

A BILL

To

Amend the Noise Control Ordinance.

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. Short title and commencement

(1) This Ordinance may be cited as the Noise Control (Amendment) Ordinance 1995.

(2) This Ordinance shall come into operation on 31 March 1996.

2. Regulations

Section 27 of the Noise Control Ordinance (Cap. 400) is amended -

(a) in subsection (1) -

(i) by repealing "Subject to subsection (1A),";

(ii) by repealing "the Governor in Council" and substituting "The Secretary";

(b) by repealing subsection (1A);

(c) by adding -

"(3A) Any regulation made under subsection (1) relating to the control of the emission of noise in respect of motor vehicles intended to be registered under the Road Traffic Ordinance (Cap. 374) may for the purposes of such registration -

(a) authorize the Authority to confer exemptions from any provision of any regulation so made;

- (b) provide for the application of vehicle design standards, specifications, descriptions, methods, procedures, requirements or tests laid down in documents, whether or not published or produced in Hong Kong, not forming part of the regulations, relating to the prevention or reduction of the emission of noise including the application of such standards, specifications, descriptions, methods, procedures, requirements or tests in relation to the prohibition or control of the emission of noise from motor vehicles;
- (c) provide for any matter relating to conformity to standards as stringent or more stringent than standards laid down in documents of the description mentioned in paragraph (b)."

Explanatory Memorandum

The purposes of this Bill are to transfer the regulation making power from the Governor-in-Council to the Secretary for Planning, Environment and Lands and to enlarge the regulation making power of the Secretary in relation to the control of the emission of noise in respect of motor vehicles intended to be registered under the Road Traffic Ordinance (Cap. 374).