

**立法會**  
**Legislative Council**

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**Panel on Development**

**Meeting on 15 July 2011**

**Background brief on  
the Management Scheme for  
the Display of Roadside Non-commercial Publicity Materials**

**Purpose**

This paper provides background information on the Management Scheme for the Display of Roadside Non-commercial Publicity Materials. It also gives a summary of major views expressed by Members during past discussions on the subject.

**Background**

Implementation of a trial scheme from 1996 to 1998

2. In response to complaints about problems and nuisances such as traffic safety and adverse effect on the streetscape caused to the public by the display of unauthorized non-commercial publicity materials, the Administration implemented a trial scheme in Wan Chai on the control of the display of such materials from November 1996 to April 1998.

3. Under the trial scheme in Wan Chai, the District Lands Office/Hong Kong West identified 100 designated spots for display of non-commercial publicity materials from Government departments and the public, and invited applications for the use of these spots every month. The Office allocated the designated spots and, where necessary, carried out a ballot for the spots. The then Urban Services Department deployed a dedicated team to take daily enforcement action against any publicity materials displayed at locations other than the designated spots, regardless of whether they were commercial or not. Unauthorized materials

displayed at designated spots and any materials displayed beyond their authorized display periods were removed by the successful applicant, or by the Urban Services Department upon request.

4. The Administration conducted a review of the trial scheme and reported the outcome to the then Panel on Planning, Lands and Works ("the PLW Panel") of the Legislative Council ("LegCo") in September 1998. Having considered that the trial scheme had enabled the Administration to take more effective and efficient enforcement action against the display of unauthorized publicity materials<sup>1</sup> and gained the support of the then Wan Chai District Board ("WCDB") and local residents, after consulting the PLW Panel, the Administration decided to implement the scheme territory-wide. During the review of the trial scheme, there were suggestions from the public and WCDB that LegCo Members and DB members should be allocated designated spots in the districts for advertising their ward offices.

### **Introduction of the Management Scheme for the Display of Roadside Non-commercial Publicity Materials in 2003**

5. In April 2003, the Lands Department launched the Management Scheme for the Display of Roadside Non-commercial Publicity Materials ("the Management Scheme") with the objective to put in place a more efficient system for the management and processing of applications for the display of such materials by LegCo Members, DC members, Government departments and non-profit-making organizations. It was expected that the Management Scheme would allow the orderly display of non-commercial publicity materials for the information of the local community without compromising traffic safety and the streetscape.

6. Under the Management Scheme, the Lands Department is responsible for approving applications and allocating designated spots to individual parties for the display of non-commercial publicity materials. The Scheme only covers the display of such materials at roadside. The banner and poster spots inside public housing estates and the venues of the Leisure and Cultural Services Department ("LCSD") are managed respectively by the Housing Department and LCSD.

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<sup>1</sup> According to the Administration, during the trial period there was a visible improvement in the environment of Wan Chai district and the amount of unauthorized publicity materials had been markedly reduced. During the period from 1 November 1996 to 30 April 1998, over 105 686 unauthorized items of publicity material were removed, 195 prosecutions instituted, and 57 warning letters issued.

## The Implementation Guidelines

7. The Implementation Guidelines of Management Scheme issued by the Lands Department is in **Appendix I**. The highlights of the Guidelines are listed below --

- (a) Each LegCo Member from Geographical Constituencies ("GCs") can choose 50 designated spots in each of the DC district within his/her own GC<sup>2</sup>;
- (b) Each LegCo Member from Functional Constituencies ("FCs") can choose 9 designated spots in each of the 18 DC districts;
- (c) Subject to any advice of individual DCs to the District Lands Offices, each DC member may select 10 designated spots in his/her own constituency;
- (d) Each DC and its committees may take up not less than 30 designated spots within the district;
- (e) Government departments including the District Offices may take up not less than 50 designated spots per district within the 18 districts;
- (f) 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 five spots;
- (g) Approval given to applicants who are LegCo or DC members will normally cover the tenure of their terms with their Councils concerned;
- (h) Approval for DC and its committees, Government departments and non-profit making bodies will cover a display period of two calendar months less the last 2 days;

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<sup>2</sup> With the exception of eight districts (Tai Po, Sha Tin, Sai Kung, Yuen Long, Islands, Tsuen Wan, Kwai Tsing and Wan Chai)

- (i) The content of publicity materials should only include --
  - (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 bodies outside election periods; and
- (j) Applications and approvals for display of publicity materials will be temporarily suspended or revoked during election periods<sup>3</sup>.

### **Past discussions on the Management Scheme for the Display of Roadside Non-commercial Publicity Materials**

8. On 7 March 2003, the Administration discussed the proposed Management Scheme with the then PLW Panel. The discussion was focused on the part involving LegCo Members and the measures to enhance the effective implementation of the Management Scheme. The Panel put forward a number of suggestions, including increasing the number of designated spots to be allocated to LegCo Members, putting in place a mechanism for allocation of unused designated spots to interested parties, providing flexibility to LegCo Members returned by FCs in choosing designated spots near their constituents, identifying more designated spots such as locations along footbridge or near bus stops, allowing extension of the display period by public organizations and non-public organizations, shortening the application period and providing flexibility for processing urgent applications. The Administration took note of members' views and suggestions and revised the proposed Scheme and the Implementation Guidelines before launching the Scheme in April 2003.

### **Recent developments**

9. The Administration intends to revise the Scheme. It will brief the Panel on Development on the proposed revision at the coming meeting on 15 July 2011.

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<sup>3</sup> During such periods, spots on public land for candidates to display their election advertisements are designated by Returning Officers.

**Relevant papers**

10. A list of relevant papers with their hyperlinks is in **Appendix II**.

Council Business Division 1  
Legislative Council Secretariat  
12 July 2011

**Implementation of the Revised Management Scheme for the Display of  
Roadside Non-commercial Publicity Materials**

**List of relevant papers**

<b>Council/Committee</b>	<b>Date of meeting</b>	<b>Paper</b>
Panel on Planning, Lands and Works	10 September 1998	<p>Administration's paper on "Control of Display of Non-commercial Publicity Material" (LC Paper No. CB(1)167/98-99(03))  <a href="http://www.legco.gov.hk/yr98-99/english/panels/plw/papers/pl1009_6.htm">http://www.legco.gov.hk/yr98-99/english/panels/plw/papers/pl1009_6.htm</a></p> <p>Minutes of meeting (LC Paper No. CB(1)303/98-99)  <a href="http://www.legco.gov.hk/yr98-99/english/panels/plw/minutes/pl100998.htm">http://www.legco.gov.hk/yr98-99/english/panels/plw/minutes/pl100998.htm</a></p>
Panel on Planning, Lands and Works	7 March 2003	<p>Administration's paper on "Management Scheme for Display of Roadside Non-commercial Publicity Materials" (LC Paper No. CB(1)1013/02-03(03))  <a href="http://www.legco.gov.hk/yr02-03/english/panels/plw/papers/plw0307cb1-1013-3e.pdf">http://www.legco.gov.hk/yr02-03/english/panels/plw/papers/plw0307cb1-1013-3e.pdf</a></p> <p>Supplementary note provided by the Administration (LC Paper No. CB(1)1068/02-03(02))  <a href="http://www.legco.gov.hk/yr02-03/english/panels/plw/papers/plw0307cb1-1068-2e.pdf">http://www.legco.gov.hk/yr02-03/english/panels/plw/papers/plw0307cb1-1068-2e.pdf</a></p> <p>Administration's response to suggestions by Members (LC Paper No. CB(1)1190/02-03(01))  <a href="http://www.legco.gov.hk/yr02-03/english/panels/plw/papers/plw0307cb1-1190-1e.pdf">http://www.legco.gov.hk/yr02-03/english/panels/plw/papers/plw0307cb1-1190-1e.pdf</a></p> <p>Minutes of meeting (LC Paper No. CB(1)1246/02-03)  <a href="http://www.legco.gov.hk/yr02-03/english/panels/plw/minutes/pl030307.pdf">http://www.legco.gov.hk/yr02-03/english/panels/plw/minutes/pl030307.pdf</a></p>

## 路旁展示非商業宣傳品管理計劃實施指引

# Management Scheme for the Display of Roadside Non-commercial Publicity Materials Implementation Guidelines

### 1. 指定地點的選擇

立法會議員及區議會議員可自選宣傳品展示點，所選展示點不得影響交通安全及市容。其他使用者，例如政府部門及非牟利團體的指定展示點則由區議會、民政事務處及地政處協商決定。

### 2. 指定展示點的分配

#### (a) 立法會議員

地方選區產生的立法會議員，每位可在其地方選區所覆蓋的每一個區議會選區選取 50 個指定展示點<sup>1</sup>。功能界別及選舉委員會產生的每位議員，可在全港 18 區每區選取 9 個指定展示點。議員須將其指定展示點平均分布於各區議會選區內。除了有特別需要的部分功能界別議員外，議員在區議會選區內的指定展示點，可超過配額最多 2 個展示點，惟每人所得指定展示點的總數不得超越以上所述的總體限額。地政處每年會為分配指定展示點進行抽籤。

#### (b) 區議員

每位區議員可在其選區內選取 10 個指定展示點；實際數目視乎個別區議會對地政處提出的意見而定。

(c) 在指定展示點供不應求的情況下，地政處會抽籤決定分配展示點。有關申請人均會獲邀監察抽籤過程。

(d) 在立法會或區議會議員放棄使用其指定展示點；該等指定展示點將撥入其他使用者，例如政府部門及非牟利團體的配額內。他們日後有需要時，可從這配額中選取其展示點。

#### (e) 其他使用者

(i) 每個區議會及其轄下委員會在其區內可使用至少 30 個指定展示點。

(ii) 政府部門(包括民政事務處)在全港 18 區內每

### 1. Choice of Designated Spots

Members of the Legislative Council (LegCo) and District Councils (DCs) can choose designated spots that will not affect traffic safety and streetscape for the display of their publicity materials. Other users', i.e. government departments' and non-profit making organizations', designated spots are determined jointly by the DCs, District Offices (DOs) and District Lands Offices (DLOs).

### 2. Allocation of Designated Spots

#### (a) LegCo Members

Each LegCo Member from Geographical Constituencies (GC) can choose 50 designated spots in each of the DC districts within his/her own GC<sup>1</sup>. For Functional Constituencies (FCs) and Election Committee (EC), each Member may choose 9 designated spots in each of the 18 DC districts. Members shall distribute their designated spots evenly among the DC districts. With the exception of some Members from FCs with special needs, Members may exceed their aforesaid quota by up to two spots in a DC district provided that the overall total number of their designated spots is not exceeded. Annual balloting of designated spots will be organised by DLO.

#### (b) DC Members

Subject to any advice of individual DCs to the DLO, each DC Member may select 10 designated spots in his/her own constituency.

(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) When designated spots are not taken up by LegCo or DC Members, they will be transferred to the pool for other users, i.e. government departments and non-profit making organizations. These Members may select designated spots from the pool when they need them in future.

#### (e) Other users

(i) Each DC and its committees may take up not less than 30 designated spots within the district.

(ii) Government Departments including DOs may take up not less than 50 designated spots per district within the

<sup>1</sup> 以下 8 區除外：大埔、沙田、西貢、元朗、離島、荃灣、葵青及灣仔

<sup>1</sup> With the exception of eight districts (Tai Po, Sha Tin, Sai Kung, Yuen Long, Islands, Tsuen Wan, Kwai Tsing and Wanchai)

區可使用至少 50 個指定展示點。

(iii) 每區至少有 100 個指定展示點供非牟利組織使用，以供展示以該區居民為對象的宣傳品。非牟利組織包括由政府資助或根據《稅務條例》第 88 條獲豁免繳稅的非政府組織及慈善團體、根據《社團條例》(第 151 條)登記的組織、根據《職工會條例》(第 332 條)及《職工會登記規例》(第 332A 條)登記的職工會及合法註冊的團體。

(iv) 每次獲批准的申請團體最多可獲分配 5 個展示點。

(f) 地政處協同民政事務處及區議會，根據區內可用的指定展示點數目，分配展示點給各類別使用者。

### 3. 使用期

給予上文第 2(a)及(b)段類別申請人的批准期，一般涵蓋其在有關議會的整段任期。至於上文第 2(e)段類別申請人的批准期，則為兩個曆月，惟不包括最後兩天。在不引致對其他申請者的利益構成任何損失的原則下，延長展示期的申請可能會獲得批准。

### 4. 宣傳品尺碼

宣傳品的高度不得超逾 1 米，長度不得超逾 2.5 米。展示有關規格的說明圖則，載於圖一。

18 districts.

(iii) 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. 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, organisations registered under Society Ordinance Cap. 151, trade unions registered under Trade Union Ordinance Cap. 332 and Trade Union Registration Regulations Cap. 332A, and legally registered bodies.

(iv) Each successful applicant will be allocated a maximum of 5 spots.

(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(e) above will cover a display period of two calendar months less the last 2 days. Applications for extension of display periods may be granted provided that there is no prejudice to other applicants.

### 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 Figure I.

圖一. 路旁宣傳橫額/街板規格

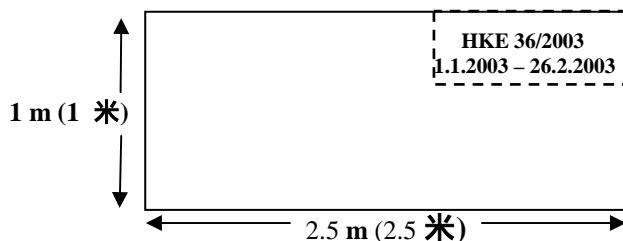


Figure I. Roadside Banner/Board Specifications

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 x 2.5 厘米。

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 x 2.5cm.

### 5. 指定展示點的位置

宣傳品可面向行人路及行車道。惟高速公路旁展示的宣傳品只可面向行人路；同一位置上分別面向行人路及行車道的宣傳品，會作佔用兩個指定展示點計算。

### 6. 交通安全守則

為交通安全起見，指定展示點一般不可位於下列地方：

- (a) 行車或行人天橋上；
- (b) 政府建造行人過路處，即燈號控制過路處、斑馬線、或行人輔助線的交通上游 30 米距離之內；
- (c) 交通交匯點及行人過路處 30 米內的路中心分

### 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



隔欄；

- (d) 雙程路與大路交匯處。但單程路之內的指定展示點如不阻擋駕駛者出大路的視線，則不受 30 米安全距離的限制。

說明 30 米安全距離的圖則，載於圖二。

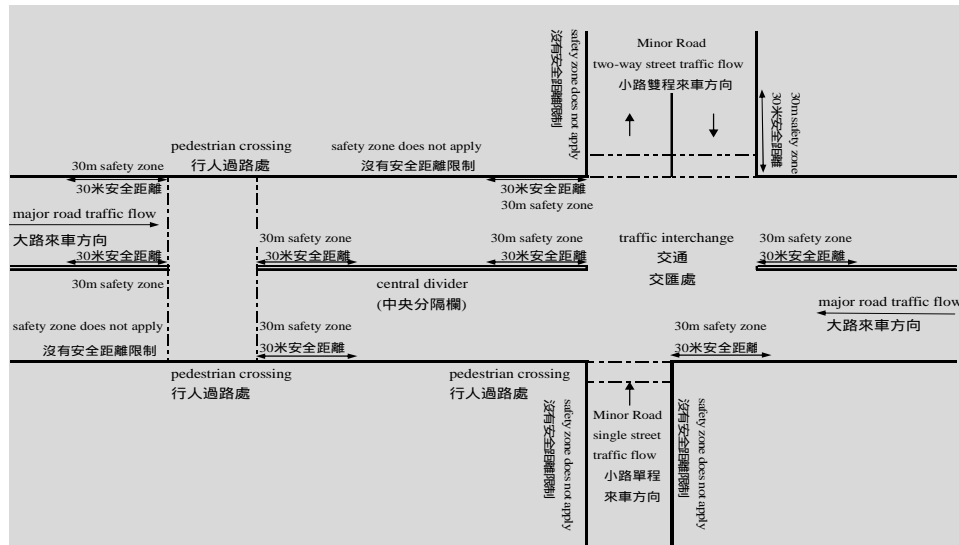
junctions or pedestrian crossings; and

- (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 in Figure II.

圖二. 30 米安全距離示意圖

Figure II. Illustration of 30m Safety Zone



## 7. 宣傳品內容

- (a) 宣傳品只可包括下列內容：
- 關乎公眾利益的節目或非商業的活動；
  - 推廣社區服務；及
  - 立法會/區議會議員及政治團體在選舉期以外向公眾提供他們有興趣或可惠及他們的一般資料。原則上，有關資料不得宣傳任何收費商品及服務或任何形式的收費訓練班和活動。惟由政府部門及非政府機構/慈善團體合辦關乎社會服務的收費或免費活動則不受限制。
- (b) 非牟利公眾活動的宣傳品倘印載給予贊助的商業機構或如公益金一類的非牟利組織的名稱及商標，必須事先得到地政專員批准；贊助機構的名稱及標誌所佔的總面積，不得超過宣傳品面積的十分之一。
- (c) 所有宣傳品的內容均須符合香港特別行政區的法律。任何淫褻或意識不良的宣傳品均不得展示。
- (d) 宣傳品除可展示申請人的名字外，亦可包括其他人的名字。
- (e) 申請獲得批准並不表示香港特別行政區政府及其人員批准宣傳品的內容。

## 8. 申請的處理

- (a) 申請人須填妥申請表並在預定展示期之前最少一個月送達有關地政處。如申請表並未填妥，或遞交申請的時間不足一個月，地政處均不能

## 7. Content of Publicity Materials

- (a) The content of publicity materials should include only :
- events of public interest or non-commercial activities;
  - promotion of community services; and
  - information of general interest and benefit to the public provided by LegCo/DC Members and political bodies 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 or non-profit making bodies such as the Community Chest sponsoring non-profit making public activities are subject to the prior approval of the District Lands Officer and the total size of the names and logos of the 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. 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.
- (e) The approval of applications does not imply the Government of the Hong Kong Special Administrative Region or its officers approve the contents of the publicity materials.

## 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. The DLO cannot guarantee approval of the application by its intended display date if the application

保證可在其申請的展示期前批核有關申請。不過，如情況特殊，具備理據的緊急申請亦會獲得處理。

- (b) 供非政府機構及慈善團體申請的指定展示點，以 5 個散佈於區內各處的展示點為一組分配，以供這個類別的申請者使用。
- (c) 不論批准與否，地政處一律以書面通知申請人有關結果，而不會收取任何費用。
- (d) 當局在選舉期間會暫時停止接受有關申請或臨時取消已批核的申請。

## 9. 宣傳品的展示和管理

- (a) 每件宣傳品的右上角均須以不小於 2.5 厘米 x 2.5 厘米的字體標明其核准編號及核准展示期。宣傳品須在其選擇/獲分配的指定地點上展示，並須以穩固而獨立的方式裝設妥當以致不會於風中搖擺，亦不得阻礙行人或車輛交通。
- (b) 宣傳品的內容須與申請表所述的相同，如得地政專員書面同意，申請人可改動宣傳品的內容。
- (c) 嚴禁以金屬線或釘把宣傳品穩固在任何公路結構、欄杆、分隔牆、圍欄、標杆或任何其他街道設施上。
- (d) 申請人須對宣傳品及其內容承擔一切責任，並須同意就地政專員批准展示宣傳品所引致或因此而引致的一切責任、費用、開支、行動、訴訟、申索及要求，永久負責彌償香港特別行政區政府及/或其任何人員的損失。
- (e) 申請人不得展示任何商業宣傳品。
- (f) 申請人須於核准展示期屆滿後立即拆除宣傳品，否則食物環境衛生署署長會清除及處置該等宣傳品，並對有關申請人採取法律行動和追討拆除宣傳品的費用。
- (g) 食物環境衛生署署長會拆除在指定地點以外展示或任何阻礙公眾通道及其維修或改善工程的宣傳品，並對有關申請人採取法律行動和追討拆除宣傳品的費用。
- (h) 如發現有未經許可或妨礙任何緊急修理工程的宣傳品，當局會予以拆除而不作任何通知。未經許可的宣傳品不會發還予物主；食物環境衛生署署長可對有關物主採取法律行動和追討拆除宣傳品的費用。

is incomplete or is submitted less than one month. However, urgent applications with justifications under special circumstances will also be processed.

- (b) Designated spots for applications by NGOs and charitable bodies will be divided into groups. Each group consists of 5 different designated spots, located in various parts of the district to cater for the needs of such applications.
- (c) All applicants will be notified of the results in writing. No fees will be charged for applications.
- (d) 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 will be required to bear on its top right hand corner the approval number and the approval period with digits of not smaller than 2.5cm x 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 materials 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 the contents thereof and agrees to indemnify and keep indemnified the Government of the Hong Kong Special Administrative Region and or any of its officers against all liabilities, costs, expenses, 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 publicity materials displayed outside the designated spots or those which obstruct public access and its repair and improvement works. DFEH 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 without notification. Unauthorized publicity materials will not be returned to the owners. DFEH may take legal action and claim removal expenses against owner concerned.