

《嘉道理农场暨植物园附例》

KADOORIE FARM AND BOTANIC GARDEN
BYLAW

(第 1156 章, 附属法例 A)

(Cap. 1156 sub. leg. A)

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《嘉道理农场暨植物园附例》

(第 1156 章第 23 条)

[1997 年 10 月 31 日]

1. 释义

- (1) 除文意另有所指外，本条例中已予界定的词语在本附例中具有相同的涵义。
- (2) 在本附例中，除文意另有所指外——
 - “土壤”(soil) 包括泥土、沙土、粘土、泥炭土、石块及泥浆；
 - “车辆”(vehicle) 包括手推车、货车、单车、三轮车、滑板、滚轴溜冰鞋、汽车及其他陆上交通工具；
 - “狩猎器件或工具或陷阱装置”(hunting or trapping device or implement) 包括一切火器、气枪、弓箭、弹叉或弹弩、网、罗网、圈套、毒药、有毒武器、飞镖、粘鸟胶、化学品、陷阱、诱饵、囿子、强光装置、及任何作挖掘、切割或燃烧用的工具，以及任何可合理地用作上述器件、工具或装置所作用途的器件；
 - “动物”(fauna) 包括植物以外的所有野生生物，以及任何动物、禽鸟、鱼类、两栖动物、爬虫、昆虫、哺乳动物，并包括动物在其任何成长阶段的部分(不论该等动物是尚未出生的、活着的或是已死去的)；
 - “植物”(flora) 包括——
 - (a) 木材、树木、灌木与真菌；及
 - (b) 根、芽、嫩枝、叶、花、果、块茎、树枝、球茎、根茎、枝条、压条、接枝、种子及植物的任何部分(不论是活着的或是已枯死的)；

KADOORIE FARM AND BOTANIC GARDEN BYLAW

(Cap. 1156 section 23)

[31 October 1997]

1. Interpretation

- (1) The terms defined in the Ordinance have the same meaning in this Bylaw unless the context otherwise requires.
- (2) In this Bylaw, unless the context otherwise requires—
 - “fauna”(动物) includes all wildlife, other than flora, and any animal, bird, fish, amphibian, reptile, insect, mammal and includes parts of fauna at any stage of their development whether unborn, living or dead;
 - “flora”(植物) includes—
 - (a) timber, trees, shrubs and fungi; and
 - (b) roots, shoots, leaves, flowers, fruit, tubers, boughs, corms, stocks, cuttings, layers, slips, seeds and any part of the flora whether living or dead;
 - “Garden”(园地) means the Kadoorie Farm and Botanic Garden as described in the Ordinance;
 - “hunting or trapping device or implement”(狩猎器件或工具或陷阱装置) includes any firearm, airgun, bow, arrow, catapult, net, gin, snare, poison, poisoned weapon, dart, bird lime, chemical, trap, decoy, lure, bright light and any tool for digging, cutting or burning and any device that could be reasonably used for any of the purposes for which these devices or implements may be used;

- “游人” (visitor) 指经由执行董事标示和指定的入口及按照入场条件进入园地内的任何公众人士 (受托人、董事局成员或受雇于公司的人士除外)；
- “园地” (Garden) 指本条例中所述的嘉道理农场暨植物园；
- “管理人员” (keeper) 指执行董事根据第 2(2) 条委任为园地管理人员的人士。
- (3) 本附例并不适用于受托人、董事局成员及受雇于公司的人士。

2. 执行董事及管理人员

- (1) 为更佳地管理园地的任何部分，董事局可酌情将赋予它的权力的全部或任何部分转授予执行董事。
- (2) 执行董事可委任园地管理人员，以协助其控制在园地内的人士及处理园地的一般管理工作。
- (3) 执行董事拥有管理人员的权力与权限。在本附例中，除文意另有所指外，对管理人员的提述包括执行董事。
- (4) 执行董事如认为为妥善履行公司的职能与园地的功能而属合适和有必要，可以书面豁免任何人遵守本附例的部分条文。
- (5) 管理人员如指示任何人须遵守本附例，则在该人提出要求时，得向该人出示其获委任为管理人员的委任文本。

- “keeper” (管理人员) means a person appointed under section 2(2) by the Executive Director to be a keeper of the Garden;
- “soil” (土壤) includes earth, sand, clay, peat, rock and mud;
- “vehicle” (车辆) includes a barrow, truck, bicycle, tricycle, skate board, roller skate, car and other means of transport for use on land;
- “visitor” (游人) means a member of the public admitted to the Garden, through entrances marked and designated by the Executive Director and in accordance with the conditions of entry, other than the Trustees, members of the Board or persons employed by the Corporation.
- (3) This Bylaw does not apply to the Trustees, members of the Board or persons employed by the Corporation.

2. Executive Director and keepers

- (1) The Board may, in its discretion and for the better management of any part of the Garden, delegate all or any part of the powers vested in it to the Executive Director.
- (2) The Executive Director may appoint keepers of the Garden to assist him with the control of persons within, and the general administration of, the Garden.
- (3) The Executive Director has the powers and authority of a keeper. A reference in this Bylaw to a keeper includes the Executive Director unless the context otherwise requires.
- (4) The Executive Director may exempt in writing persons from parts of this Bylaw as he thinks fit and necessary for the proper carrying out of the functions of the Corporation and the Garden.
- (5) A keeper will produce on request a copy of his appointment as a keeper to a person directed by the keeper to comply with this Bylaw.

3. 进入园地

- (1) 在符合本附例的规定及董事局或执行董事所合理施加的条件下，园地或其中任何部分均向所有人士开放。
- (2) 任何人只可经由执行董事所标示和指定的入口，并按照入园条件进入园地。
- (3) 园地或其中任何部分，在执行董事藉张贴于园地的正式布告板上的命令所指明的时段与日子向游人开放。
- (4) 除经执行董事书面批准外，未满 16 岁的人须由一名至少满 18 岁并对该名年幼人士的活动负责的人陪同。
- (5) 除非经管理人员批准，否则任何人不得在园地或其任何部分已关闭不让公众进入或逗留的期间进入或逗留于园地或该部分。
- (6) 任何并非游人、管理人员、公司的雇员、受托人或董事局成员的人，在未经执行董事或（如执行董事不在时）管理人员批准的情况下，均不得进入园地。

4. 妨碍任何人或管理人员

任何人不得在园地的任何部分——

- (a) 故意妨碍、骚扰、干扰或烦扰正在恰当地使用园地的该部分的任何其他人；

3. Access

- (1) The Garden or any part of the Garden is open to persons subject to this Bylaw and the conditions that the Board or the Executive Director may reasonably impose.
- (2) A person must only enter the Garden through entrances marked and designated by the Executive Director, and in accordance with the conditions of entry.
- (3) The Garden or any part of the Garden is open to visitors between the hours and on the days the Executive Director may specify by order posted on an official notice board of the Garden.
- (4) Except with the written permission of the Executive Director, persons under the age of 16 years are required to be accompanied by a person of at least 18 years of age who is responsible for the activities of the young person.
- (5) A person must not enter or remain in the Garden or a part of the Garden during the period when the Garden or the part of the Garden is closed to the public unless authorized by a keeper.
- (6) A person who is not a visitor, keeper, employee of the Corporation, Trustee or member of the Board must not enter the Garden without the permission of the Executive Director or, in the absence of the Executive Director, a keeper.

4. Obstructions to persons or keepers

A person must not, in any part of the Garden—

- (a) wilfully obstruct, disturb, interrupt or annoy any other person in the proper use of the part of the Garden;
- (b) wilfully obstruct, disturb or interrupt the Executive Director or a keeper in the execution of his duty,

- (b) 故意妨碍、骚扰或干扰执行董事或管理人员履行其职责，或故意妨碍、骚扰或干扰公司所合法雇用或聘请进行任何园地陈设或维修的人；或
- (c) 未经执行董事或管理人员同意，进入或逗留于或以任何其他方式侵入园地内用作贮物、办公室或工作场所的部分。

5. 指示任何人离开的权力

- (1) 如 ——
 - (a) 管理人员有理由相信任何人已经或即将犯本附例或《简易程序治罪条例》(第 228 章)所订的任何罪行(包括与“公众地方”有关的罪行)；
 - (b) 任何人拒绝服从管理人员为执行园地的妥善管理而向其发出的任何合理命令，
管理人员即可指示该人即时离开园地或其任何部分。
- (2) 任何人没有按管理人员的指示离开园地或其任何部分，即属犯罪。
- (3) 在管理人员指示任何人离开园地或其任何部分后，如该人没有离开，则管理人员可将该人逐出园地或该部分。
- (4) 管理人员可以将并非游人的人逐出园地。

6. 要求出示许可证等的权力

- (1) 根据本附例获批给许可证的人须应管理人员的要求，出示许可证，并同时出示身分证明文件，以供管理人员查阅。

- or a person lawfully employed or engaged by the Corporation for the execution of any work in the laying out or maintenance of the Garden; or
- (c) enter or remain in, or in any other way trespass upon, a part of the Garden which is maintained for storage, offices or as a workplace without the consent of the Executive Director or a keeper.

5. Power to direct persons to leave

- (1) A keeper may direct any person forthwith to leave the Garden or any part of the Garden—
 - (a) whom the keeper has reason to believe has committed, or is about to commit any offence against this Bylaw or any offence punishable under the Summary Offences Ordinance (Cap. 228), including offences relating to “public place”;
 - (b) who refuses to obey any reasonable order given to him by a keeper in furtherance of the proper management of the Garden.
- (2) A person who fails to leave the Garden or a part of the Garden as directed by a keeper commits an offence.
- (3) A keeper may remove, from the Garden or a part of the Garden, a person who fails to leave the Garden or a part of the Garden after a keeper directs him to leave.
- (4) A keeper may remove from the Garden a person who is not a visitor.

6. Power to require production of permit, etc.

- (1) A person to whom a permit is granted under this Bylaw must, on being required to do so by a keeper, produce the permit together with a means of identification for inspection by the keeper.

- (2) 如管理人员有理由相信任何人已犯本附例所订的罪行，他可——
- (a) 要求该人出示身分证明文件；
 - (b) 搜查该人及其物品；及
 - (c) 检取管理人员有理由相信与犯上述罪行有关连的一切植物、动物、商品、物品或东西。
- (3) 执行董事须保留根据本条检取的任何东西，直至关于所指称罪行的任何法律程序完成或中止为止，执行董事之后可按其认为合适的方式处置该东西。执行董事可采取必要的步骤以保存任何被检取的东西，但即使有任何被检取的东西毁消，公司与执行董事均不须负上法律责任。

7. 扣留的权力

- (1) 如管理人员有理由相信在园地内发现的任何人已犯或正犯任何下列罪行——
- (a) 属袭击性质的罪行并有人受伤；
 - (b) 关乎毁坏财产的罪行；或
 - (c) 关乎将植物或动物移离园地，或从园地的某一部分移至另一部分的罪行，
- 执行董事或管理人员即可扣留该人。
- (2) 管理人员在扣留该人后，如他能够的话，必须尽快将该人带往执行董事的办公室；否则，管理人员必须尽快联络执行董事。
- (3) 执行董事可于合理的切实可行范围内，尽快——
- (a) 召唤警方，并扣留该人直至警方到场为止；或
 - (b) 释放该人。

- (2) A keeper who has reason to believe that the person has committed an offence under this Bylaw may—
- (a) require the person to produce a means of identification;
 - (b) search the person and his belongings; and
 - (c) seize any flora, fauna, commodity, article or thing that the keeper has reason to believe is connected to the commission of the offence.
- (3) The Executive Director must retain anything seized under this section until any legal proceedings for the alleged offence are completed or discontinued and he may then dispose of it as he sees fit. The Executive Director may take the necessary steps to preserve anything seized but the Corporation and the Executive Director are not liable should any seized thing perish.

7. Power to detain

- (1) The Executive Director or a keeper may detain a person found in the Garden whom the keeper has reason to believe has committed or is committing an offence—
- (a) in the nature of an assault where a person is injured;
 - (b) relating to destruction of property; or
 - (c) relating to the removal of flora or fauna from the Garden or from one part of the Garden to another part.
- (2) The keeper must take the person to the Executive Director's office, if he is able, or otherwise contact the Executive Director as soon as possible after detaining the person.
- (3) The Executive Director may as soon as is reasonably practicable—
- (a) call the police and detain the person until the police arrive; or

- (4) 如该人获释，则除非执行董事另有指示，否则该人须立即离开园地。

8. 入场费

- (1) 董事局可厘定进入园地的入场费及进入园地的某一特定部分的另外费用，该等费用由董事局藉张贴于园地入口及园地的该特定部分入口的正式布告版上的告示而指明。
- (2) 游人进入董事局已指明须收取入场费用的园地或园地的某一部分时，须缴付董事局所厘定的费用。
- (3) 董事局可指示将园地或园地的某一部分拨出，专供一名或多于一名游人按照董事局所厘定的收费（或豁免收费）及条件使用。

9. 园地的一个或多个于一个拨作指定活动用途的部分

- (1) 董事局可以将园地的某一部分拨作特定活动用途。
- (2) 董事局须在园地内所拨出的部分的显眼地方张贴告示，描述所拨出的部分，及拨出该部分所用作的活动用途。
- (3) 任何人在使用园地某一部分并参与拨出该部分所用作的活动时，不得——
 - (a) 进行拨出该场地所用作的活动以外的活动；
 - (b) 干扰任何其他人进行该活动；
 - (c) 在未经其他已占用该部分的人的许可下或未经管理人员的许可下，开始在已被占用的部分进行该活动，除非董事局是将该部分拨给该等其他人士使用一段特定期间，而该期间已经届满。

- (b) release the person.

- (4) If the person is released, he is required to leave the Garden immediately unless the Executive Director otherwise directs.

8. Admission charges

- (1) The Board may set a fee for entry into the Garden and a separate fee for entry into a specific part of the Garden specified by the Board by posting a notice on an official notice board at the entrance to the Garden and at the entrance to the specified part.
- (2) A visitor on entering the Garden or a part of the Garden which the Board has specified as subject to an entrance fee is required to pay the fee the Board has set.
- (3) The Board may direct that the Garden or a part of the Garden be set aside for the exclusive use of a visitor or visitors subject to the charges or exemption from charges and conditions that the Board determines.

9. Parts or part of the Garden set aside for specified activities

- (1) The Board may set aside a part of the Garden for particular activities.
- (2) The Board is required to describe the part set aside in a notice posted in a conspicuous position in the part of the Garden, and the purpose of the activity for which the part is set aside.
- (3) A person using a part of the Garden and participating in the activity for which the part is set aside must not—
 - (a) undertake an activity other than the activity for which the area is set aside;
 - (b) interfere with any other person undertaking the activity;
 - (c) begin to undertake the activity when the part is already occupied by other persons without their permission

10. 财产的保护

任何人不得——

- (a) 损毁或伤害任何植物或动物、构筑物、改建物、园地任何部分内或围绕园地任何部分的墙壁或栅栏，或园地内的任何设备或装饰物；
- (b) 攀爬园地任何部分内或围绕园地任何部分的墙壁或栅栏，或攀爬树木，或障碍物、栏杆、柱子或其他构筑物；
- (c) 将任何植物或动物从园地的任何部分移至另一部分或移离园地，或将属于园地的工具、设备或车辆从园地的任何部分移至园地的另一部分或移离园地；
- (d) 携带或管有任何照明弹、火焰枪、火气球或其他相类的器件；
- (e) 生火或用火，或为一群用火者的一员，不论火是否由该群人中的任何人所生起；或
- (f) 以可能引起火灾的方式抛弃任何火柴、打火机、香烟、烟斗、灰烬或其他物质。

11. 场地、阶地与花圃的保护

任何人不得在下列地方内或下列地方上步行、奔跑、站立、坐下或躺卧——

- (a) 有告示显示为不准践踏的任何草地、草皮或其他地方；或

or the permission of a keeper, unless the Board has allocated the part for a particular period of time to the other persons and the period has elapsed.

10. Protection of property

A person must not—

- (a) damage or harm any flora or fauna, structure, improvement, wall or fence in or enclosing a part of the Garden, or any equipment or ornament in the Garden;
- (b) climb a wall or fence in or enclosing a part of the Garden, or a tree, or a barrier, railing, post or other structure;
- (c) remove any flora or fauna from any part of the Garden to another part of the Garden or from the Garden or remove an implement, equipment or vehicle belonging to the Garden from any part of the Garden to another part of the Garden or from the Garden;
- (d) carry or have in his possession any flare, flame gun, fire balloon or other similar device;
- (e) light, or use any fire, or be a member of a group which uses a fire whether or not it was lit by a person in the group; or
- (f) discard any match, lighter, cigarette, pipe, ash or other substance in a manner that is likely to cause a fire.

11. Protection of grounds, terraces and flower-beds

A person must not walk, run, stand, sit or lie upon in or on—

- (a) any grass, turf or other place where notice to keep off the grass, turf or other place is shown; or

- (b) 阶地、园圃、灌木或植物或任何正在整理作为园圃、或供种植树木、灌木或植物的场地。

12. 植物与土壤的保护

未经管理人员同意，任何人不得——

- (a) 搅扰、移走或移动任何土壤；
 (b) 切割、摘取、拔去或以其他方式损害任何植物、苔藓、地衣或其他形式的植被或任何草皮。

13. 湖、池塘与动物的保护

任何人不得——

- (a) 在湖、池塘、溪涧或水中游泳、沐浴或洗濯；
 (b) 未经管理人员许可而在湖、池塘、溪涧或水中涉水；
 (c) 弄污或污染湖、池塘、溪流或水；
 (d) 捕捉、取去、伤害、消灭、毁坏、移动、打扰、虐待或骚扰任何动物或任何巢、穴或栖息处；或
 (e) 张开或使用网，或放置或使用圈套或其他器件或方法，以捕捉、伤害或消灭任何动物。

14. 游人及动物等

- (1) 除经执行董事明确批准外，任何人不得在园地内管有下列各项或将其带进园地——
- (a) 任何家畜或农畜、禽鸟、鱼类；
 (b) 任何动物；或
 (c) 任何植物。
- (2) 第 (1) 款不适用于陪同失明或弱视人士的引路犬。

- (b) a terrace, garden bed, shrub or plant or any ground being prepared as a garden bed or to grow a tree, shrub or plant.

12. Protection of plants and soil

A person must not without the consent of a keeper—

- (a) interfere with, remove or displace any soil;
 (b) cut, pick or uproot or otherwise damage any flora, moss, lichen or other form of vegetation, or any turf.

13. Protection of lakes, ponds and fauna

A person must not—

- (a) swim, bathe or wash in a lake, pond, stream or water;
 (b) wade in a lake, pond, stream or water without the permission of a keeper;
 (c) foul or pollute a lake, pond, stream or water;
 (d) take, injure, destroy, displace, disturb, ill-treat or harass any fauna or any nest, burrow or resting place; or
 (e) spread or use a net, or set or use a snare or other device or means to take, injure or destroy any fauna.

14. Visitors and animals, etc.

- (1) A person must not have in his possession in, or bring into, the Garden, except with the express permission of the Executive Director—
- (a) any domestic or farm animal, bird, fish;
 (b) any fauna; or
 (c) any flora.
- (2) Subsection (1) does not apply to a guide dog accompanying a blind or partially blind person.

- (3) 获得批准携带家畜进入园地的人须将该家畜置于恰当控制下，并应有效地管束该家畜，以免它——
- (a) 对任何人造成烦扰；
 - (b) 骚扰或打扰任何动物；及
 - (c) 进入任何湖、水池、溪涧或其他有水的地方。
- (4) 执行董事可要求携带犬只进入园地的人替犬只系上牵引带以管束它，并给它戴上口套。
- (5) 管理人员可检取任何被发现违反本附例的规定而在园地内的动物，并将它交给渔农自然护理署或爱护动物协会看管。 (1999 年第 331 号法律公告)

15. 车辆

- (1) 除经执行董事以书面批准外，任何人不得将车辆带进园地的任何部分或乘坐车辆进入园地的任何部分，亦不得在园地内运输物品。
- (2) 如董事局拨出在园地内的某场地供指明类别的车辆停泊，则本条并不禁止任何人驾驶车辆从园地的入口沿直接路线驶往于园地内拨作车辆停泊用的场地或在该场地内驾驶车辆。
- (3) 第 (1) 款不适用于——
 - (a) 任何以人手推动、拉动或携带只供运载儿童或伤残人士的轮椅、婴儿车或相类的车辆；或
 - (b) 在园地的某一部分由儿童在园地该部分的管理人员同意下使用的任何三轮车。
- (4) 如任何人将车辆带进园地的某一部分，他在所有时间均须将车辆保持在道路上，并不得在下列地方驾驶、乘坐或停泊车辆或使车辆在其上越过——

- (3) A person who brings a domestic animal into the Garden with permission must keep the animal under proper control and effectively restrained from—
- (a) causing annoyance to any person;
 - (b) harassing or disturbing any fauna; and
 - (c) entering any lake, pool, stream or other water.
- (4) The Executive Director may require a person bringing a dog into the Garden to restrain the dog on a lead and to fit the dog with a muzzle.
- (5) A keeper may seize and deliver into the custody of the Agriculture, Fisheries and Conservation Department or the Society for the Prevention of Cruelty to Animals any animal found in the Garden contrary to this Bylaw. (*Amended L.N. 331 of 1999*)

15. Vehicles

- (1) A person must not bring in, or ride into, any part of the Garden, a vehicle, or transport a load in the Garden except with the written permission of the Executive Director.
- (2) This section does not prohibit a person from driving a vehicle in or to a space set aside for parking by a direct route from the entrance to the part of the Garden where the Board sets aside a space in the Garden for parking a specified class of vehicles.
- (3) Subsection (1) does not apply to—
 - (a) a wheel-chair, perambulator or similar vehicle which is propelled, drawn or carried by hand and used solely for the conveyance of a child or an invalid; or
 - (b) a tricycle used in a part of the Garden by a child with the consent of the keeper of the part of the Garden.

- (a) 任何花圃、灌木、植物或正在整理作为花圃或供种植任何树木、灌木或植物的场地；
- (b) 董事局藉在园地内显眼之处设置的告示而禁止在其内驾驶、乘坐或停泊车辆的园地任何部分。
- (5) 掌管在园地内的车辆的人须按照管理人员藉讯号或其他方式作出的指示停车或前进。
- (6) 掌管在园地内的车辆的人须遵守执行董事所指定的关于速度限制及驾车方式的标志与指示。
- (7) 除经执行董事明确批准外，任何人不得使用园地内的直升机升降场。

16. 一般行为

- (1) 任何人必须遵守秩序，行为举止须合乎体统，并须穿着恰当的衣服。
- (2) 任何人的行为举止不得对他人造成滋扰。
- (3) 任何人的行为举止必须以安全为原则。
- (4) 任何人——
 - (a) 必须在小径和道路上行走（根据本附例规定并非供公众人士使用的小径与道路除外）；
 - (b) 不得进入在园地内任何阶地上的小径或梯级，或通过园地内任何阶地而进入任何小径或梯级；
 - (c) 不得进入任何已用锁链、栏杆、栅栏或闸门封闭，或附有标志说明已经封闭或不得进入的构筑物、地方、小径或道路；

- (4) If a person brings a vehicle into a part of the Garden, he must keep to the road at all times and must not drive, ride or park it over or on—
 - (a) any flower-bed, shrub, plant or any ground in the course of preparation as a flower-bed or for the growth of any tree, shrub or plant;
 - (b) any part of the Garden where the Board, by a notice set up in a conspicuous position in the Garden, prohibits its being driven, ridden or parked.
- (5) A person in charge of a vehicle in the Garden must stop or proceed as directed by a keeper by signal or otherwise.
- (6) A person in charge of a vehicle within the Garden must comply with signs and directions relating to speed limits and the manner of driving as the Executive Director designates.
- (7) A person must not use the helipad in the Garden except with the express permission of the Executive Director.

16. General behaviour

- (1) A person must behave in an orderly and decent manner and be properly clothed.
- (2) A person must not behave in any manner to the annoyance of any person.
- (3) A person must behave in a safe manner.
- (4) A person must—
 - (a) keep to the paths and roads (other than paths or roads that are not available for public access under this Bylaw);
 - (b) not enter a path or stepway on or through any terrace in the Garden;

- (d) 必须遵守一切为提供指示、规管活动或安全而竖立的标志；
- (e) 必须远离任何施工地区及机器；
- (f) 不得使用淫褻性言语以致令人烦扰；
- (g) 不得随地吐痰、抛掷扔弃物、纸张或废弃物，但吐进或抛进为此用途而设的桶或容器内则除外；
- (h) 不得管有或释放任何具危险性或导致污染的化学品、杀虫剂、毒药或其他污染物；
- (i) 未经执行董事书面批准，不得收集施舍或索取金钱；
- (j) 不得在园地内放风筝、模型飞机、气球或其他器件；
- (k) 未经执行董事书面批准，不得操作或演奏任何乐器或其他器具（包括任何音响器件、扬声器、留声机或无线电器具）或以该等乐器或器具制造声响，亦不得唱歌或叫喊；
- (l) 未经执行董事书面批准，不得作广告宣传、发表公开演词、讲章、祈祷语句、经文或教义，或举行或参与《公安条例》(第 245 章)所界定的公众聚集、集会或游行。

17. 告示

除经执行董事书面批准外，任何人不得在构成园地一部分的任何建筑物、牆壁、柱子、座椅或构筑物的任何部分，或在任

- (c) not enter any structure, area, path or road which is closed with a chain, railing, fence or gate, or marked with a sign stating that it is closed or that there is no entry;
- (d) observe all signs erected for the purpose of advice, regulation of activity or safety;
- (e) keep clear of any works area and machinery;
- (f) not use any obscene language to the annoyance of any person;
- (g) not spit, throw any litter, paper or rubbish, except into the bins or containers provided for the purpose;
- (h) not have in his possession or release any hazardous or polluting chemical, pesticide, poison or other pollutant;
- (i) not gather alms or solicit money without the written permission of the Executive Director;
- (j) not fly a kite, model aircraft, balloon or other device in the Garden;
- (k) not operate or play, or make any sounds on, any musical or other instrument, including any sound device, loud hailer, gramophone or radio apparatus, or sing any song or shout without the written permission of the Executive Director;
- (l) not advertise, deliver a public speech, lecture, prayer, scripture or sermon, or hold or take part in a public gathering, meeting or procession as defined in the Public Order Ordinance (Cap. 245) without the written permission of the Executive Director.

17. Notices

A person must not except with the Executive Director's written permission display any notice, sign, poster, banner, placard, bill

何树木或其他自然景物上展示任何告示、标志、海报、条幅、标语牌、招贴、或广告宣传品或任何相类图片、字句或装饰。

18. 狩猎器件或工具或陷阱装置

- (1) 任何人不得携带、管有或使用任何狩猎器件或工具或陷阱装置。
- (2) 执行董事或管理人员可以检取在园地内发现的或任何人管有的狩猎器件或工具或陷阱装置或任何可合理地用于挖掘、切割或燃烧的器件，而除非为任何法律程序而规定须持有该等器件，否则可将之销毁。

19. 构筑物的竖设、商业活动或露营

- (1) 任何人不得——
 - (a) 未经执行董事书面批准而竖设任何构筑物；
 - (b) 将任何商品或物品带进园地，或出售、要约出售或为出售而展示任何商品或物品，或出租、要约出租或为出租而展示任何商品或物品，或提供或要约提供任何服务以换取报酬，但如根据与董事局达成的协议而如此行事则除外；或
 - (c) 露营，但获得执行董事书面批准者除外。
- (2) 执行董事可移走任何人在未经董事局书面批准下或在违反该项批准所列明的任何条件下带进或留在园地任何部分的构筑物或任何构筑物所需的建筑物料。
- (3) 如在 7 天过后，上述构筑物或物料仍无人申索，执行董事可以将之没收、出售或以其认为合适的方式处置。
- (4) 上述构筑物或物料的拥有人须负责向公司补还移走和处置的费用。

or advertisement or any similar picture, wording or decoration to, or upon any part of any building, wall, post, seat or any other structure forming part of the Garden or to any tree or other natural feature.

18. Hunting or trapping device or implement

- (1) A person must not carry or have in his possession or discharge any hunting or trapping device or implement.
- (2) The Executive Director or a keeper may seize a hunting or trapping device or implement or any device that may reasonably be used for digging, cutting or burning found in the Garden or in the possession of a person, and, subject to any requirement to hold the device for any legal proceedings, may destroy the device.

19. Erection of structures, trading and camping

- (1) A person must not—
 - (a) erect any structure without the permission in writing of the Executive Director;
 - (b) bring in, sell, or offer or expose for sale, or let to hire, or offer or expose for letting to hire, any commodity or article, or provide or offer to provide in return for a remuneration any services, unless under an agreement with the Board; or
 - (c) except with the Executive Director's written permission, camp out.
- (2) The Executive Director may remove any structure or any building material for the structure which any person brings onto or leaves on any part of the Garden without the Board's written permission or contrary to any conditions set out in the permission.

- (5) 公司可将任何人在违反本条的情况下获取的一切售卖所得收益及其他报酬没收归公司所有。

20. 未经授权而利用园地

未经执行董事的书面批准，任何人不得为获取经济收益而从事任何活动或给园地的任何部分拍照、拍摄影片、作纪录、绘画、素描，或以其他方式重现该等部分。

21. 罪行与刑罚

任何人违反第 3(2)、(4)、(5) 或 (6)、4、5(2)、6(1)、7(4)、8(2)、9(3)、10、11、12、13、14(1) 或 (3)、15(1)、(4)、(5)、(6) 或 (7)、16(1)、(2)、(3) 或 (4)、17、18(1)、19(1) 或 20 条，即属犯罪，一经定罪，可处第 2 级罚款。

22. 就罪行提出法律程序时可用的名义

本附例所订罪行的检控，在不损害用以检控罪行的任何其他成文法则及不损害律政司司长检控罪行的权力的原则下，可以公司的名义提出。

(1997 年第 562 号法律公告)

本附例于 1997 年 10 月 24 日盖上嘉道理农场暨植物园公司的法团印章。

- (3) If the structure or materials are unclaimed after a period of 7 days, the Executive Director may forfeit, sell or dispose of it in the manner he thinks fit.
- (4) The owner of the structure or materials is liable to reimburse the Corporation for the cost of removal and disposal.
- (5) The Corporation may forfeit all proceeds of sale and other remuneration obtained by a person contrary to this section to itself.

20. Unauthorized exploitation of the Garden

A person must not engage in any activity or photograph, film, record, paint, sketch or otherwise reproduce any part of the Garden for financial gain without the written permission of the Executive Director.

21. Offences and penalties

A person who contravenes sections 3(2), (4), (5) or (6), 4, 5(2), 6(1), 7(4), 8(2), 9(3), 10, 11, 12, 13, 14(1) or (3), 15(1), (4), (5), (6) or (7), 16(1), (2), (3) or (4), 17, 18(1), 19(1) or 20 is guilty of an offence and is liable on conviction to a fine at level 2.

22. Name in which proceedings for offences may be brought

Prosecutions for an offence under this Bylaw may be brought in the name of the Corporation without prejudice to any other enactment for the prosecution of offences and without prejudice to the powers of the Secretary for Justice to prosecute offences. *(L.N. 562 of 1997)*

The common seal of the Kadoorie Farm and Botanic Garden Corporation is affixed to this Bylaw this 24th day of October 1997.