

## **LEGISLATIVE COUNCIL BRIEF**

### **PUBLIC HEALTH AND MUNICIPAL SERVICES ORDINANCE CHANGES TO PLACES SET ASIDE FOR USE AS PUBLIC PLEASURE GROUNDS**

#### **INTRODUCTION**

The Director of Leisure and Cultural Services, in her capacity as the Authority (“Authority”) under Section 106(1) and (6) of the Public Health and Municipal Services Ordinance, Cap.132 (“the Ordinance”), may, from time to time, by order set aside places for use as public pleasure grounds, and may by order amend the Fourth Schedule to the Ordinance.

2. We propose to introduce amendments through the Public Health and Municipal Services Ordinance (Public Pleasure Grounds) (Amendment of Fourth Schedule) (No. 2) Order 2019 (“the Amendment Order”) to set aside the nine places specified in Schedule 1 to the Amendment Order for use as public pleasure grounds and to provide that one place specified in Schedule 2 to the Amendment Order ceases to be set aside as a public pleasure ground. The Amendment Order is at Annex to this Brief.

#### **JUSTIFICATIONS**

3. The proposal to set aside nine venues as public pleasure grounds will enable the Authority to enforce the Pleasure Grounds Regulation (Cap. 132, subsidiary legislation BC) in those venues. We also propose to delete one venue from the Fourth Schedule to the Ordinance as it ceases to be used as a public pleasure ground.

#### **PLACE TO BE SET ASIDE FOR USE AS PUBLIC PLEASURE GROUNDS**

4. The following nine venues will be designated as public pleasure grounds and be included in the Fourth Schedule to the Ordinance -

- (i) Tai Po Central Sitting-out Area is taken over from the District Council for management by Leisure and Cultural Services Department (LCSD).

- (ii) Six venues that are taken over from the Home Affairs Department for management by LCSD:
  - (a) Cattle Depot Art Park
  - (b) Eastern District Cultural Square
  - (c) Sheung On Street Pet Garden
  - (d) Tai Wai Soccer Pitch
  - (e) Tit Shu Street Sitting-out Area
  - (f) Wu Tip Shan Sitting-out Area
  
- (iii) Kennedy Town Swimming Pool Sitting-out Area and Oil Street Sitting-out Area are taken over from the Mass Transit Railway Corporation Limited and private developer respectively for management by LCSD.

## **PLACE CEASING TO BE SET ASIDE FOR USE AS PUBLIC PLEASURE GROUNDS**

5. One venue, Hoi Bun Road Sitting-out Area, will be deleted from the Fourth Schedule to the Ordinance as it has been integrated into the Kwun Tong Promenade.

## **AMENDMENT OF FOURTH SCHEDULE TO THE ORDINANCE**

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	5 July 2019
Tabling at the Legislative Council	1st meeting of 2019/20 Legislative Session

## **PUBLIC CONSULTATION AND PUBLICITY**

8. We have consulted the respective District Councils which supported the proposals. The amendments to the Fourth Schedule to the

Ordinance will be published in the Gazette.

## **ENQUIRY**

9. Please contact Mrs Doris FOK, Assistant Director (Leisure Services)1, at 2601 8966 for enquiries on this subject.

**Leisure and Cultural Services Department**  
**12 July 2019**

**Public Health and Municipal Services Ordinance  
(Public Pleasure Grounds) (Amendment of Fourth  
Schedule) (No. 2) Order 2019**

(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. **Place ceasing to be set aside for use as public pleasure ground**  
The place specified in Schedule 2 ceases to be set aside for use as a  
public pleasure ground.
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**

Eastern District Cultural Square  
Kennedy Town Swimming Pool Sitting-out Area  
Oil Street Sitting-out Area  
Sheung On Street Pet Garden

**Part 2**

**Kowloon**

Cattle Depot Art Park  
Tit Shu Street Sitting-out Area

**Part 3**

**The New Territories**

Tai Po Central Sitting-out Area  
Tai Wai Soccer Pitch

Wu Tip Shan Sitting-out Area

---

**Schedule 2**

[s. 2]

**Place Ceasing to be Set Aside for Use as Public Pleasure  
Ground**

**Kowloon**

Hoi Bun Road Sitting-out Area

---

### 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**  
“Eastern District Cultural Square  
Kennedy Town Swimming Pool Sitting-out Area  
Oil Street Sitting-out Area  
Sheung On Street Pet Garden”.
  - (2) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading “Kowloon”—  
**Repeal**  
“Hoi Bun Road Sitting-out Area”.
  - (3) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading “Kowloon”—  
**Add in alphabetical order**  
“Cattle Depot Art Park  
Tit Shu Street Sitting-out Area”.
  - (4) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading “The New Territories”—

#### Add in alphabetical order

“Tai Po Central Sitting-out Area  
Tai Wai Soccer Pitch  
Wu Tip Shan Sitting-out Area”.



(Ms Michelle LI)  
Director of Leisure and Cultural  
Services

27 June 2019

Public Health and Municipal Services Ordinance (Public Pleasure Grounds)  
(Amendment of Fourth Schedule) (No. 2) Order 2019

Explanatory Note  
Paragraph 1

7

---

**Explanatory Note**

This Order sets aside 9 places for use as public pleasure grounds and provides that 1 place ceases to be set aside for use as a public pleasure ground.

2. The Order also amends the Fourth Schedule to the Public Health and Municipal Services Ordinance (Cap. 132) to add the 9 places mentioned in paragraph 1 and remove the 1 place mentioned in paragraph 1.