

LEGISLATIVE COUNCIL BRIEF

Clubs (Safety of Premises) Ordinance (Cap. 376) Clubs (Safety of Premises) (Exclusion) (Amendment) Order 2011

INTRODUCTION

The Secretary for Home Affairs ("SHA") has made the Clubs (Safety of Premises) (Exclusion) (Amendment) Order 2011 ("the Amendment Order") under section 3 of the Clubs (Safety of Premises) Ordinance (Cap. 376) ("the Ordinance"). The purpose of the Amendment Order is to update the names of the clubs and locations of the club-houses set out in the Schedule to the Clubs (Safety of Premises) (Exclusion) Order (Cap. 376 sub. leg. C) ("the Exclusion Order"). A copy of the Amendment Order is at **Annex**.

BACKGROUND

2. The Ordinance was enacted in 1991 to provide for the regulation, control and safety of club-houses. Section 3(1)(b) of the Ordinance provides that SHA may by order in relation to any type or description of club-house, for reasons connected with any such type or description, exclude any club-house or type or description of club-house from the application of the Ordinance.
3. Since the enactment of the Ordinance in 1991, section 3(1)(b) has been invoked to exclude those staff club-houses situated in Government premises from the application of the Ordinance in order to avoid double enforcement as the Architectural Services Department and the Housing Department are responsible for the design, construction, management and maintenance of Government premises under their jurisdiction, as well as ensuring a reasonable standard of building and fire safety.

4. The Schedule to the Exclusion Order was last amended in 2010. After the amendment, requests have been received from Government departments to amend the names of three clubs and locations of five club-houses, delete four old club-houses, and add a new one. It is therefore necessary to amend the Schedule to the Exclusion Order to reflect the updated list of club-houses exempted from the application of the Ordinance.

THE AMENDMENT ORDER

5. It is proposed to amend the names of three clubs and locations of five club-houses, delete four old club-houses, and add one new club-house to the Schedule to the Exclusion Order.

LEGISLATIVE TIMETABLE

6. The Amendment Order will be gazetted on 4 November 2011 and will be tabled at the Legislative Council for negative vetting on 9 November 2011.

IMPLICATIONS OF THE PROPOSAL

7. The Amendment Order is in conformity with the Basic Law, including the provisions concerning human rights.

PUBLIC CONSULTATION

8. Since this is a routine updating exercise, public consultation on the Amendment Order is considered not necessary.

PUBLICITY

9. A spokesman will be arranged to answer media and public enquiries.

ENQUIRIES

10. Any enquiries on this brief should be addressed to Ms Sharon HO, Assistant Director of Home Affairs, at 2123 8390 or by facsimile at 2147 0984.

Home Affairs Department
November 2011

Clubs (Safety of Premises) (Exclusion) (Amendment) Order 2011

(Made by the Secretary for Home Affairs under section 3 of the Clubs (Safety of Premises) Ordinance (Cap. 376))

1. **Clubs (Safety of Premises) (Exclusion) Order amended**
The Clubs (Safety of Premises) (Exclusion) Order (Cap. 376 sub. leg. C) is amended as set out in section 2.
2. **Schedule amended**
 - (1) The Schedule, item 5, paragraph (7)—
Repeal
“9/F, Rumsey Street Carpark Building, Central, Hong Kong”
Substitute
“12/F, Customs Headquarters Building, 222 Java Road, North Point, Hong Kong”.
 - (2) The Schedule, item 5, paragraph (19)—
Repeal
“Room 1203A, 12/F, Central Police Station, Central District Police Headquarters, 1 Arsenal Street, Wanchai, Hong Kong”
Substitute
“Room 605, 6/F, Central Police Station, 2 Chung Kong Road, Sheung Wan, Hong Kong”.
 - (3) The Schedule, item 5, paragraph (20)—
Repeal
“East Wing, 6/F, Caine House Police Headquarters, Arsenal Street, Wanchai, Hong Kong”
Substitute

- “East Wing, 6/F, Caine House, 3 Arsenal Street, Wanchai, Hong Kong”.
- (4) The Schedule, item 5, paragraph (60)—
Repeal
“Room 214, 2/F, 123, Gloucester Road, Hong Kong”
Substitute
“Room 1204, 12/F, Wanchai Police Station, 1 Arsenal Street, Wanchai, Hong Kong”.
 - (5) The Schedule, item 5—
Repeal paragraphs (66), (67) and (68).
 - (6) The Schedule, item 5—
Repeal paragraph (73)
Substitute
“(73) Lai King Mess Block, Lai King
 Correctional Correctional Institution, 16
 Institution Wah Tai Road, 6 ½ Milestone,
 Staff Mess Castle Peak Road, Kwai Chung,
 New Territories”.
 - (7) The Schedule, item 5, paragraph (76)—
Repeal
“Ma Po Ping Staff Mess, Correctional Services Department”
Substitute
“Tong Fuk Correctional Institution Staff Mess, Correctional Services Department”.
 - (8) The Schedule, item 5, paragraph (88)—
Repeal
“Tai Tam Gap Correctional Institution Staff Mess”
Substitute
“Lai Chi Rehabilitation Centre Staff Mess”.

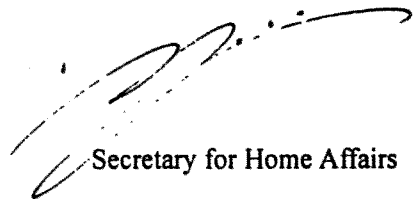
(9) The Schedule, item 5—

Repeal paragraph (93).

(10) The Schedule, at the end of item 5—

Add

“(94) Lo Wu 163 Ho Sheung Heung Road,
Correctional Sheung Shui, New Territories”.
Institution
Staff Mess



Secretary for Home Affairs

2011 October 10

Explanatory Note

The Schedule to the Clubs (Safety of Premises) (Exclusion) Order (Cap. 376 sub. leg. C) contains a list of club-houses situated in Government premises which are excluded from the application of the Clubs (Safety of Premises) Ordinance (Cap. 376). The purposes of this Order are to—

- (a) update the names of 3 clubs and the addresses of 5 club-houses set out in the Schedule;
- (b) delete 4 club-houses from the Schedule; and
- (c) add 1 club-house to the Schedule.