

## **LEGISLATIVE COUNCIL BRIEF**

### **PUBLIC HEALTH AND MUNICIPAL SERVICES SETTING ASIDE PLACES FOR USE AS PUBLIC PLEASURE GROUNDS**

#### **INTRODUCTION**

The Director of Leisure and Cultural Services, in her capacity as the Authority (“Authority”) under the Public Health and Municipal Services Ordinance Cap.132 (“the Ordinance”), manages the public pleasure grounds listed in the Fourth Schedule to the Ordinance. Under Section 106 of the Ordinance, the Authority may, from time to time, by order set aside places for use as public pleasure grounds, and may by order amend, or add to, or delete from the Fourth Schedule.

2. We propose to introduce the amendments through the Public Health and Municipal Services Ordinance (Public Pleasure Grounds) (Amendment of Fourth Schedule) Order 2012 (Amendment Order) at Annex A to this Brief to -

- (a) set aside the places specified in Schedule 1 of the Amendment Order for use as public pleasure grounds;
- (b) cease to set aside the public pleasure ground specified in Schedule 2 of the Amendment Order for use as public pleasure grounds;
- (c) rename the public pleasure grounds specified in the Schedule 3 at the Amendment Order.

#### **JUSTIFICATIONS**

3. The proposal to set aside 11 new venues as public pleasure grounds will enable the Authority to enforce the regulations relating to public pleasure grounds for proper management. We also propose to repeal one venue and to rename two venues in the Fourth Schedule.

#### **PLACES TO BE SET ASIDE FOR USE AS PUBLIC PLEASURE GROUNDS**

4. The following 11 new venues will be designated as public pleasure grounds and be included in the Fourth Schedule —

- (i) One new venue that is already open for public use by the Leisure and Cultural Services Department (LCSD):
  - (a) Po Lam Sitting-out Area
- (ii) Ten venues that are already taken over or will be taken over from Home Affairs Department for management by LCSD :
  - (a) Siu Sai Wan Road Sitting-out Area
  - (b) Ka Wing Street Sitting-out Area
  - (c) Lee On Road Sitting-out Area
  - (d) New Clear Water Bay Road Sitting-out Area
  - (e) Sau Ming Road Sitting-out Area
  - (f) Ha Mei Tsuen Sitting-out Area
  - (g) Kai Leng Sitting-out Area
  - (h) Ma On Shan Sai Sha Road Garden
  - (i) Ma On Shan Sai Sha Road Sitting-out Area
  - (j) Shui Tsiu San Tsuen Road Sitting-out Area

## **PLACE CEASES TO BE SET ASIDE FOR USE AS PUBLIC PLEASURE GROUND**

5. Sam Ka Lane Children's Playground is to be deleted from the Fourth Schedule as the site has been used for the development of the Pak Tze Lane Park.

## **RENAMING OF PUBLIC PLEASURE GROUNDS**

6. To better reflect the location of the venues, we recommend renaming the following two venues in the Fourth Schedule :

- (a) Tin Tsz Garden

Tin Tze Garden is recommended to be renamed as Tin Tsz Garden to tally with the road "Tin Tsz Road" nearby. The renaming proposal is supported by Yuen Long District Council.

- (b) Pik Uk Garden (壁屋花園)

The Chinese name of Pik Uk Garden is recommended to be renamed as 壁屋花園 instead of 碧屋花園 to reflect the

geographical place in the vicinity. The renaming proposal is supported by Sai Kung District Council.

## **AMENDMENT OF FOURTH SCHEDULE**

7. The Amendment Order at Annex A amends the Fourth Schedule to the Public Health and Municipal Services Ordinance (Cap. 132) to update the list of public pleasure grounds, to repeal one venue and to rename two venues.

## **LEGISLATIVE TIMETABLE**

8. The legislative timetable is as follows –

Publication in the Gazette	29 June 2012
Tabling at the Legislative Council for negative vetting	4 July 2012

## **PUBLIC CONSULTATION AND PUBLICITY**

9. We have consulted the respective District Councils which support the proposals. The additions and amendments to the Fourth Schedule of the Ordinance will be published in the Gazette.

## **ENQUIRY**

10. Please contact Miss Margrit LI, Assistant Director (Leisure Services)<sup>1</sup>, at 2601 8966 for enquiries on this subject.

**Leisure and Cultural Services Department**

**18 June 2012**

Public Health and Municipal Services Ordinance (Public Pleasure Grounds)  
(Amendment of Fourth Schedule) Order 2012

Section 1

1

**Public Health and Municipal Services Ordinance  
(Public Pleasure Grounds) (Amendment of Fourth  
Schedule) Order 2012**

(Made by the Director of Leisure and Cultural Services under section 106  
of the Public Health and Municipal Services Ordinance (Cap. 132))

1. **Places set aside for use as public pleasure grounds**  
The places specified in Schedule 1 are set aside for use as public pleasure grounds.
2. **Place ceasing to be set aside for use as public pleasure ground**  
The place specified in Schedule 2 ceases to be set aside for use as a public pleasure ground.
3. **Public Health and Municipal Services Ordinance amended**  
The Public Health and Municipal Services Ordinance (Cap. 132) is amended as set out in Schedule 3.

Public Health and Municipal Services Ordinance (Public Pleasure Grounds)  
(Amendment of Fourth Schedule) Order 2012

Schedule 1—Part 1

2

**Schedule 1**

[s. 1]

**Places Set Aside for Use as Public Pleasure Grounds****Part 1****Hong Kong Island**

Siu Sai Wan Road Sitting-out Area

**Part 2****Kowloon**

Ka Wing Street Sitting-out Area

Lee On Road Sitting-out Area

New Clear Water Bay Road Sitting-out Area

Sau Ming Road Sitting-out Area

**Part 3****The New Territories**

Ha Mei Tsuen Sitting-out Area

Kai Leng Sitting-out Area

Ma On Shan Sai Sha Road Garden

Ma On Shan Sai Sha Road Sitting-out Area

Po Lam Sitting-out Area

Shui Tsiu San Tsuen Road Sitting-out Area

**Schedule 2**

[s. 2]

**Place Ceasing to be Set Aside for Use as Public Pleasure  
Ground**

**Hong Kong Island**

Sam Ka Lane Children's Playground

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**Schedule 3**

[s. 3]

**Amendments to Public Health and Municipal Services  
Ordinance**

1. **Fourth Schedule amended (public pleasure grounds)**
  - (1) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading "Hong Kong Island"—  
**Repeal**  
"Sam Ka Lane Children's Playground".
  - (2) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading "Hong Kong Island"—  
**Add in alphabetical order**  
"Siu Sai Wan Road Sitting-out Area".
  - (3) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading "Kowloon"—  
**Add in alphabetical order**  
"Ka Wing Street Sitting-out Area  
Lee On Road Sitting-out Area  
New Clear Water Bay Road Sitting-out Area  
Sau Ming Road Sitting-out Area".
  - (4) Fourth Schedule, English text, list of public pleasure grounds (other than bathing beaches), under heading "The New Territories"—  
**Repeal**  
"Tin Tze Garden"  
**Substitute**  
"Tin Tsz Garden".

- (5) Fourth Schedule, Chinese text, list of public pleasure grounds (other than bathing beaches), under heading “新界”—
- (a) **Repeal**  
“碧屋花園”;
- (b) **Add according to the number of strokes**  
“壁屋花園”.
- (6) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading “The New Territories”—  
**Add in alphabetical order**  
“Ha Mei Tsuen Sitting-out Area  
Kai Leng Sitting-out Area  
Ma On Shan Sai Sha Road Garden  
Ma On Shan Sai Sha Road Sitting-out Area  
Po Lam Sitting-out Area  
Shui Tsiu San Tsuen Road Sitting-out Area”.



(Mrs Betty FUNG)  
Director of Leisure and Cultural  
Services

14 June 2012

**Explanatory Note**

- This Order sets aside certain places for use as public pleasure grounds and provides that the Sam Ka Lane Children’s Playground ceases to be set aside for use as a public pleasure ground.
2. The Order also amends the Fourth Schedule to the Public Health and Municipal Services Ordinance (Cap. 132) to—
- (a) reflect the changes mentioned in paragraph 1; and
- (b) rename—
- (i) in English only, “Tin Tze Garden” as “Tin Tsz Garden”; and
- (ii) in Chinese only, “碧屋花園” as “壁屋花園” for Pik Uk Garden.