

Guidelines on the Use of Facilities Available in a Tsuen Wan

Community Hall/Community Centre

(With effective from July 2017)

I. Eligibility criteria for the use of the facilities

- (1) The applicant organisation should be a government department/a public organisation/a registered body/a subvented welfare agency/a subvented educational institution/a charitable organisation/an Office of the Legislative Councillor/an Office of District Councillor or a local committee recognised by the Government.
- (2) The priority of applicant organisations to use the facilities available in a Tsuen Wan Community Hall/Community Centre (“CH/CC”) is as follows:-
 - (a) Government departments;
 - (b) Tsuen Wan District Council and its committees/working groups and local committees recognised by Tsuen Wan District Office;
 - (c) Tsuen Wan local organisations; and
 - (d) non-Tsuen Wan local organisations.
- (3) Application from commercial organisations should not be accepted. Nevertheless, the District Officer has the discretion to approve application from commercial organisations provided that the activity has a clear public interest dimension and is of public concern to the local community and that the provision of the venue in a CH/CC within the District will greatly facilitate the attendance and participation of the local community.

II. Procedure for application/payment of charges

- (1) Application forms are obtainable at the Tsuen Wan District Office (“TWDO”) or the Homepage of Home Affairs Department (“HAD”):-
http://www.had.gov.hk/en/public_services/community_halls_centres/ccch.htm.
- (2) The sessions open for application in all CH/CC, including Lei Muk Shue Community Hall, Shek Wai Kok Community Hall and Princess Alexandra Community Centre are:-
 - (a) 9:00 a.m. to 1:00 p.m.;
 - (b) 2:00 p.m. to 6:00 p.m.; and
 - (c) 7:00 p.m. to 10:00 p.m.

The above sessions are available throughout the year except during the Chinese New Year Holidays. Besides, the following sessions will be closed for regular cleaning work:-

<u>CH/CC</u>	<u>Venue</u>	<u>Session for cleaning work</u>
Lei Muk Shue CH	Hall cum Stage Meeting Room, Conference	2:00 p.m. to 6:00 p.m. on Tuesdays

	Room and Activity Room	
Shek Wai Kok CH	Hall	2:00 p.m. to 6:00 p.m. on Wednesdays
Princess Alexandra CC	Conference Room	9:00 a.m. to 1:00 p.m. on Thursdays
Princess Alexandra CC	Hall and Basket Ball Court	2:00 p.m. to 6:00 p.m. on Thursdays

- (3) No reservation by phone for use of the CH/CC or other facilities is accepted.
- (4) The applicant organisation should submit, during the designated application period in the previous quarter in advance of the function (please refer to clause II(5) for details), a completed application form (in duplicate) setting out the joint organiser/co-organiser, if any, with a detailed programme of the function by post (the stamped date will be taken as the date of application), by facsimile (no.: 3425 4190) or in person to TWDO, specifying the purpose of the function. The applicant organisation should submit its application for waiver for hire charges at the same time if the applicant organisation or joint organiser/co-organiser (if any) can satisfy with the conditions set out in Part III. For use of other equipment and facilities, the applicant organisation should also submit an application for it when the application for the use of facilities in CH/CC is made. A list of equipment and facilities available in all CH/CC is set out at **Annex V**.
- (5) Deadlines for the first-round application and approval principles are as follows:-
- (a) Continuous use
- (i) Continuous use is applicable to any session of all Halls (with/without Stage Meeting Room) from Sundays to Thursdays and any session of Conference Room, Activity Room and Basketball Court.
- (ii) For any application for use of the facilities at any session for four consecutive weeks or above, it is deemed to be an application for continuous use of facilities. Applicant organisations should submit their first-round application in the following designated application periods as follows:-

<u>Period of use of facilities</u>	<u>Designated application period</u>
April to June	The 1 st to the 5 th working day of January
July to September	The 1 st to the 5 th working day of April
October to December	The 1 st to the 5 th working day of July
January to March of the next year	The 1 st to the 5 th working day of October

- (iii) Each application should be for continuous use of any one session as stipulated in clause II(2). Each application for continuous use of facility should not exceed three months. The applicant organisation should submit a fresh application for

continuous use of the facilities.

(iv) The applicant organisation should at maximum apply for continuous use of any facilities, including Hall (with/without Stage Meeting Room), Conference Room, Activity Room, and Basketball Court, in a CH/CC at each of the three sessions in each week as stipulated in clause II(2).

(b) One-off use

(i) One-off use is applicable to the sessions of all halls (with/without Stage Meeting Room) on Fridays and Saturdays.

(ii) For any application for use of the facilities at any session for no more than three times, it is deemed to be an application for one-off use of facilities. Applicant organisations should submit their first-round application in the following designated application periods:

<u>Period of use of facilities</u>	<u>Designated application period</u>
April to June	The 1 st to the 5 th working day of December of the previous year
July to September	The 1 st to the 5 th working day of March
October to December	The 1 st to the 5 th working day of June
January to March of the next year	The 1 st to the 5 th working day of September

(iii) On a single day of use of facilities, there is no limitation on the number of sessions to be applied for.

(iv) The applicant organisation should at maximum submit one application for each CH/CC in each month.

(6) If more than one application for use of the CH/CC at the same session is received in the first-round application, the use of the venue will be decided by drawing lots regardless it is an application for continuous or one-off use. Lots will be drawn, if necessary, on the 22nd day of each month at TWDO during office hours. If the 22nd day of the month is a Saturday, Sunday or a public holiday, lots will be drawn on the following working day. The applicant organisations will be informed to attend the lot-drawing.

(7) The unallocated sessions after the first-round application will be open for application in the second-round application on a first-come-first-served basis. Nevertheless, the applicant organisation should submit its application at least 10 working days prior to the date of use of the facilities.

(8) For the use of Hall, the minimum number of participants should not be less than 10. For the use of Basketball Court, the minimum number of participants should not be less than 5. For the use of Conference Room and Activity Room, the minimum number of

participants should not be less than 3. Applicant organisations may apply for the use of Stage Meeting Room therein when making application for the use of the Hall of Lei Muk Shue Community Hall.

- (9) The applicant organisation should declare whether the activity to be held is fee-charging in the application form. If yes, the applicant organisation is required to provide a projected financial statement of a fee-charging activity, including the fees for each participant and other payment details when an application for use of a CH/CC facility and for exemption of charges is submitted. If exemption of charges is granted for a fee-charging activity, the applicant organisation must submit a self-certified statement of account (**Annex II**) to TWDO within one month after conclusion of the activity to prove that no profit has been made from the activity. If the applicant organisation is found not eligible for exemption of charges after such an exemption is granted, it will be required to pay back the exempted charges. The rates of charges for use of facilities in CH/CC and air-conditioning facilities in Halls are set out at **Annex I**. Attaching receipts/supporting documents to the self-certified statement of account is not required when the self-certified statement is first submitted by the applicant organisation. However, as TWDO will conduct random checks on statements of account of fee-charging activities which have been exempted from charges, the applicant organisations must keep the receipts and supporting documents for the activity for two years. Such receipts and supporting documents should be produced for the random check for the selected self-certified statement of account in respect of the activity. If the applicant organisation fails to provide the receipts/supporting documents to TWDO for inspection upon request, it will be required to pay back the exempted charges. The statement of account, all the relevant receipts or supporting documents should be duly stamped with the organisation chop and certified correct. For any suspected fraud, the documents will be forwarded to the relevant Government departments for follow-up actions.
- (10) Applicant organisations failing to submit their self-certified statements of account by deadline, i.e. one month after conclusion of the activity, will be handled in accordance with clause IV(14) below and **Annex III**.
- (11) The applicant organisations will be informed in writing of the result of their application as soon as possible. Any addition or changes of the co-organiser(s) provided in the application form is not permitted without approval.

- (12) On approval of the application, a Demand Note for the settlement of charges will be sent to the applicant organisation if payment is required. The applicant organisation should settle the Demand Note one week before the date of use of facilities in CH/CC for the activity with any of the payment methods stated therein.
- (13) The receipted Demand Note will be served as a permit for use of the facilities in CH/CC and should be presented to the officer-in-charge of the CH/CC before the scheduled function is held. No cash should be handed to any staff of the CH/CC.
- (14) The applicant organisation shall be refused to use the facilities in CH/CC if the receipted Demand Note is not produced at the venue.
- (15) Notification of cancellation of the proposed function given 14 working days in advance may be accepted. Necessary action will be taken to refund any sum of the payment which has been already made on production of the receipted Demand Note.
- (16) If the venue has to be reserved for departmental use under emergency relief arrangements, for example, cold/heat shelters or functions being held by the Government, such as elections and emergency meetings, the applicant organisations concerned will be informed as soon as possible. The sum of the payment made will be refunded on production of the receipted Demand Note.
- (17) If an applicant organisation fails to turn up without making notification required under clause II(15) above, the sum of the payment will be forfeited. Repeated cancellation may jeopardise future application.
- (18) The applicant organisation should inform and explain the amendments of the contents of its application, if any, to TWDO in writing. TWDO reserves the right to decide whether the amendments are accepted, and to withdraw the approval for the applicant organisation on the use of the facilities of the CH/CC.
- (19) If the applicant organisation contravenes the regulations and conditions of the application for use of the CH/CC, TWDO has the right to withdraw the approval for the applicant

organisation on the use of the facilities of the CH/CC and to take account of the facts when considering the future application made by the same applicant organisation.

(20) The operation of the CH/CC will be suspended when the No. 8 or higher tropical cyclone warning signal is issued. The applicant organisation can continue to stay at the CH/CC when the black rainstorm warning is issued, except when the Hall has to be reserved for emergency relief purpose (users may stay in other places of the CH/CC). If the No. 8 or higher tropical cyclone warning signal or black rainstorm warning is issued at least one hour before the hired session, the operation of the CH/CC will be suspended. After the aforesaid warning signals is cancelled, the use of facilities in CH/CC will be resumed within 2 hours.

III. Organisation eligible for exemption of charges

- (1) The facilities may be made available to HAD and other Government departments free of charge.
- (2) Non-government applicant organisations and hirers belonging to one of the following categories of organisations may be completely exempted from payment of charges for using the facilities on condition that the activities they organise must be non-profit making. For organisations under categories (d) and (e), relevant supporting documents must be provided in submission of application forms for approval:-
 - (a) subvented welfare agencies;
 - (b) subvented educational institutions, subvented schools and non-profit making schools;
 - (c) Offices of Legislative Councillors and District Councillors;
 - (d) charitable organisations or charitable trusts which are exempted from tax under section 88 of the Inland Revenue Ordinance (Cap.112), namely, Yan Chai Hospital, Yuen Yuen Institute, etc.;
 - (e) non-profit making organisations which are registered under the Societies Ordinance (Cap. 151) or incorporated under the Companies Ordinance (Cap. 32), and the Constitutions or Memoranda of Association of which should provide that members of the organisations

would not take any share of the profits or any share of the assets upon dissolution; or

(f) local committees/organisations recognised by the Government, such as District Youth Programme Committees, District Fight Crime Committees, Mutual Aid Committees, Rural Committees, Kaifong Welfare Associations, Owners' Corporations and Owners' Committee, etc.

(3) Candidates standing for election to the Legislative Council and the District Councils may be given total exemption if they apply for permission to use the facilities for electoral meetings during the period between close of nomination(s) and election day.

IV. Regulations and conditions to be followed by applicant organisations

(1) To ensure fire safety, the following regulations and conditions should be followed by applicant organisations:-

(a) For both indoor and outdoor activities

- (i) The venues are used for the designated entertainment activities/functions.
- (ii) No change is made to the structural design or layout of the venues that will increase the designated capacity or render escape in the event of emergency difficult.
- (iii) No decoration of readily combustible materials is used.
- (iv) Chairs, if provided for audience, should be battened together in groups of not less than four and not more than fourteen each row.
- (v) The power supply cable should be so located that it will not constitute a hazard to the audience/attendees.
- (vi) No scenery or decorations of readily combustible nature should be erected on the stage.
- (vii) No hydrogen-filled balloon of readily combustible nature should be erected on site.
- (viii) All exit doors shall remain unlocked.
- (ix) All staircases, exits and corridors shall be kept free from obstruction and be adequately illuminated.

(b) For outdoor activities

- (i) The stage, if any, should be substantially constructed to such a safety standard as required by the Buildings Department/Architectural Services Department and sited at least 6 metres away from other buildings.
 - (ii) Only electric lighting should be used for illumination purpose.
 - (iii) Mill barriers should be set up to bar off audience/attendees from performing area, P.A. and lighting control booth.
 - (iv) One 9-litre water/CO₂ fire extinguisher should be provided at the following locations:
 - ✧ at the command post; and
 - ✧ at the main entrance.
- (2) The applicant organisation should not let the venue to other organisations for use, and the gathering or activities must be held in accordance with the objectives stated in the application and/or the programme previously submitted upon the application.
- (3) The applicant organisation should arrive at the CH/CC within the first 15 minutes of the hired session of using the venue and/or equipment.
- (4) No posters, slogans, banners, flags or portraits are to be posted or hung when using the venue unless prior approval from the TWDO has been obtained. Chanting of slogans and activities that disturbs public order is prohibited. The activity and noise generated therein should not affect other activities held in the CH/CC at the same time. No eating in the venue or animals except guide dogs in the CH/CC is allowed.
- (5) No inflammable objects/dangerous goods are allowed in the venue. To avoid danger, smoking, cooking, lighting of fire or using fireworks, burning of joss paper or joss sticks and sprinkling powder on the floor are prohibited in the venue.

- (6) The applicant organisation should assume responsibilities for physical arrangements such as sound equipment and seating, and shall not erect any structure, including a dais and altar, etc, put any nails or other materials that are difficult to remove such as lacquer, paints or other similar materials on the walls, furniture and other equipment. The applicant organisation shall be liable to compensate for any damage to any equipment, furniture or fabric of the venue.
- (7) Conducting fund-raising, sales or auction activity within the venue is prohibited. If the public has to buy tickets for the activity, admission tickets should not be sold within the venue or at any nearby locations.
- (8) The applicant organisation should maintain good order and discipline during the activity, and restore the facilities to their original conditions and clean up the place after use.
- (9) The lighting equipment on the stage is generally not for loan. Besides, the applicant organisation may provide its own sound equipment for use. If the lighting equipment on the stage or its own sound equipment are required for the staging of drama or any other kinds of performances, application for its use must be submitted when the application for the use of the venue is made. Upon approval, the applicant organisation should employ a qualified technician or operator to operate the lighting equipment on the stage or its own sound equipment and notify the officer-in-charge of the CH/CC. The applicant organisation should assume full responsibility for any damage caused.
- (10) No additional electric appliances and lighting equipment are to be installed in any part of the venue unless prior permission from TWDO has been obtained.
- (11) The applicant organisation should ensure that the number of participants does not exceed the anticipated number of participants as stated in the application form or the maximum capacity of the venue. Otherwise, staff members of TWDO have the right to step in to control the number of participants or terminate the right of the applicant organisation on the use of the venue and to request the applicant organisation to have the venue cleared at once for the sake of public safety.

(12) Staff members of TWDO have the right to enter, at any time, any part of the venue used by the applicant organisation and impose additional conditions for its continued use in the light of prevailing circumstances. If the applicant organisation fails to observe these conditions, staff members of TWDO may terminate the right of the applicant organisation on the use of the venue at any time and have the venue cleared.

(13) The Government has the right not to grant the use of a CH/CC (including the facilities thereof) to any applicant organisation.

(14) The applicant organisation should strictly abide by these guidelines, regulations and conditions, failing which demerit points will be given. Demerit points are given for each breach and counted individually, irrespective of whether the breach happened in the same activity. Each breach will attract demerit points ranging from 3 points for “Minor Breaches”, 5 points for “Serious Breaches” to 10 points for “Very Serious Breaches”, depending on the seriousness of the breach. Applicant organisations with a total of 10 or more demerit points accrued within 12 months will be banned from reserving all facilities of CHs/CCs and using facilities of CHs/CCs as joint organiser/co-organiser in the district in the next two quarters; or the use of the facilities in CH/CC by the applicant organisation may be revoked immediately where circumstances warrant. Details of the Demerit Points System are set out at **Annex III**. Examples of calculating demerit points are set out at **Annex IV**.

(15) HAD has entered into licence agreements with Composers and Authors Society of Hong Kong Limited (“CASH”), Phonographic Performance (South East Asia) Limited and Hong Kong Recording Industry Alliance Limited for the performance of copyright literary and musical works, playing and showing of sound recordings, music videos and karaoke videos controlled or administered by the three licensing bodies at CHs/CCs. The applicant organisation does not need to apply for an individual licence from these three copyright licensing bodies if the copyright works to be performed, played and/or shown by it at CH/CC are controlled or administered by these licensing bodies and its performance,

playing and/or showing is not excluded by the relevant licence agreements. The exclusions in the relevant licence agreements are set out at **Annex VI**. The applicant organisation shall not hinder, obstruct or prevent these licensing bodies from entering any part of the CH/CC used by the applicant organisation for the purpose of the licensing body exercising its right of entry (if any) under the relevant licensing agreement.

(16)(a) Subject to clause IV(15), the applicant organisation shall not use (whether by performing, showing or playing or otherwise) any copyright works (including but not limited to lyrics, music, drama, recorded music, music videos, karaoke videos and film) in a CH/CC or any part thereof, unless the applicant organisation has obtained and maintained at its own cost and expense all necessary approvals, permits or licences which may be required or necessary from the relevant copyright owners.

(b) The applicant organisation shall not, and shall ensure that its authorised users shall not, engage in any performance or do any act which infringes the intellectual property rights or any other rights of any person in the course of using the CH/CC.

(17) For the purpose of Part IV, “intellectual property rights” refer to patents, trade marks, service marks, trade names, design rights, copyright, domain names, database rights, rights in know-how, new inventions, designs or processes and other intellectual property rights whether now known or created in future (of whatever nature and wherever arising), and in each case whether registered or unregistered and including application for the grant of any such rights.

(18) If the applicant organisation performs, plays and/or shows copyright musical works, the applicant shall complete CASH’s “Programme Return Form” at **Annex VII** and return the duly completed Form to CASH within 30 days from the date of last performance.

(19) The applicant organisation, and its members, partners, employees, contractors, agents and licensees (each a “related person” and together “related persons” of the applicant

organisation) whether as invitees or otherwise, whilst using or present at the CH/CC are there entirely at their own risk. Neither the Government nor any of its employees, agents or contractors shall be under any liability whatsoever for or in respect of:-

- (a) any loss of or damage to any of the applicant organisation's property or that of any of its related persons howsoever caused (whether by any act, omission, default or negligence of the Government and any of its employees, agents or otherwise); or
- (b) any injury to or death of the applicant organisation or any of its related persons (save and except any such injury or death caused by the negligence of the Government or any of its employees or agents);

which in any case arises directly or indirectly in connection with, out of or in relation to the use of the CH/CC by the applicant organisation or any of its related persons.

(20) The applicant organisation shall indemnify and keep the Government fully and effectively indemnified against:-

- (a) any and all claims (whether or not successful, compromised, settled, withdrawn or discontinued, in whole or in part), actions, investigations, demands, proceedings or judgments, joint or several, threatened, brought or established against the Government (the "Claims"); and
- (b) any and all liabilities, losses, damages, costs, charges or expenses (including all legal fees and other awards, costs, payments, charges and expenses) which the Government may pay or incur as a result of or in relation to any Claims;

which in any case arise directly or indirectly in connection with, out of or in relation to the use of the CH/CC by the applicant organisation or any of its related persons including any loss, damage, injury or death referred to in clause IV(19) above (save and except injury or death caused by the negligence of the Government or any of its employees or agents), and any infringement of intellectual property rights or any other rights of any person.

- (21) The applicant organisation shall indemnify and keep the Government fully and effectively indemnified against any loss of or damage to any property of the Government or of any of its employees, agents or contractors or any injury to or death of any employee, agent or contractor of the Government arising out of the negligence of the applicant organisation or any of its related persons.
- (22) For the purposes of clauses IV(19), IV(20) and IV(21), “negligence” shall have the same meaning as that assigned to it in Section 2(1) of the Control of Exemption Clauses Ordinance (Chapter 71).
- (23) Without prejudice to the generality of the foregoing, TWDO has the authority to interpret and make exceptions to the regulations and conditions contained herein. TWDO may cancel the applicant organisation’s booking or terminate the applicant organisation’s right of use of the CH/CC if the applicant organisation fails to observe or perform any of the regulations and conditions contained herein.
- (24) Expiry of the approved period of use of the CH/CC shall be without prejudice to any of the regulations or conditions contained herein that are capable of being observed or performed notwithstanding such expiry (including but not limited to clauses IV(21) and IV(22)) which shall survive the same and shall continue to be binding on the applicant organisation and shall remain in full force and effect.

Note: TWDO reserves the right to amend the contents of these guidelines.

Tsuen Wan District Office

February 2017

租用荃灣區社區會堂/社區中心設施收費表

(生效日期: 1.4.2012)

Rates of Charges for Use of Facilities in Community Halls / Community Centres in Tsuen Wan (with effect from : 1.4.2012)

設施 Facility	收費(每小時) Rate (per hour)	備註 Remarks
多用途禮堂-基本收費 Multi-purpose Hall - basic charge	\$90	提供椅子。如有需要，申請人須自備擴音系統、自行聘請技術員操縱燈光控制板，並須自行安排座位。 Chairs provided. Applicant to provide public address system and his own Technician to operate the lighting panel if necessary, and to arrange for seating.
多用途禮堂-空調收費 Multi-purpose Hall - air-conditioning charge	詳見多用途禮堂空調設備收費表 Please refer to the table on rates of air-conditioning charges of multi-purpose halls	
多用途禮堂-使用燈光控制板收費 Multi-purpose Hall – using the lighting panel	\$18	
化妝室(男或女)-基本收費 Dressing Room (Male or Female) - basic charge	\$6.5	
化妝室(男或女)-空調收費 Dressing Room (Male or Female) - air-conditioning charge	\$7	
會議室-基本收費 Conference Room - basic charge	\$44	提供椅子及白板 Chairs and whiteboard provided.
會議室-空調收費 Conference Room - air-conditioning charge	\$10	
籃球場-日間 Basketball Court - day time	\$46	
籃球場-晚間 Basketball Court - evening	\$63	晚間提供照明 Lighting provided in the evening.
羽毛球場-基本收費 Badminton Court - basic charge	\$68	
羽毛球場-空調收費 Badminton Court - air-conditioning charge	與多用途禮堂空調設備收費相同 Same as air-conditioning charges of multi-purpose halls	
活動室-基本收費 Activity Room - basic charge	\$48	
活動室-空調收費 Activity Room - air-conditioning charge	\$11	

使用多用途禮堂空氣調節設備的收費

Rates of Charges for Use of Air-Conditioning Facilities for Multi-purpose Halls

社區會堂/中心名稱 Name of Community Hall/Centre	使用禮堂空氣調節設備的收費(每小時) Rate of charge for use of air-conditioning facilities for hall (\$ / per hour)
雅麗珊社區中心 Princess Alexandra CC	\$116
梨木樹社區會堂 Lei Muk Shue CH	\$140
石圍角社區會堂 Shek Wai Kok CH	\$140

To: Tsuen Wan District Office

Exemption of Charges for Use of Facilities in Community Hall/Community Centre
Statement of Account

Section A : Basic Information

Name of Community Hall/Community Centre: _____

Facility Rented: _____ Name of Activity: _____

Applicant Organisation: _____

Date of Activity: _____ Period of Activity: _____

Number of participant: _____

Section B : Balance (up to _____)

(A)	Total Income (Details at Section C)	\$
(B)	Total Expenditure (Details at Section D)	\$
(C)	Balance [(B)-(A)]	\$

Section C : Details of Income

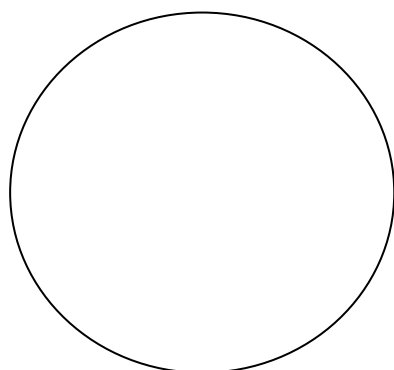
Items	Number/Quantity	Unit Rate (\$)	Total Amount (\$)
<i>e.g. 1 : Participants' fee</i>			
<i>e.g. 2 : Sponsorship by Company X</i>			
1.			
2.			
3.			
4.			
5.			
Total :			

Section D : Details of Expenditure

Items	Expenditure (\$)
1.	
2.	
3.	
4.	
5.	
Total :	

Section E : Declaration by Authorized Person of Applicant Organisation

1. I hereby declare that all the information given in the above sections are true and accurate. All incomes (including sponsorship and donation) have been fully listed in Section C.
2. Applicant organisation and joint organiser(s)/co-organiser(s)(if any)
 have not made any profit from the activity.
 have made profit from the activity and agree to pay the hiring charges to the Government.



Official Chop of
Applicant Organisation

Signature : _____
Name : _____
Post : _____
Name of Organisation : _____
Date : _____

Remarks:

1. This statement of account is only applicable to fee-charging activity which has been exempted from charges for use of facilities in community hall/community centre.
2. If a fee-charging activity has been exempted from charges, the applicant organisation must submit a self-certified statement of account within one month after conclusion of the activity.
3. The applicant organisation need not attach any receipts/supporting documents to the self-certified statement of account when it is first submitted. However, as the District Office will conduct random checks on statements of account of fee-charging activities which have been exempted from charges, the applicant organization must retain the receipts and supporting documents for the activity for two years. Production of such receipts and supporting documents for examination is required if the self-certified statement of account in respect of the activity is selected for random check.
4. The personal data provided in this form will be used for processing of applications for use of facilities in community halls/community centres. They may be disclosed to relevant parties for the same purpose. For correction of or access to personal data thus provided, please write to the Access to Information Officer, Tsuen Wan District Office, 1/F, Multi-storey Carpark Building, 174-208 Castle Peak Road, Tsuen Wan.

Demerit Points System of Community Halls and Community Centre in Tsuen Wan**(A) Structure**

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	Minor misconduct or breaches on the use of facilities, such as causing nuisance, sprinkling of powder on the floor, failed to clean and restore the venue, hanging banner, putting up poster or slogans, eating at the venue without prior approval of DO.		
4	Cancellation of allocated timeslot with less than 14 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) 14 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 CH/CC.	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 DO.		
12	Permanent damage of the facilities, such as PA system, hardware that needs replacement. The organisation is also subject to the charges for the replacement of equipment.	Very Serious Breaches	10 (or revoked immediately if applicable)
13	Serious misconduct or breaches, such as smoking, cooking, lighting of fire, or using fireworks.		
14	Transfer of the allocated timeslot to another organisation.		
15	Holding of fee-charging activities against the original claim of non-fee charging		
16	Conducting fund-raising, sales or auction activity within the venue without the permission from DO.		
17	Addition of ineligible joint organiser(s)/co-organiser(s).		

(B) Rules under 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. Each breach will attract demerit points ranging from 3 points for a “Minor Breach”, 5 points for a “Serious Breach” to 10 points for a “Very Serious Breach”, having regard to the seriousness of the breach. For an application which includes a co-organizer, 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 in the present quarter and/or the next quarter, it may continue to use the allocated sessions up to the quarter(s) concerned unless otherwise directed.
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 through a ballot system, 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 organization 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 will 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 organization 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 organization will not be allowed to submit application for a total period of 12 months.

2. In the event that an organization 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.

List of Furniture and Equipment in Community Hall/Community Centre in Tsuen Wan

Furniture/Equipment	Princess Alexandra CC		Shek Wai Kok CH	Lei Muk Shue CH		
	Hall	Conference Room	Hall	Hall (cum Stage Meeting Room)	Conference Room	Activity Room
Folding table	10 nos	2 nos	12 nos	10 nos	6 nos	4 nos
Stakable chair	350 nos	30 nos	400 nos	400 nos	25 nos	46 nos
Exhibition board	16 nos	12 nos	25 nos	16 nos	12 nos	12 nos
Stage banner hanging bar	1 no	/	2 nos	1 no	/	/
Public address system	✓	✓	✓	✓	/	✓
Wireless control panel	/	/	/	1 no (for large-scale activity only)	/	/
Lighting panel	/	/	/	1 no (for large-scale activity only)	/	/
Wired microphone	1 no	1 no	2 nos	4 nos	/	2 nos
Wireless microphone	2 nos	/	2 nos	4 nos	/	/
Collar clip microphone	/	/	/	2 no.	/	/
Mic stand (table)	3 nos	/	/	/	/	/
Mic stand (floor)	2 nos	/	2 nos	4 nos	/	2 nos
Stage lighting	✓	/	✓	✓	/	/
Stage Front Curtain	✓	/	✓	✓	/	/
Hall Video Monitor	/	/	/	2 nos (at Dressing Room)	/	/
Piano	1 set	/	1 set	1 set	/	/
Badminton poles and net	/	/	1 set	1 set	/	/
Table tennis table	/	/	2 sets	3 sets	/	/
White board	/	1 no (fixed)	1 no (portable)	/	1 no (portable)	1 no (fixed)
Full-height mirror	/	✓	/	/	/	✓
Projector and screen	1 set (portable)	/	1 set (portable)	1 set (fixed)	/	1 set (fixed)
Television	/	/	/	1 no (portable)	1 no (portable)	1 no (portable)
Bluray player	/	/	/	1 no (portable)	1 no (portable)	1 no (portable)
Venue maximum capacity	350 pax	30 pax	250 pax	400 pax	25 pax	30 pax

The Home Affairs Department has entered into licence agreements with Composers and Authors Society of Hong Kong Limited [CASH], Phonographic Performance (South East Asia) Limited [PPSEAL] and Hong Kong Recording Industry Alliance Limited [HKRIA] for the performance of copyright literary and musical works, playing and showing of sound recordings, music videos and karaoke videos at CHs/CCs. The applicant does not need to apply for an individual licence from these three copyright licensing bodies if the copyright works to be performed, played and/or shown by it at CHs/CCs are controlled or administered by these licensing bodies and its performance, playing and/or showing is not excluded by the relevant licence agreements as extracted below.

Exclusions / Reservation of Rights

CASH – Exclusions

The licence hereby granted shall not extend to nor authorize the following –

- (a) any Visual Music Performances by means of Video Wall;
 - (b) any public performance or causing any public performance of the Society's Repertoire to be visible beyond the precincts of the Premises;
 - (c) any reproduction of the Society's Repertoire; and
 - (d) any copyright in respect of any sound recordings.
-

PPSEAL – Exclusions

- (a) This Licence does not authorize the Licensee(s) to do any act which could be an infringement of any copyright subsisting in the works reproduced upon the sound recordings, music videos and/or karaoke videos.
 - (b) This Licence does not extend to nor may it be deemed to authorize the reproduction, remixing, rerecording or editing of the sound recordings, music videos and/or karaoke videos.
 - (c) This Licence does not permit the Licensee(s) to use any unauthorized copies of the sound recordings, music videos and/or karaoke videos.
 - (d) This Licence expressly does not cover those works which do not fall within the repertoire of PPSEAL.
-

HKRIA – Reservation of Rights

- (a) All rights in the Works that are owned or controlled by HKRIA and/or its members and not expressly licenced to the Licensee under the Licence are hereby expressly reserved.
- (b) Nothing contained in the Terms and Conditions shall be construed as authorizing the Licensee to :-
 - (i) include any Work in any broadcast, or copy, reproduce, remix, re-record, edit or otherwise deal with any Work, or do any other act which may infringe the copyright subsisting in any Work for any purpose whatsoever; or
 - (ii) use any unauthorized copies of the Works to publicly perform any Works.
- (c) The Licensee expressly undertakes and warrants not to commit the acts specified in paragraph (b) above.
- (d) HKRIA and its members expressly reserve their rights and remedies against Licensee in respect of any unauthorized activity or infringement of intellectual property rights.



PROGRAMME RETURN FORM
節目報表
(For Short-term Events)
(短期節目適用)

Programme Name : _____
節目名稱 : _____
Performing Venue : _____
演出場地 : _____
Performing Date(s) : _____
演出日期 : _____
Programme Time : _____
節目時間 : _____
Name of Event Organiser : _____
節目主辦機構名稱 : _____
Contact Person : _____
聯絡人姓名 : _____
Position : _____
聯絡人職位 : _____
Contact No. : _____
聯絡電話 : _____ (office) _____ (mobile)

Instructions 指示

Please list out in the following table the musical works live performed or played as background music at the above event. 請於以下列表中列出在上述節目內現場演唱過或作為背景音樂播放過的音樂作品。
Please return this form by fax at 2537-0569 or mail to Composers and Authors Society of Hong Kong, 18/F Universal Trade Centre, 3 Arbuthnot Road, Central, Hong Kong within 30 days from the date of last performance. 請於最後的表演日起 30 天內傳真此表格至 2537-0569 或寄回香港作曲家及作詞家協會，中環亞畢諾道 3 號環貿中心 18 樓。

Title of Performed Work 演出作品名稱	Composer/Author 作曲人/作詞人	Original Performer 原唱者	Performance Duration 演出時間
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			

(Continued from overleaf 接上頁)

Title of Performed Work 演出作品名稱	Composer/Author 作曲人/作詞人	Original Performer 原唱者	Performance Duration 演出時間
9.			
10.			
11.			
12.			
13.			
14.			
15.			
16.			
17.			
18.			
19.			
20.			

PLEASE SELECT 請選擇：

- A copy of the programme booklet is enclosed with this form.
隨件附上節目場刊副本。
- A copy of the programme booklet will be mailed to your Society separately.
節目場刊副本將分別郵寄予貴會。
- No programme booklet.
本節目並沒有印製場刊。

For and on behalf of the event organiser

Signature & Company Chop
簽署及蓋章

Date
日期