

LN121-E

L. N. 121 of 2002

Places of Public Entertainment (Exemption)

Order

(Made under section 3A of the Places of Public Entertainment Ordinance (Cap. 172))

1. Commencement

This Order shall come into operation on the commencement of the Places of Public Entertainment Ordinance (Amendment of Schedule 1) Regulation 2002 (L. N. 120 of 2002).

2. Exemption for places managed by Leisure and Cultural Services Department and Home Affairs Department

A place that is under the management of the Leisure and Cultural Services Department or the Home Affairs Department is exempt from the operation of sections 4 and 11 of the Ordinance.

3. Exemption for places issued with a liquor licence

(1) A place, other than a place to which section 4(1)(a) applies, in respect of which there is in force a liquor licence granted under the Dutiable Commodities (Liquor) Regulations (Cap. 109 sub. leg.), being a liquor licence that---

(a) permits dancing activities to be held in the place; and

(b) has effect subject to a condition that stipulates the maximum number of persons that may at any one time be present in the place, is exempt from the operation of sections 4 and 11 of the Ordinance as regards any dance party.

(2) The exemption granted under subsection (1)---

(a) has effect only for the hours during which the sale of liquor is permitted under the terms of the liquor licence;

(b) ceases to have effect if at any time during the dance party there is a failure to comply with any condition of the liquor licence.

4. Exemption for clubs issued with a certificate of compliance

(1) A place that is a club-house within the meaning of that term as it is used in the Clubs (Safety of Premises) Ordinance (Cap. 376), and in respect of which there is in force---

(a) a certificate of compliance issued under that Ordinance that---

(i) designates an area of the club-house within which dancing activities are

permitted; and

(ii) imposes a condition that stipulates the maximum number of persons that may at any one time be present in the club-house; and

(b) a liquor licence granted under the Dutiable Commodities (Liquor) Regulations (Cap. 109 sub. leg.),

is exempt from the operation of sections 4 and 11 of the Ordinance as regards any dance party.

(2) The exemption granted under subsection (1) ceases to have effect if at any time during the dance party there is a failure to comply with any condition of the certificate of compliance or the liquor licence.

#### 5. Exemption for places issued with a public dance-hall licence

(1) A place in respect of which there is in force a public dance-hall licence granted under the Miscellaneous Licences Ordinance (Cap. 114) is exempt from the operation of sections 4 and 11 of the Ordinance as regards any dance party.

(2) The exemption granted under subsection (1) ceases to have effect if at any time during the dance party there is any breach of the Miscellaneous Licences Ordinance (Cap. 114) or the Miscellaneous Licences Regulations (Cap. 114 sub. leg.) or any condition of the licence.

LAM Woon-kwong

Secretary for Home Affairs

28 June 2002

#### Explanatory Note

The object of this Order, which is made under the Places of Public Entertainment Ordinance (Cap. 172) ("the Ordinance"), is to exempt certain places of public entertainment from certain requirements to obtain a licence under the Ordinance, as follows---

(a) places that are under the management of the Leisure and Cultural Services Department or the Home Affairs Department are exempt from any requirement under the Ordinance to obtain a licence (section 2);

(b) certain places issued with a liquor licence under the Dutiable Commodities (Liquor) Regulations (Cap. 109 sub. leg.) are exempt from any requirement under the Ordinance to obtain a licence in respect of a dance party (section 3(1));

(c) certain places that are club-houses under the Clubs (Safety of Premises) Ordinance (Cap. 376) are exempt from any requirement under the Ordinance to obtain a licence in respect of a dance party (section 4(1));

(d) places issued with a public dance-hall licence under the Miscellaneous Licences Ordinance (Cap. 114) are exempt from any requirement under the Ordinance to obtain

a licence in respect of a dance party (section 5(1)).

2. The exemptions effected by sections 3(1), 4(1) and 5(1) are each subject to conditions (sections 3(2), 4(2) and 5(2)).