

(TRANSLATION)

**Subcommittee on Places of Public Entertainment  
(Exemption) (Amendment) Order 2011**

**Administration's Response to Follow-up Issues Raised at the  
Subcommittee Meeting on 9 February 2012**

This paper sets out the Administration's response to the follow-up issues raised by the Subcommittee at its meeting on 9 February 2012 in relation to the various matters on the Places of Public Entertainment Ordinance ("PPEO") (Cap. 172).

**Whether licences are required to conduct entertainment activities at the West Kowloon Cultural District**

2. The West Kowloon Cultural District under planning will include performing arts and exhibition venues as well as open space. The uses and mode of management of these facilities and space are still being considered. Depending on the finalised arrangements, the West Kowloon Cultural District Authority will comply with the relevant statutory and regulatory requirements.

**Whether the Administration would amend the PPEO**

3. Noting the comments expressed by the members of the Subcommittee on Places of Public Entertainment (Exemption) (Amendment) Order 2011 at the last three meetings, the Administration has re-visited whether the PPEO should be amended. However, since the Court will hear an appeal case and a judicial review case in March and April of this year respectively, the Administration must take into account the result and the judgement of the two cases before reaching a conclusion. As such, it is premature and inappropriate to comment at this moment on whether the PPEO should be amended.

**Whether a licence is required for an election candidate to conduct lecture-style electioneering activities on street**

4. At the meeting on 9 February 2012, a member raised an example of an election candidate conducting lecture-style electioneering activities on a street and asked the Administration to clarify whether the election candidate needed a Places of Public Entertainment Licence (“PPE Licence”).

5. As far as the example above is concerned, determining whether that person requires a PPE Licence depends on whether the act constitutes “entertainment” as stipulated in Schedule 1 to the PPEO, and whether the other conditions stipulated under the PPEO, including whether the definitions of “public entertainment” and “place of public entertainment”, are fulfilled.

6. If the electioneering activity conducted by that person amounts to “entertainment” as defined under the PPEO, and the activity is a “public entertainment” to which the general public is admitted, a PPE Licence would be required in such a case.

#### **Information on the current Judicial Review case**

7. For the Judicial Review case which is related to the PPEO and the legal proceedings of which are underway, we are preparing the relevant information for members’ reference as requested.

Home Affairs Bureau  
Food and Environmental Hygiene Department

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