

立法會
Legislative Council

LC Paper No. CB(2)305/02-03
(These minutes have been seen
by the Administration)

Ref : CB2/SS/10/01

**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, 18 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 WONG Siu-wing
Senior Superintendent (Licensing)
Food and Environmental Hygiene Department
- Mr Sunny CHAN
Senior Government Counsel
Department of Justice
- Ms Daphne SIU
Senior Government Counsel
Department of Justice
- Mr AU Choi-kai
Assistant Director (Support), Buildings Department

Mr P R MORGAN
Senior Superintendent of Police (Support Branch)
(Support Wing)
Hong Kong Police Force

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

Mr L W TING
Assistant Secretary for Security (Narcotics)

Mr LEE Sheung-yuen
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. Meeting with the Administration

[LC Paper No.CB(2) 105/02-03(01)]

The Bills Committee deliberated (Index of proceedings attached at **Annex**).

2. Members in general expressed support for bringing rave parties and other dancing activities held at premises not licensed for dancing activities under the ambit of Place of the Public Entertainment Ordinance (the Ordinance). Members, however, expressed concern that the proposed licensing regime was too wide and would bring about unnecessary administrative workload and financial burden to decent organisers of dance parties such as voluntary organisations and students of tertiary education institutions. They held a strong view that a Place of Public Entertainment (PPE) licence should not be required for dance parties held in premises of voluntary organisations, tertiary education institutions and schools whose compliance with standard safety requirements for public assembly had been certified. A member added

that the Administration should consider including voluntary organisations in the Exemption Order and providing them with a code of practice on safety requirements for premises which would be kept or used for specific purposes such as a dance party.

3. The Administration responded that most dance parties organised by community organisations and voluntary organisations for the general public were held in premises managed by the Leisure, Cultural and Services Department (LCSD) and the Home Affairs Department (HAD) and such premises would be exempted from application of the Ordinance. Only a few of them would need to apply for a PPE licence for holding parties in premises which were not included in the Exemption Order.

4. Members considered that the Food and Environmental Hygiene Department should expedite the processing time for the issue of a PPE licence to seven working days. Members also considered that the existing fee (over \$10,000) for an annual PPE licence was too expensive for voluntary organisations.

5. The Administration was requested to provide a response to the following -

- (a) amending the Exemption Order to include premises under the management of public bodies, voluntary organisations, tertiary education institutions and public sector schools;
- (b) making special administrative arrangement for processing temporary PPE licence applications for dance parties made by non-profit-making organisations within seven working days and charging a nominal licence fee for these applications in accordance with regulation 178 of the PPE Regulation; and
- (c) clarifying whether an organiser of a rave party could evade the regulation by granting membership of a dancing club to every participant who would be admitted to the dance venue the day after membership registration, instead of instant admission.

Legislative timetable

6. The Chairman advised that the scrutiny period of the Amendment Regulation and Exemption Order would expire on 6 November 2002 and the deadline for proposing amendments was 30 October 2002. The Subcommittee would have to report to the House Committee on 25 October 2002. In view of the tight schedule, the Chairman requested and the Administration undertook to provide a written response to paragraphs 5 (a) to (c) before 11:00 am on Tuesday, 22 October 2002. The Clerk would circulate the response to

members for comments once it was available. Members would be requested to give their comments to the Clerk, if any, before the close of play on 23 October 2002. In case negative comments were received from members, the Chairman said that he would, as an individual member, move a motion to repeal the Amendment Regulation and Exemption Order at the Council meeting on 6 November 2002 so that Legislative Council Members would have the opportunity to express their views on the two pieces of subsidiary legislation and cast their votes accordingly at the meeting.

II. Any other business

7. There being no other business, the meeting ended at 5:20 pm.

Council Business Division 2
Legislative Council Secretariat
8 November 2002

**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, 18 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 |
|-------------|---|---|-------------------------------------|
| 0000 - 1412 | Chairman Admin | Briefing on the Administration's response to concerns raised at the last meeting on 11 October 2002. | |
| 1413 - 1907 | Mr LAU Kong-wah Admin | Whether an organiser of a rave party could evade the application of the Ordinance by granting membership of a dancing club to every participant. | See para 5(c) of the minutes |
| 1908 - 2120 | Mrs Selina CHOW Chairman Admin | Definition of "public entertainment" and "place of public entertainment" did not cover private parties where members of the general public could not gain access. | |
| 2121 - 3226 | Mrs Selina CHOW Chairman Mr LAU Kong-wah ALA5 Admin | Dance parties organised by community organisations in premises of LCSD, HAD, voluntary organisations, tertiary education institutions, schools, etc., and the requirement of a PPE licence. | |
| 3227 - 4214 | Mr IP Kwok-him Admin Chairman | Granting exemption to dance parties organised by voluntary organisations, government agencies, students of tertiary education institutions in places like halls, theatres, multi-purpose sports centres or playground, auditorium of tertiary institutions, etc., and the issues arising from granting such exemptions. | |
| 4215 - 5418 | Mrs Selina CHOW Chairman Admin Mr LAU Kong-wah | Requiring voluntary organisations and students of tertiary institutions to apply a PPE licence for holding a dance party was not in line with the legislative intent; and the scope of applications of the existing Ordinance. | |

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| 5419 - 5629 | Miss CHOY So-yuk Admin Chairman | Dance parties held at open space in public or private estate. | |
| 5630 - 011723 | Mrs Selina CHOW Miss CHOY So-yuk Chairman Mr LAU Kong-wah Admin ALA5 | Suggestions to facilitate community organisations to organise dance parties in premises of voluntary organisations, tertiary education institutions and schools. | |
| 01 1724 - 01 3147 | Chairman Mrs Selina CHOW Miss CHOY So-yuk Admin | Issue of a temporary PPE within 7 working days and waive of licence fees for dance parties organised by voluntary organisations | |
| 01 3148 - 01 4906 | Chairman Mrs Selina CHOW Admin Miss CHOY So-yuk Mr LAU Kong-wah | Suggestions of providing exemption to premises of voluntary organisations, tertiary education institutions and schools; and to enhance administrative arrangements for issuing a temporary PPE licence within 7 working days, and waive of licence fees for voluntary organisations. Admin to provide response and propose amendments by 11:00 am on 22 October 2002. | See para 5(a) and (b) of the minutes |
| 01 4907 - 01 5055 | Chairman Admin | Chairman would propose amendment to repeal in case members did not accept the Administration's proposed amendments to the Exemption Order. | |
| 01 5056 - 01 5217 | Chairman Mr LAU Kong-wah Admin | Legislative timetable and concluding remarks. | |

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

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