

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) Order 2018 (the Amendment Order) to set aside the place specified in Schedule 1 of the Amendment Order for use as public pleasure ground 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 12 venues as public pleasure grounds will enable the Authority to enforce the Pleasure Grounds Regulation in those venues. We also propose to delete one venue from the Fourth Schedule as it ceases to be used as public pleasure ground.

PLACE TO BE SET ASIDE FOR USE AS PUBLIC PLEASURE GROUNDS

4. The following 12 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) Cheung Shue Tan Heung Shu Yan Basketball Court
 - (b) Chung Uk Garden
 - (c) Heung Yip Path Pet Garden
 - (d) Lung Mei Village Sitting-out Area
 - (e) Pat Heung Road Sitting-out Area
 - (f) Shek Wu Wai Sitting-out Area
 - (g) Tsing Yin Garden
 - (h) Waterloo Road/Ferry Street Sitting-out Area
- (ii) Four venues that are taken over from the Home Affairs Department for management by LCSD:
- (a) Chung Hau Street Sitting-out Area
 - (b) Lin Au Sitting-out Area
 - (c) Shui Tsiu Lo Wai Playground
 - (d) Ying Pun Ha Sitting-out Area

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

5. One venue, Shing Yip Street Rest Garden, will be deleted from the Fourth Schedule as it has ceased to be public pleasure ground. The venue has to be returned for land sale purpose.

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	5 January 2018
Tabling at the Legislative Council	10 January 2018

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
2 January 2018

**Public Health and Municipal Services Ordinance
(Public Pleasure Grounds) (Amendment of Fourth
Schedule) Order 2018**

(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. **Place ceasing to be set aside for use as public pleasure ground**
The place specified in Schedule 2 ceases to be set aside for use as a
public pleasure ground.
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

Hong Kong Island

Heung Yip Path Pet Garden

Part 2

Kowloon

Chung Hau Street Sitting-out Area

Waterloo Road/Ferry Street Sitting-out Area

Part 3

The New Territories

Cheung Shue Tan Heung Shu Yan Basketball Court

Chung Uk Garden

Lin Au Sitting-out Area

Lung Mei Village Sitting-out Area

Pat Heung Road Sitting-out Area

Shek Wu Wai Sitting-out Area
Shui Tsiu Lo Wai Playground
Tsing Yin Garden
Ying Pun Ha Sitting-out Area

Schedule 2

[s. 2]

**Place Ceasing to be Set Aside for Use as Public Pleasure
Ground**

Kowloon

Shing Yip Street Rest Garden

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"—

Add in alphabetical order

"Heung Yip Path Pet Garden".

- (2) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading "Kowloon"—

Repeal

"Shing Yip Street Rest Garden".

- (3) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading "Kowloon"—

Add in alphabetical order

"Chung Hau Street Sitting-out Area

Waterloo Road/Ferry Street Sitting-out Area".

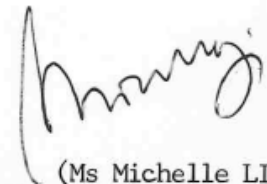
- (4) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading "The New Territories"—

Add in alphabetical order

"Cheung Shue Tan Heung Shu Yan Basketball Court

Chung Uk Garden

Lin Au Sitting-out Area
Lung Mei Village Sitting-out Area
Pat Heung Road Sitting-out Area
Shek Wu Wai Sitting-out Area
Shui Tsiu Lo Wai Playground
Tsing Yin Garden
Ying Pun Ha Sitting-out Area".



(Ms Michelle LI)
Director of Leisure and Cultural
Services

2 January 2018

Explanatory Note

This Order sets aside 12 places for use as public pleasure grounds and provides that 1 place ceases to be set aside for use as a public pleasure ground.

2. This Order also amends the Fourth Schedule to the Public Health and Municipal Services Ordinance (Cap. 132) to add the 12 places mentioned in paragraph 1 and remove the 1 place mentioned in paragraph 1.