

# **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 2019 (the Amendment Order) to set aside the places specified in Schedule 1 of the Amendment Order for use as public pleasure grounds, to cease to set aside the places specified in Schedule 2 for use as public pleasure grounds and to rename the public pleasure ground specified in the Schedule 3 of the Amendment Order. The Amendment Order is at Annex to this Brief.

### **JUSTIFICATIONS**

3. The proposal to set aside nine 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 and to rename one venue.

### **PLACE TO BE SET ASIDE FOR USE AS PUBLIC PLEASURE GROUNDS**

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

- (i) Five newly completed venues that will be opened for public use by the Leisure and Cultural Services Department (LCSD):

- (a) Man Cheong Street Park
  - (b) Che Kung Temple Sports Centre
  - (c) Silver Mine Bay Viewing Deck
  - (d) Siu Lun Sports Centre
  - (e) Tuen Mun River (Eastern Bank) Garden
- (ii) Four venues that are taken over from the Home Affairs Department for management by LCSD:
- (a) Tai Man Street Playground
  - (b) Ha Tsuen Tung Tau Tsuen Sitting-out Area No. 1
  - (c) Lam Hau Tsuen Basketball Court
  - (d) Shing Uk Tsuen 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) Ship Street Playground will be handed over to the Lands Department for the “Development Project of Hopewell Centre II”.
- (ii) & (iii) Man Cheong Street Community Garden and Yau Tsim Mong Pet Garden have been integrated into the Man Cheong Street Park which will be handed over to LCSD for management.
- (iv) Ting On Street Playground will be handed over to the Hong Kong Housing Society for the redevelopment of Kwun Tong Garden Estate Site II.

## **RENAMING OF PUBLIC PLEASURE GROUNDS**

6. Sham Tseng Temporary Playground is recommended to be renamed as Sham Tseng Playground in order to tie in with the change of land status from temporary land allocation to permanent land allocation. The renaming proposal is supported by the Tsuen Wan District Council.

## **AMENDMENT OF FOURTH SCHEDULE**

7. 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, 5 and 6 above.

## **LEGISLATIVE TIMETABLE**

8. The legislative timetable is as follows –

Publication in the Gazette	11 January 2019
Tabling at the Legislative Council	16 January 2019

## **PUBLIC CONSULTATION AND PUBLICITY**

9. 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**

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

**Leisure and Cultural Services Department**  
**9 January 2019**

**Public Health and Municipal Services Ordinance  
(Public Pleasure Grounds) (Amendment of Fourth  
Schedule) Order 2019**

(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**

**Hong Kong Island**

Tai Man Street Playground

**Part 2**

**Kowloon**

Man Cheong Street Park

**Part 3**

**The New Territories**

Che Kung Temple Sports Centre  
Ha Tsuen Tung Tau Tsuen Sitting-out Area No. 1  
Lam Hau Tsuen Basketball Court  
Shing Uk Tsuen Sitting-out Area  
Silver Mine Bay Viewing Deck  
Siu Lun Sports Centre

Tuen Mun River (Eastern Bank) Garden

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## Schedule 2

[s. 2]

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

#### Part 1

#### Hong Kong Island

Ship Street Playground

#### Part 2

#### Kowloon

Man Cheong Street Community Garden

Ting On Street Playground

Yau Tsim Mong Pet Garden

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### 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”—  
**Repeal**  
“Ship Street Playground”.
  - (2) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading “Hong Kong Island”—  
**Add in alphabetical order**  
“Tai Man Street Playground”.
  - (3) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading “Kowloon”—
    - (a) **Repeal**  
“Man Cheong Street Community Garden”;
    - (b) **Repeal**  
“Ting On Street Playground”;
    - (c) **Repeal**  
“Yau Tsim Mong Pet Garden”.
  - (4) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading “Kowloon”—

#### Add in alphabetical order

“Man Cheong Street Park”.

- (5) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading “The New Territories”—
  - (a) **Repeal**  
“Sham Tseng Temporary Playground”;
  - (b) **Add in alphabetical order**  
“Sham Tseng Playground”.
- (6) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading “The New Territories”—
  - **Add in alphabetical order**  
“Che Kung Temple Sports Centre  
Ha Tsuen Tung Tau Tsuen Sitting-out Area No. 1  
Lam Hau Tsuen Basketball Court  
Shing Uk Tsuen Sitting-out Area  
Silver Mine Bay Viewing Deck  
Siu Lun Sports Centre  
Tuen Mun River (Eastern Bank) Garden”.



(Ms Michelle LI)  
Director of Leisure and Cultural  
Services

4 January 2019

**Explanatory Note**

This Order sets aside 9 places for use as public pleasure grounds and provides that 4 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—
  - (a) add the 9 places and remove the 4 places mentioned in paragraph 1; and
  - (b) reflect that “Sham Tseng Temporary Playground” has been renamed as “Sham Tseng Playground”.