

## 交通審裁處

### 職權範圍

交通審裁處的職責，是覆核運輸署署長就《道路交通條例》第 33(1)、77D(3)、88D(3)、88L(3)及 90(2)(c)條，以及《道路交通(公共服務車輛)規例》第 8 及 23 條提出的申請所作的決定。交通審裁處獲授權：

- (a) 覆核運輸署署長拒絕為車輛登記／發牌或註銷牌照的決定；
- (b) 決定是否扣押因各項「白牌車」(非法出租汽車) 罪行而被法庭定罪人士的車輛；
- (c) 覆檢運輸署署長註銷出租汽車許可證、拒絕簽發出租汽車許可證，或於出租汽車許可證附加條款的決定；
- (d) 覆檢運輸署署長拒絕簽發客運營業證，或註銷、暫停或更改客運營業證條款的決定；
- (e) 覆檢運輸署署長撤銷指定某處為車輛廢氣測試中心的決定；
- (f) 覆檢運輸署署長撤銷指定某處為驗車中心的決定；
- (g) 覆檢運輸署署長撤銷指定某處為駕駛學校的決定；以及
- (h) 覆檢運輸署署長修改客運營業證條款的決定。

## Transport Tribunal

### Terms of Reference

The functions of the Transport Tribunal are to review the decisions of the Commissioner for Transport in respect of applications/appeals made under Sections 33(1), 77D(3), 88D(3), 88L(3) and 90(2)(c) of the Road Traffic Ordinance and Regulations 8 and 23 of the Road Traffic (Public Service Vehicles) Regulations. The Transport Tribunal is empowered:

- (a) to review a decision of the Commissioner for Transport to refuse to register or license a vehicle or to revoke a licence;
- (b) to decide whether a person convicted of various 'pak pai' offences (illegal car hire) should have his vehicle impounded;
- (c) to review a decision of the Commissioner for Transport to cancel a hire car permit, to refuse to issue a hire car permit, or to attach certain conditions to a hire car permit;
- (d) to review a decision of the Commissioner for Transport to refuse to issue a passenger service licence, or to cancel, suspend or vary the terms of a passenger service licence;
- (e) to review a decision of the Commissioner for Transport to revoke the designation of a vehicle emission testing centre;
- (f) to review a decision of the Commissioner for Transport to revoke the designation of a car testing centre;
- (g) to review a decision of the Commissioner for Transport to revoke the designation of a driving school; and
- (h) to review a decision of the Commissioner for Transport to amend the terms or conditions of a passenger service licence.

2. 根據《道路交通條例》(第 374 章)第 17 條的規定，交通審裁處由一位非官守主席及兩位由小組選出的非官守委員組成。
3. 《道路交通條例》(第 374 章)第 19 條管限交通審裁處的權力。《道路交通條例》(第 374 章)第 20 條訂明交通審裁處任何聆訊的常規及程序規則。
2. The Tribunal comprises an unofficial chairman and two unofficial members drawn from a panel as provided for under Section 17 of Road Traffic Ordinance, Cap. 374.
3. The powers of the Transport Tribunal are governed by Section 19 of Road Traffic Ordinance, Cap. 374 whereas the rules of practice and procedure in any hearing before the Transport Tribunal are prescribed by Section 20 of Road Traffic Ordinance, Cap. 374.

## 2002 年工作匯報

交通審裁處於 2002 年處理過 4 宗申請。其中兩宗申請覆核運輸署署長拒絕向車輛重新發牌的決定，其餘兩宗則關於專線小巴服務客運營業證的申請結果。

## Report for the Year 2002

In 2002, the Tribunal considered four applications. Two applications concerned with the review of the decision of the Commissioner for Transport for not re-licensing vehicles. The other two applications concerned with the result of applications for passenger service licence for GMB services.

## 交通審裁處成員名單 (截至二零零二年十二月三十一日)

### Membership of Transport Tribunal (As at 31 December 2002)

#### 主席 Chairman

蔡偉石太平紳士

Mr Choy Wai-shek, Raymond, JP, MH

#### 小組委員 Panel Members

李頌熹太平紳士

Mr Lee Tsung-hei, David Chris, BBS, JP

廖榮定太平紳士

Mr Liu Wing-ting, Stephen, JP

容正達先生

Mr Yung Ching-tat, BBS

程張迎先生

Mr Ching Cheung-ying

#### 法律顧問 Legal Adviser

由交通審裁處指定

Appointed by Transport Tribunal

#### 秘書 Secretary

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