

EXPLANATORY STATEMENT

MOTOR OMNIBUS SERVICES (AMENDMENT) ORDINANCE 1986

NO. 48 OF 1986

The Motor Omnibus Services (Amendment) Ordinance 1986 ("the Amending Ordinance") amends the Motor Omnibus Services Ordinance 1955 ("the Principal Ordinance") to enable the Minister to determine charges for the purposes of the Principal Ordinance.

Details of the Amending Ordinance are set out below.

Sections 1, 2, and 3 deal with citation and interpretation.

Section 4 repeals sections 3A and 4 of the Principal Ordinance and substitutes a new section 4. Section 3A enabled the Minister to declare that no fares are payable on certain journeys on an omnibus and section 4 provided for the making of Regulations dealing with fares to be charged on motor omnibus services. These matters will now be dealt with in the Minister's determination to be made under new section 4.

New section 4 enables the Minister to determine charges for the purposes of the Principal Ordinance by notice in writing published in the Gazette. The charges are to be charges for travel on a motor omnibus and the section provides that the Minister may determine different charges with respect to different classes of persons and different journeys or classes of journeys.

Section 5 repeals sections 4B to 4CD (inclusive) and substitutes new sections for 4B and 4C. The repealed sections enabled the Minister to make arrangements for the sale of tickets; established offences relating to the misuse of tickets to avoid payment of a fare; set out how the number of sections of which a journey consists is to be calculated; established different classes of tickets; provided for the issue of student cards and enabled the Minister to determine fares for special services.

New section 4B enables the Minister to make arrangements for the sale of tickets and new section 4C creates offences for the misuse of tickets to avoid payment of a fare. The other matters dealt with by the repealed sections will be provided for in the Minister's determination.

Section 6 makes a consequential amendment to section 4E of the Principal Ordinance which provides that a person who has purchased a period ticket is entitled to a refund if motor omnibus services were not provided for two or more whole days during the period covered by the ticket.

Section 7 makes consequential amendments to section 5 of the Principal Ordinance which deals with the appointment of inspectors and their powers and functions.