

《公眾泳池規例》
(第 132 章，附屬法例 BR)
Public Swimming Pools Regulation
(Cap. 132 sub. leg. BR)

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經核證文本
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制定史

本為 1957 年 A79 號政府公告——1961 年 A26 號政府公告，1962 年 A55 號政府公告，1970 年第 84 號法律公告，1972 年第 47 號法律公告，1973 年第 75 號法律公告，1974 年第 152 號法律公告，1975 年第 80 號法律公告，1976 年第 81 號法律公告，1980 年第 42 號法律公告，1980 年第 93 號法律公告，1981 年第 95 號法律公告，1982 年第 179 號法律公告，1983 年第 95 號法律公告，1984 年第 135 號法律公告，1985 年第 161 號法律公告，1986 年第 10 號，1987 年第 145 號法律公告，1987 年第 238 號法律公告，1987 年編正版，1989 年第 91 號法律公告，1989 年第 200 號法律公告，1990 年第 91 號法律公告，1991 年第 61 號法律公告，1992 年第 110 號法律公告，1992 年第 305 號法律公告，1993 年第 128 號法律公告，1994 年第 234 號法律公告，1995 年第 150 號法律公告，1996 年第 (C)36 號法律公告 (中文真確本)，1996 年第 177 號法律公告，1997 年第 362 號法律公告，1999 年第 78 號，2019 年第 4 號編輯修訂紀錄，2020 年第 21 號

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《公眾泳池規例》
(第 132 章，附屬法例 BR)

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《公眾泳池規例》

(第 132 章第 42 及 149 條)

[1957 年 9 月 27 日]

(格式變更——2019 年第 4 號編輯修訂紀錄)

編輯附註：

1. 本規例當作根據《公眾衛生及市政條例》(第 132 章)第 42 條訂立——見該條例第 149(1) 條。
2. 本規例的名稱由《公眾泳池(市政局)附例》修訂為《公眾泳池規例》——見 1999 年第 78 號第 7 條。

1-2. (由 1999 年第 78 號第 7 條廢除)

3. 釋義

在本規例中，除文意另有所指外——(1999 年第 78 號第 7 條)

主管人員 (supervisor) 指獲署長委任以管理或協助管理泳池的人；(1987 年第 238 號法律公告；1999 年第 78 號第 7 條)

泳池 (swimming pool) 包括與泳池的使用有關而提供的其他設施；(1999 年第 78 號第 7 條)

發泡膠 (plastic foam) 指聚苯乙烯及任何其他人造塑膠材料；(1972 年第 47 號法律公告)

傳染病 (communicable disease) 包括阿米巴病、腦脊髓膜炎、霍亂、白喉、痢疾、傷寒、腸胃炎、急性喉炎、傳染性肝炎、癩瘋、任何癬病、結核病、脊髓灰質炎、虱病、疥瘡、猩紅熱、天花、任何性病、任何全身性皮膚感染、沙眼及急性結膜炎；(1987 年第 238 號法律公告)

Public Swimming Pools Regulation

(Cap. 132, sections 42 and 149)

[27 September 1957]

(Format changes—E.R. 4 of 2019)

Editorial Note:

1. This Regulation is deemed to have been made under section 42 of the Public Health and Municipal Services Ordinance (Cap. 132) — see section 149(1) of that Ordinance.
2. The title of this Regulation was amended from “Public Swimming Pools (Urban Council) By-laws” to “Public Swimming Pools 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 (Repealed 78 of 1999 s. 7)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— (78 of 1999 s. 7)

attendant (管理員) means a person employed as an attendant at any swimming pool; (G.N.A. 55 of 1962)

communicable disease (傳染病) includes amoebiasis, cerebrospinal meningitis, cholera, diphtheria, dysentery, enteric fever, gastroenteritis, acute inflammation of the throat, infectious hepatitis, leprosy, any form of tinea infection, tuberculosis, poliomyelitis, pediculosis, scabies, scarlet fever, smallpox, any venereal disease or any generalized skin infection, trachoma and acute conjunctivitis; (L.N. 238 of 1987)

署長 (Director) 指康樂及文化事務署署長；(1999 年第 78 號第 7 條)

管理員 (attendant) 指在任何泳池受僱為管理員的人。(1962 年 A55 號政府公告)

4. 一般罪行

任何人在泳池或泳池場地範圍內，不得——(1962 年 A55 號政府公告)

- (a) 吐痰，但如吐入署長為供吐痰而設的痰盂或其他盛器內，則屬例外；(1999 年第 78 號第 7 條)
- (b) 作出喧鬧、不雅及擾亂秩序的行為；
- (c) 作出一些相當可能對他人造成危害、妨礙、不便或煩擾的作為；
- (d) 將任何扔棄物、紙張或廢棄物拋棄或丟棄，但如拋進署長為此用途而設的桶或容器內，則屬例外；(1999 年第 78 號第 7 條)
- (e) 將任何牆壁、建築物、柵欄、座椅、跳水板、鞦韆或其他設備、器具、設施或任何地方，加以毀爛、污損、令其變得污濁、將其弄污，或以其他方式將其毀壞，或將水變得污濁或將其污染；
- (f) 移走或干預任何救生器具或設備；
- (g) 無合理因由而叫喊、發出噪音或作騷擾，意圖導致觀眾、管理員或泳客恐慌或不安；

Director (署長) means the Director of Leisure and Cultural Services; (78 of 1999 s. 7)

plastic foam (發泡膠) means polystyrene and any other man-made plastic material; (L.N. 47 of 1972)

supervisor (主管人員) means a person appointed by the Director to manage or assist in the management of a swimming pool; (L.N. 238 of 1987; 78 of 1999 s. 7)

swimming pool (泳池) includes other facilities provided in relation to the use of the swimming pool. (78 of 1999 s. 7)

(78 of 1999 s. 7)

4. General offences

No person, within a swimming pool or the precincts thereof, shall—(G.N.A. 55 of 1962)

- (a) spit, except into a spittoon or other receptacle provided by the Director for that purpose; (78 of 1999 s. 7)
- (b) conduct himself otherwise than in a quiet, decent and orderly manner;
- (c) do any act which is likely to endanger, obstruct, inconvenience or annoy any person;
- (d) throw or otherwise dispose of any litter, paper or rubbish, except into bins or containers provided by the Director therefor; (78 of 1999 s. 7)
- (e) break, deface, foul, soil or otherwise damage any wall, building, fence, seat, diving board, swing or any other equipment, apparatus or facility or any place, or foul or pollute any water;
- (f) remove or interfere with any life saving apparatus or equipment;

- (h) 在泳池內、緊貼泳池旁邊的行人通道、跳水板或毗連泳池的器具或設施上吸煙；
- (i) 並非穿着泳衣而進入泳池或在緊貼泳池旁邊的行人通道上步行或站立，除非獲得管理員准許；(1962 年 A55 號政府公告；1974 年第 152 號法律公告)
- (j) 將任何肥皂、毛巾、衣物、球類、模型船或其他玩具帶進泳池，或將任何沙灘椅、太陽傘、雨傘、樂器、無線電器材或類似此等器材的物品、任何種類的食物或飲品、任何動物、任何玻璃泳鏡或任何以發泡膠製造的物品帶進泳池場地範圍內，除非獲得管理員准許；(1962 年 A55 號政府公告；1972 年第 47 號法律公告；1974 年第 152 號法律公告)
- (k) 在更衣室以外的地方裸體出現或裸體行走，或衣着不恰當以致令公眾覺得不雅。(1999 年第 78 號第 7 條)

5. 限制在泳池場地範圍內進行商業活動和行乞

除非獲得署長書面准許，否則任何人不得在泳池場地範圍內售賣、出租、要約出售、要約出租、為出售而展示或為出租而展示任何物品、物件或個人服務，亦不得乞求施捨或索取禮物或捐款作慈善用途。

(1962 年 A55 號政府公告；1999 年第 78 號第 7 條)

- (g) without reasonable cause, utter any cry or make any noise or disturbance, with the intention of causing alarm or anxiety to spectators, attendants or bathers;
- (h) smoke in the swimming pool or upon any sidewalk immediately adjacent thereto or upon any diving board or other apparatus or facility adjoining the swimming pool;
- (i) except with the permission of an attendant, enter a swimming pool or walk or stand upon any sidewalk immediately adjacent thereto unless dressed for bathing; (G.N.A. 55 of 1962; L.N. 152 of 1974)
- (j) except with the permission of an attendant, introduce into a swimming pool any soap, towel or clothing, or any ball, model boat or other toy, or bring into the precincts of a swimming pool any deck chair, sunshade, umbrella, musical instrument, wireless set or other like object, or any kind of food or drink, or any animal or any glass swimming goggles or any objects made of plastic foam; (G.N.A. 55 of 1962; L.N. 47 of 1972; L.N. 152 of 1974)
- (k) except in any dressing room, appear or go about naked or so improperly clad as to offend against public decency. (78 of 1999 s. 7)

5. Restriction on trading and begging in precincts of swimming pool

No person within the precincts of a swimming pool, except with the written permission of the Director, shall sell or let to hire or offer or expose for sale or letting to hire any article or thing or any personal services or shall beg for alms or solicit gifts or contributions to charity.

(G.N.A. 55 of 1962; 78 of 1999 s. 7)

6. 成年人不得進入兒童池

除非獲得管理員准許，否則超過 14 歲的人如非陪伴並負責照顧兒童，不得進入為兒童而設計或為兒童而撥出的泳池的任何部分。

(1962 年 A55 號政府公告；1974 年第 152 號法律公告)

7. 成年人不得進入分配給異性使用的更衣室

超過 8 歲或身高超過 1.35 米的人不得進入保留給異性使用的更衣室或其他隔室內。

(1974 年第 152 號法律公告；1999 年第 78 號第 7 條)

8. 個人衛生

任何人如非先經過淋浴及洗腳池，不得進入泳池。

(1987 年第 238 號法律公告)

8A. 患有某些疾病的人不得進入

任何人如明知自己患有傳染病，則不得進入泳池場地範圍內。

(1987 年第 238 號法律公告)

8B. 不准某些人進入或將某些人驅逐的權力

(1) 本條所適用的人，可被拒絕進入泳池場地範圍內，亦可由管理員或主管人員命令其立即離開泳池場地範圍，如該人沒有遵從該項命令，即可將其驅逐，並在有需要時以武力將其驅逐。

(2) 如泳池的主管人員認為某人——

6. Exclusion of adults from children's pools

Except with the permission of an attendant, no person over the age of 14 years shall enter any part of a swimming pool designed or set apart for children unless he be in company with and in charge of a child.

(G.N.A. 55 of 1962; L.N. 152 of 1974)

7. Exclusion of adults from dressing rooms allocated to persons of the other sex

No person over the age of 8 years or of a height exceeding 1.35 metres shall enter the dressing room or other compartment reserved for the opposite sex.

(L.N. 152 of 1974; 78 of 1999 s. 7)

8. Personal hygiene

No person shall enter a swimming pool without first having passed through a shower bath and foot bath.

(L.N. 238 of 1987)

8A. Exclusion of persons suffering from certain diseases

No person shall enter the precincts of a swimming pool while knowingly suffering from any communicable disease.

(L.N. 238 of 1987)

8B. Power to exclude or remove certain persons

(1) Any person to whom this section applies may be refused admission to the precincts of a swimming pool or be ordered by any attendant or supervisor forthwith to leave those precincts and, in the event of failure to comply with such order, be removed, if need be, by force.

- (a) 可能患有傳染病；
- (b) 正受到酒精或藥物影響；
- (c) 有外露的切割傷口或其他損傷；或
- (d) 身體狀況在其他方面令該人出現在泳池場地範圍內會不符合其他泳客的利益，

本條即對該人適用。

(1987 年第 238 號法律公告)

9. 泳池的開放與關閉

署長可指明 —— (1999 年第 78 號第 7 條)

- (a) 泳池可向公眾開放或關閉不許公眾使用的日期；
- (b) 泳池的開放及關閉時間；及
- (c) 每日的節數及每節的時間，(1976 年第 81 號法律公告)

亦可指示將任何泳池或其任何部分在任何時候關閉不許公眾使用，以進行修理或其他工程，或舉辦習泳班、泳賽、水上運動或類似的娛樂活動。

(1962 年 A55 號政府公告)

10. 費用

- (1) 任何人在根據第 9 條指明的某一節時間內使用泳池，均須向署長繳付訂明費用或根據本條例第 124K 條釐定的費用（視何者屬適當而定）。
- (2) 如任何人如未繳付第 (1) 款所指的適當費用，則除非事先獲得管理員准許，否則不得進入泳池場地範圍內。

(1999 年第 78 號第 7 條)

- (2) This section applies to any person who in the opinion of the supervisor of the swimming pool—
 - (a) may be suffering from a communicable disease;
 - (b) is under the influence of drink or drugs;
 - (c) has an open cut or wound; or
 - (d) is otherwise in such a physical condition that his presence in the precincts of the swimming pool would not be in the interests of other bathers.

(L.N. 238 of 1987; 78 of 1999 s. 7)

9. Opening and closing of swimming pool

The Director may specify— (78 of 1999 s. 7)

- (a) the days on which swimming pools may be open or closed to the public;
- (b) the opening and closing times of swimming pools; and
- (c) the number of sessions in a day and the duration of each session, (L.N. 81 of 1976)

and may direct that any swimming pool or any part thereof be closed to the public on any occasion for the purpose of carrying out repairs or other works or for the purpose of organized swimming practices or contests, aquatic sports or similar entertainments.

(G.N.A. 55 of 1962)

10. Fees and charges

- (1) A person using a swimming pool during a session specified under section 9 shall pay to the Director the prescribed fee or the fee determined under section 124K of the Ordinance as may be appropriate.

10A. (由 1995 年第 150 號法律公告廢除)

10B. (由 1995 年第 150 號法律公告廢除)

10C. (由 1995 年第 150 號法律公告廢除)

10D. (由 1995 年第 150 號法律公告廢除)

10E. (由 1995 年第 150 號法律公告廢除)

11. (由 1999 年第 78 號第 7 條廢除)

12. 妨礙管理員或主管人員的罰則

任何人妨礙正在執行職責的管理員或主管人員，或沒有遵從管理員或主管人員為施行本規例的任何條文而發出的合理指示，即屬犯罪，可處第 1 級罰款及監禁 14 天。

(1974 年第 152 號法律公告；1987 年第 238 號法律公告；1992 年第 305 號法律公告；1996 年第 177 號法律公告；1999 年第 78 號第 7 條)

13. 一般罰則及將犯罪者逐出泳池的權力

(1) 任何人違反第 4、5、6、7、8、8A 或 10(2) 條的任何條文，即屬犯罪，可處第 1 級罰款及監禁 14 天。(1992 年第 305 號法律公告；1996 年第 177 號法律公告；2020 年第 21 號第 70 條)

(2) (由 1999 年第 78 號第 7 條廢除)

(2) Except with the prior permission of an attendant, no person shall enter the precincts of a swimming pool without first having paid the appropriate fee under subsection (1).

(78 of 1999 s. 7)

10A. (Repealed L.N. 150 of 1995)

10B. (Repealed L.N. 150 of 1995)

10C. (Repealed L.N. 150 of 1995)

10D. (Repealed L.N. 150 of 1995)

10E. (Repealed L.N. 150 of 1995)

11. (Repealed 78 of 1999 s. 7)

12. Penalty for obstructing attendants or supervisors

Any person who obstructs or resists any attendant or supervisor in the exercise of his duty or who fails to comply with any reasonable direction given by such attendant or supervisor for the purpose of giving effect to any of the provisions of this Regulation, shall be guilty of an offence, and shall be liable to a fine at level 1 and to imprisonment for 14 days.

(L.N. 152 of 1974; L.N. 238 of 1987; L.N. 305 of 1992; L.N. 177 of 1996; 78 of 1999 s. 7)

13. General penalties and power to remove offenders from swimming pool

(1) Any person who contravenes any of the provisions of section 4, 5, 6, 7, 8, 8A or 10(2) shall be guilty of an offence and liable to a fine at level 1 and to imprisonment for 14 days. (L.N. 305 of 1992; L.N. 177 of 1996; 21 of 2020 s. 70)

- (3) 除本條所訂明的罰則外，任何人違反第 (1) 款所述的任何條文，泳池的管理員或主管人員即可命令該人離開泳池場地範圍，如該人沒有遵從該項指示，則可將其驅逐，並在有需要時以武力將其驅逐。(1962 年 A55 號政府公告；1974 年第 152 號法律公告；1999 年第 78 號第 7 條)

14. 就罪行提出法律程序時可用的名義

在不損害與檢控刑事罪行有關的其他成文法則的條文，以及在不損害律政司司長關於檢控該等刑事罪行的權力的原則下，就本規例任何條文所訂罪行而作出的檢控，均可以署長的名義提出。

(1962 年 A55 號政府公告；1997 年第 362 號法律公告；1999 年第 78 號第 7 條)

- (2) *(Repealed 78 of 1999 s. 7)*
- (3) In addition to any penalty prescribed by this section any person contravening any of the sections mentioned in subsection (1) may be ordered by any attendant or supervisor of a swimming pool forthwith to leave the precincts thereof and, in the event of failure to comply with such direction, he may be removed, if need be, by force. (G.N.A. 55 of 1962; L.N. 152 of 1974)

(78 of 1999 s. 7)

14. 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, prosecutions for an offence under any of the provisions of this Regulation may be brought in the name of the Director.

(G.N.A. 55 of 1962; L.N. 362 of 1997; 78 of 1999 s. 7)