

**立法會**  
***Legislative Council***

LC Paper No. LS 139/99-00

**Paper for the House Committee Meeting  
of the Legislative Council  
on 19 May 2000**

**Legal Service Division Report on  
Subsidiary Legislation Gazetted on 12 May 2000**

**Date of Tabling in LegCo** : 17 May 2000

**Amendment to be made by** : 14 June 2000 (or 21 June 2000 if extended by resolution)

**\*Security and Guarding Services Ordinance (Cap. 460)  
Security and Guarding Services (Fees) (Amendment) Regulation 2000  
(L.N. 134)**

The Amendment Regulation amends the Security and Guarding Services (Fees) Regulation (Cap. 460 sub. leg.) consequential to the enactment of the Security and Guarding Services (Amendment) Ordinance 2000 (25 of 2000). The Amendment Regulation will come into operation on a day to be appointed by the Secretary for Security.

The Amendment Regulation repeals provisions relating to payment of licence fees by instalment. It replaces the Schedule of fees in respect of permits and licences. Under the new Schedule -

- (a) the fee payable for the issue of a permit is reduced from \$120 to \$110;
- (b) fees are prescribed for the renewal of a permit or a licence and its application;
- (c) fees are prescribed for the replacement of a permit or licence; and
- (d) annual fees are prescribed for a licence issued or renewed (in place of the annual instalments of one licence fee for 5 years).

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\* Changes in fees

Members may refer to LegCo Brief File Reference SEC 9/6/11 Pt. 2 issued by the Security Bureau on 10 May 2000 for background information. Annex B of the Brief sets out the proposed fees and Annex C contains the cost computation. The prescribed fees for renewal are set at the same level as the application or issue of new permits or licences, and the annual fees prescribed for licences are the same as the repealed annual instalments of licence fees.

**Security and Guarding Services Ordinance (Cap. 460)  
Security and Guarding Services (Licensing) (Amendment) Regulation 2000  
(L.N. 135)**

The Amendment Regulation amends the Security and Guarding Services (Licensing) Regulation (Cap. 460 sub. leg.) consequential to the enactment of the Security and Guarding Services (Amendment) Ordinance (25 of 2000). The effect of the Amendment Regulation is -

- (a) to provide that the prescribed permit form and licence form are applicable to permits and licences issued or renewed;
- (b) to repeal references to licence fee and substituting annual fee;
- (c) to revise the security work category code in the permit form to reflect the definition of "security work" as amended by the Amendment Ordinance; and
- (d) to remove the requirement to affix photo to a permit.

Members may refer to LegCo Brief File Reference SBCR 2/3231/99 Pt. 8 issued by the Security Bureau on 10 May 2000 for background information. The Amendment Regulation will come into operation on a day to be appointed by the Secretary for Security.

**Mass Transit Railway Ordinance (13 of 2000)  
Mass Transit Railway Ordinance (13 of 2000) (Commencement) Notice 2000  
(L.N. 136)**

This Notice appoints 30 June 2000 as the day on which the Mass Transit Railway Ordinance (13 of 2000) (other than section 13 of Schedule 6) shall come into operation. The Ordinance provides for the granting of a franchise to the MTR Corporation Limited, a company incorporated under the Companies Ordinance (Cap. 32), to operate the Mass Transit Railway and to construct and operate any extension to the railway.

Section 13 of Schedule 6 is a consequential amendment to the Protection of Investors Ordinance (Cap. 335), repealing item 7 in Part IVA of the Schedule to that Ordinance. The Mass Transit Railway Corporation is presently exempted from the requirement under section 4 in relation to the issue of certain advertisements and documents relating to investments. According to the Administration, section 13 of Schedule 6 would come into operation when the shares of the MTR Corporation Limited are listed on the Hong Kong Exchanges and Clearing Limited.

Members are advised that the granting of the franchise, the repeal of the Mass Transit Railway Corporation Ordinance (Cap. 270), the dissolution of the Mass Transit Railway Corporation incorporated under that Ordinance and the vesting of the property, rights and liabilities of the Mass Transit Railway Corporation in the MTR Corporation Limited would only take effect on the appointed day.

The appointed day would be designated by the Secretary for Transport by notice in the Gazette under section 3 of the Ordinance. According to the Administration, the Secretary would not exercise this power until the period for amending this Notice has expired. The appointed day would fall on the same day as the commencement day or on a day shortly following. Section 62 of the Ordinance provides that such notice is not subsidiary legislation.

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