbour crossings*);
- (d) provide for time-varying tolls to be charged for the three harbour crossings;
- (e) authorize the Commissioner for Transport (*Commissioner*) to make adjustments of tolls, time and duration in relation to peak time slots; and
- (f) provide for transitional matters and make related amendments.

Part 1—Preliminary

- 2. Clause 1 sets out the short title and provides for commencement.
- 3. Clause 2 introduces the enactments that are amended by the Bill.

Part 2—Amendments to Principal Ordinance

4. Clause 3 adds 4 definitions to section 2(1) of the principal Ordinance.
5. Clause 4 amends the definition of *prescribed facilities* in section 14A of the principal Ordinance.
6. Clause 5 amends section 20 of the principal Ordinance to empower the Chief Executive in Council to make regulations to—
 - (a) provide for the payment and recovery of tolls payable for the use of a tunnel at above cost recovery level;
 - (b) provide that different tolls are payable for the use of a tunnel for either or both of the following—
 - (i) different classes of vehicles;
 - (ii) different time slots (or different parts of a time slot) in any day; and
 - (c) specify, in relation to the use of a tunnel, any 2 time slots in any day as a peak time slot (a.m.) and a peak time slot (p.m.).
7. Clause 6 adds a new section 20AA to the principal Ordinance to provide that where a time slot is specified as a peak time slot for a tunnel, the Commissioner, on meeting the conditions set out in a new Schedule 1B added by clause 9 to the principal Ordinance, may adjust, by notice published in the Gazette—
 - (a) the tolls payable for the use of the tunnel for different classes of vehicles during the peak time slot;
 - (b) the starting and end time of the peak time slot; and
 - (c) the duration of the peak time slot.

8. Clause 7 provides for the repeal of the Western Harbour Crossing Ordinance (Cap. 436) and its subsidiary legislation and the relevant savings and transitional arrangements as set out in a new Schedule 4 added by clause 10 to the principal Ordinance.
9. Section 3(1) of the principal Ordinance provides that the principal Ordinance applies to the tunnels named in Schedule 1 to the principal Ordinance. Clause 8 amends that Schedule by adding to it the Western Harbour Crossing.

Part 3—Amendments to Principal Regulations

10. The principal Regulations provide for, among other things, the control and regulation of traffic in, and the tolls for, the applicable tunnels. Part 3 (clauses 11 to 21) amends the principal Regulations to—
 - (a) extend their application to the Western Harbour Crossing;
 - (b) provide for new tolls in respect of the three harbour crossings;
 - (c) provide for time-varying tolls to be charged for the three harbour crossings;
 - (d) provide that where different tolls are specified for different time slots, or different parts of a time slot, in a day for the use of a boothless mode tunnel by a vehicle of a particular class, the amount of the toll payable for the use of the tunnel is determined according to the time of the vehicle using the tunnel as shown in the record of the boothless tolling system of the tunnel;

- (e) provide that where an adjustment is made by the Commissioner in respect of a peak time slot of a tunnel under the new section 20AA(1) of the principal Ordinance, the new Schedule 2A added by clause 21 to the principal Regulations has effect in relation to the off-peak time slot (a.m.), the normal time slot, the off-peak time slot (p.m.) and the transitional time slots of the tunnel; and
- (f) provide for the adjustments of the starting and end time, duration and tolls for various time slots of a tunnel mentioned in subparagraph (e) as a result of the adjustments made by the Commissioner in respect of a peak time slot.

Part 4—Related Amendments

11. Part 4 (clauses 22 to 32) contains related amendments to several enactments.