

Head 5 — FINES, FORFEITURES AND PENALTIES

Details of Revenue

Sub-head (Code)	Actual revenue 2010–11	Original estimate 2011–12	Revised estimate 2011–12	Estimate 2012–13
	\$'000	\$'000	\$'000	\$'000
010 Court fines and statutory penalties	528,982	500,155	479,807	448,855
020 Forfeitures	180,822	34,389	1,621,336	81,940
030 Fixed penalty system (Traffic Contraventions) .	248,915	246,781	258,640	266,393
040 Fixed penalty system (Criminal Proceedings) ...	198,460	202,660	191,822	197,577
050 Payments by civil servants	1,868	1,694	2,929	2,362
060 Fixed penalty system (Motor Vehicle Idling)....	—	—	16	1,152
Total	1,159,047	985,679	2,554,550	998,279

Description of Revenue Sources

To this revenue head are credited fines imposed by the Courts and penalties imposed by statute, forfeitures resulting from Court orders or from breaches of contracts and agreements with the Government, penalties arising from the fixed penalty system for offences under the Fixed Penalty (Traffic Contraventions) Ordinance (Cap. 237), the Fixed Penalty (Criminal Proceedings) Ordinance (Cap. 240) and the Motor Vehicle Idling (Fixed Penalty) Ordinance (Cap. 611), the fixed penalty ticket system for parking offences in public housing estates and payments by civil servants in respect of disciplinary proceedings and breaches of contract.

Revenue from fines, forfeitures and penalties generated 0.8% of total revenue in 2011–12.

Underlying Changes in Revenue Yield

The **2011–12** revised estimate of \$2,554,550,000 is a net increase of \$1,568,871,000 (159.2%) over the original estimate.

Under *Subhead 020 Forfeitures*, the increase of \$1,586,947,000 (4 614.7%) is mainly due to the higher than expected revenue from forfeiture cases.

Under *Subhead 050 Payments by civil servants*, the increase of \$1,235,000 (72.9%) is mainly due to the higher than expected payment by civil servants resigning from the civil service who choose to pay salary in lieu of observing the prescribed notice period.

Under *Subhead 060 Fixed penalty system (Motor Vehicle Idling)*, the increase of \$16,000 is due to the collection of fixed penalty upon the implementation of the Motor Vehicle Idling (Fixed Penalty) Ordinance since 15 December 2011.

The **2012–13** estimate of \$998,279,000 is a net decrease of \$1,556,271,000 (60.9%) against the revised estimate for 2011–12.

Under *Subhead 020 Forfeitures*, the decrease of \$1,539,396,000 (94.9%) is mainly due to anticipated decrease in revenue from forfeiture cases.

Under *Subhead 050 Payments by civil servants*, the decrease of \$567,000 (19.4%) is mainly due to expected decrease in payment by civil servants resigning from the civil service who choose to pay salary in lieu of observing the prescribed notice period.

Under *Subhead 060 Fixed penalty system (Motor Vehicle Idling)*, the increase of \$1,136,000 (7 100%) is due to the full-year effect of the implementation of the Motor Vehicle Idling (Fixed Penalty) Ordinance since 15 December 2011.