

立法會
Legislative Council

LC Paper No. LS56/09-10

**Paper for the House Committee Meeting
on 23 April 2010**

**Legal Service Division Report on
Subsidiary Legislation Gazetted on 16 April 2010**

Date of tabling in LegCo : 21 April 2010

Amendment to be made by : 19 May 2010 (or 9 June 2010 if extended by resolution)

Prisons Ordinance (Cap. 234)

Prisons (Amendment) (No. 2) Order 2010 (L.N. 38)

The Order is made by the Secretary for Security under section 4 of the Prisons Ordinance (Cap. 234) to set apart the Lo Wu Correctional Institution as a prison. The Schedule to the Prisons Order (Cap. 234 sub. leg. B) is amended accordingly.

2. The Order will come into operation on 14 June 2010.
3. The Panel on Security has not been consulted on the Order.

Public Health and Municipal Services Ordinance (Cap. 132)

Public Health and Municipal Services (Setting Aside Places and Cessation of Setting Aside Places for Use as Public Pleasure Grounds) Order 2010 (L.N. 39)

Public Health and Municipal Services Ordinance (Amendment of Fourth Schedule) Order 2010 (L.N. 40)

4. L.N. 39 is made by the Director of Leisure and Cultural Services (the Director) under section 106(1) of the Public Health and Municipal Services Ordinance (Cap. 132) (the Ordinance). It provides that nine places specified in Schedule 1 to the Order are set aside for use as public pleasure grounds and three places specified in Schedule 2 cease to be set aside for use as public pleasure grounds.

5. It is stated in the LegCo Brief that eight of the nine places specified are new venues opened or to be opened for public use by the Leisure and Cultural Services Department (LCSD). The other place is a venue taken over by LCSD from the Eastern District Council.

6. Also, according to the LegCo Brief, the three places ceasing to be set aside for use as public pleasure grounds have been surrendered for the construction of different projects and are no longer used as public pleasure grounds.

7. L.N. 40 which is made by the Director under section 106(6) of the Ordinance amends the Fourth Schedule to the Ordinance in order to update the list of public pleasure grounds by adding the nine places and removing the three places corresponding to L.N. 39.

8. The nine new venues so set aside and included in the Fourth Schedule to the Ordinance will enable the Director as the Authority under the Ordinance to manage them as public pleasure grounds and enforce the applicable regulations.

9. According to the LegCo Brief, the Administration has consulted the relevant District Councils and has their support for the proposals on the addition and deletion of the relevant public pleasure grounds. The Panel on Home Affairs has not been consulted on the two Orders.

10. The two Orders came into operation on the date of publication in the Gazette, i.e. 16 April 2010.

11. Members may wish to refer to the LegCo Brief (File Ref: (10) in L/M in LCS 19/HQ 813/00(13)) issued by LCSD on 7 April 2010.

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