

For Discussion on
12 May 2014

**Legislative Council Panel on Home Affairs
Government's Policy on Street Arts Performance**

Purpose

This paper aims to brief Members on Government's policy and measures on street arts performance.

The Government's Position on Street Arts Performance

2. The Government has all along been committed to promoting the arts and culture to the public and encouraging public participation. Street arts performances can enrich the cultural life of the people in Hong Kong and the cultural atmosphere of the community. Street performers, like the public at large, must observe the laws of Hong Kong. Just like all activities taking place in public areas, street arts performance should be conducted in a way which does not interfere with the public safety and does not cause nuisance or obstruction to the public. Upon the receipt of any complaint against street performer or other persons, officers of related enforcement departments would go to the scene to understand the situation and, depending on the specific situation of the case, would give advice to the persons concerned or take appropriate actions in accordance with the law. For example, officers of the Food and Environmental Hygiene Department would deal with matters in connection with environmental hygiene, while the Police Force would handle incidents that are related to public safety or in breach of the peace.

3. In Hong Kong, the community cherishes the freedom of artistic expression, which is also embraced by the Government. At present, enforcement departments take a relatively liberal attitude towards various types of street arts performances. Performances that have not caused any nuisance/obstruction or triggered any complaint would generally not

be stopped or prosecuted. Reference has also been made to the policies and measures on street performance in some advanced and relatively open international cities (including London, Sydney, Tokyo, Singapore and Taipei, etc). It is noted that most of these cities (such as Tokyo, London, Singapore and Taipei) have imposed regulations on street arts performance. Performers are required to pass an audition and apply for the relevant licence(s) before being allowed to perform outdoor. The relevant street performances are also required to be staged at specific locations, such as certain parks and plazas, and in some cities street performances are further required to meet other requirements, such as noise level control, and that the performers should ensure the insurance coverage, and so on. With reference to the practices adopted by other cities, the Leisure and Cultural Services Department (LCSD) has launched the “Open Stage” scheme mentioned in paragraph 5 below, and at the same time, the piazzas of Hong Kong Cultural Centre (HKCC), Sha Tin Town Hall (STTH), Tsuen Wan Town Hall (TWTH) and Kwai Tsing Theatre (KTT), and recreational areas under LCSD are also open for outdoor arts performances. Furthermore, other departments and organisations have also been facilitating outdoor arts performances through various schemes.

Outdoor Venues for Arts Performance Provided by Various Departments and Arts Organisations

4. At present, a number of outdoor venues in Hong Kong are available for public arts performance. Some of these venues are listed below for information:

(i) The Outdoor Piazzas and Plazas of LCSD’s Performing Venues and the “Open Stage” Scheme

5. To enable more members of the public to enjoy street arts performances, and to provide art lovers with more spaces for creation and performance, LCSD has implemented the “Open Stage” scheme at the plaza of the STTH. Performance area has been designated for performances by individuals or groups free of charge, with no restriction on the art form. Similar to some arrangements for street performance

overseas, performers are required to pass a simple audition so as to ensure their performances are of a certain artistic standard and comply with the safety and noise control requirements. Applications from performers / groups are processed on a first-come-first-served basis. Not only that they need not pay for the rental, they may also collect donations within the performance area. When designating the performance area, the pedestrian flow and activities of other users in the venue have been considered, such that the performance can be delivered smoothly. Also, the registration system enables coordination of performance space and sessions of different participating performers / groups. Performers / groups who participated in the “Open Stage” scheme indicated that the programme could provide a performing platform for them and the management approach was appropriate. To encourage more young people who love arts performance to participate in this scheme, LCSD launched promotion to 250 clubs and societies in tertiary institutions and youth service centres in Hong Kong in 2013. Thereafter, it is observed that the performance put up by the youth performing groups who participated and passed the audition was of a good standard and was well received by the audience.

6. Apart from the “Open Stage” scheme, LCSD also frequently organises cultural and entertainment activities, e.g. concerts, Cantonese opera performances and dance performances, in the piazzas or plazas of its cultural venues (namely, HKCC, STTH, TWTH and KTT), with a view to integrating the arts into the community. In 2013, a total of 146 cultural activities were held by the LCSD and other bodies in the outdoor areas of these four performance venues.

7. In recent years, the LCSD has also been injecting an arts and culture dimension in its pleasure grounds. A total of 396 arts and cultural activities, including concerts, Cantonese opera performances and dance performances were held in these pleasure grounds in 2013. Some of these events were held at the amphitheatres (currently 20 venues are provided with amphitheatres) which are open to booking by the public.

(ii) Outdoor performances at the West Kowloon Cultural District (WKCD)

8. The WKCD will provide not less than 23 hectares of public open space for people to conduct cultural, arts and leisure activities upon project completion. Since 2012, the West Kowloon Cultural District Authority (WKCDA) has been making use of the WKCD site to organise outdoor cultural and arts activities as well as hiring out the site to external parties for various types of events, such as the outdoor arts festival Freespace Fest, Festive Drums for a Roaring New Year, and Clockenflap Music & Arts Festival. To date, 12 outdoor performance events have been held at the WKCD site.

9. According to the latest development, construction of the WKCD Park is expected to commence this year, with the target of opening the Park in phases starting from late 2015. WKCDA welcomes visitors to conduct different types of cultural and arts activities in the Park upon its opening. The WKCDA's Consultation Panel will soon be gauging public views on the use and management of the future Park, including issues relating to outdoor performances. Furthermore, WKCDA is planning to consult the Joint Subcommittee to Monitor the Implementation of the West Kowloon Cultural District Project under the Legislative Council on the relevant matters within this year. Before the completion of the Park, WKCDA will continue to open the West Kowloon Waterfront Promenade for public use, and manage the venue in an open and welcoming manner.

(iii) The “Fly the Flyover” Operation by the Energizing Kowloon East Office

10. The “Fly the Flyover01”, an informal cultural and performance venue for public use, provides an alternative venue for different organisations to run various creative, cultural and arts activities. The venue adopts an open-style design in order to create a public open space where people can stroll, relax and enjoy freely and leisurely. The basic facilities provided include a performing stage, a dressing room, general lightings, electricity supply and toilets. Licenses have been obtained from the Composers and Authors Society of Hong Kong Limited, the

Phonographic Performance (South East Asia) Limited and the Hong Kong Recording Industry Alliance Limited so as to facilitate venue users to put on general performances. At the venue, we have also set up landmark features converted from used cargo containers and percussion instruments made of gasoline fuel drums for street performance purposes.

11. In 2013, 23 events were held at “Fly the Flyover01”. Among the events were cultural activities and performances such as music shows, dance competitions, outdoor movies, exhibitions etc.

(iv) Outdoor Performances at Hong Kong Arts Centre

12. A variety of outdoor performing arts performance programmes are regularly held at the piazza of Hong Kong Arts Centre’s main entrance. Besides enriching the cultural life of the public, such events offer performance opportunities to artists and arts groups. Different performing arts groups and artists are invited to perform on various genres ranging from pop music, jazz to local music, dance, drama and so on.

Matters related to the Opening of the Mong Kok Pedestrian Precinct (MKPP)

13. There have been concerns about the impact of the reduction in the opening days of the MKPP on street arts performances inside the precinct. MKPP was designated in the year of 2000 mainly to improve the pedestrian environment and mobility. By the end of 2013, in view of such factors as the worsening congestion and noises in the precinct, and the severe nuisance caused to the nearby residents and businesses, we having carefully considered the views from various parties and having consulted the pedestrians, nearby residents and businesses, decided to reduce the opening days of MKPP. From 20 January 2014 onwards, MKPP are open only on Saturdays, Sundays and public holidays. The new arrangement will be reviewed for its effectiveness within 6 to 9 months of its implementation, and the relevant Government departments also closely monitor the situation of the precinct and will update the District Council in this regard later this year.

14. At present, street performances in pedestrian precincts are operated on a first-come-first-served basis. As long as there is no contravention of the law, there is no regulation of the content and artistic level of the performances. If we are to introduce the arrangements mentioned in paragraph 3 above in the pedestrian precincts or other areas in Hong Kong, with a view to ensuring that street performances can take place orderly at specific locations and the performances reach a certain artistic level, all sectors in the community, in particular the performing arts sector, need to reach a consensus before the Government can proceed to study its feasibility.

Advice Sought

15. Members are invited to note this paper and provide comments.

Home Affairs Bureau
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