

立法會
Legislative Council

LC Paper No. LS16/14-15

**Paper for the House Committee Meeting
on 28 November 2014**

**Legal Service Division Report on
Subsidiary Legislation Gazetted on 21 November 2014**

Tabling in LegCo : Council meeting of 26 November 2014

Amendment to be made by: Council meeting of 17 December 2014 (or
14 January 2015 if extended by resolution)

**Public Health and Municipal Services Ordinance (Public
Pleasure Grounds) (Amendment of Fourth Schedule)
(No. 2) Order 2014**

(L.N. 140)

L.N. 140 is made by the Director of Leisure and Cultural Services (the Director) pursuant to section 106 of the Public Health and Municipal Services Ordinance (Cap. 132). Under section 106 of Cap. 132, the Director may, from time to time, by order set aside places for use as public pleasure grounds, and may by order amend the list of public pleasure grounds in the Fourth Schedule to Cap. 132 (the Fourth Schedule).

2. L.N. 140 (i) sets aside 17 places for use as public pleasure grounds, (ii) provides that 4 places cease to be used as public pleasure grounds, (iii) renames the Chinese name of one place listed in the Fourth Schedule, and (iv) amends the Fourth Schedule to reflect these changes.

Places set aside for use as public pleasure grounds

3. The 17 places¹ that are set aside for use as public pleasure grounds and included in the Fourth Schedule are set out below:

¹ According to the Administration, places (a) to (j) are newly completed or existing venues that are or will be opened for public use by the Leisure and Cultural Services Department (LCSD). Places (k) to (q) are taken over from the Home Affairs Department for management by LCSD.

- (a) Chung Yee Street Garden
- (b) Fuk Man Garden
- (c) Hang Fai Street Park
- (d) Hoi Fai Road Promenade
- (e) Kwun Tong Recreation Ground
- (f) On Muk Street Garden
- (g) San Pak She Street Sitting-out Area No.6, Cheung Chau
- (h) San Pak She Street Sitting-out Area No.7, Cheung Chau
- (i) Tin Yip Road Sitting-out Area
- (j) Tseung Kwan O Waterfront Park
- (k) Lam Tei Pet Garden
- (l) Praya Street Sitting-out Area
- (m) Quarry Bay Salt Water Service Reservoir Sitting-out Area
- (n) Tai Ha Street Garden
- (o) Tai Hing North Sitting-out Area
- (p) Tai Kwai Wan Garden
- (q) Tung Koon San Tsuen Sitting-out Area

4. By virtue of section 107 of Cap. 132, the effect of setting aside the above places as public pleasure grounds and including them in the Fourth Schedule is to vest the general management and control of those places in the Director and to enable the Director to enforce the Pleasure Grounds Regulation (Cap. 132BC) in those places.

Places cease to be set aside for use as public pleasure grounds

5. The following four places are deleted from the Fourth Schedule as they have ceased to be public pleasure grounds:

- (a) Aberdeen Waterfront Garden
- (b) Hong Ning Road Children's Playground
- (c) Yan Oi Court Garden
- (d) Hip Wo Street/Mut Wah Street Sitting-out Area

6. According to paragraph 5 of the LegCo Brief (File Ref: L/M (3) in LCS 19/HQ 813/00) dated 14 November 2014 issued by the Leisure and Cultural Services Department, Aberdeen Waterfront Garden and Aberdeen Promenade have been collectively renamed as Aberdeen Promenade, whereas Hong Ning Road Children's Playground, Yan Oi Court Garden and Hip Wo Street/Mut Wah Street Sitting-out Area have been handed over to the Lands Department for development by the Urban Renewal Authority.

Renaming of one place

7. The Chinese name of Aberdeen Promenade (香港仔海濱花園) is renamed as "香港仔海濱公園" after its refurbishment together with Aberdeen Waterfront Garden.
8. According to paragraph 9 of the LegCo Brief, the Administration has consulted the relevant District Councils which supported the proposals. Members may refer to the LegCo Brief for background information.
9. As advised by the Clerk to the Panel on Home Affairs, the Panel has not been consulted on L.N. 140.
10. L.N. 140 came into operation on the date of publication in the Gazette, i.e. 21 November 2014.
11. No difficulties have been identified in the legal and drafting aspects of this item of subsidiary legislation.

Prepared by

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