

**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").¹ 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 the precincts of the Chamber, ensuring the proper behaviour and decorum of persons therein and for other administrative purposes.

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

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

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