

《貸款基金》
(第2章，附屬法例C)

Loan Fund
(Cap. 2 sub. leg. C)

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經核證文本
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(《法例發布條例》(第614章)第5條)
(Legislation Publication Ordinance (Cap. 614), section 5)

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條文 Provision	頁數 Page number	最後更新日期 Last updated date
主體 Main	1—8	15.2.2017
附表 Schedule	S-1—S-4	15.2.2017

尚未實施的條文 / 修訂 ——

尚未實施的條文及修訂的資料，可於「電子版香港法例」(<http://www.elegislation.gov.hk>) 閱覽。

Provisions / Amendments not yet in operation ——

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制定史

本為 1990 年第 81 號法律公告 —— 1995 年第 (C)18 號法律公告 (中文真確本)，1997 年第 80 號，1997 年第 362 號法律公告，1999 年第 68 號，2017 年第 1 號編輯修訂紀錄

Enactment History

Originally L.N. 81 of 1990 — L.N. (C) 18 of 1995 (Chinese authentic version), 80 of 1997, L.N. 362 of 1997, 68 of 1999, E.R. 1 of 2017

《貸款基金》

Loan Fund

立法局決議

Resolution of the Legislative Council

(格式變更——2017 年第 1 號編輯修訂紀錄)

(Format changes—E.R. 1 of 2017)

立法局在 1990 年 3 月 14 日根據《公共財政條例》第 29 條作出及通過的決議。

Resolution made and passed by the Legislative Council under section 29 of the Public Finance Ordinance on 14 March 1990.

決議通過由 1990 年 4 月 1 日起——

Resolved that with effect from 1 April 1990—

1. 成立一基金，稱為貸款基金；
2. 基金由財政司司長管理，但他可將管理權轉授其他公職人員；(1997 年第 362 號法律公告)
3. 下列款項須記入基金帳戶的貸項下——
 - (a) 學生貸款基金的一切資產，包括截至 1990 年 3 月 31 日的任何未清帳款；
 - (b) 截至 1990 年 3 月 31 日發展貸款基金因貸出或墊付附表第 I 部指明的款項而仍存有的未清帳款；
 - (c) 截至 1990 年 3 月 31 日政府一般收入因貸出或墊付附表第 II 部指明的款項而仍存有的未清帳款；

1. there shall be established a fund to be called the Loan Fund;
2. the Fund shall be administered by the Financial Secretary who may delegate his power of administration to other public officers;
3. there shall be credited to the Fund—
 - (a) all the assets of the Student Loan Fund including any outstanding balances as at 31 March 1990;
 - (b) all the outstanding balances as at 31 March 1990, in respect of the loans and advances made from the Development Loan Fund specified in Part I of the Schedule;
 - (c) all the outstanding balances as at 31 March 1990, in respect of the loans made from the general revenue specified in Part II of the Schedule;

- (d) 經立法會核准從政府一般收入撥予基金的款項；
(1999 年第 68 號第 3 條)
- (e) 因獲償還下列款項而收受的一切款項 ——
 - (i) 學生貸款基金貸出的任何款項；
 - (ii) 附表指明的任何貸款或墊款；
 - (iii) 根據第 6 條由基金貸出或墊付的任何款項；
- (f) 所有從下列款項所收受的利息或股息 ——
 - (i) 學生貸款基金貸出的任何款項；
 - (ii) 附表指明的任何貸款或墊款；
 - (iii) 根據第 6 條由基金貸出或墊付的任何款項；
 - (iv) 根據第 8 條投資的任何款項；
- (g) 因出售或以其他方式處置根據第 8 條所作的任何全部或部分投資而收受的所有款項；
- (h) 所有為基金而收受的其他款項；
- 4. 基金須接管 ——
 - (a) 截至 1990 年 3 月 31 日學生貸款基金的所有存款；及
 - (b) 截至 1990 年 3 月 31 日發展貸款基金的所有存款；
- 5. 基金須承擔 ——
 - (a) 截至 1990 年 3 月 31 日學生貸款基金就財務委員會核准的計劃而從學生貸款基金批出貸款予學生所須承擔的一切法律責任；

- (d) such appropriations from the general revenue as may be approved by the Legislative Council for the purpose of the Fund;
- (e) all sums received by way of repayment of—
 - (i) any loan made from the Student Loan Fund;
 - (ii) any loan or advance specified in the Schedule;
 - (iii) any loan or advance made from the Fund under paragraph 6;
- (f) all sums received by way of interest or dividend on—
 - (i) any loan made from the Student Loan Fund;
 - (ii) any loan or advance specified in the Schedule;
 - (iii) any loan or advance made from the Fund under paragraph 6;
 - (iv) any sum invested under paragraph 8;
- (g) all sums received from the sale or other disposal of all or part of any investment made under paragraph 8;
- (h) all such other sums as may be received for the purpose of the Fund;
- 4. the Fund shall assume—
 - (a) all the deposits of the Student Loan Fund as at 31 March 1990; and
 - (b) all the deposits of the Development Loan Fund as at 31 March 1990;
- 5. the Fund shall assume—
 - (a) all the liabilities of the Student Loan Fund in respect of schemes approved by the Finance Committee as at 31 March 1990 for the purpose of

- (b) 截至 1990 年 3 月 31 日發展貸款基金就財務委員會核准的計劃而從發展貸款基金提供貸款及墊款資金所須承擔的一切法律責任；及
- (c) 截至 1990 年 3 月 31 日政府一般收入就財務委員會核准的計劃而就提供附表第 II 部指明的貸款所須承擔的一切法律責任；
- 6. 財政司司長可從基金支用款項 —— (1997 年第 362 號法律公告)
 - (a) 以應付根據第 4 條接管存款所須承擔的法律責任，及應付根據第 5 條在截至 1990 年 3 月 31 日已獲財務委員會核准的條款及條件下所須承擔的法律責任；及 (1997 年第 80 號第 102 條)
 - (b) 以向財務委員會核准的人批出貸款及墊款，但須按照財務委員會指明的條款及條件行事；
- 7. 庫務署署長須根據財政司司長發出的基金支付令授予的權力，由基金撥支款項以應付基金開支所需；(1997 年第 362 號法律公告)
- 8. 財政司司長可行使其酌情決定權，授權將基金在任何時候未支用的結餘款項，以財政司司長決定的方式，投資於有息證券；(1997 年第 362 號法律公告)
- 9. 財政司司長可不時將其認為不再為了基金的目的而合理地需要留在基金的結餘，轉撥入政府一般收入之內；(1997 年第 362 號法律公告)

- granting loans to students out of the Student Loan Fund;
- (b) all the liabilities of the Development Loan Fund in respect of schemes approved by the Finance Committee as at 31 March 1990 for the purpose of financing loans and advances out of the Development Loan Fund; and
- (c) all the liabilities of the general revenue in respect of schemes approved by the Finance Committee as at 31 March 1990 in respect of the loans specified in Part II of the Schedule;
- 6. the Financial Secretary may expend moneys from the Fund for the purpose of—
 - (a) meeting the liabilities in respect of deposits assumed under paragraph 4 and the liabilities assumed under paragraph 5 under terms and conditions already approved by the Finance Committee as at 31 March 1990; and
 - (b) granting loans and advances to such persons as may be approved by the Finance Committee, in accordance with such terms and conditions as may be specified by the Finance Committee;
- 7. the Director of Accounting Services shall, under the authority of a funds warrant issued by the Financial Secretary, pay from the Fund such sums as may be required to meet expenditure from the Fund;
- 8. the Financial Secretary may, in his discretion, authorize the investment of moneys forming the unexpended balance held in the Fund at any time in interest bearing securities in such manner as he may determine;
- 9. the Financial Secretary may from time to time transfer from the Fund to the general revenue any balance held

10. 學生貸款基金須予結算。

in the Fund which is not in his opinion reasonably required for the purpose of the Fund;

10. the Student Loan Fund shall be closed.

附表

第 I 部

[第 3(b) 條]

從發展貸款基金所作並記入基金帳戶貸項下的貸款及
墊款

1. 貸款 ——
 - (a) 香港房屋協會 —— 供市區發展及市區改善計劃，以及興建郊區公共屋邨之用的貸款。
 - (b) 本地公務員 —— 給予建屋合作社成員及政府興建樓宇計劃的分承租人的貸款。
 - (c) 香港平民屋宇公司 —— 房屋貸款。
 - (d) 給予公務員的房屋資助 —— 首期貸款及房屋貸款。
 - (e) 給予學校的貸款。
 - (f) 漁業貸款。
 - (g) 嘉道理農業援助貸款基金 —— 禽畜廢物管制計劃。
 - (h) 大埔工業邨貸款。
 - (i) 元朗工業邨貸款。
 - (j) 大埔及元朗工業邨貸款。
 - (k) 土地發展公司 —— 供成立該公司之用的貸款。
 - (l) 香港生產力促進局 —— 供興建專用建築物之用的貸款。
 - (m) 香港木球會 —— 會所及設施。
 - (n) 區域市政局 —— 供興建區域市政局會議廳之用的貸款。
 - (o) 區域市政局 —— 供興建區域市政總署總部大樓之用的貸款。
2. 墊款 ——

Schedule

Part I

[paragraph 3(b)]

Loans and Advances from Development Loan Fund
Credited to the Fund

1. Loans—
 - (a) Hong Kong Housing Society—loan for urban development and urban improvement schemes and construction of rural public housing estates.
 - (b) Local government officers—loans to members of co-operative building societies and underlessees of Government-built housing schemes.
 - (c) Hong Kong Settlers Housing Corporation Limited—housing loans.
 - (d) Housing assistance for civil servants—downpayment loans and housing loans.
 - (e) Loans to schools.
 - (f) Fisheries loans.
 - (g) Kadoorie Agricultural Aid Loan Fund—Livestock Waste Control Scheme.
 - (h) Tai Po Industrial Estate Loan.
 - (i) Yuen Long Industrial Estate Loan.
 - (j) Tai Po and Yuen Long Industrial Estate Loan.
 - (k) Land Development Corporation—loan for financing the establishment of the Corporation.

香港生產力促進局 —— 就應累算的利息的墊款。

第 II 部

[第 3(c) 及 5(c) 條]

從政府一般收入作出並記入基金帳戶貸項下的貸款

1. 受訓教師的免息貸款。
2. 給予東華三院的貸款。
3. 給予香港產品設計創新有限公司的免息貸款。

- (l) Hong Kong Productivity Council—loan for construction of a special purpose building.
- (m) Hong Kong Cricket Club—Club house and facilities.
- (n) Regional Council—loan for construction of Regional Council Chambers.
- (o) Regional Council—loan for construction of Regional Services Department headquarters building.
2. Advances—
Hong Kong Productivity Council—Advance in respect of interest accrued.

Part II

[paragraphs 3(c) & 5(c)]

Loans and Advances from Development Loan Fund Credited to the Fund

1. Interest-free loans to teachers in training.
2. Loan to the Tung Wah Group of Hospitals.
3. Interest-free loan to The Hong Kong Design Innovation Company Limited.