



## **Guidance Note**

### **Application for Playing Musical Instrument Permit in Public Street or Road**

#### **Caution**

These notes have been prepared by the Commissioner of Police to provide guidance to persons wishing to apply for a Playing Musical Instrument Permit in Public Street or Road. Whilst every effort has been made to ensure their accuracy, anyone in doubt should seek professional advice. The notes do not in any way absolve any person from any provisions of the relevant ordinance.

These notes relate **only** to the requirements to be met by applicants under the Summary Offences Ordinance, Cap. 228, Laws of Hong Kong and nothing else.

**NOTHING IN THESE NOTES SHALL BE CONSTRUED AS COMMITTING THE COMMISSIONER OF POLICE TO ANY PARTICULAR COURSE OF ACTION.**

Each application is considered and determined upon its own individual merits.

#### **Relevant law**

- According to Section 4(15) of the Summary Offences Ordinance, Cap. 228, Laws of Hong Kong, no person may without lawful authority or excuse play any musical instrument in any public street or road save under and in accordance with the conditions of any general or special permit as the Commissioner of Police in his absolute discretion may issue. Any person may apply to the Commissioner of Police for the issuance of a Playing Musical Instrument Permit in Public Street or Road (the permit).
- Depending on the nature of performance or activity involving the playing of musical instruments in any public street or road, such performance or activity may also be regulated under the Places of Public Entertainment Ordinance, Cap. 172 Laws of Hong Kong, which falls within the purview of the Food and Environment Hygiene Department (FEHD). Applicants shall contact FEHD for more details (<http://www.fehd.gov.hk/english/licensing/guide.html>).

## Permit condition

- The permit holder shall be present on the occasion for which the permit is issued and shall ensure that the conditions of the permit are complied with.
- The Commissioner of Police may impose such conditions on the permit as the Commissioner thinks appropriate.

## Assessment Criteria

- The Police will take into account the following factors when processing an application for permit:
  - (a) the timing, place, contents and purposes of the proposed performance or activity;
  - (b) the potential for noise, public nuisance, obstruction, or other problems that may be caused by the proposed performance or activity, having regard to the circumstances, local environment and/or experience gained from similar performances or activities conducted in the past;
  - (c) past record of the applicant;
  - (d) public interest (including the need to safeguard national security, public order, public safety, and to protect the rights and freedoms of others); and
  - (e) any other considerations that may be relevant to the application.

## Application methods and required documents

- Applications can be submitted to the Licensing Office in person, by mail or online ([https://www.licensing.police.gov.hk/index\\_musical\\_en.html](https://www.licensing.police.gov.hk/index_musical_en.html)).
- The application form can be obtained from the Licensing Office or any police station. The form is also available on the website of the Hong Kong Police Force ([https://www.police.gov.hk/ppp\\_en/11\\_useful\\_info/licences/general.html](https://www.police.gov.hk/ppp_en/11_useful_info/licences/general.html)).
- The address and office hours of the Licensing Office are as below:

Licensing Office, Hong Kong Police Force, 12/F, Arsenal House, Police Headquarters, 1 Arsenal Street, Wan Chai, Hong Kong.	Monday to Friday (9:00 a.m. to 1:00 p.m. and 2:00 p.m. to 5:45 p.m.)  Closed on Saturdays, Sundays and public holidays
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- The applicant has to prepare the following documents:

1.	<p>Copy of identity document(s)</p> <p>Only copies of the photo-bearing side of the identity documents of the applicant and all the participants should be provided and each person should sign next to the copy of his/her respective identity document. You are recommended to attach a maximum of eight copies of identity document within one page of an A4 paper so that images can be shown clearly.</p> <p>(Sample <a href="https://www.police.gov.hk/info/doc/licensing/general/en/id_card_sample_en.pdf">https://www.police.gov.hk/info/doc/licensing/general/en/id_card_sample_en.pdf</a>)</p>
2.	<p>Signed ‘Details of Participants’ form</p> <p>If you submit your application online, please upload the duly completed and signed ‘Details of Participants’ form on Part V of the online application form.</p> <p>(Download the form <a href="https://www.police.gov.hk/info/doc/licensing/general/en/mip_Details_of_Participants_en.pdf">https://www.police.gov.hk/info/doc/licensing/general/en/mip_Details_of_Participants_en.pdf</a> or obtain a copy from a nearby police station.)</p>

## Application fee

- The application for the permit is free of charge.

## Time required to process an application

- Processing of an application generally requires 14 working days.

## Refusal of application

- There is no appeal mechanism regarding the application for the permit under the Summary Offences Ordinance.

## Enquiries

- All enquiries relating to the application can be referred to Senior Clerical Officer / Assistant Clerical Officer, Liquor and Miscellaneous Licensing Section of the Licensing Office at 2860 6523 / 2860 6524 or by email to [sco-g-licensing@police.gov.hk](mailto:sco-g-licensing@police.gov.hk).