

Demerit Points System

| Items | Breaches of Regulations and Conditions | Seriousness of Breach | Demerit Points |
|--------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|----------------------------------------------|
| 1 | Number of participants below the minimum requirement. | Minor Breaches | 3 |
| 2 | Late for 15 minutes or more. | | |
| 3 | Committed minor misconduct or breaches, such as causing nuisance, sprinkling of powder on the floor, failure to clean and restore the venue, posting or hanging of posters, slogans, banners or portrait, placing of easy-mount frames, conduct of auctions, fund-raising or sales activities, eating, drinking or allowing of animals except guide dogs in the CHs/CCs without prior approval of K&TDO. | | |
| 4 | Cancelled allocated timeslots with less than 7 working days' advance notice before the date of the activity. | | |
| 5 | Failed to submit an application for approval for alteration of the nature of activity or addition/change of joint organiser(s)/co-organiser(s) 7 working days or more before the date of the activity. | | |
| 6 | Failed to produce the approval letter for use of facilities in CH/CC. | | |
| 7 | Failed to vacate the venue on time. | | |
| 8 | Number of participants exceeds the maximum capacity of respective CHs/CCs. | Serious Breaches | 5 |
| 9 | Failed to provide post-activity statement of account within one month of completion of a fee-charging activity which has been exempted from charges, or failed to provide the receipts/supporting documents upon request. | | |
| 10 | Failed to turn up. | | |
| 11 | Altered the nature of activity or addition/change of eligible joint organiser(s)/co-organiser(s) without prior approval of K&TDO. | | |
| 12 | Permanently damaged the facilities, such as PA system and hardware, where replacement is necessary. The organisation is also subject to the charges for the replacement of equipment. | Very Serious Breaches | 10 (or revoked immediately if applicable) |
| 13 | Committed serious misconduct or breaches, such as smoking, cooking, lighting of fire or fireworks. | | |
| 14 | Transferred the allocated timeslot to another organisation. | | |
| 15 | Held fee-charging activities against the original claim of non-fee charging. | | |
| 16 | Conducted auctions, fund-raising, sales activities without prior approval of K&TDO. | | |
| 17 | Added ineligible joint organiser(s)/co-organiser(s). | | |

Rules under the Demerit Points System

According to the instruction of HAD, K&TDO will follow the principles below to implement the Demerit Points System.

1. The Demerit Points System is district-based.
2. Under the Demerit Points System, an applicant organisation or hirer will get demerit points for breaching regulations and conditions. Demerit points are given for each breach and counted individually, irrespective of whether the breach takes place in the same activity. Different breaches will attract demerit points according to the degree of seriousness: 3 points for a “Minor Breach”, 5 points for a “Serious Breach” to 10 points for a “Very Serious Breach”. For an application which includes a joint organiser/co-organiser, only the applicant organisation or hirer will be served the demerit points for breaches of regulations and conditions.
3. Once an organisation or hirer has accrued a total of 10 or more demerit points within 12 months, it will be banned from booking all CHs/CCs within the same District in the next two quarters. All the points that led to the ban will be cleared. Demerit points arising from new breaches of guidelines and regulations will be counted afresh. If the organisation concerned has been allocated other sessions, it may continue to use the allocated sessions up to the quarter(s) unless otherwise directed by K&TDO.
4. In the event that an organisation commits two or more breaches in the same activity, the highest demerit points incurred in that activity will be counted first for the purpose of imposing a ban from booking of CH/CC facilities, as under paragraph 3 above. The remaining lower demerit points incurred from the other breaches committed in the same activity, which have not been counted for imposing the ban, will be carried forward.
5. An organisation which is found to have breached the regulations and conditions will be issued with a standard warning letter stipulating the nature of breach, the demerit points served and the validity period. A summary of all breaches will also be listed in the letter. The consequences of accruing 10 points or more by the organisation will also be stated in the letter.
6. The organisation concerned may submit a written representation for the District Officer’s consideration within two weeks from the issue date of the warning letter. The District Officer has the authority not to give any demerit points if he/she finds the representation justified.

Examples of Calculating Demerit Points

Assuming that advance booking is allowed, that applications for use of CH/CC facilities are processed on a quarterly basis and that timeslots are allocated by lot, an applicant who wished to use a CH/CC facility in Q4 of 2011 was allowed to submit an application before the end of Q2 of 2011. Lots were drawn at the beginning of Q3 of 2011 and successful applicants were notified in writing accordingly.

Example A

| | | | |
|------------------------------|----------|-----------|----------|
| No. of points | 3 | 5 | 3 |
| Date of breach | 1.6.2010 | 10.1.2011 | 5.6.2011 |
| Total demerit points accrued | 3 | 8 | 8 |

On 5.6.2011, only 8 points had been accrued within a period of 12 months because the 3 points incurred on 1.6.2010 had lapsed by 1.6.2011.

Example B

| | | | |
|------------------------------|----------|-----------|-----------|
| No. of points | 3 | 5 | 3 |
| Date of breach | 1.6.2010 | 10.1.2011 | 28.5.2011 |
| Total demerit points accrued | 3 | 8 | 11 |

On 28.5.2011, 11 points had been accrued within a period of 12 months. A ban from bookings in the next two quarters (that relate to bookings for use of CH/CC facilities in Q4 of 2011 and Q1 of 2012) was imposed. All the 11 points arising from the 3 breaches were cleared. Assuming that the organisation concerned had other successful bookings for use of CH/CC facilities in the remainder of Q2 and also Q3 of 2011, it may continue to use the allocated sessions up to Q3 of 2011 unless otherwise directed. Demerit points arising from new breaches of guidelines and regulations would be counted afresh after 28.5.2011.

Example C

| | | | | |
|------------------------------|----------|-----------|-----------|-----------|
| No. of points | 3 | 5 | 3 | 10 |
| Date of breach | 1.6.2010 | 10.1.2011 | 28.5.2011 | 30.6.2011 |
| Total demerit points accrued | 3 | 8 | 11 | 10 |

Following Example B above, the organisation committed a 10-point breach on 30.6.2011. Another ban from booking in the two quarters following the two quarters under the first ban was imposed. That means, the organisation would not be allowed to submit application for a total period of 12 months.

2. In the event that an organisation commits two or more breaches in the same activity, the highest demerit points incurred in that activity will be counted first. The remaining lower demerit points incurred from the other breaches committed in the same activity will be carried forward. Details are illustrated below.

Example D

| | | | | |
|------------------------------|----------|-----------|------------------------------------|----------|
| No. of points | 3 | 3 | 3 5 | 5 3 |
| Date of breach | 1.6.2010 | 10.1.2011 | 28.5.2011 | 3.4.2012 |
| Total demerit points accrued | 3 | 6 | 11+3 (3 points carried forward) | 11 |

On 28.5.2011, two separate breaches were found in the same activity. Since the highest demerit points incurred in this activity was 5, the 5-point breach was counted first while the 3-point breach would be carried forward. 11 points were then accrued when 5 points were added to the original 6 points accrued on 10.1.2011. A ban from bookings in the next two quarters (that relate to bookings for use of CH/CC facilities in Q4 of 2011 and Q1 of 2012) was imposed and the 11 points arising from 3 breaches would be cancelled after the ban was imposed. The remaining 3 points from the remaining breach incurred in the same activity on 28.5.2011 would then be carried forward. On 3.4.2012, another two breaches were found. Since the addition of the 3 points brought forward from 28.5.2011 and the 8 points incurred on 3.4.2012 resulted in an accrual of 11 points within 12 months, both new breaches were counted, thus necessitated the issue of another ban.