

Civic Centres Regulation

(Cap. 132, section 105O)

[1 February 1980]

(Format changes—E.R. 4 of 2019)

Editorial Note:

The title of this Regulation was amended from “Civic Centres (Regional Council) By-laws” to “Civic Centres Regulation” — see 78 of 1999 s. 7.

1-2. *(Repealed 78 of 1999 s. 7)*

3. Interpretation

In this Regulation, unless the context otherwise requires—

Director (署長) means the Director of Leisure and Cultural Services;

manager (經理) means a person appointed by the Director to manage or assist in the management of a civic centre;

member of the staff (職員) means a person appointed by the Director to assist a manager.

(78 of 1999 s. 7)

4. Management

Subject to the directions of the Director, a manager shall administer a civic centre.

(10 of 1986 s. 32; 78 of 1999 s. 7)

5. Entry to civic centres by public

Except with the consent of a manager, no person, other than a

member of the staff, shall enter or remain in a civic centre or any part thereof—

- (a) the exclusive use of which has been granted under section 105Q of the Ordinance to any person, except in furtherance of a purpose for which such grant is made; or
- (b) during any period when the civic centre or any part thereof is closed to the public.

6. Right of entry by manager or staff to civic centres when hired

A manager, or any member of the staff authorized by him in that behalf, may at any time enter and inspect any part of a civic centre the exclusive use of which is granted under section 105Q of the Ordinance.

7. Animals

Except with the permission of a manager, no person shall introduce any animal into a civic centre.

(L.N. 357 of 1990)

8. Smoking or use of naked light

Except with the consent of a manager, no person shall smoke or make use of any naked light in any part of a civic centre in which smoking or the use of naked lights is prohibited.

9. Consumption of food or drink

Except with the consent of a manager, no person shall take into a civic centre, or be in possession of within a civic centre, any container of food or drink, or take or consume any food or drink within a civic centre otherwise than in any part thereof set apart for such purpose.

(L.N. 259 of 1981)

9A. Conveyance not be brought into a civic centre

Except with permission of a manager, no person shall bring into a civic centre any conveyance or permit any conveyance to remain in a civic centre unless the conveyance is required for use by a person suffering from a physical disability.

(L.N. 357 of 1990)

9B. Recording and photographing

Except with permission of a manager, no person shall record or photograph in any part of a civic centre the exclusive use of which has been granted under section 105Q of the Ordinance to any person.

(L.N. 357 of 1990)

9C. Filming

Except with the permission of a manager, no person shall film in any part of a civic centre.

(L.N. 357 of 1990)

10. Erection of structures and trading

(1) No person shall, in a civic centre—

- (a) erect any post, rail, fence, pole, tent, booth, stand, building or other structure, or bring or allow to remain any materials for such a building or structure, except with the written permission of a manager and subject to such conditions as he may impose; or
- (b) sell, or offer or expose for sale, or let to hire, or offer or expose for letting to hire, any refreshment, commodity or article, unless, in pursuance of any agreement with the Director, such person is authorized to sell or let to

hire in the civic centre such refreshment, commodity or article.

- (2) Any post, rail, fence, pole, tent, booth, stand, building or other structure or any building materials for such booth, stand, building or other structure which is brought into or remains in a civic centre without the permission in writing of a manager or contrary to any conditions imposed by a manager, may be removed by a manager and, if unclaimed after a period of 7 days, may be sold and the owner thereof shall be liable for the costs of removal, storage and sale which costs may be recovered from the owner by the Director. *(L.N. 259 of 1981)*
- (3) When anything is sold by a manager under subsection (2) the proceeds of sale, after deduction therefrom of the costs of removal, storage and sale, shall be payable to the owner and if no claim therefor is made by the owner within 3 months after the date of sale, the sale proceeds, after deduction therefrom of any such costs, shall be forfeited to the Government. *(L.N. 259 of 1981)*

(10 of 1986 s. 32; 78 of 1999 s. 7)

11. Power to direct persons in certain cases to leave a civic centre

- (1) A manager, or any member of the staff authorized by him in that behalf, may refuse any person entry into a civic centre or direct any person forthwith to leave a civic centre or any part thereof— *(L.N. 357 of 1990)*
 - (a) whom he has reason to believe has committed or is about to commit any offence punishable under this Regulation; or *(10 of 1986 s. 32)*
 - (b) *(Repealed 78 of 1999 s. 7)*
 - (c) who refuses to obey any reasonable order given him in furtherance of the proper management of a civic centre.

- (2) Any person who fails to leave a civic centre when so directed by a manager or such member of the staff pursuant to subsection (1) commits an offence and may, in addition to any penalty to which he may become liable, forthwith be removed from a civic centre or any part thereof at the discretion of a manager or such member of the staff.

(78 of 1999 s. 7)

11A. Appeal to the Director

- (1) Any person aggrieved by a decision, direction or requirement made or given by a manager or member of the staff under this Regulation may appeal in writing therefrom to the Director.
- (2) After considering representations made to him on an appeal under subsection (1), the Director may confirm, vary or set aside any such decision, direction or requirement.

(L.N. 357 of 1990; 78 of 1999 s. 7)

12. Obstruction of manager, staff or other persons

No person shall wilfully obstruct a manager or any member of the staff in the lawful performance of his duty or wilfully obstruct, disturb, interrupt or annoy any other person in the lawful use of a civic centre or of any of the facilities provided therein.

13. Application for exclusive use of civic centres

An application for a grant of the exclusive use of a civic centre or any part thereof shall be submitted to a manager specifying—

- (a) the period or periods and the purpose for which such use is required; and
- (b) whether admission by the public to the civic centre or part thereof is to be with or without payment, and the particulars of the charges if admission is to be with payment.

14. Closure of civic centres

Notwithstanding the grant of the exclusive use of a civic centre or any part thereof under section 105Q of the Ordinance, the Director may direct that a civic centre or any part thereof shall be closed for all or any purposes and such direction may be given at any time and without notice.

(10 of 1986 s. 32; 78 of 1999 s. 7)

15. Offences and penalties

Any person who—

- (a) contravenes section 7, 8, 9, 9A, 9B or 9C commits an offence and is liable to a fine at level 1; *(L.N. 357 of 1990)*
- (b) contravenes section 5 or 11 commits an offence and is liable to a fine at level 2; *(L.N. 357 of 1990)*
- (c) contravenes section 10 or 12 commits an offence and is liable to a fine at level 2 and to imprisonment for 1 month. *(L.N. 357 of 1990)*

(L.N. 177 of 1996; 78 of 1999 s. 7)

16. Name in which proceedings for offences may be brought

Without prejudice to the provisions of any other enactment relating to the prosecution of criminal offences and without prejudice to the powers of the Secretary for Justice in relation to the prosecution of such offences, a prosecution for any offence under this Regulation may be brought in the name of the Director.

(10 of 1986 s. 32; L.N. 362 of 1997; 78 of 1999 s. 7)