

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 2018 (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 three 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 ground.

PLACE TO BE SET ASIDE FOR USE AS PUBLIC PLEASURE GROUNDS

4. The following three newly completed venues that are or will be opened for public use by the Leisure and Cultural Services Department will be designated as public pleasure grounds and be included in the Fourth Schedule -

- (i) Heng Fa Chuen Sitting-out Area
- (ii) North Point Promenade (Phase I)
- (iii) Tsui Ping River Garden

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), (ii) & (iii) Public Square Street/Kansu Street Rest Garden, Shanghai Street/Market Street Playground and Temple Street/Kansu Street Temporary Rest Garden have been handed over to the Highways Department for the construction works of Central Kowloon Route
- (iv) Fat Tseung Street West Playground will be returned to the Lands Department for residential development 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	22 June 2018
Tabling at the Legislative Council	27 June 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
20 June 2018

**Public Health and Municipal Services Ordinance
(Public Pleasure Grounds) (Amendment of Fourth
Schedule) (No. 2) 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. **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.
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Schedule 1

[s. 1]

Places Set Aside for Use as Public Pleasure Grounds

Part 1

Hong Kong Island

Heng Fa Chuen Sitting-out Area
North Point Promenade (Phase I)

Part 2

Kowloon

Tsui Ping River Garden

Schedule 2

[s. 2]

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

Kowloon

Fat Tseung Street West Playground
Public Square Street/Kansu Street Rest Garden
Shanghai Street/Market Street Playground
Temple Street/Kansu Street Temporary 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
“Heng Fa Chuen Sitting-out Area
North Point Promenade (Phase I)”.
 - (2) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading “Kowloon”—
 - (a) **Repeal**
“Fat Tseung Street West Playground”;
 - (b) **Repeal**
“Public Square Street/Kansu Street Rest Garden”;
 - (c) **Repeal**
“Shanghai Street/Market Street Playground”;
 - (d) **Repeal**
“Temple Street/Kansu Street Temporary Rest Garden”.
 - (3) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading “Kowloon”—
Add in alphabetical order

“Tsui Ping River Garden”.



(Ms Ida LEE)
Acting Director of Leisure and
Cultural Services

20 June 2018

Explanatory Note

This Order sets aside 3 places for use as public pleasure grounds and provides that 4 places cease to be set aside for use as public pleasure grounds.

2. This Order also amends the Fourth Schedule to the Public Health and Municipal Services Ordinance (Cap. 132) to—
 - (a) add the 3 places mentioned in paragraph 1; and
 - (b) remove the 4 places mentioned in that paragraph.