

LEGISLATIVE COUNCIL BRIEF

PUBLIC HEALTH AND MUNICIPAL SERVICES ORDINANCE 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 the Fourth Schedule.

2. We propose to introduce amendments through the Public Health and Municipal Services Ordinance (Public Pleasure Grounds) (Amendment of Fourth Schedule) (No. 2) Order 2016 (the Amendment Order) to set aside the places specified in Schedule 1 of the Amendment Order for use as public pleasure grounds and to cease to set aside places specified in Schedule 2 of the Amendment Order for use as public pleasure grounds. The Amendment Order is at Annex to this Brief.

JUSTIFICATIONS

3. The proposal to set aside 10 venues as public pleasure grounds will enable the Authority to enforce the Pleasure Grounds Regulation in those venues. We also propose to delete four venues from the Fourth Schedule as they cease to be used as public pleasure grounds.

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) Eight newly completed venues that are or will be opened for public use by the Leisure and Cultural Services Department (LCSD):
 - (a) Tsing Yi Southwest Sports Centre
 - (b) North District Equestrian Events Memorial Garden
 - (c) Chik Tai Lane Garden
 - (d) Mei Tin Road Sitting-out Area
 - (e) Ngan Shing Street Garden
 - (f) Sai Keng Tsuen Sitting-out Area
 - (g) Tung Tsz Shan Road Garden
 - (h) Yue Kok Village Sitting-out Area

- (ii) Two venues that are taken over from the Home Affairs Department for management by LCSD:
 - (a) Shun Chi Sitting-out Area
 - (b) Tai Wan To Sitting-out Area

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

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

- (i) Lee Nam Road Sitting-out Area No.2 will be returned to the Lands Department for private residential development purpose.
- (ii) Stanley Main Street Sea-front Sitting-out Area has been integrated into the Stanley Promenade after improvement work.
- (iii) To Kwa Wan Complex Indoor Games Room will be surrendered to the Hospital Authority for the expansion of Shun Tak Fraternal Association Leung Kau Kui Clinic.
- (iv) Nga Tsin Wai Village Sitting-out Area has been handed over to Urban Renewal Authority for the Nga Tsin Wai Village redevelopment project .

AMENDMENT OF FOURTH SCHEDULE

6. The Amendment Order at Annex amends the Fourth Schedule to the Public Health and Municipal Services Ordinance (Cap. 132) to give effect to the changes set out in paragraphs 4 and 5 above.

LEGISLATIVE TIMETABLE

7. The legislative timetable is as follows –

Publication in the Gazette	28 October 2016
Tabling at the Legislative Council	2 November 2016

PUBLIC CONSULTATION AND PUBLICITY

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

ENQUIRY

9. Please contact Mrs Doris FOK, Assistant Director (Leisure Services)1, at 2601 8966 for enquiries on this subject.

Leisure and Cultural Services Department
25 October 2016

**Public Health and Municipal Services Ordinance
(Public Pleasure Grounds) (Amendment of Fourth
Schedule) (No. 2) Order 2016**

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

1. **Places set aside for use as public pleasure grounds**
The places specified in Schedule 1 are set aside for use as public
pleasure grounds.
2. **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.
3. **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. 1]

Places Set Aside for Use as Public Pleasure Grounds

Part 1

Kowloon

Shun Chi Sitting-out Area

Part 2

The New Territories

Chik Tai Lane Garden

Mei Tin Road Sitting-out Area

Ngan Shing Street Garden

North District Equestrian Events Memorial Garden

Sai Keng Tsuen Sitting-out Area

Tai Wan To Sitting-out Area

Tsing Yi Southwest Sports Centre

Tung Tsz Shan Road Garden

Yue Kok Village Sitting-out Area

Schedule 2

[s. 2]

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

Part 1

Hong Kong Island

Lee Nam Road Sitting-out Area No. 2
Stanley Main Street Sea-front Sitting-out Area

Part 2

Kowloon

Nga Tsin Wai Village Sitting-out Area
To Kwa Wan Complex Indoor Games Room

Schedule 3

[s. 3]

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”—
 - (a) **Repeal**
“Lee Nam Road Sitting-out Area No. 2”;
 - (b) **Repeal**
“Stanley Main Street Sea-front Sitting-out Area”.
- (2) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading “Kowloon”—
 - (a) **Repeal**
“Nga Tsin Wai Village Sitting-out Area”;
 - (b) **Repeal**
“To Kwa Wan Complex Indoor Games Room”.
- (3) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading “Kowloon”—
Add in alphabetical order
“Shun Chi Sitting-out Area”.
- (4) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading “The New Territories”—

Add in alphabetical order

“Chik Tai Lane Garden

Mei Tin Road Sitting-out Area

Ngan Shing Street Garden

North District Equestrian Events Memorial Garden


Sai Keng Tsuen Sitting-out Area

Tai Wan To Sitting-out Area

Tsing Yi Southwest Sports Centre

Tung Tsz Shan Road Garden

Yue Kok Village Sitting-out Area”.



(Raymond FAN)
Acting Director of Leisure and
Cultural Services

20 October 2016

Explanatory Note

This Order sets aside 10 places for use as public pleasure grounds and provides that 4 places cease to be set aside for such use.

2. The Order also amends the Fourth Schedule to the Public Health and Municipal Services Ordinance (Cap. 132) to add the 10 places and remove the 4 places mentioned in paragraph 1.