

LEGISLATIVE COUNCIL BRIEF

PUBLIC HEALTH AND MUNICIPAL SERVICES ORDINANCE CHANGES TO PLACES SET ASIDE FOR USE AS PUBLIC PLEASURE GROUNDS

INTRODUCTION

The Director of Leisure and Cultural Services, in his capacity as the Authority (“Authority”) under Section 106(1) and (6) of the Public Health and Municipal Services Ordinance, Cap. 132 (“the Ordinance”), may, from time to time, by order set aside places for use as public pleasure grounds and may by order amend the Fourth Schedule to the Ordinance.

2. We propose to introduce amendments through the Public Health and Municipal Services Ordinance (Public Pleasure Grounds) (Amendment of Fourth Schedule) (No.3) Order 2020 (“the Amendment Order”) to set aside the nine places specified in Schedule 1 to the Amendment Order for use as public pleasure grounds and to provide that one place specified in Schedule 2 to the Amendment Order ceases to be set aside as a public pleasure ground. 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 (Cap. 132, subsidiary legislation BC) in those venues. We also propose to delete one venue from the Fourth Schedule to the Ordinance as it ceases to be used as a public pleasure ground.

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 to the Ordinance-

(i) Five venues that are developed by the Architectural Services Department:

- (a) Kai Tak Avenue Park
- (b) Kai Tak Station Square
- (c) Ma Wo Road Garden
- (d) Tung Cheong Street Sports Centre
- (e) Yat Ming Road Park

(ii) Four venues that are developed by the Home Affairs Department:

- (a) Choi Yee Bridge Garden
- (b) Hang Ming Street Sitting-out Area
- (c) Shan Ha Tsuen Sitting-out Area
- (d) Tin Ping Shan Tsuen Sitting-out Area

PLACE CEASING TO BE SET ASIDE FOR USE AS A PUBLIC PLEASURE GROUND

5. One venue, Wah Chui Street Sitting-out Area, will be deleted from the Fourth Schedule for site formation and infrastructure works by Civil Engineering and Development Department for public housing development at Pok Fu Lam South.

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
Tabling at the Legislative Council

27 November 2020
2 December 2020

PUBLIC CONSULTATION AND PUBLICITY

8. We have consulted the respective District Councils which supported the proposals. The amendments to the Fourth Schedule to 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 November 2020

**Public Health and Municipal Services Ordinance
(Public Pleasure Grounds) (Amendment of Fourth
Schedule) (No. 3) Order 2020**

(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

Kowloon

Kai Tak Avenue Park
Kai Tak Station Square

Part 2

The New Territories

Choi Yee Bridge Garden
Hang Ming Street Sitting-out Area
Ma Wo Road Garden
Shan Ha Tsuen Sitting-out Area
Tin Ping Shan Tsuen Sitting-out Area
Tung Cheong Street Sports Centre
Yat Ming Road Park

Schedule 2

[s. 2]

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

Hong Kong Island

Wah Chui Street Sitting-out Area

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
"Wah Chui Street Sitting-out Area".
 - (2) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading "Kowloon"—
Add in alphabetical order
"Kai Tak Avenue Park
Kai Tak Station Square".
 - (3) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading "The New Territories"—
Add in alphabetical order
"Choi Yee Bridge Garden
Hang Ming Street Sitting-out Area
Ma Wo Road Garden
Shan Ha Tsuen Sitting-out Area
Tin Ping Shan Tsuen Sitting-out Area
Tung Cheong Street Sports Centre

Public Health and Municipal Services Ordinance (Public Pleasure Grounds)
(Amendment of Fourth Schedule) (No. 3) Order 2020

Schedule 3
Section 1

5

Yat Ming Road Park".


(Vincent LIU)
Director of Leisure and Cultural
Services

20 November 2020

Public Health and Municipal Services Ordinance (Public Pleasure Grounds)
(Amendment of Fourth Schedule) (No. 3) Order 2020

Explanatory Note
Paragraph 1

6

Explanatory Note

This Order sets aside 9 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. The Order also amends the Fourth Schedule to the Public Health and Municipal Services Ordinance (Cap. 132) to—
 - (a) add the 9 places mentioned in paragraph 1; and
 - (b) remove the 1 place mentioned in that paragraph.