

**For discussion on
7 March 2003**

**LEGISLATIVE COUNCIL PANEL ON
PLANNING, LANDS AND WORKS**

**Management Scheme for the Display of
Roadside Non-Commercial Publicity Materials**

Purpose

This paper sets out Lands Department's proposed management scheme for the display of roadside non-commercial publicity materials.

Background

2. Disorderly and unauthorized display of roadside publicity materials has not only affected traffic safety but also our streetscape. There are public concerns about such displays with calls for better management of these activities. The Administration shares such concerns and sees the merit of a better management scheme for the display of roadside non-commercial publicity materials.

3. The objective of the proposed scheme is to put in place a more efficient system for the management and processing of applications for the display of roadside non-commercial publicity materials. Such a management scheme will allow the orderly display of non-commercial publicity materials for the information of the local community without compromising traffic safety and the streetscape.

The Proposed Management Scheme

4. The proposed management scheme will be implemented on a territory-wide basis. The Lands Department has consulted relevant Government departments and the 18 District Councils (DCs). The proposed scheme is explained in greater detail at Annex for Members' reference.

5. In respect of the display of publicity materials by Legislative Council (LegCo) Members, the proposed scheme provides that each LegCo Member may choose a minimum of 18 spots (see paragraph 2(a) of the Annex). A LegCo Member representing a geographical constituency may display his/her publicity materials at at least 18 such

spots chosen by him/her in his/her own constituency. A LegCo Member representing a functional constituency or from the Election Committee may choose a minimum of one spot in each of the 18 District Council electoral districts.

6. The proposed number of spots designated for LegCo Members' use can be increased to accommodate Members' needs where circumstances permit, having regard to the designated spots available in the various districts.

Implementation

7. Members' views will be incorporated into the proposed scheme, where practicable. The Lands Department will issue a set of guidelines to the LegCo Secretariat, all District Offices, DC Secretariat and District Land Offices (DLOs) for the reference of Members of the LegCo/DCs and the public. The DLOs will invite Members of the LegCo/DCs to choose their designated spots. After their choice of spots has been confirmed by DLOs, Members of the LegCo/DCs may immediately relocate their existing publicity materials from their present locations to their newly selected spots. There is no need for these Members to make any written application for the relocation of their existing publicity materials.

8. The Lands Department intends to implement the proposed scheme on a trial basis after consultation with the LegCo Panel. During the trial period, further feedback will be collected from users and the public to draw up in the latter part of 2003 a set of refined guidelines for adoption in January 2004.

**Lands Department
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**Proposed Management Scheme for the Display of
Roadside Non-commercial Publicity Materials**

1. Choice of Designated Spots

Members of the Legislative Council (LegCo) and District Councils (DCs) can choose suitable designated spots that will not adversely affect traffic safety and streetscape for the display of their publicity materials. Other users' designated spots will be determined jointly by the DCs, District Offices (DOs) and District Lands Offices (DLOs).

2. Allocation of Designated Spots

- (a) Each LegCo Member can choose at least 18 designated spots. For Functional Constituencies and Election Committee, each Member may choose at least one designated spot in each of the 18 electoral districts. For Geographical Constituencies, each Member may choose at least 18 designated spots within his/her own constituency. The actual number of spots can be adjusted depending upon the total demand and number of spots available.
- (b) Subject to any advice of individual DCs to the DLO, each DC Member may select 10 designated spots in his/her own district.
- (c) Each DC and its committees will be allocated not less than 30 designated spots within the district.
- (d) Other Government Departments including DOs will be allocated a minimum of 50 designated spots per district within the 18 districts.
- (e) For non-profit making bodies, there will be a minimum of 100 designated spots per district for the display of publicity materials serving the local community. Each successful applicant will be allocated a maximum of 5 spots. Non-profit making bodies include non-governmental organisations (NGOs) and charitable bodies either subvented by government or exempted from paying tax under Section 88 of the Inland Revenue Ordinance.
- (f) The DLOs will co-ordinate with DOs and DCs on the number of spots to be allocated to the different users with reference to the number of designated spots available in the district.

3. Term

Approval given to applicants under paragraph 2(a) and (b) above will normally cover the tenure of their term with their Councils concerned. The approval under paragraph 2(c), (d) and (e) above will cover a display period of two calendar months less the last 2 days.

4. Size of Publicity Materials

The size of the publicity materials to be displayed shall not exceed 1 metre in height and 2.5 metres in length. An illustrative plan showing the specifications is at Appendix I.

5. Location of Designated Spots

Publicity materials will be allowed to face both the pavement and the roadway. However, if displayed alongside an expressway, publicity materials will only be allowed to face the pavement. Publicity materials facing both the pavement and the roadway will be counted as two designated spots.

6. Road Safety Code

For road safety purposes, designated spots will not be located :

- (a) on flyovers or footbridges;
- (b) within 30 metres on the traffic upstream side of government built pedestrian crossings including signal-controlled crossing, zebra crossings or cautionary crossing;
- (c) on central divider of roads within 30 metres from road junctions or pedestrian crossings; and
- (d) at the junction of a dual way road and a major road. But designated spots within a one-way street will not be subject to the 30-metre safety restriction if they do not obstruct the views of drivers getting on to a major road.

A plan illustrating the 30-metre safety zone is at Appendix II.

7. Content of Publicity Materials

- (a) The content of publicity materials should include only :
 - (i) events of public interest or non-commercial activities;
 - (ii) promotion of community services; and
 - (iii) information of general interest and benefit to the public provided by LegCo/DC Members and political parties outside election periods. In principle, the information must not include the promotion of any commodities or services provided at a fee or any form of fee paying training courses and activities. However, fee paying or non-fee paying social service related events organised jointly by government departments and NGOs/charitable bodies will not be restricted.
- (b) Publicity materials containing names and logos of commercial firms sponsoring non-profit public activities are subject to the prior approval of the District Lands Officer and the total size of the names and logos of the commercial sponsors shall not be larger than one tenth of the area of the publicity material.
- (c) The contents of the publicity materials to be displayed shall be in compliance with the laws of the Hong Kong Special Administrative Region and that no publicity materials of an obscene or objectionable nature shall be displayed.
- (d) Publicity materials may contain names of other persons apart from that of the applicant.

8. Processing of Applications

- (a) Duly completed applications shall be submitted to the relevant DLO no later than one month before the applicant's intended display period. DLO cannot guarantee approval of the application by its intended display date if the application is incomplete or is submitted less than one month.
- (b) Designated spots for applications by NGOs and charitable bodies will be divided into groups, each consists of 5 different designated spots, located in various parts of the district to cater for the needs of such applications.

- (c) When there are competing applications for designated spots, a ballot will be conducted by the DLO to determine the successful applicant. All applicants will be invited to witness the balloting process.
- (d) All applicants will be notified of the results in writing. No fees will be charged for applications.
- (e) Applications and approvals for display of publicity materials will be temporarily suspended or revoked during election periods.

9. Display and Management of Publicity Materials

- (a) Each piece of publicity material to be displayed is required to bear on its top right hand corner the approval number and the approval period with digits of not smaller than 2.5cm in size. The materials must be displayed at its chosen/allocated designated spot and shall be firmly and separately fastened so that they will not dangle in the wind or cause obstruction to pedestrians and vehicular traffic.
- (b) The content of publicity material must be the same as that described in the application form. Subject to the written consent of the District Lands Officer, an applicant may alter the content of his/her publicity materials.
- (c) The use of wire and nail for fixing the publicity materials onto any highway structure, railing, barrier, fence, post or any other street furniture is strictly prohibited.
- (d) The applicant is responsible for the publicity materials and agrees to indemnify and keep indemnified the Government of the Hong Kong Special Administrative Region and or any of its officers against all actions, proceedings, claims and demands arising out of or in connection with the permission granted by the District Lands Officer for the display of the publicity materials.
- (e) No commercial advertisements shall be permitted.
- (f) Upon expiry of the approved period of display, the publicity materials shall be removed immediately by the applicants. Any publicity materials not so removed will be cleared and disposed of by the Director of Food and Environmental Hygiene (DFEH),

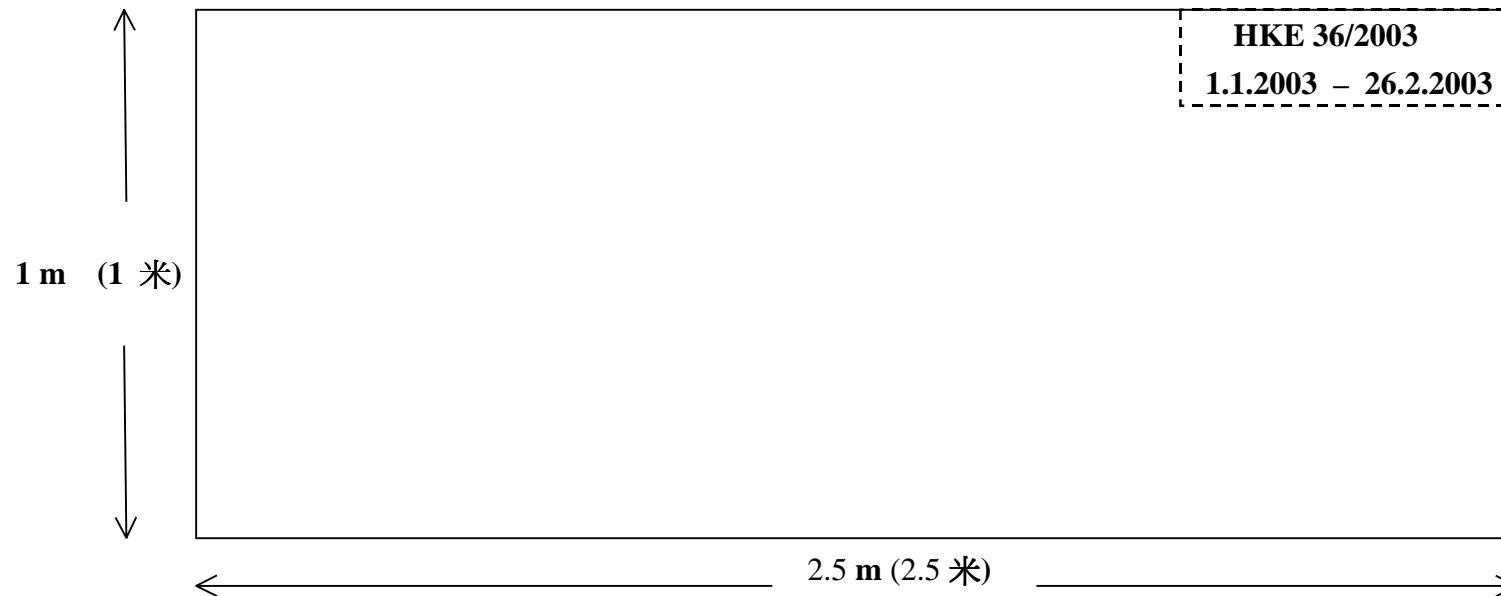
who will also take legal action and claim removal expenses against the applicant concerned.

- (g) DFEH will remove the publicity materials displayed outside the designated spots or those which obstruct public access and its repair and improvement works, and will take legal action and claim removal expenses against the applicant concerned.
- (h) Publicity materials which are unauthorized or affect emergency repair works shall be removed immediately without prior notification. Unauthorized publicity materials will not be returned to the owners. DFEH may take legal action and claim removal expenses against the owner of the publicity materials concerned.

Lands Department
February 2003

Roadside Banner/Board Specifications

路旁宣傳橫額/街板規格



* Each character of the approval number and display period at the right-hand corner of the banner/board must not be smaller than 2.5 cm.

在宣傳橫額/街板右上角的核准展示期的字體不得小於 2.5 厘米

Illustration of 30m Safety Zone

30米安全距離示意圖

Appendix II

附錄II

