

LEGISLATIVE COUNCIL BRIEF

Clubs (Safety of Premises) Ordinance (Cap. 376) Clubs (Safety of Premises) (Exclusion) (Amendment) Order 2010

INTRODUCTION

The Secretary for Home Affairs ("SHA") has made the Clubs (Safety of Premises) (Exclusion) (Amendment) Order 2010 ("the Amendment Order") under section 3 of the Clubs (Safety of Premises) Ordinance (Cap. 376) ("the Ordinance"). The purpose of the Amendment Order is to update the names of the clubs and locations of the club-houses set out in the Schedule to the Clubs (Safety of Premises) (Exclusion) Order (Cap. 376 sub. leg. C) ("the Exclusion Order"). A copy of the Amendment Order is at **Annex**.

BACKGROUND

2. The Ordinance was enacted in 1991 to provide for the regulation, control and safety of club-houses. Section 3(1)(b) of the Ordinance provides that SHA may by order in relation to any type or description of club-house, for reasons connected with any such type or description, exclude any club-house or type or description of club-house from the application of the Ordinance.

3. Since the enactment of the Ordinance in 1991, section 3(1)(b) has been invoked to exclude those staff club-houses situated in Government premises from the application of the Ordinance in order to avoid double enforcement as the Architectural Services Department and the Housing Department are responsible for the design, construction, management and maintenance of Government premises under their jurisdiction, as well as ensuring a reasonable standard of building and fire safety.

4. The Schedule to the Exclusion Order was last amended in 2008. After the amendment, requests have been received from Government departments to amend the names of three clubs and locations of three club-houses, and delete an old one. It is therefore necessary to amend the Schedule to the Exclusion Order to reflect the updated list of club-houses exempted from the application of the Ordinance.

THE AMENDMENT ORDER

5. It is proposed to amend the names of three clubs and locations of three club-houses, and delete one club-house from the Schedule to the Exclusion Order.

LEGISLATIVE TIMETABLE

6. The Amendment Order will be gazetted on 15 October 2010 and will be tabled at the Legislative Council for negative vetting on 20 October 2010.

IMPLICATIONS OF THE PROPOSAL

7. The Amendment Order is in conformity with the Basic Law, including the provisions concerning human rights.

PUBLIC CONSULTATION

8. Since this is a routine updating exercise, public consultation on the Amendment Order is considered not necessary.

PUBLICITY

9. A spokesman will be arranged to answer media and public enquiries.

ENQUIRIES

10. Any enquiries on this brief should be addressed to Ms. Sharon HO, Assistant Director of Home Affairs, at 2123 8390 or by facsimile at 2147 0984.

Home Affairs Department
October 2010

Clubs (Safety of Premises) (Exclusion) (Amendment) Order 2010

(Made by the Secretary for Home Affairs under section 3 of the Clubs
(Safety of Premises) Ordinance (Cap. 376))

1. **Clubs (Safety of Premises) (Exclusion) Order amended**
The Clubs (Safety of Premises) (Exclusion) Order (Cap. 376 sub.
leg. C) is amended as set out in section 2.
2. **Schedule amended**
 - (1) The Schedule, item 5—
Repeal paragraph (15)
Substitute
“(15) Hong Kong Fire Services Club 3 Wang Chiu Road, Kowloon
Bay, Kowloon”.
 - (2) The Schedule, item 5, paragraph (33)—
Repeal
“13/F, 999, Kwai Chung Road, Kwai Chung, New
Territories”
Substitute
“15/F, Tsing Yi Police Station, 13, Tsing Yi Heung Sze Wui
Road, Tsing Yi, New Territories”.
 - (3) The Schedule, item 5, paragraph (48)—
Repeal
“Room 3403A, 34/F, Arsenal House, Police Headquarters, 1
Arsenal Street, Wanchai, Hong Kong”
Substitute

- “2/F, Annex Block, Caine House, Police Headquarters, 1
Arsenal Street, Wanchai, Hong Kong”.
- (4) The Schedule, item 5—
Repeal paragraph (53).
 - (5) The Schedule, item 5, paragraph (80)—
Repeal
“Shek Pik Prison and Sha Tsui Detention Centre Officers’
Mess”
Substitute
“Shek Pik Prison and Sha Tsui Correctional Institution
Officers’ Mess”.
 - (6) The Schedule, item 5, paragraph (81)—
Repeal
“Shek Pik Prison and Sha Tsui Detention Centre Staff Mess”
Substitute
“Shek Pik Prison and Sha Tsui Correctional Institution Staff
Mess”.



Secretary for Home Affairs

2010

6 October

Explanatory Note

The Schedule to the Clubs (Safety of Premises) (Exclusion) Order (Cap. 376 sub. leg. C) contains a list of club-houses situated in Government premises which are excluded from the application of the Clubs (Safety of Premises) Ordinance (Cap. 376). The purposes of this Order are to—

- (a) update the names of 3 clubs and the addresses of 3 club-houses set out in the Schedule; and
- (b) delete one club-house from the Schedule.