

For information

**LEGISLATIVE COUNCIL PANEL ON
PLANNING, LANDS AND WORKS**

**Management Scheme for the Display of
Roadside Non-Commercial Publicity Materials**

**Response to Suggestions by Members
at the Meeting on 7 March 2003**

Purpose

This information note sets out the Administration's response to Members' suggestions raised at the Panel meeting on 7 March 2003 relating to the proposed management scheme for the display of roadside non-commercial publicity materials.

(A) Number of designated spots to be allocated to Legislative Council (LegCo) Members

Members' suggestions

2. Members suggested that:

- (a) each of the 24 LegCo Members returned by geographical constituencies (GCs) be allocated 50 designated spots in each of the District Council (DC) districts covered by his/her GC; and
- (b) each of the 36 LegCo Members returned by functional constituencies (FCs) or Election Committee (EC) be allocated 160 designated spots throughout the 18 DC districts in Hong Kong, with a cap on the number of designated spots in each district for each Member.

Administration's response

3. Based on Members' suggestions in paragraph 2 above, the required number of designated spots in each district are shown in **Annex I**. However, the total number of designated spots available in eight districts, namely, Tai Po, Sha Tin, Sai Kung, Yuen Long, Islands, Tsuen Wan, Kwai Tsing and Wanchai, are not sufficient for allocation in accordance with

Members' suggestion. To provide a reasonable amount of designated spots for eligible users of the scheme in those districts, the Administration proposes the following allocation arrangements:

<u>Districts</u>	<u>Spots for Members of GCs</u>	<u>Spots for Members of FCs or EC</u>	<u>Spots for other users¹</u>
Tai Po	5 x 26 = 130	36 x 5 = 180	180
Sha Tin	5 x 49 = 245	36 x 8 = 288	199
Sai Kung	5 x 49 = 245	36 x 9 = 324	181
Yuen Long	6 x 43 = 258	36 x 8 = 288	184
Islands	6 x 23 = 138	36 x 4 = 144	184
Tsuen Wan	6 x 42 = 252	36 x 7 = 252	188
Kwai Tsing	6 x 32 = 192	36 x 6 = 216	182
Wanchai	5 x 37 = 185	36 x 7 = 252	184

4. In the other ten DC districts, each Member of the GC will be allocated 50 designated spots whereas each Member of the FC or EC will be allocated 9 designated spots in each DC district. To allow some flexibility, Members may exceed the aforesaid quota by up to two spots in a DC district, if designated spots are available, and subject to the overall ceilings for these Members are not exceeded. The aforementioned proposed arrangements are set out in paragraph 2(a) of the Implementation Guidelines at **Annex II**.

(B) Allocation of unused designated spots

Members' suggestion

5. Members suggested that a mechanism should be put in place for the allocation of unused designated spots to interested applicants, such as non-profit making bodies.

¹ Other users include DCs and their committees, government departments and non-profit making bodies.

Administration's response

6. Where designated spots are not taken up by LegCo or DC Members, they will be put in the pool for "Other Users". This proposed arrangement is set out in paragraph 2(c) of the Implementation Guidelines at Annex II.

(C) Choice of designated spots

Members' suggestion

7. At the Panel meeting on 7 March 2003, it was also suggested that Members of the FCs should be allowed the flexibility of choosing designated spots near their constituents.

Administration's response

8. The Lands Department (Lands D) is prepared to consider such requests by Members of the FCs. This will be subject to the availability of designated spots in the respective DC districts. This proposed arrangement is set out in paragraph 2(a) of the Implementation Guidelines at Annex II.

(D) Location of designated spots

Members' suggestion

9. Members suggested that additional designated spots should be identified as far as practicable. Those along footbridge or near bus stops might also be considered.

Administration's response

10. Lands D will endeavour to identify, in consultation with relevant Government departments, more designated spots without compromising traffic safety and other requirements.

(E) Display period

Members' suggestion

11. Members suggested that a mechanism should be put in place to enable each Member to have a fair chance to choose designated spots at popular locations say at an annual interval within their four-year term.

Administration's response

12. The Administration agrees with this suggestion. Lands D will organise a balloting of designated spots allocated to LegCo Members on an annual basis. Paragraph 2(a) of the Implementation Guidelines at Annex II sets out this arrangement.

Members' suggestion

13. Members suggested that the two-month display period at the designated spots for public organizations and non-profit-making bodies be suitably extended.

Administration's response

14. The Administration agrees with this suggestion. Public organisations and non-profit making bodies can apply, with justifications, for an extension of display period. On equity grounds, such applications would be considered in the light of the total number of applications submitted. Paragraph 3 of the Implementation Guidelines at Annex II sets out this arrangement.

(F) Content of publicity materials

Members' suggestion

15. Members suggested that for social services activities jointly organized by offices of LegCo Members and non-profit-making bodies, publicity materials containing the names of the joint organisers should be allowed.

Administration's response

16. The Administration agrees with this suggestion. Paragraph 7(b) of the Implementation Guidelines at Annex II sets out this arrangement.

(G) Application period

Members' suggestion

17. Members suggested the one-month application period be shortened. Flexibility should be provided for processing urgent applications under special circumstances.

Administration's response

18. The Administration agrees with this suggestion. Urgent applications with justifications under special circumstances will be treated with flexibility. Paragraph 8(a) of the Implementation Guidelines at Annex II sets out this arrangement.

Lands Department
March 2003

Management Scheme for the Display of Roadside Non-commercial Publicity Materials

Annex I

路旁展示非商業宣傳品管理計劃

附件 I

Details of Allocation of Designated Spots in Each District

各區指定展示點的分佈詳情

	NT EAST 新界東				NT WEST 新界西				
	Tai Po 大埔	Shatin 沙田	North 北區	Sai Kung 西貢	Yuen Long 元朗	Islands 離島	Tsuen Wan 荃灣	Kwai Tsing 葵青	Tuen Mun 屯門
Spots Available 可使用的展示點	620	1192	1266	990	1090	656	932	950	1249
Allocation Group 分配組別									
I. LegCo Members 立法會議員									
Geog. Const. 地方選區	5 x 50 = 250	5 x 50 = 250	5 x 50 = 250	5 x 50 = 250	6 x 50 = 300	6 x 50 = 300	6 x 50 = 300	6 x 50 = 300	6 x 50 = 300
Others 功能界別及選委會	36 x 9 = 324	36 x 9 = 324	36 x 9 = 324	36 x 9 = 324	36 x 9 = 324	36 x 9 = 324	36 x 9 = 324	36 x 9 = 324	36 x 9 = 324
	574	574	574	574	624	624	624	624	624
II. DC members 區議員	26 x 5 = 130	46 x 10 = 460	24 x 10 = 240	24 x 10 = 240	36 x 10 = 360	19 x 10 = 190	24 x 10 = 240	36 x 10 = 360	37 x 10 = 370
III. DC & Committees 區議會及小組 +	30	30	30	30	30	30	30	30	30
Govt. Depts. 政府部門 +	50	50	50	50	50	50	50	50	50
Non-Profit-Making Bodies 非牟利組織	100 = 180	100 = 180	100 = 180	100 = 180	100 = 180	100 = 180	100 = 180	100 = 180	100 = 180
Total 合計	884	1214	994	994	1164	994	1044	1164	1174
Result 結果	-264	-22	+272	-4	-74	-338	-112	-214	+75
	HK ISLAND 香港島				KLN EAST 九龍東		KLN WEST 九龍西		
	Eastern 東區	Central & Western 中西區	South 南區	Wanchai 灣仔	Kwun Tong 觀塘	Wong Tai Sin 黃大仙	Sham Shui Po 深水埗	Kln City 九龍城	Yau Tsim Mong 油尖旺
Spots Available 可使用的展示點	1452	1375	1052	761	1500	1300	1436	1274	1348
Allocation Group 分配組別									
I. LegCo Members 立法會議員									
Geog. Const. 地方選區	5 x 50 = 250	5 x 50 = 250	5 x 50 = 250	5 x 50 = 250	4 x 50 = 200	4 x 50 = 200	4 x 50 = 200	4 x 50 = 200	4 x 50 = 200
Others 功能界別及選委會	36 x 9 = 324	36 x 9 = 324	36 x 9 = 324	36 x 9 = 324	36 x 9 = 324	36 x 9 = 324	36 x 9 = 324	36 x 9 = 324	36 x 9 = 324
	574	574	574	574	524	524	524	524	524
II. DC members 區議員	46 x 10 = 460	19 x 15 = 285	21 x 10 = 210	14 x 10 = 140	42 x 10 = 420	31 x 10 = 310	26 x 15 = 390	27 x 10 = 270	20 x 15 = 300
III. DC & Committees 區議會及小組 +	30	30	30	30	30	30	30	30	30
Govt. Depts. 政府部門 +	50	50	50	50	50	50	50	50	50
Non-Profit-Making Bodies 非牟利組織	100 = 180	100 = 180	100 = 180	100 = 180	100 = 180	100 = 180	100 = 180	100 = 180	100 = 180
Total 合計	1214	1039	964	894	1124	1014	1094	974	1004
Result 結果	+238	+336	+88	-133	+376	+286	+342	+300	+344

Note : Surplus spots will be allocated to other users, i.e. public and non-profit making bodies. 註：剩餘的展示點會編配給其他使用者，即公共及非牟利組織。

**Management Scheme for the Display of
Roadside Non-commercial Publicity Materials**

Implementation Guidelines

1. Choice of Designated Spots

Members of the Legislative Council (LegCo) and District Councils (DCs) can choose designated spots that will not affect traffic safety and streetscape for the display of their publicity materials. Other users' designated spots will be determined jointly by the DCs, District Offices (DOs) and District Lands Offices (DLOs).

2. Allocation of Designated Spots

(a) LegCo Members

Each LegCo Member from Geographical Constituencies (GC) can choose 50 designated spots in each of the DC district within his/her own GC². For Functional Constituencies (FCs) and Election Committee (EC), each Member may choose 9 designated spots in each of the 18 DC districts. Members shall distribute their designated spots evenly among the DC districts. With the exception of some Members from FCs with special needs, Members may exceed their aforesaid quota by up to two spots in a DC district subject to the overall total number of their designated spots are not exceeded. Annual balloting of designated spots will be organised by DLO.

(b) DC Members

Subject to any advice of individual DCs to the DLO, each DC Member may select 10 designated spots in his/her own constituency.

(c) Where designated spots are not taken up by LegCo or DC Members, they will be transferred to the pool for other users, i.e. public and non-profit making organizations. These Members may select designated spots from the pool when they need them in future.

² With the exception of eight districts (Tai Po, Sha Tin, Sai Kung, Yuen Long, Islands, Tsuen Wan, Kwai Tsing and Wanchai).

(d) Other users

- (i) Each DC and its committees may take up not less than 30 designated spots within the district.
- (ii) Government Departments including DOs may take up not less than 50 designated spots per district within the 18 districts.
- (iii) For non-profit making bodies, there will be a minimum of 100 designated spots per district for the display of publicity materials serving the local community. Non-profit making bodies include non-governmental organisations (NGOs) and charitable bodies either subvented by government or exempted from paying tax under Section 88 of the Inland Revenue Ordinance, organisations registered under Society Ordinance Cap. 151, trade unions registered under Trade Union Ordinance Cap. 332 and Trade Union Registration Regulations Cap. 332A, and legally registered bodies.
- (iv) Each successful applicant will be allocated a maximum of 5 spots.
- (e) The DLOs will co-ordinate with DOs and DCs on the number of spots to be allocated to the different users with reference to the number of designated spots available in the district.

3. Term

Approval given to applicants under paragraph 2(a) and (b) above will normally cover the tenure of their term with their Councils concerned. The approval under paragraph 2(c), (d) and (e) above will cover a display period of two calendar months less the last 2 days. On equity grounds, applications for extension of display periods with justifications will be considered in the light of the total number of applications submitted.

4. Size of Publicity Materials

The size of the publicity materials to be displayed shall not exceed 1 metre in height and 2.5 metres in length. An illustrative plan showing the specifications is at Appendix I.

5. Location of Designated Spots

Publicity materials will be allowed to face both the pavement and the roadway. However, if displayed alongside an expressway, publicity materials will only be allowed to face the pavement. Publicity materials facing both the pavement and the roadway will be counted as two designated spots.

6. Road Safety Code

For road safety purposes, designated spots will normally not be located :

- (a) on flyovers or footbridges;
- (b) within 30 metres on the traffic upstream side of government built pedestrian crossings including signal-controlled crossing, zebra crossings or cautionary crossing;
- (c) on central divider of roads within 30 metres from road junctions or pedestrian crossings; and
- (d) at the junction of a dual way road and a major road. But designated spots within a one-way street will not be subject to the 30-metre safety restriction if they do not obstruct the views of drivers getting on to a major road.

A plan illustrating the 30-metre safety zone is at Appendix II.

7. Content of Publicity Materials

- (a) The content of publicity materials should include only :
 - (i) events of public interest or non-commercial activities;
 - (ii) promotion of community services; and
 - (iii) information of general interest and benefit to the public provided by LegCo/DC Members and political bodies outside election periods. In principle, the information must not include the promotion of any commodities or

services provided at a fee or any form of fee paying training courses and activities. However, fee paying or non-fee paying social service related events organised jointly by government departments and NGOs/charitable bodies will not be restricted.

- (b) Publicity materials containing names and logos of commercial firms or non-profit making bodies such as the Community Chest sponsoring non-profit making public activities are subject to the prior approval of the District Lands Officer and the total size of the names and logos of the sponsors shall not be larger than one tenth of the area of the publicity material.
- (c) The contents of the publicity materials to be displayed shall be in compliance with the laws of the Hong Kong Special Administrative Region and that no publicity materials of an obscene or objectionable nature shall be displayed.
- (d) Publicity materials may contain names of other persons apart from that of the applicant.

8. Processing of Applications

- (a) Duly completed applications shall be submitted to the relevant DLO no later than one month before the applicant's intended display period. DLO cannot guarantee approval of the application by its intended display date if the application is incomplete or is submitted less than one month. However, urgent applications with justifications under special circumstances will also be processed.
- (b) Designated spots for applications by NGOs and charitable bodies will be divided into groups, each consists of 5 different designated spots, located in various parts of the district to cater for the needs of such applications.
- (c) When there are competing applications for designated spots, a ballot will be conducted by the DLO to determine the successful applicant. All applicants will be invited to witness the balloting process.

- (d) All applicants will be notified of the results in writing. No fees will be charged for applications.
- (e) Applications and approvals for display of publicity materials will be temporarily suspended or revoked during election periods.

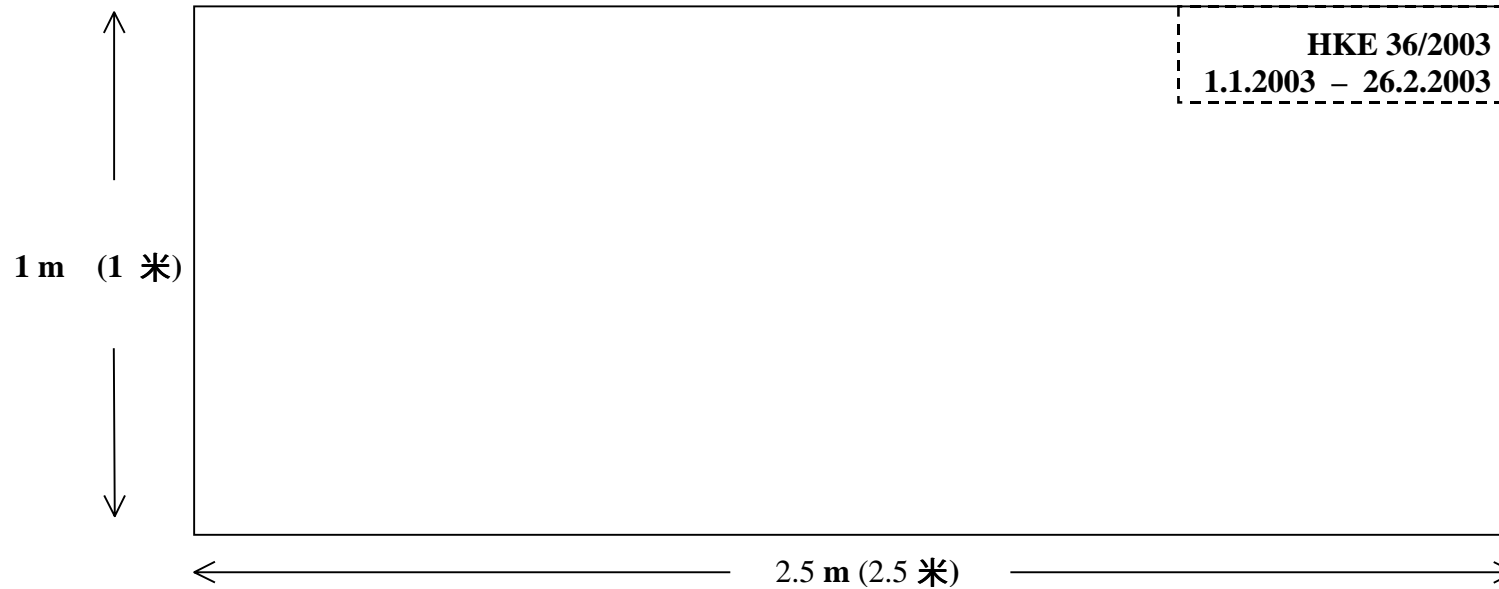
9. Display and Management of Publicity Materials

- (a) Each piece of publicity material to be displayed is required to bear on its top right hand corner the approval number and the approval period with digits of not smaller than 2.5cm in size. The materials must be displayed at its chosen/allocated designated spot and shall be firmly and separately fastened so that they will not dangle in the wind or cause obstruction to pedestrians and vehicular traffic.
- (b) The content of publicity material must be the same as that described in the application form. Subject to the written consent of the District Lands Officer, an applicant may alter the content of his/her publicity materials.
- (c) The use of wire and nail for fixing the publicity materials onto any highway structure, railing, barrier, fence, post or any other street furniture is strictly prohibited.
- (d) The applicant is responsible for the publicity materials and agrees to indemnify and keep indemnified the Government of the Hong Kong Special Administrative Region and or any of its officers against all actions, proceedings, claims and demands arising out of or in connection with the permission granted by the District Lands Officer for the display of the publicity materials.
- (e) No commercial advertisements shall be permitted.
- (f) Upon expiry of the approved period of display, the publicity materials shall be removed immediately by the applicants. Any publicity materials not so removed will be cleared and disposed of by the Director of Food and Environmental Hygiene (DFEH), who will also take legal action and claim removal expenses against the applicant concerned.

- (g) DFEH will remove the publicity materials displayed outside the designated spots or those which obstruct public access and its repair and improvement works, and will take legal action and claim removal expenses against the applicant concerned.
- (h) Publicity materials which are unauthorized or affect emergency repair works shall be removed immediately without prior notification. Unauthorized publicity materials will not be returned to the owners. DFEH may take legal action and claim removal expenses against the owner of the publicity materials concerned.

Lands Department
March 2003

Roadside Banner/Board Specifications
路旁宣傳橫額/街板規格



- * Each character of the approval number and display period at the right-hand corner of the banner/board must not be smaller than 2.5 cm.

在宣傳橫額/街板右上角的核准展示期的字體不得小於 2.5 厘米

Illustration of 30m Safety Zone

30米安全距離示意圖

Appendix II

附錄II

