

For discussion on
15 April 2013

Legislative Council Panel on Home Affairs

Alignment of fees and charges of municipal facilities and services under the policy purview of the Secretary for Home Affairs

Purpose

This paper briefs Members on the proposal to align the fees and charges of the municipal facilities and services under the policy purview of the Secretary for Home Affairs.

Background

2. The existing levels of fees and charges for most of the leisure facilities and services under the management of the Leisure and Cultural Services Department (LCSD) and for the Places of Public Entertainment licence issued by the Food and Environmental Hygiene Department were inherited from the two former Municipal Councils, of which the levels of fees and charges and the related arrangements varied. In his 2013 Policy Address, the Chief Executive announced the initiative to amend the legislation to align the fees and charges for the same types of municipal facilities and services in the urban area and the New Territories based on the lower of the two levels. We are currently working on the alignment of fees and charges with a view to submitting the draft subsidiary legislation to the Legislative Council (LegCo) for approval within the current legislative year.

Proposal

Fees and charges for the leisure facilities and services under the management of LCSD

Proposed Arrangements for Fee Alignment

3. LCSD provides a wide range of leisure facilities and services, involving nearly 1 000 fee items, of which around 130 items require amendments to the relevant subsidiary legislation for their revision. According to Sections 124J(1) and 124L(1) of the Public Health and Municipal Services Ordinance (Cap. 132),

revisions to the admission fees for public swimming pools, hiring charges for tennis courts, basketball courts, squash courts, football pitches, table-tennis tables and badminton courts, camp fees for holiday camps, as well as the licence fees for public bowling-alleys, public skating rinks and billiard establishments would require the approval of LegCo on the draft subsidiary legislation.

4. As a first step, we propose to align the some 130 items of fees and charges that require legislative amendments according to the following principles:

- (a) where the fee or charge for a leisure facility or service differs between the urban area and the New Territories, the lower rate will prevail; and
- (b) to introduce non-peak hour rates to facilities in the urban area by making reference to the charging mode in the New Territories.

For example, the current admission fee for public swimming pools in the urban area is \$19, with no non-peak hour rate. Meanwhile, the admission fees for public swimming pools in the New Territories are \$20 for peak hours (i.e. Saturdays, Sundays and public holidays) and \$17 for non-peak hours (i.e. Mondays to Fridays, except public holidays). According to the principles stated above, it is proposed that the admission fees for all public swimming pools be revised to \$19 for peak hours and \$17 for non-peak hours. The existing levels and the levels after the proposed alignment for the 80 fee items for facilities and services which require legislative amendments are listed in **Annex I**.

5. The remaining some 850 items of fees and charges for leisure facilities and programmes that are not made under any legislation will also be aligned on the principle stated in paragraph 4 above, i.e., the lower rate will prevail. Since the same types of leisure programmes organised by the former municipal councils in the urban area and the New Territories are slightly different in terms of the numbers of participants and sessions, instructor-to-participant ratios and venue-to-participant ratios, we will also standardise the arrangements for these programmes during the fee alignment exercise.

Alignment of Peak and Non-peak Hours in the Urban Area and the New Territories

6. At present, the peak and non-peak hours for the facilities in the urban area and the New Territories are slightly different. Take for example, the land-based leisure facilities (such as badminton courts and tennis courts), the difference is that both the periods from 5 p.m. to 6 p.m. on weekdays and from opening to 1 p.m. on

Saturdays are defined as peak hours in the urban area, whereas these periods are defined as non-peak hours in the New Territories.

7. The life patterns of the public have changed in recent years. For example, the working hours on weekdays are extended to facilitate the implementation of the five-day week. In the light of the current situation, we propose that the fees and charges for using facilities for the periods from opening to 6 p.m. on weekdays and from opening to 1 p.m. on Saturdays be set at the rates for non-peak hours¹. In the comprehensive review on the structures and levels of fees and charges for various leisure facilities and services to be conducted later, we will also examine the charging arrangements for peak and non-peak hours with a view to better meeting the needs of different users.

Licence Fees for Places of Public Entertainment

8. The Places of Public Entertainment (“PPE”) Licences are provided for under the Places of Public Entertainment Ordinance (Cap. 172) (“PPEO”). Section 7(1)(ba) of the PPEO provides that the Secretary for Home Affairs may by regulation provide for fees payable in respect of the relevant licences, including fees for the issue, renewal or amendments of a licence or duplicate licence. We propose to make a new regulation under section 7(1)(ba) to align the PPE licence fees in the urban area and New Territories, which involve 20 fee items in total. Details are at Annex II.

Implementation Schedule

9. We plan to submit the draft subsidiary legislation to the LegCo in May 2013. Upon its approval by the LegCo, we expect that the revised fees payable in respect of the licences for public bowling-alleys, public skating rinks and billiard establishments and the licence fees for places of public entertainment can be introduced first in mid-2013. Upon completion of the revision of the fees and

¹ At present, although there are no non-peak rates in the urban area, there are peak and non-peak hours for the purpose of assigning priority for booking arrangements. For example, for the same type of land-based leisure facility (such as the arena of a sports centre), during peak hours, organisations may only hire up to one-third of the total available hours per month of the same venue. The remaining two-thirds will be available for booking by individual hirers. During non-peak hours, the booking quota for organisations will be determined by the venue managers concerned according to the usage patterns of individual facilities. In general, no more than two-thirds of the total number of facilities should be booked by organisations. On the basis of the new fees and charges, for the booking of venues by organisations, the non-peak hours will be from opening to 6 p.m. on weekdays, and the peak hours will be the whole day on Saturdays, Sundays and public holidays.

charges in the Leisure Link System, the aligned fees and charges for leisure facilities and programmes will take effect progressively.

10. In the light of the initiative stated in the 2013 Policy Address, we will conduct a comprehensive review in due course on the structure and level of fees and charges for various leisure facilities and services. The factors to be taken into consideration include the policy objectives of promoting sports development and Sport for All, cost recovery rates of leisure facilities and programmes, usage rates of facilities, and affordability and acceptance of the public. We will consult the public on the proposals upon completion of the review.

Financial Commitments

11. Upon approval of the LegCo on the draft subsidiary legislation to align some 150 items of fees and charges on the principle that the lower rates will prevail, it is estimated that about 7 million people will benefit and the loss of government revenue will be around \$20 million.

Public Consultation

12. The LCSD consulted the Community Sports Committee under the Sports Commission and the chairmen and vice-chairmen of the District Councils on the proposed alignment of fees and charges for its facilities and services in March 2013. They supported the proposal to align the fees concerned on the basis of the lower rates.

Advice Sought

13. Members are invited to note the paper and comment on the proposed alignment of fees and charges.

Home Affairs Bureau

April 2013

**Proposed Alignment for Fees and Charges
for Facilities and Services which Require Legislation Amendments**

(A) Leisure Facilities

Description of Fees	Urban / NT	Existing Fee Level (\$) (Note 1)	Fee Level Upon Fee Alignment (\$)
I. Public Swimming Pools (per session)			
1. Individual admission (Normal Rate)			
Peak	Urban	19	19
	NT	20	
Non-peak	Urban	19	17
	NT	17	
2. Concessionary Rate (Note 2)			
Peak	Urban	9	9
	NT	9	
Non-peak	Urban	9	8
	NT	8	
II. Land-based Facilities			
(1) Basketball Courts (per hour)			
1. Basketball court (non air-conditioned) Normal Rate			
Peak	Urban	148	82
	NT	82	
Non-peak	Urban	148	57
	NT	57	
2. Basketball court (non air-conditioned) Concessionary Rate (Note 2)			
Peak	Urban	74	41
	NT	41	
Non-peak	Urban	74	29
	NT	29	
3. Basketball court (air-conditioned) Normal Rate			
Peak	Urban	236	148
	NT	148	
Non-peak	Urban	236	120
	NT	120	
4. Basketball court (air-conditioned) Concessionary Rate (Note 2)			
Peak	Urban	118	74
	NT	74	

Description of Fees	Urban / NT	Existing Fee Level (\$) (Note 1)	Fee Level Upon Fee Alignment (\$)
Non-peak	Urban NT	118 60	60
(2) Badminton Courts (per hour)			
1. Badminton court (non air-conditioned) Normal Rate			
Peak	Urban NT	37 48	37
Non-peak	Urban NT	37 34	34
2. Badminton court (non air-conditioned) Concessionary Rate (Note 2)			
Peak	Urban NT	18.5 24	18.5
Non-peak	Urban NT	18.5 17	17
3. Badminton court (air-conditioned) Normal Rate			
Peak	Urban NT	59 66	59
Non-peak	Urban NT	59 51	51
4. Badminton court (air-conditioned) Concessionary Rate (Note 2)			
Peak	Urban NT	29.5 33	29.5
Non-peak	Urban NT	29.5 26	26
(3) Table Tennis Tables (per hour)			
1. Table tennis table (non air-conditioned) Normal Rate (Note 3)			
Peak	Urban NT	12 -	NA
Non-peak	Urban NT	12 -	NA
2. Table tennis table (non air-conditioned) Concessionary Rate (Note 3)			
Peak	Urban NT	6 -	NA
Non-peak	Urban NT	6 -	NA
3. Table tennis table (air-conditioned) Normal Rate			
Peak	Urban NT	21 14	14
Non-peak	Urban NT	21 13	13

Description of Fees	Urban / NT	Existing Fee Level (\$) (Note 1)	Fee Level Upon Fee Alignment (\$)
4. Table tennis table (air-conditioned) Concessionary Rate (Note 2)			
Peak	Urban	10.5	7
	NT	7	
Non-peak	Urban	10.5	7
	NT	7	
(4) Squash Courts (30 min per session)			
1. Squash court (non air-conditioned) Normal Rate (Note 3)			
Peak	Urban	17	NA
	NT	17	
Non-peak	Urban	17	NA
	NT	13	
2. Squash court (non air-conditioned) Concessionary Rate (Note 3)			
Peak	Urban	8.5	NA
	NT	8.5	
Non-peak	Urban	8.5	NA
	NT	7	
3. Squash court (air-conditioned) Normal Rate			
Peak	Urban	27	27
	NT	27	
Non-peak	Urban	27	18
	NT	18	
4. Squash court (air-conditioned) Concessionary Rate (Note 2)			
Peak	Urban	13.5	13.5
	NT	13.5	
Non-peak	Urban	13.5	9
	NT	9	
(5) Tennis Courts (per hour)			
1. Outdoor tennis court (non floodlit) Normal Rate			
Peak	Urban	42	42
	NT	52	
Non-peak	Urban	42	34
	NT	34	
2. Outdoor tennis court (non floodlit) Concessionary Rate (Note 2)			
Peak	Urban	21	21
	NT	26	
Non-peak	Urban	21	17
	NT	17	

Description of Fees	Urban / NT	Existing Fee Level (\$) (Note 1)	Fee Level Upon Fee Alignment (\$)
3. Outdoor tennis court (with floodlit) Normal Rate			
Peak	Urban	57	57
	NT	73	
Non-peak	Urban	57	57
	NT	67	
4. Outdoor tennis court (with floodlit) Concessionary Rate (Note 2)			
Peak	Urban	28.5	28.5
	NT	36.5	
Non-peak	Urban	28.5	28.5
	NT	34	
(6) Football Pitches (90 min per session)			
1. Artificial turf pitch (Association football) Normal Rate			
Peak	Urban	168	168
	NT	170	
Non-peak	Urban	168	130
	NT	130	
2. Artificial turf pitch (Association football) Concessionary Rate (Note 2)			
Peak	Urban	84	84
	NT	90	
Non-peak	Urban	84	70
	NT	70	
3. Artificial turf pitch (miniature football) Normal Rate			
Peak	Urban	84	84
	NT	90	
Non-peak	Urban	84	70
	NT	70	
4. Artificial turf pitch (miniature football) Concessionary Rate (Note 2)			
Peak	Urban	42	42
	NT	50	
Non-peak	Urban	42	40
	NT	40	
5. Natural turf pitch (Association football) Normal Rate			
Peak	Urban	168	168
	NT	230	
Non-peak	Urban	168	168
	NT	170	

Description of Fees	Urban / NT	Existing Fee Level (\$) (Note 1)	Fee Level Upon Fee Alignment (\$)
6. Natural turf pitch (Association football) Concessionary Rate (Note 2)			
Peak	Urban	84	84
	NT	120	
Non-peak	Urban	84	84
	NT	90	
7. Natural turf pitch (miniature football) Normal Rate			
Peak	Urban	84	84
	NT	-	
Non-peak	Urban	84	84
	NT	-	
8. Natural turf pitch (miniature football) Concessionary Rate (Note 2)			
Peak	Urban	42	42
	NT	-	
Non-peak	Urban	42	42
	NT	-	
(7) Holiday Camps (per person)			
1. Day Camp (Normal Rate)			
Peak	Urban	26	26
	NT	26	
Non-peak	Urban	17	17
	NT	17	
2. Day Camp (Concessionary Rate) (Note 2)			
Peak	Urban	13	13
	NT	13	
Non-peak	Urban	8.5	8.5
	NT	9	
3. Evening Camp (Normal Rate)			
Peak	Urban	26	26
	NT	26	
Non-peak	Urban	17	17
	NT	17	
4. Evening Camp (Concessionary Rate) (Note 2)			
Peak	Urban	13	13
	NT	13	
Non-peak	Urban	8.5	8.5
	NT	9	

Description of Fees		Urban / NT	Existing Fee Level (\$) (Note 1)	Fee Level Upon Fee Alignment (\$)
5. Residential Camp May to October (with air-conditioning provided inside dormitories) (per person, per night) Normal Rate				
Peak	Family units	Urban	90	90
	Group units	Urban	81	81
	Group units	NT	82	
Non-peak	Family units	Urban	66	66
	Group units	Urban	57	57
	Group units	NT	65	
6. Residential Camp May to October (with air-conditioning provided inside dormitories) (per person, per night) Concessionary Rate (Note 2)				
Peak	Family units	Urban	45	45
	Group units	Urban	40.5	40.5
	Group units	NT	41	
Non-peak	Family units	Urban	33	33
	Group units	Urban	28.5	28.5
	Group units	NT	32	
7. Residential Camp November to April (air-conditioning is not provided) (per person, per night) Normal Rate				
Peak	Family units	Urban	73	73
	Group units	Urban	64	59
	Group units	NT	59	
Non-peak	Family units	Urban	50	50
	Group units	Urban	42	41
	Group units	NT	41	
8. Residential Camp November to April (air-conditioning is not provided) (per person, per night) Concessionary Rate (Note 2)				
Peak	Family units	Urban	36.5	36.5
	Group units	Urban	32	30
	Group units	NT	30	
Non-peak	Family units	Urban	25	25
	Group units	Urban	21	20
	Group units	NT	20	

Note 1: Existing arrangement of peak hours and non peak-hours of leisure facilities in urban area and the New Territories:

There are no non-peak hours and peak hours arrangements for Swimming Pools in the Urban Areas, whereas the arrangements for Swimming Pools in the New Territories are

Non-peak Hours	Monday to Friday	Whole day (excluding Public Holidays)
Peak Hours	Saturday, Sunday & Public Holidays	Whole day

Land-based Facilities in Urban Areas

Non-peak Hours	Monday to Friday	From opening to 5 pm (excluding Public Holidays)
Peak Hours	Monday to Friday	5 pm to 11pm
	Saturday, Sunday & Public Holidays	Whole day

Land-based Facilities in the New Territories (except natural and artificial turf pitches)

Non-peak Hours	Monday to Friday	From opening to 6pm (excluding Public Holidays)
	Saturday	From opening to 1pm (excluding Public Holidays)
Peak Hours	Monday to Friday	6 pm to 11pm
	Saturday	1pm to 11pm
	Sunday & Public Holidays	Whole day

Natural and artificial turf pitches in the New Territories

Non-peak Hours	Monday to Friday	From opening to 6 pm (excluding Public Holidays)
Peak Hours	Monday to Friday	6 pm to 11pm
	Saturday, Sunday & Public Holidays	Whole day

Holiday Camps in Urban areas and the New Territories

Day Camp, Evening Camp	Non-peak Hours	Monday to Friday (excluding Public Holidays)
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	Peak Hours	Saturday, Sunday & Public Holidays
Residential Camp	Non-peak Hours	Sunday to Friday (excluding the nights preceding Public Holidays)
	Peak Hours	Saturday nights and the nights preceding Public Holidays

Note 2: Eligibility criteria for enjoying concessionary rate:

Facilities	Eligibility criteria for enjoying the concessionary rate after the alignment of fees and charges
1. Public swimming pools	<p><u>Any time</u> (including peak hours, i.e. Saturdays, Sundays and public holidays):</p> <ul style="list-style-type: none"> (i) Persons aged 3 or above, but below 14 (ii) Persons aged 60 or above (iii) Persons with disabilities and their minders (on a one-to-one basis) (iv) Full-time students <p>Free of charge for toddlers below the age of 3</p>
2. Basketball courts, badminton courts, table tennis tables, squash courts and tennis courts	<p><u>Non-peak hours</u> (from opening to 6 p.m. on weekdays, except public holidays) <u>and from opening to 1 p.m. on Saturdays, except public holidays:</u></p> <ul style="list-style-type: none"> (i) Persons aged 60 or above (ii) Full-time students <p><u>Any time:</u></p> <ul style="list-style-type: none"> (i) Persons with disabilities
3. Soccer pitches	<p><u>Non-peak hours</u> (from opening to 6 p.m. on weekdays, except public holidays):</p> <ul style="list-style-type: none"> (i) Persons aged 60 or above <p><u>Any time:</u></p> <ul style="list-style-type: none"> (i) Persons with disabilities
4. Holiday camps	<p><u>Non-peak hours</u> (weekdays, except public holidays, for day camp/evening camp; Sundays to Fridays, except the eves of public holidays, for residential camp):</p> <ul style="list-style-type: none"> (i) Full-time students <p><u>Any time:</u></p> <ul style="list-style-type: none"> (i) Persons aged 3 or above, but below 14 (ii) Persons aged 60 or above

Facilities	Eligibility criteria for enjoying the concessionary rate after the alignment of fees and charges
	(iii) Persons with disabilities and their minders (on a one-to-one basis) Free of charge for toddlers below the age of 3

Note 3: The department no longer provides indoor table tennis tables and squash courts without air-conditioning. The two relevant fee items will be cancelled.

(B) Places of Amusement Licences

Description of Fees	Urban / NT	Existing Fee Level (\$)	Fee Level Upon Fee Alignment (\$)
I. For the grant or renewal of Places of Amusement Licence (per year)			
1. Billiard Establishment Licence (per billiard table)	Urban NT	200 585	200
2. Public Bowling-alley Licence (per row)	Urban NT	490 485	485
3. Public skating rink Licence	Urban NT	3,520 7,295	3,520
II. For the issue of a duplicate of or any endorsement of or any amendment to a licence			
	Urban NT	140 225	140

Proposed PPE licence fees

<u>No.</u>	<u>Items</u>	<u>Current Fee</u>		<u>Proposed</u>
		<u>Urban</u>	<u>NT</u>	<u>Fee</u>
1	Places of Public Entertainment (Cinema and Theatre) Licence to accommodate–	For a period of 12 months		
	(i) not more than 500 persons	\$14,260	\$13,775	\$13,775
	(ii) more than 500 persons but not more than 1 000 persons	\$17,830	\$16,510	\$16,510
	(iii) more than 1 000 persons but not more than 1 500 persons	\$22,460	\$20,675	\$20,675
	(iv) more than 1 500 persons	\$26,930	\$24,785	\$24,785
2	Places of Public Entertainment (Other than Cinema and Theatre) Licence			
	(i) not exceeding 1 month	\$1,790	\$1,655	\$1,655
	(ii) exceeding 1 month but not exceeding 3 months	\$5,360	\$4,945	\$4,945
	(iii) exceeding 3 months but not exceeding 6 months	\$10,710	\$9,910	\$9,910
	(iv) exceeding 6 months but not exceeding 12 months	\$17,830	\$16,510	\$16,510
3	Reduction of fee	One-off		
	Where regulation 178 of the Places of Public Entertainment Regulations (Cap.172A) applies, the licensing authority may reduce the fees payable in respect of any licence therefor ¹	\$140	\$520	\$140
4	Issue of a duplicate or any amendment to a licence	\$140	\$155	\$140

¹ Under Regulation 178 of the Places of Public Entertainment Regulations (Cap. 172A), when it appears to the Licensing Authority that a place of public entertainment is to be kept or used by a religious, charitable or welfare body, organization or institution recommended for purposes of this regulation by the Director of Home Affairs, or an educational institution or organization so recommended by the Permanent Secretary for Education, the Licensing Authority may reduce or waive the fee payable in respect of any PPE licence. Under the existing arrangement, if an applicant of a PPE licence fulfils the above criteria specified in the regulation, the applicant will be allowed to pay the fee specified in item 3.