

LEGISLATIVE COUNCIL BRIEF

PUBLIC HEALTH AND MUNICIPAL SERVICES SETTING ASIDE PLACES FOR USE AS PUBLIC PLEASURE GROUNDS

INTRODUCTION

The Director of Leisure and Cultural Services, in her capacity as the Authority (“Authority”) under the Public Health and Municipal Services Ordinance Cap.132 (“the Ordinance”), manages the public pleasure grounds listed in the Fourth Schedule to the Ordinance. Under Section 106 of the Ordinance, the Authority may, from time to time, by order set aside places for use as public pleasure grounds, and may by order amend, or add to, or delete from the Fourth Schedule.

2. We propose to introduce the amendments through the Public Health and Municipal Services Ordinance (Public Pleasure Grounds) (Amendment of Fourth Schedule) Order 2013 (Amendment Order) at Annex A to this Brief to –

- (a) set aside the places specified in the Schedule 1 of the Amendment Order for use as public pleasure grounds;
- (b) cease to set aside the public pleasure grounds specified in Schedule 2 of the Amendment Order for use as public pleasure grounds.

JUSTIFICATIONS

3. The proposal to set aside 10 new venues as public pleasure grounds will enable the Authority to enforce the regulations relating to public pleasure grounds for proper management. We also propose to repeal two venues in the Fourth Schedule.

PLACES TO BE SET ASIDE FOR USE AS PUBLIC PLEASURE GROUNDS

4. The following 10 venues will be designated as public pleasure grounds and be included in the Fourth Schedule —

- (i) Five newly completed venues that are or will be open for public use by the Leisure and Cultural Services Department (LCSD):
 - (a) Sai Tai Road Fitness Corner
 - (b) Tai San Back Street Sitting-out Area
 - (c) Chung Wai Street Children's Playground
 - (d) Tong Ming Street Park
 - (e) Yuk Nga Lane Community Garden

- (ii) Five venues taken over from the Home Affairs Department for management by LCSD :
 - (a) Cape Collinson Road Sitting-out Area
 - (b) Ho Man Tin East Sitting-out Area
 - (c) Shun On Road Sitting-out Area
 - (d) Kin Tak Street Basketball court
 - (e) Hung Tai Road Sitting-out Area

PLACES CEASING TO BE SET ASIDE FOR USE AS PUBLIC PLEASURE GROUNDS

5. Two venues, namely Mong Kok Market Children's Playground and Lower Ngau Tau Kok Estate Playground No. 8, are to be deleted from the Fourth Schedule as the venues will no longer be public pleasure grounds. They will be handed over to the Lands Department for land sale and the Housing Department for construction of public housing estates respectively in March 2013.

AMENDMENT OF FOURTH SCHEDULE

6. The Amendment Order at Annex A amends the Fourth Schedule to the Public Health and Municipal Services Ordinance (Cap. 132) to reflect

the changes mentioned in paragraphs 4 and 5 above. Subject to negative vetting of the Regulation, the Amendment Order shall be effective from 22 March 2013.

LEGISLATIVE TIMETABLE

7. The legislative timetable is as follows –

Publication in the Gazette	25 January 2013
Tabling at the Legislative Council for negative vetting	30 January 2013
Commencement	22 March 2013

PUBLIC CONSULTATION AND PUBLICITY

8. We have consulted the respective District Councils which supported the proposals. The additions and amendments to the Fourth Schedule of the Ordinance will be published in the Gazette.

ENQUIRY

9. Please contact Miss Margrit LI, Assistant Director (Leisure Services)¹, at 2601 8966 for enquiries on this subject.

Leisure and Cultural Services Department

18 January 2013

**Public Health and Municipal Services Ordinance
(Public Pleasure Grounds) (Amendment of Fourth
Schedule) Order 2013**

(Made by the Director of Leisure and Cultural Services under section 106
of the Public Health and Municipal Services Ordinance (Cap. 132))

1. **Commencement**
This Order comes into operation on 22 March 2013.
2. **Places set aside for use as public pleasure grounds**
The places specified in Schedule 1 are set aside for use as public
pleasure grounds.
3. **Places ceasing to be set aside for use as public pleasure grounds**
The places specified in Schedule 2 cease to be set aside for use as
public pleasure grounds.
4. **Public Health and Municipal Services Ordinance amended**
The Public Health and Municipal Services Ordinance (Cap. 132) is
amended as set out in Schedule 3.

Schedule 1

[s. 2]

Places Set Aside for Use as Public Pleasure Grounds

Part 1

Hong Kong Island

Cape Collinson Road Sitting-out Area

Part 2

Kowloon

Ho Man Tin East Sitting-out Area

Shun On Road Sitting-out Area

Part 3

The New Territories

Chung Wai Street Children's Playground

Hung Tai Road Sitting-out Area

Kin Tak Street Basketball Court

Sai Tai Road Fitness Corner

Tai San Back Street Sitting-out Area

Tong Ming Street Park

Yuk Nga Lane Community Garden

Schedule 2

[s. 3]

Places Ceasing to be Set Aside for Use as Public Pleasure Grounds

Kowloon

Lower Ngau Tau Kok Estate Playground No. 8
Mong Kok Market Children's Playground

Schedule 3

[s. 4]

Amendments to Public Health and Municipal Services Ordinance

1. **Fourth Schedule amended (public pleasure grounds)**
 - (1) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading "Hong Kong Island"—
Add in alphabetical order
"Cape Collinson Road Sitting-out Area".
 - (2) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading "Kowloon"—
Repeal
"Lower Ngau Tau Kok Estate Playground No. 8".
 - (3) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading "Kowloon"—
Repeal
"Mong Kok Market Children's Playground".
 - (4) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading "Kowloon"—
Add in alphabetical order
"Ho Man Tin East Sitting-out Area
Shun On Road Sitting-out Area".
 - (5) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading "The New Territories"—
Add in alphabetical order

“Chung Wai Street Children’s Playground
Hung Tai Road Sitting-out Area
Kin Tak Street Basketball Court
Sai Tai Road Fitness Corner
Tai San Back Street Sitting-out Area
Tong Ming Street Park
Yuk Nga Lane Community Garden”.



(Mrs Betty FUNG)
Director of Leisure and Cultural
Services

17 January 2013

Explanatory Note

This Order sets aside certain places for use as public pleasure grounds and provides that 2 places cease to be set aside for use as public pleasure grounds.

2. The Order also amends the Fourth Schedule to the Public Health and Municipal Services Ordinance (Cap. 132) to reflect the changes mentioned in paragraph 1.