

**L.N. 88 of 2020**

**Pleasure Grounds (Amendment) Regulation 2020**

(Made by the Secretary for Home Affairs under section 109 of the Public Health and Municipal Services Ordinance (Cap. 132))

**1. Commencement**

This Regulation comes into operation on 24 July 2020.

**2. Pleasure Grounds Regulation amended**

The Pleasure Grounds Regulation (Cap. 132 sub. leg. BC) is amended as set out in sections 3 and 4.

**3. Section 25 substituted**

Section 25—

**Repeal the section**

**Substitute**

**“25. Music activities etc.**

- (1) The Director may, by notice conspicuously displayed in a pleasure ground, specify any requirement in relation to the carrying out of any music activity there.
- (2) A person must not carry out in a pleasure ground a music activity that does not comply with a requirement specified under subsection (1) unless the person has obtained the Director’s written permission to do so.

- (3) A person must not carry out in a pleasure ground a music activity to the annoyance of any other person unless the first-mentioned person has obtained the Director's written permission to carry out the activity there.
- (4) A person must not solicit or accept, or agree to receive, in a pleasure ground any reward for any music activity or related activity carried out there unless the person has obtained the Director's written permission to do so.
- (5) For subsection (4), it does not matter—
  - (a) to whom and in what way the reward is or is to be given; and
  - (b) by whom the music activity or related activity is carried out.
- (6) In this section—

***music activity*** (音樂活動) means—

- (a) the operation or playing of, or the making of any sounds by means of, any musical or other instrument (including a gramophone, radio apparatus, amplifier or loudspeaker); or
- (b) the singing of any song;

***related activity*** (相關活動), in relation to a music activity, means any activity to prepare for, facilitate or accompany the music activity, and includes—

- (a) the setting up of any musical or other instrument used in the music activity;
- (b) the acting as a host for the music activity; or
- (c) any dancing, or any other similar act, that accompanies the music activity;

*reward* (酬賞) includes any gift, payment, service, favour, benefit or advantage.”.

**4. Section 30 amended (offences and penalties)**

(1) Section 30—

**Renumber the section as section 30(1).**

(2) Section 30(1)(a)—

**Repeal**

“25,”.

(3) After section 30(1)—

**Add**

“(2) A person who contravenes section 25(2), (3) or (4) commits an offence and is liable on conviction to a fine at level 3 and to imprisonment for 14 days.”.

Caspar TSUI Ying-wai  
Secretary for Home Affairs

15 May 2020

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## Explanatory Note

This Regulation amends the Pleasure Grounds Regulation (Cap. 132 sub. leg. BC) (*principal Regulation*) to enhance the regulation of music or singing activities (*music activities*) and other related acts carried out in pleasure grounds so as to tackle noise nuisance problems caused by such music activities.

2. In particular, section 3 replaces section 25 of the principal Regulation to prohibit the following acts done without the written permission of the Director of Leisure and Cultural Services—
  - (a) carrying out in a pleasure ground a music activity that does not comply with a requirement specified in a notice conspicuously displayed there (new section 25(2));
  - (b) carrying out in a pleasure ground a music activity to the annoyance of “any other person” (as opposed to “any other user thereof” as provided under the existing section 25 of the principal Regulation) (new section 25(3)); and
  - (c) soliciting or accepting, or agreeing to receive, in a pleasure ground any reward for any music activity or related activity carried out there (new section 25(4)).
3. Section 4 amends section 30 of the principal Regulation to increase the maximum fine for the offence of contravening section 25 of the principal Regulation from level 1 (i.e. \$2,000) to level 3 (i.e. \$10,000).