

立法會
Legislative Council

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(These minutes have been seen
by the Administration)

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**Subcommittee on Places of Public Entertainment Ordinance
(Amendment of Schedule 1) Regulation 2002 and
Places of Public Entertainment (Exemption) Order**

**Minutes of meeting
held on Friday, 11 October 2002 at 3:00 pm (immediately after the
House Committee meeting scheduled for 2:30 pm on the same day)
in Conference Room A of the Legislative Council Building**

- Members Present** : Hon James TO Kun-sun (Chairman)
Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP
Hon LAU Kong-wah
Hon CHOY So-yuk
Hon Michael MAK Kwok-fung
Hon IP Kwok-him, JP
- Public Officers Attending** : Mr Herman CHO
Principal Assistant Secretary for Home Affairs
- Mr Charles WONG
Principal Assistant Secretary for Security (Narcotics)
- Mr AU Choi-kai
Assistant Director (Support), Building Department
- Mr P R MORGAN
Senior Superintendent of Police (Support)
Hong Kong Police Force
- Mr WONG Siu-wing
Senior Superintendent (Licensing)
Food and Environmental Hygiene Department

Mr LAU Mun-ming
Senior Divisional Officer (Policy)
Fire Services Department

Mr Sunny CHAN
Senior Government Counsel
Department of Justice

Ms Daphne SIU
Senior Government Counsel
Department of Justice

Mr S Y LEE
Assistant Secretary for Home Affairs (3)2

Clerk in Attendance : Miss Flora TAI
Chief Assistant Secretary (2)2

Staff in Attendance : Miss Kitty CHENG
Assistant Legal Adviser 5

Mr Stanley MA
Senior Assistant Secretary (2)6

I. Election of Chairman

Mr James TO was elected Chairman of the Subcommittee.

II. Meeting with the Administration

2. The Subcommittee deliberated (Index of proceedings attached at **Annex**).

3. The Subcommittee requested the Administration to provide a legal advice on the interpretation of admission of "the general public" in the context of the Places of Public Entertainment Ordinance (PPEO), and provide a flow chart to illustrate the application and approving process for the issue of a Place of Public Entertainment (PPE) licence.

4. The Subcommittee also requested the Administration to respond to the following queries and provide justifications where necessary -

- (a) Whether organisers of private parties who sold tickets to or received other monetary considerations from members of a club, society, association, union, etc, or students of a tertiary institution for gaining access to the party would be caught by PPEO;
- (b) Whether the scope of the Places of Public Entertainment (Exemption) Order should include places like halls, theatres, multi-purpose sports centres or playground, auditorium, etc, of tertiary institutions so that private parties organised by their students could all be exempted from PPEO;
- (c) Whether the processing time for the issue of a PPE licence could be reduced from 40 to 50 working days to seven working days for a venue already certified in compliance with standard safety requirements for public assembly and 14 working days for a venue not yet certified;
- (d) Whether the organiser of a dance party could evade the regulation of the PPEO by way of on-the-spot registration of a club membership for every participant before admittance to the dance venue;
- (e) Whether a private party organised for a specific group of persons or students of a tertiary institution would be caught by PPEO if some members or students bought many tickets and sold to a large number of outsiders who were then admitted to the venue;
- (f) Whether dance parties organised by local communities with an attendance of more than 200 persons who had bought tickets for admittance to a dance venue managed by LCSD or HAD would be caught by PPEO; and
- (g) Whether selling of admission tickets was allowed under PPEO before the issue of a PPE licence for dance parties.

5. To conclude the discussion, the Chairman said that members in general supported the legislative intent to bring rave parties and other dancing activities at premises not licensed for dancing activities under the ambit of PPEO. However, members were concerned about possible loopholes in the proposed regulatory framework, efficiency of the licensing regime and whether private parties not meant to be subject to licensing control would be unnecessarily regulated.

III. Any other business

Date of next meeting

6. Members agreed to hold the next meeting on Friday, 18 October 2002 at 3:00 pm (immediately after the House Committee meeting held at 2:30 pm on the same day) to discuss the Administration's response to the issues raised by members at the meeting.

7. There being no other business, the meeting ended at 4:25 pm.

Council Business Division 2

Legislative Council Secretariat

6 November 2002

Annex

Proceedings of the meeting of the Subcommittee on Places of Public Entertainment Ordinance (Amendment of Schedule 1) Regulation 2002 and Places of Public Entertainment (Exemption) Order on Friday, 11 October 2002 at 3:00 pm (immediately after the House Committee meeting scheduled for 2:30 pm on the same day) in Conference Room A of the Legislative Council Building

Time	Speaker	Subject(s)	Action required
0149 - 0233	Mrs Selina CHOW	Election of Chairman.	
0234 - 1443	Chairman Admin	Briefing on the background and the argument for the inclusion of "dance party" into Schedule 1 of the PPEO, and the exemption given.	
1444 - 3101	Mrs Selina CHOW Admin Chairman ALA5 Mr IP Kwok-him	Private parties, including those organised by students of tertiary institutions, under PPEO and reduction of the processing time for the issue of a PPE licence.	See para 4(a) to 4(c) of the minutes
3102 - 3344	Mr IP Kwok-him	Dancing venues should meet public safety standards under the PPEO.	
3345 - 01 1258	Chairman Mrs Selina CHOW Admin Mr LAU Kong-wah Mr Ip Kwon-him	Private parties organised by students of tertiary institutions, clubs and local communities, and exemptions.	See para 3 and 4(d) to 4(f)
01 1259 - 01 1552	Admin Mr IP Kwok-him Chairman Mr LAU Kong-wah	Processing time for an application for a PPE licence.	
01 1553 - 01 2303	Mr LAU Kong-wah Admin Chairman ALA5 Mr IP Kwok-him	Selling of admission tickets for a dance party before the issue of a PPE licence.	See 4(g) of the minutes
01 2304 - 01 2600	Chairman Admin	Rave party held in the afternoon with an attendance of less than 200 persons.	

01 2601 - 01 2940	Chairman Admin Clerk	Concluding remarks and date of next meeting.	See para 5 of the minutes
01 2941 - 01 3050	Mr LAU Kong-wah Chairman	Application and approving process for the issue of a PPE licence.	See para 3 of the minutes

Note : The audio records of the above proceedings are kept at the LegCo Library

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