

**The Scheme Submitted by
Aberdeen Boat Club
to Implement
the Further Opening-up Requirements
at the Aberdeen Inland Lot No. 473**

1. Preamble

- 1.1 This Scheme is submitted by the Aberdeen Boat Club at Aberdeen Inland Lot No. 473 (hereinafter referred to as the “Grantee”) to the Secretary for Culture, Sports and Tourism¹ for approval.
- 1.2 In relation to this Scheme, the Grantee understands that -
- (a) The Grantee operates two sites, viz the Aberdeen Inland Lot No. 473 granted by way of Private Recreational Lease and SHX-899 at the Middle Island granted by way of short term tenancy. The Grantee provides sports facilities on both sites. Since the operation of water sports activities and programmes at SHX-899 is strongly supported by the Lot and the two sites are indispensable to each other, the Grantee agrees to include the sports facilities of both sites in the Scheme.
 - (b) The Grantee has applied to the Director of Lands for extension of the Government lease (the “Application”) in respect of the Aberdeen Inland Lot No. 473.
 - (c) One of the lease renewal requirements is that the Grantee shall comply with the further opening-up requirements. The Grantee is required to set out the details of how the further opening-up requirements would be implemented in a Scheme to be approved by the Secretary for Culture, Sports and Tourism.
 - (d) The requirement for the Grantee to comply with the further opening-up requirements will be one of the lease conditions in the Government lease, if the Application is approved.
 - (e) The Grantee first submitted a proposal in October 2021 to the the Secretary for Home Affairs (i.e. forerunner of the Secretary for Culture, Sports and Tourism) to explain how the Grantee would implement the further opening up requirements on both sites mentioned in Clause 1.2(a) above.

¹ With the reorganization of the government structure effective from 1 July 2022, the sports policy portfolio has been transferred to the Culture, Sports and Tourism Bureau. As such, the approving authority of the opening-up scheme of lessees of Private Recreational Lease is thus transferred from the Secretary for Home Affairs to the Secretary for Culture, Sports and Tourism.

- (f) Having taken into account the comments of the Secretary for Culture, Sports and Tourism on the proposal, the Grantee has revised the proposal.
- (g) Based on the revised proposal, the Grantee has set out the details for implementation of the further opening-up requirements in a designated format as required by the Secretary for Culture, Sports and Tourism in this Scheme.

2. The Scheme

- 2.1 The Grantee acknowledges that the Preamble as referred to in Clause 1 above sets out the mutual understanding of the Grantee and the Secretary for Culture, Sports and Tourism regarding the background of the submission of this Scheme by the Grantee to the Secretary for Culture, Sports and Tourism for approval.
- 2.2 The details of the implementation of this Scheme are set out in Clause 3 to Clause 8 hereof. Annex I, II, III, IV, V and VI attached to this Scheme shall form part of this Scheme.

3. Duration of the Scheme

- 3.1 The Grantee agrees that this Scheme shall take effect on the date assigned by the Secretary for Culture, Sports and Tourism. The Grantee shall implement the Scheme in all respects to the satisfaction of the Secretary for Culture, Sports and Tourism.
- 3.2 The Grantee agrees that this Scheme shall be implemented during the duration of the Government lease of the Lot subject to the provisions of this Scheme and other relevant terms and conditions of the Government lease of the Lot. The failure to comply with the provisions of the Government lease, including but not limited to the implementation of this Scheme by the Grantee in all respects to the satisfaction of the Secretary for Culture, Sports and Tourism, is a breach of the Government lease by the Grantee.

4. “30% of Total Sports Facility Capacity or more”

- 4.1 The Grantee undertakes to permit Eligible Outside Bodies to use the sites or any part thereof, any building or structure or part of any building or structure thereon together with the facilities thereon or therein for the purpose of conducting sports activities for an aggregate of not less than 30% of the total sports facility capacity² (as the Secretary for Culture, Sports and Tourism may at his sole discretion requires) for every 12 months³. The Grantee also operates water sports facilities at SHX-899 at the Middle Island. The facilities thereat mainly provide ancillary support to the on-water activities. In this regard, the extent of opening up of water sports facilities will be assessed on the basis of equivalent programme hours of boat storage spaces⁴ in its water sports centre.
- 4.2 The Grantee submits at **Annex I(a)** the details of **4,688 sports facility hours** or **37.7%** of the total sports facility capacity per 12 months when Eligible Outside Bodies are permitted to use such part of the Lot or any part thereof, any building or structure or part of any building or structure thereon together with the facilities thereon or therein for the purpose of conducting sports activities as well as time slots for priority booking (where applicable).
- 4.3 The Grantee also submits at **Annex I(b)** the details of the boat storage spaces available at SHX-899 at the Middle Island which also serve the purpose of opening up (i.e. for storing boats which are used by the Grantee for organising water sports programmes that are open for direct public enrolment). In terms of equivalent programme hours, the boat storage spaces serving the purpose of opening-up represent **58%** of the total of such facilities on the site, which are worked out in conjunction with the details of sports programmes for direct public enrolment submitted by the Grantee at **Annex IV**.

² "Sports facility capacity" is measured by the total number of facility hours available for use. For example, if a club has four tennis courts which are open for 15 hours per day, 7 days per week, this represents a sports facility capacity of 420 (4 x 15 x 7) hours per week. The club would then be required to make available at least 126 hours (30%) per week for booking by public (including individual members of general public and eligible outside bodies).

³ The sports facility capacity shall be calculated on a pro-rata basis for any remainder of the lease term of less than 12 months before the end of the Government lease.

⁴ Boats stored will be included in case the boat storage spaces are used for storing boats for hiring by Eligible Outside Bodies or members of the public, or for storing boats which are used by the Grantee for organising sports programmes that are open for direct public enrolment.

4.4 The Grantee submits at **Annex II** the fees and charges for such use as referred to in Clause 4.2 above by Eligible Outside Bodies.

4.5 The Grantee understands that, for the purpose of this Scheme, “Eligible Outside Bodies” shall be as follows-

- (a) any school as defined in the Education Ordinance; any regulations made thereunder and any amending legislation;
- (b) any institution of higher education funded through the University Grants Committee;
- (c) any charitable institution or trust of a public character, which is exempt from tax under section 88 of the Inland Revenue Ordinance, any regulation made thereunder and any amending legislation, and is receiving recurrent subvention from the Social Welfare Department;
- (d) any “national sports association” which is a member of the Sports Federation & Olympic Committee of Hong Kong, China, and their respective affiliated clubs;
- (e) any district sports association that is subvented by the Home Affairs Department;
- (f) the Hong Kong Schools Sports Federation;
- (g) the New Territories Regional Sports Association;
- (h) any sports organisation that is supported by Home Affairs Bureau, Home Affairs Department or District Councils;
- (i) any uniformed group and youth organisation that is receiving recurrent subvention from the Home and Youth Affairs Bureau;
- (j) any Government bureau or department; and
- (k) any other organisation as may be approved in writing from time to time by the Secretary for Culture, Sports and Tourism.

- 4.6 The Grantee understands that for the purpose of this Clause 4, it shall be permissible for the Grantee to require Eligible Outside Bodies to comply with the application requirements set out in **Annex III**.
- 4.7 The Grantee agrees that for the purpose of this Clause 4, the decision of the Secretary for Culture, Sports and Tourism on whether the application requirements set out in **Annex III** are complied with shall be final and binding on the Grantee.

5. “240 Hours of Sports Programme or More” Requirements

- 5.1 The Grantee undertakes to partner with any “national sports association” that is a member of the Sports Federation & Olympic Committee of Hong Kong, China, or the affiliated clubs of such “national sports associations” to organise sports programmes to use such part of the sites, the building or the structure thereon together with the facilities thereon or therein, of which a minimum of 240 sports programmes hours⁵ per month shall be opened for enrolment by members of the public, in all respects to the satisfaction of the Secretary for Culture, Sports and Tourism.
- 5.2 Under exceptional circumstances (such as prolonged closure of facilities as ordered by the Government, inclement weather conditions during which holding sports activities is not feasible), the Grantee may, subject to the prior written approval of the Secretary for Culture, Sports and Tourism, organise a minimum of 2,880 sports programme hours every 12 months⁶, shall be opened for enrolment by members of the public, in all respects to the satisfaction of the Secretary for Culture, Sports and Tourism. For the purpose of this Clause 5, the decision of the Secretary for Culture, Sports and Tourism on what constitutes exceptional circumstances shall be final and binding on the Grantee.
- 5.3 If the Grantee is an affiliated club of the relevant “national sports association”, subject to the prior written approval of the Secretary

⁵ “Sports programme hours” are measured by the total number of programme hours with public participation. For example, if a program involves a 2-hour training course for a group of 10 participants (of which 7 places are open for members of the public) every Tuesday, Thursday and Saturday for four weeks, this represents 168 sports programme hours (2 x 7 x 3 x 4).

⁶ The sports programme hours shall be calculated on a pro-rata basis for any remainder of the lease term of less than 12 months before the end of the Government lease.

for Culture, Sports and Tourism, it may organise the sports programmes for the purpose of this Clause 5 on its own.

- 5.4 The Grantee submits at **Annex IV** the details of sports programmes for the purpose of this Clause 5.

6. “Junior Membership” Requirement

- 6.1 The Grantee undertakes to implement a junior membership scheme consisting of four membership types that offers the use of the sites, or any part thereof, any building or structure or part of any building or structure thereon together with the facilities thereon or therein by young sportsmen and sportswomen aged between 7 to 29 at significantly reduced admission fees and subscription fees.
- 6.2 The details of the junior membership scheme submitted by the Grantee (including the maximum number of junior members to be enrolled at any one time, enrolment requirements, application procedures, amount of entrance and monthly membership fee payable and publicity plan) are set out at **Annex V**.

7. “Staging of Large Scale or International Events” Requirement

- 7.1 The Grantee undertakes to permit “national sports associations” (as defined in Clause 4.5(d) above) to use such part of the sites, or any part thereof, any building or structure or part of any building or structure thereon together with the facilities thereon or therein for hosting large scale or international sports functions annually. For the purpose of this Clause 7, the decision of the Secretary for Culture, Sports and Tourism on what constitutes a large scale or international sports function shall be final and binding on the Grantee.
- 7.2 The Grantee understands that for the purpose of this Clause 7, it shall be permissible for the Grantee to require “national sports associations” to comply with the application requirements set out in **Annex VI**. The Grantee also understands that it shall be permissible for the Grantee to require “national sports associations” to pay the charges for such use to the satisfaction of the Secretary for Culture, Sports and Tourism and calculated on a cost recovery basis, i.e., either income to be foregone or actual


expense to be incurred by the Grantee arising from or in connection with the use of the sites for hosting a large scale or international sports function, whichever is higher.


7.3 The Grantee agrees that for the purpose of this Clause 7, the decision of the Secretary for Culture, Sports and Tourism on whether the application requirements set out in **Annex VI** are complied with shall be final and binding on the Grantee.

8. Publicity

8.1 The Grantee undertakes to publish the information about the facilities on the site with such details at **Annex I to Annex VI** on its website whose design shall be in all respects to the satisfaction of the Secretary for Culture, Sports and Tourism.

SIGNED for and on behalf of Aberdeen Boat Club

Signature 
Name CHRISTOPHER JULIAN POOLEY
H.K.I.D. Card No K 782863(2)
in the capacity of Commodore A.B.C.
Date 10th JANUARY 2023

WITNESSED by
Signature 
Name Philippe de Manny
H.K.I.D. Card No. P 654285 (2)
Address General Manager A.B.C.
Date 10th January 2023