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來函檔號 YOUR REF : SF(72) to HABCS CR 7/1/99/1/1
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By Fax (3102 5997)

5 April 2016

Mr Eric CHENG
Principal Assistant Secretary (WKCD)
Home Affairs Bureau
Culture Branch
West Kowloon Cultural District Division
25/F, Wanchai Tower,
Wanchai, Hong Kong

Dear Mr CHENG,

Proposed Resolution under section 37 of the West Kowloon Cultural District Authority Ordinance (Cap. 601) in relation to the proposed West Kowloon Cultural District (Public Open Spaces) Bylaw

Further to my letter of 11 March 2016, I should be grateful if you could provide further clarification on the following matters:

Defence of reasonable excuse

It is noted that contraventions of certain requirements under the proposed Bylaw by members of the public would constitute an offence punishable with a fine. Would the Administration and the West Kowloon Cultural District Authority consider providing a defence of reasonable excuse for those offences (e.g. sections 7(2), 8(4), 9(9), 10(9), 12(3), 17(4), 18(3), 22(2), 23(3), (6) and (8) of the proposed Bylaw)? A recent example for providing a defence of reasonable excuse for similar offences can be seen in the Kai Tak Cruise Terminal Bill gazetted on 3 July 2015 (see clauses 7(4), (5), 8(6), 12(5), 16(4), 17(4), (5), 18(3) and 19(2) of the Bill).

I should appreciate your reply in both English and Chinese by 12 April 2016.

Yours sincerely,


(Vanessa CHENG)
Assistant Legal Adviser

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