

## **Application for Holding Charitable/ Welfare/ Service or Fund-raising Activities in Estates/ Courts by Organisations**

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### **Part I Eligibility Criteria**

- (1) Organisations applying to hold charitable/ welfare/ service or fund-raising activities must obtain the licences/ permits granted by the relevant authorities/ government departments in advance.
- (2) The activities must be non-commercial and involve no advertising.
- (3) For rice distribution event (e.g. Yu Lan Festival) to be held in the venue, the organisation shall-
  - (a) not distribute rice packets weighing over 1 kg (and each person in the queue shall receive one packet only);
  - (b) not give away cash (e.g. in the form of 'lai see') or other gifts; and
  - (c) provide adequate third party insurance (the insured amount ranging from \$10m to \$30m depending on the scale of the activity).

### **Part II Notes of Application**

- (1) Organisations must submit to the Estate Management Office concerned at least 7 working days in advance of the activity the duly completed Application Form, together with all the required information and supporting documents (e.g. Certificate of Incorporation issued by the Companies Registry/ written notice from the Inland Revenue Department confirming the charitable status of the organisation/ Certificate of Registration of a Society issued by the Police, or other documentary papers, publications/ photographs showing the organisation's past experience in holding charitable/ welfare/ service related activities, other relevant licence/ permit, and insurance policy, etc.). Failure to provide sufficient information will deter the Hong Kong Housing Authority (HA) from processing this application.
- (2) Organisations should obtain the required licences/ permits from relevant authorities/ government departments. If the activity involves licence application and requiring erection of temporary structure, the application for the required licences/ permits, together with the required supporting documents (e.g. structural justification of extensive temporary structures), should be made/ submitted early to relevant authorities/ government departments according to their regulations and guidelines, so as to avoid any delay or rejection of the license application.
- (3) At any given period of time, each organisation can use no more than one designated location for holding the purported activities. If two or more organisations apply for holding activities at the same time in the same venue, applications will be entertained on a first-come-first-served basis according to the date of application. If the applications are received on the same day, the organisations concerned will be invited to witness a ballot which will be arranged to determine the priority. Should the representative(s) of the organisations is/ are not able to be present and witness the ballot, the estate management office will arrange a separate officer in the estate office who is not in charge of venue booking to be the witness.
- (4) After the application has been approved, the organisation shall
  - (a) not sublet the venue or assign the right to use it;
  - (b) inform the Estate Management Office to cancel the application by a written notice at least 3 days before the date of activity if the organisations decide not to use the venue for whatever reasons upon obtaining approval; and
  - (c) where necessary, make an application to Estate Management Office for the display of promotional materials at the venue 3 working days before the activity held and meet all the requirements contained in the approval letter.
- (5) During the course of the activities, the organisation
  - (a) shall not collect cash or cheque at the venue of holding charitable/ welfare/ service activities;

- (b) shall not cause nuisance or annoyance to the public or residents. Under normal circumstances, the use of loudhailer is not allowed for charitable/ welfare/ service/ fund-raising activities; as regards the use of loudhailer in charitable/ welfare/ service activities (e.g. cultural and entertainment programmes), Estate Management Office shall vet the applications on the merit of individual case. The organisation shall be required to comply with relevant rules, regulations and ordinances issued by any competent authorities from time to time including but not limited to those under Section 13 of the Noise Control Ordinance (Cap. 400), and the required permits/ licences must be obtained;
  - (c) shall not obstruct pedestrians, vehicular traffic or the Emergency Vehicular Access;
  - (d) shall comply with and perform all statutory provisions, regulations, rules and bylaws, and follow the instructions and orders issued by the relevant government departments and other authorities. For example, if the activity involves public broadcast of music, sound recordings, music videos, etc., prior licence from the copyright owner is required according to the Copyright Law of Hong Kong;
  - (e) shall provide sufficient measures on crowd control and take all necessary precautionary measures against accidents throughout the activities;
  - (f) shall hold the activities within the designated venue. No activity is allowed at any other locations, such as shopping centre and domestic blocks;
  - (g) shall place all publicity materials within the designated venue;
  - (h) should provide seats and shelters from sun and rain as appropriate;
  - (i) should deploy sufficient staff/ volunteers;
  - (j) should provide a first aid service and logistical support (e.g. marquees and mobile toilets);
  - (k) should consider employ security guards to help control crowds within the venue; and
  - (l) should take photographs to record the activities. Housing Department will only request the organisation(s) to produce these photographs whenever necessary (such as complaint on not use the booked venue by the organisation(s) is received).
- (6) In order to avoid or minimize the risk of any loss or damage in properties or personal injury/ death caused by accidents (e.g. mechanical breakdown, suspension of power/ water supply, fire, and loss of or damage to articles on display/ collected, or personal injury/ death caused by the said accidents) in connection with the activities, the organisation should consider to insure with a registered insurance company against any such loss or damage.
  - (7) In the event of medical and health related activities being carried out at the designated venue, the organisation must arrange and ensure that such activities are only carried out by qualified medical personnel.
  - (8) Application for display of publicity materials at the venue should be submitted to Estate Management Office 3 working days before the activity held. Publicity Materials displayed should be informative, welfare-/ service-providing in principle and non-profit-making in nature, and should not carry any messages that are unlawful, obscene, defamatory, insinuating, criticizing or denouncing individual persons/ parties.
  - (9) Provision of parking spaces is subject to availability of suitable parking spaces in the estates/ courts concerned. Estate management staff shall have full discretion on the parking arrangement according to the local situation.
  - (10) All Estate Management Offices keep a register of application for venues for holding activities. This register can be made available for inspection upon request to the Estate Manager.
  - (11) The HA reserves the right to disqualify the application of Organisation concerned on the grounds that the Organisation has engaged, is engaging, or is reasonably believed to have engaged or be engaging in acts or activities that are likely to cause or constitute the occurrence of offences endangering national security or otherwise the exclusion is necessary in the interest of national security, or is necessary to protect the public interest of Hong Kong, public morals, public order or public safety.
  - (12) With the different nature of the activities considered, the vetting procedures and application notes may differ, applicant may approach the Estate Management Office for enquiries. HA reserves the right to revoke or incorporate additional conditions or requirements to the approval at any time without prior notice.
  - (13) This Application is free of charge. Anyone who offers to provide assistance in return for remuneration should be reported to the Independent Commission Against Corruption (ICAC) immediately. Attempted bribery is also an offence in law. HA will refer the case to ICAC for investigation and cancel the application, irrespective of whether such person has been prosecuted or convicted of the relevant offence.

### Part III Particulars of the Organisation

On behalf of the Organisation to which I belong, I would like to apply to HA for a venue at Estate/ Court for holding (Activity Name & Detail)

from \_\_\_\_\_\*a.m./ p.m. to \_\_\_\_\_\*a.m./ p.m. on\_\_\_\_\_, 20\_\_\_\_\_.

### Part IV Declaration of the Organisation

If the application is approved, we as an Organisation agree and declare as follows:

- (1) Irrespective of the circumstances, HA and the Housing Department (HD) shall not be responsible for any loss/ damage or personal injury/ death caused by mechanical breakdown, suspension of power/ water supply, fire, restrictions imposed by the Government or closure, etc. in the venue;
- (2) HA and HD shall not be responsible for any loss of or damage to articles on display/ collected in the activities;
- (3) We shall bear all the liabilities, losses, damages, costs and expenses which HA may be liable to or incur or suffer by reason of any loss of/ damage to properties or personal injury/ death as a result of the activity, or any claim, demand, action or proceedings in connection with the activity, and shall indemnify HA for all the losses/ damage or personal injury/ death;
- (4) HA reserves the right to withdraw the approval or incorporate additional conditions or requirements therein at any time without prior notice;
- (5) Upon expiry of the approved period or cancellation of the approval, we must clear up the venue by removing all the articles therein and deliver up vacant possession of the designated area to HA in a clear and orderly state and good condition. Failure to do so may result in such materials being removed by HA at our own cost;
- (6) At election times, the charitable/ welfare/ service or fund-raising activities by a political party must comply with the specific regulations issued by the Registration and Electoral Office (applicable to political party only);
- (7) We shall take photographs to record the activities. Housing Department will only request the organisation(s) to produce these photographs whenever necessary (such as complaint on not use the booked venue by the organisation(s) is received);
- (8) The HA reserves the right not to grant approval to the organisation(s) concerned for holding similar/ other activities within 30 days counting from the day after the date of activity, should the latter, upon approval obtained, fail to inform the Estate Management Office about the cancellation of the use of venue at least 3 days before the date of activity by a written notice or fail to comply with any of the required conditions contained in the approval letter for current application;
- (9) The activities are neither commercial nor profit-making in nature; and
- (10) We fully understand and comply with all the terms contained in Parts I, II and IV of this Application Form. We are aware that if we do not fully understand any of the abovementioned terms, we may make enquiries and seek clarification with the staff of the Estate Management Office concerned before signing this Form.

Signature of Applicant : \_\_\_\_\_

Name of Applicant : \_\_\_\_\_

Name of

Organisation & Position Held : \_\_\_\_\_

Tel./ Fax No. : \_\_\_\_\_ / \_\_\_\_\_

Official Chop (if appropriate)

Address : \_\_\_\_\_

Date : \_\_\_\_\_

\* Delete if inapplicable