

LEGISLATIVE COUNCIL BRIEF

PUBLIC HEALTH AND MUNICIPAL SERVICES ORDINANCE 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 the Fourth Schedule.

2. We propose to introduce amendments through the Public Health and Municipal Services Ordinance (Public Pleasure Grounds) (Amendment of Fourth Schedule) Order 2014 (the Amendment Order) to set aside the places specified in Schedule 1 of the Amendment Order for use as public pleasure grounds, and to cease to set aside the places specified in Schedule 2 of the Amendment Order for use as public pleasure grounds. The Amendment Order is at Annex to this Brief.

JUSTIFICATIONS

3. The proposal to set aside 15 venues as public pleasure grounds will enable the Authority to enforce the Pleasure Grounds Regulation in those venues. We also propose to delete four venues from the Fourth Schedule as they cease to be used as public pleasure grounds.

PLACES TO BE SET ASIDE FOR USE AS PUBLIC PLEASURE GROUNDS

4. The following 15 venues will be designated as public pleasure grounds and be included in the Fourth Schedule —

- (i) Four newly completed venues that are or will open for public use by the Leisure and Cultural Services Department

(LCSD):

- (a) Butterfly Valley Road Pet Garden
- (b) Fuk Hang Tsuen Basketball Court
- (c) Tin Yip Road Artificial Sand Court
- (d) Tin Yip Road Park

(ii) Eleven venues that are taken over from the Home Affairs Department (HAD) for management by LCSD :

- (a) Bin Mo Kiu Sitting-out Area
- (b) Fung Chi Tsuen Sitting-out Area
- (c) Fung Kat Heung Basketball Court
- (d) Hong Yue Street Sitting-out Area
- (e) Nam Cheong Street Amenity Plot
- (f) Pratas Street Sitting-out Area
- (g) Shau Kei Wan Main Street East Sitting-out Area
- (h) Tai Po Road Mid-level Sitting-out Area
- (i) Tai Wai Tsuen Sitting-out Area
- (j) Yau Tam Mei Basketball Court
- (k) Yau Tam Mei Playground

PLACES CEASING TO BE SET ASIDE FOR USE AS PUBLIC PLEASURE GROUNDS

5. Four venues, namely Sam Chuk Street Sitting-out Area, Pak Kok Village Rain-shelter, North Lamma, Chung Yat Street Soccer Pitch and Kwong Choi Market Roof-top Garden, Tuen Mun will be deleted from the Fourth Schedule as they have ceased to be public pleasure grounds. The four venues have been handed over to, respectively the Civil Engineering and Development Department for construction of major infrastructure works, the HAD for reconstruction and management, the Housing Department for public housing development and the Lands Department for inclusive in the land sale programme.

AMENDMENT OF FOURTH SCHEDULE

6. The Amendment Order at Annex amends the Fourth Schedule to the Public Health and Municipal Services Ordinance (Cap. 132) to give effect to the changes set out in paragraphs 4 and 5 above.

LEGISLATIVE TIMETABLE

7. The legislative timetable is as follows –

Publication in the Gazette	14 February 2014
Tabling at the Legislative Council	19 February 2014

PUBLIC CONSULTATION AND PUBLICITY

8. We have consulted the respective District Councils which supported the proposals. The amendments to the Fourth Schedule of the Ordinance will be published in the Gazette.

ENQUIRY

9. Please contact Miss Margrit LI, Assistant Director (Leisure Services)1, at 2601 8966 for enquiries on this subject.

Leisure and Cultural Services Department

11 February 2014

**Public Health and Municipal Services Ordinance
(Public Pleasure Grounds) (Amendment of Fourth
Schedule) Order 2014**

(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. **Places ceasing to be set aside for use as public pleasure grounds**
The places specified in Schedule 2 cease to be set aside for use as
public pleasure grounds.
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.

Schedule 1

[s. 1]

Places Set Aside for Use as Public Pleasure Grounds

Part 1

Hong Kong Island

Hong Yue Street Sitting-out Area
Shau Kei Wan Main Street East Sitting-out Area

Part 2

Kowloon

Butterfly Valley Road Pet Garden
Nam Cheong Street Amenity Plot
Pratas Street Sitting-out Area
Tai Po Road Mid-level Sitting-out Area

Part 3

The New Territories

Bin Mo Kiu Sitting-out Area
Fuk Hang Tsuen Basketball Court
Fung Chi Tsuen Sitting-out Area
Fung Kat Heung Basketball Court

Tai Wai Tsuen Sitting-out Area
Tin Yip Road Artificial Sand Court
Tin Yip Road Park
Yau Tam Mei Basketball Court
Yau Tam Mei Playground

Schedule 2

[s. 2]

**Places Ceasing to be Set Aside for Use as Public
Pleasure Grounds**

Part 1

Kowloon

Sam Chuk Street Sitting-out Area

Part 2

The New Territories

Chung Yat Street Soccer Pitch
Kwong Choi Market Roof-top Garden, Tuen Mun
Pak Kok Village Rain-shelter, North Lamma

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"—
Add in alphabetical order
"Hong Yue Street Sitting-out Area
Shau Kei Wan Main Street East Sitting-out Area".
 - (2) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading "Kowloon"—
Repeal
"Sam Chuk Street Sitting-out Area".
 - (3) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading "Kowloon"—
Add in alphabetical order
"Butterfly Valley Road Pet Garden
Nam Cheong Street Amenity Plot
Pratas Street Sitting-out Area
Tai Po Road Mid-level Sitting-out Area".
 - (4) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading "The New Territories"—
 - (a) **Repeal**
"Chung Yat Street Soccer Pitch";

- (b) **Repeal**
"Kwong Choi Market Roof-top Garden, Tuen Mun";
- (c) **Repeal**
"Pak Kok Village Rain-shelter, North Lamma".
- (5) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading "The New Territories"—
Add in alphabetical order
"Bin Mo Kiu Sitting-out Area
Fuk Hang Tsuen Basketball Court
Fung Chi Tsuen Sitting-out Area
Fung Kat Heung Basketball Court
Tai Wai Tsuen Sitting-out Area
Tin Yip Road Artificial Sand Court
Tin Yip Road Park
Yau Tam Mei Basketball Court
Yau Tam Mei Playground".



(Mrs Betty FUNG)
Director of Leisure and Cultural
Services

7 February 2014

Explanatory Note

This Order sets aside 15 places for use as public pleasure grounds and provides that 4 places cease to be set aside for use as public pleasure grounds.

2. The Order also amends the Fourth Schedule to the Public Health and Municipal Services Ordinance (Cap. 132) to reflect the changes mentioned in paragraph 1.