

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) Order 2021 (“the Amendment Order”) to set aside the five places specified in Schedule 1 to the Amendment Order for use as public pleasure grounds, to provide that one place specified in Schedule 2 to the Amendment Order ceases to be set aside for use as a public pleasure ground and to rename one public pleasure ground. The Amendment Order is at Annex to this Brief.

JUSTIFICATIONS

3. The proposal to set aside five 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 rename one public pleasure ground and to delete one venue from the Fourth Schedule to the Ordinance as a public pleasure ground.

PLACES TO BE SET ASIDE FOR USE AS PUBLIC PLEASURE GROUNDS

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

(i) Three venues that are developed by the Home Affairs Department:

- (a) Quarry Bay Park Community Garden
- (b) Victoria Road/Consort Rise Sitting-out Area
- (c) Wo Mei Playground

(ii) The following venue is developed by the Housing Department:

Kai Tak East Park

(iii) The following venue is developed by the Hong Kong Housing Authority:

Choi Wing Road Sports Centre

RENAMING OF A PUBLIC PLEASURE GROUND

5. Dragon Road Sitting-out Area (皇龍道休憩處) is recommended to be renamed as Dragon Road Garden (皇龍道花園) due to active recreational facilities including children's play equipment and fitness equipment for the elderly to be added to the venue.

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

6. One venue, Battery Path Sitting-out Area, will be deleted from the Fourth Schedule since the works in relation to the venue and associated facilities are still ongoing, and hence it cannot be open for public use for the time being due to construction safety considerations.

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	19 March 2021
Tabling at the Legislative Council	24 March 2021

ENQUIRY

9. Please contact Mr Horman CHAN, Assistant Director (Leisure Services)1, at 2601 8966 for enquiries on this subject.

Leisure and Cultural Services Department
15 March 2021

**Public Health and Municipal Services Ordinance
(Public Pleasure Grounds) (Amendment of Fourth
Schedule) Order 2021**

(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

Quarry Bay Park Community Garden
Victoria Road/Consort Rise Sitting-out Area

Part 2

Kowloon

Choi Wing Road Sports Centre
Kai Tak East Park

Part 3

The New Territories

Wo Mei Playground

Schedule 2

[s. 2]

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

Hong Kong Island

Battery Path 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”—
 - (a) **Repeal**
“Dragon Road Sitting-out Area”;
 - (b) **Add in alphabetical order**
“Dragon Road Garden”.
 - (2) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading “Hong Kong Island”—
Repeal
“Battery Path Sitting-out Area”.
 - (3) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading “Hong Kong Island”—
Add in alphabetical order
“Quarry Bay Park Community Garden
Victoria Road/Consort Rise Sitting-out Area”.
 - (4) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading “Kowloon”—
Add in alphabetical order

“Choi Wing Road Sports Centre
Kai Tak East Park”.

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

Add in alphabetical order

“Wo Mei Playground”.


(Vincent LIU)
Director of Leisure and Cultural
Services

11 March 2021

Explanatory Note

This Order sets aside 5 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 5 places mentioned in paragraph 1;
 - (b) remove the 1 place mentioned in that paragraph; and
 - (c) reflect that “Dragon Road Sitting-out Area” has been renamed as “Dragon Road Garden”.