

## **Guidelines for the use of the Legislative Council Square**

### **Introduction**

The Legislative Council ("LegCo") Square is an outdoor area adjoining the LegCo Complex which is managed by The Legislative Council Commission ("the Commission").

2. The LegCo Square is intended for the leisure purposes of the general public, demonstration, and activities permitted by the Commission. Commercial filming, videotaping or recording may only be carried out with the express permission of the Commission.

3. To ensure the proper management and safety of users in the LegCo Square, visitors are requested to use the LegCo Square in a safe and hygienic manner, and with due respect to the rights of other users. Motor vehicles are not permitted to enter the LegCo Square unless authorized by the Secretariat. The Commission reserves the right to assign relevant areas for the exclusive use of authorized users or for specific purposes and may define and protect such areas in any manner as it sees fit.

4. For the purpose of ensuring public safety, security or good order, users are requested to comply with directions given by the Secretariat staff.

5. The Commission reserves the right to deny admission to the LegCo Square, or to request a user already admitted to leave the LegCo Square, in the event of that user's failure to comply with any of the conditions, or for unsafe, unhygienic, illegal, disorderly or offensive behaviour, or in circumstances where the staff of the Secretariat consider it necessary.

### **Staging petition and demonstration in the LegCo Square**

6. Members of the public are allowed to stage petitions or demonstrations at the LegCo Square, subject to the terms set out in the "Guidelines for staging petitions or demonstrations by individuals and groups at designated demonstration areas in premises managed by The Legislative Council Commission" ("Demonstration Guidelines") (**Annex**) (except the condition mentioned in paragraph 4(d) therein which prohibits the using,

placing, erecting or keeping of any stage, stage with backdrop or any other temporary structure which, in the opinion of staff of the Secretariat, may pose safety hazards to persons using DDA), and all references to "designated demonstration areas" and "DDA" in the Demonstration Guidelines shall be construed as a reference to "the Legislative Council Square" or "LegCo Square".

### **Erection of temporary stage in the LegCo Square for staging demonstration or petition**

7. Members of the public are requested to notify the Secretariat in writing (so@legco.gov.hk) four weeks in advance of the proposed date of use if they wish to erect a temporary stage in the LegCo Square for the purpose of demonstration or petition.

8. Applicants may be required to furnish information such as the materials and dimensions of the stage and the backdrop, other temporary structures to be erected, the estimated number of participants, the electricity supply requirement, the media arrangements, the area required, the proposed layout of the event and details about the proposed activities to be conducted on the stage and in other areas of the LegCo Square, etc, to a Committee formed under the Commission to consider applications for the use of the LegCo Square ("the Committee").

9. Applications made less than four weeks prior to the proposed date of use may be processed if the Chairman of the Committee, on recommendation of the Secretary General, considers that there are justifications for the delay.

10. In connection with the height restrictions of the temporary stage, permission will normally be given by Secretary General to organizers to erect a temporary stage in the LegCo Square provided that the height of the stage does not exceed 0.5 metre, and the stage with backdrop combined does not exceed 1.7 metres (backdrop made purely of cloth and a light frame is excluded from the said height restrictions).

11. If dimensions of temporary stages to be set up by an event organizer are different from the said dimensions, the organizer should put forward his case to the Committee for further consideration. The Committee may, in the light of that, consider imposing requirements such as taking out insurance policy coverage or approval by an authorized person on the proposed structure as a condition for giving permission to the organizer.

12. The organizer would be requested to sign an undertaking, agreeing to abide by the conditions imposed by the Committee. The organizer or any person employed or authorized by the organizer would be required to take all necessary precautions to ensure the adequacy, stability and safety of all works, equipment and operations in the LegCo Square and methods of construction. The organizer would also be required to take steps to ensure that the demonstration or petition would proceed in a safe and orderly manner.

13. Failure on the part of the organizer to comply with any of the conditions will result in the immediate revocation and withdrawal of the permission to erect the temporary stage and/or to use the LegCo Square without compensation of any kind.

### **Use of the LegCo Square for activities other than demonstrations or petitions**

14. Applications for the use of the LegCo Square other than staging a demonstration or petition should be made in writing (so@legco.gov.hk) to the LegCo Secretariat at least three months in advance of the proposed date of use.

15. Applicants may be required to furnish information such as event title, objectives, aims, media broadcast, estimated number of participants, previous experience of organizing similar events or functions, temporary structures to be erected, electricity supply requirement, the area required and the proposed layout of the function, programmes of the function, and any other information which may be relevant but not mentioned above, to the Committee.

16. Applications made less than three months prior to the proposed date of use may be processed if the Chairman of the Committee, on recommendation of the Secretary General, considers that there are justifications for the delay.

17. If the application is approved, an approval letter stating the conditions for the specific use of the LegCo Square, and an undertaking to abide by the conditions will be sent to the applicant. The applicant is required to sign and return a copy of the undertaking.

### **Appeal**

18. If the Committee decided not to approve an application, or decided to approve an application but subject to conditions imposed, the applicant may

make an appeal against that decision to an appeals committee formed under the Commission. This appeals committee will consider the appeal and it may affirm, vary or revoke any decision made by the Committee.

### **Disclaimer**

19. Neither the Commission nor any of its employees or agents is responsible for any property loss or damage sustained by any person using the LegCo Square, whether such loss or damage is occasioned by the negligence of the Commission, its employees or agents, or by any other causes whatsoever. The Commission, its employees and/or agents do not accept responsibilities for any bodily injuries (howsoever caused except those resulting from negligence) sustained by any person using the LegCo Square.

### **Enquiries**

20. Enquiries on the use of the LegCo Square can be directed to the Secretariat via [so@legco.gov.hk](mailto:so@legco.gov.hk).

Legislative Council Secretariat  
27 November 2018

Amended on 27 November 2018

**Guidelines for staging petitions or demonstrations  
by individuals and groups at  
designated demonstration areas in premises managed by  
The Legislative Council Commission**

**Introduction**

Individuals and groups are generally allowed to stage petitions or demonstrations at designated demonstration areas ("DDA") in premises managed by The Legislative Council Commission ("the Commission").<sup>1</sup> The location and size of DDA will be decided by staff of the Legislative Council Secretariat ("the Secretariat"), having regard to the number of demonstrators and other safety, security and operational considerations. Staff of the Secretariat may direct different groups of demonstrators to take up separate positions within DDA to ensure safety and order. Press Areas may be set up and media representatives should stay in designated Press Areas. If media representatives are to cover the petition or demonstration at a place outside the designated Press Areas, they should position themselves in accordance with directions given by staff of the Secretariat.

**Relevant statutory provisions**

2. Organizers should note the provisions in the Public Order Ordinance (Cap. 245) concerning public gatherings, public meetings and public processions, and requirements to notify the Commissioner of Police. Organizers should comply with all applicable ordinances, regulations, rules or technical memoranda in connection with the proposed public gatherings, public meetings, public processions and activities to be conducted in those gatherings, meetings and processions.

3. Demonstrators should note and comply with the provisions in the Administrative Instructions for Regulating Admittance and Conduct of Persons (Cap. 382A) issued under section 8(3) of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) for the purpose of maintaining the security of

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<sup>1</sup> Individuals or groups staging petitions or demonstrations at DDA are referred to as "demonstrators" in these Guidelines.

the precincts of the Chamber, ensuring the proper behaviour and decorum of persons therein and for other administrative purposes.

### **Conditions of use**

4. DDA is open to the public every day during specified hours for staging petitions or demonstrations. The Commission reserves the right to change the opening hours of or close the DDA without prior notice. The conditions as to the use of DDA for public gatherings, public meetings and public processions are set out below –

- (a) no person shall stage petitions or demonstrations in DDA outside its daily opening hours, i.e. 7:00 am to 11:00 pm or, on days when meetings of LegCo are held, from 7:00 am to 11:00 pm or to one hour after the LegCo meeting of the day is suspended or after the Council is adjourned, whichever is later;
- (b) the event organizer or, if not present, a person nominated to act in his place, is to be present throughout the event;
- (c) using, placing, erecting or keeping any erected tent, or sleeping equipment is prohibited; no structure designed or adapted for the purpose of facilitating sleeping is allowed;
- (d) using, placing, erecting or keeping any stage, stage with backdrop or any other temporary structure which, in the opinion of staff of the Secretariat, may pose safety hazards to persons using DDA, is prohibited;
- (e) any behaviour/activity or item which may pose a fire hazard is prohibited;
- (f) defacing of the surface of any external wall, glass panel, column, ground, or any other structure or public property in the premises managed by the Commission is prohibited;
- (g) sound amplification equipment may be used but it must be directed away from the building of LegCo Complex and the noise levels must not be offensive or harmful or unreasonably interfere with the use of the LegCo Complex by other persons in the course of their business;

- (h) no person or object shall obstruct the Emergency Vehicular Access ("EVA"), emergency exits of the LegCo Complex or interfere with the use of the LegCo Complex by other persons in the course of their business; and
- (i) demonstrators must comply with all directions given by staff of the Secretariat.

5. Demonstrators shall maintain good order, environmental hygiene and public safety. Demonstrators are also advised to take good care of their personal belongings. All items, including posters, banners, objects, or notices brought by the demonstrators as well as personal belongings, foodstuffs and refuse must be removed by demonstrators upon leaving DDA. Any unattended objects found on the premises managed by the Commission and objects causing obstruction to the EVA or emergency exits of the LegCo Complex will be dealt with or disposed of as the Secretariat sees fit.

### **Liability for damages or compensation**

6. The Commission reserves the right to claim compensation from demonstrators for the property loss or damage sustained by the Commission arising from or out of their behaviour, activities or objects used while staging petitions or demonstrations in DDA.

7. Neither the Commission nor any of its employees or agents is responsible for any property loss or damage sustained by any person using DDA, whether such loss or damage is occasioned by the negligence of the Commission, its employees or agents, or by any other causes whatsoever. The Commission, its employees and/or agents do not accept responsibilities for any bodily injuries (howsoever caused except those resulting from negligence) sustained by any person using DDA.

### **Failure to comply**

8. For the purpose of ensuring safety, security or good order, the Commission may deny a person's admission to, or require a person already admitted to leave, the premises managed by the Commission, in the event of that person's failure to comply with any of the conditions, or for unsafe, unhygienic, illegal, disorderly, or offensive behaviour, or in circumstances where the staff of the Secretariat consider it necessary. The Commission reserves the right to take legal action against the use of DDA in contravention of the conditions of use.

9. Any person who contravenes the administrative instructions issued under section 8(3) of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) referred to in paragraph 3 above commits an offence and is liable to a fine of \$2,000 and to imprisonment for 3 months. Under section 19(b) of Cap. 382, any person who resists or obstructs any officer of the Council while in execution of his duty commits an offence and is liable to a fine of \$10,000 and to imprisonment for 12 months.

### **Amendment to the Guidelines**

10. The Commission reserves the right to amend the "Guidelines for staging petitions or demonstrations by individuals and groups at designated demonstration areas in premises managed by The Legislative Council Commission" at any time without prior notice.

Legislative Council Secretariat  
27 November 2018