

**Notes of the 18<sup>th</sup> Business Liaison Group Meeting  
With the Hotel Trade**

Date : 23 October 2014  
Time : 2:30 to 4:00 p.m.  
Venue : Room 7, G/F, East Wing, Tamar Central Government Offices

Convenor: Mr CHAN Wah-chan      Head, Business Facilitation Division,  
Economic Analysis and Business Facilitation Unit

**Trade Participants**

Federation of Hong Kong Hotel Owners

Mr Michael LI                      Executive Director  
Miss Fanny CHAN                Association Manager

A3 Hotel Hong Kong

Mr Sidney O'Young              General Manager

Chinachem Group

Mr Chris CHAN                  Licensing Manager

Kings De Nathan Hotel

Mr Ken KWAN                    Director  
Ms Janet KWAN                 Manager  
Ms Molly CHAN                 Administrative Secretary

Knutsford Hotel

Mr Jeff MA                        Sales Manager

Oriental Lander Hotel

Mr K. C. LAI                      Managing Director

**Government Representatives**

Home Affairs Department (HAD)

Mr AU Wing-hung                Chief Officer (Licensing Authority)



acceptance of the document, the icon would be changed to indicate if the document was accepted/not accepted. **Mr Michael LI** welcomed and appreciated the efforts of FEHD to enhance its ATF. He said that it was important to ensure all departments involved in the approval process should meet their performance pledges when processing food business licence applications.

4. **Mr Sydney O'YOUNG** asked whether HAD was providing similar ATF in respect of the applications for hotel licence. **Mr AU Wing-hung** responded that the ATF of HAD was catered for hotel applications and email notifications would not be sent to multiple licence applications due to system configuration and staff resource limitation.

### **Revamped Business Facilitation Initiatives website**

5. **Mr Peter FUNG** gave a briefing on "*Revamped Business Facilitation Initiatives website*" to the hotel trade with the presentation slides at Annex 2. **Mr FUNG** said that the revamped BFI website was launched in June 2014 with a view to providing the users with a better web surfing experience. **Mr FUNG** introduced the new features of the revamped webpages and highlighted the parts which were relevant to the hotel trade. The trade welcomed the revamped website.

### **New issue**

### **Licensing requirements of function rooms that are occasionally used for dining in hotels**

6. **Mr Chris CHAN** said that when planning a new hotel project, it was not uncommon to consider using the multipurpose function rooms to provide large scale banqueting service occasionally. He enquired the licensing requirements of such function rooms in hotels. **Ms WONG Yi-mui** said that for function room used for different purposes such as press conference, meetings, seminars, receptions or parties where the food service provided would not be regarded as the main purpose of those functions held, it was not necessary for the function room to be included in the licensed area of the restaurant. However, the trade should examine the mode of business of each individual case against the Food Business Regulation (Cap.132X). If the mode of business was caught by the legislative requirements stipulated by Cap.132X, the trade should apply for the appropriate type of food business licence accordingly. For example, if the function room would be used mainly for providing dining service, it would require a restaurant licence under Cap.132X. **Ms WONG** further advised the trade might seek independent legal advice if in doubt on the application of law to the specific situation. **Mr AU Wing-hung** supplemented that HAD as the licensing authority for hotels was responsible for regulating the building and fire safety aspects of hotels. As such, if the trade included the multi-purpose function rooms in the hotel licensed area, HAD would impose building and fire safety requirements for those multi-purpose rooms as stipulated under the Buildings Ordinance and Fire Services

Ordinance.

7. **Mr Chris CHAN** further enquired whether hotel restaurants which were licensed with General Restaurant Licence (GRL) could offer food delivery service to these function rooms. **Ms WONG** said that in accordance with the Food Business Regulation (Cap.132X), a GRL was endorsed to carry out take-away service and food delivery service subject to observance of relevant licensing conditions for protection of food hygiene and safety.

8. **Mr Chris CHAN** enquired whether HAD would refer to FEHD for licence approval for restaurants located within the hotel building. **Mr Timothy LEE** advised that HAD would refer the case to FEHD for information if catering service was provided. The trade should take the initiative to apply for restaurant licence from FEHD separately.

9. **Ms Molly CHAN** enquired for restaurant located within a hotel building, whether HAD would issue the hotel licence subject to the issuance of the restaurant licence. **Mr AU** replied that HAD would issue a hotel licence when the hotel premises was found in compliance with all the licensing requirements to the satisfaction of HAD. In general, the issuance of hotel licence was not dependent on the issuance of restaurant licence.

10. **Mr Chris CHAN** enquired whether HAD would impose a condition specifying a timeline of completing the application for a restaurant licence. **Mr LEE** clarified that such a condition was imposed in the hotel licence on administration needs. If the hotel areas were proposed to be excluded from hotel licensed area and subject to restaurant licence at a later stage, the information was licensed-area related and should be shown on the hotel licensed plans. HAD would ensure that the information shown on the hotel licensed plan was accurate.

11. **Mr LI** said that when formulating a guideline for hotel licensing in 1991, it was agreed by the hotel trade and HAD that premises requiring licence other than hotel licence, such as restaurant licence, should not be included in the hotel licensed area unless the owners so desired. **Mr AU** explained that, for other licence areas like restaurants, it was up to the applicant to decide whether or not they would be included in the hotel licensed area.

12. **Mr Chris CHAN** enquired for restaurant which was not included in the hotel licensed area, whether HAD would impose fire safety requirements on its means of escape. **Mr LEE** clarified that as the licensing authority for hotel licence, HAD would impose building and fire safety requirements on all hotel licensed areas.

**Any other business**

13. **Mr LI** said that there were some bars with permission of the outside seating accommodation (OSA) in East Tsim Sha Tsui breaching the relevant licensing conditions because at night, they illegally extended their food business to the open space at shopfront and make it difficult for people to walk pass. He suggested that FEHD should take enforcement actions against these bars. **Ms WONG** said that for restaurants granted with OSA permission, FEHD had imposed licensing requirements and conditions on the operating hours, proper delineation of the OSA boundary on site and also specifying the OSA boundary in the approved layout plan for adherence by licensees of restaurants with OSA permission. She would refer the matter to relevant district environmental hygiene office for follow-up actions on Mr LI's concern after the meeting.

*(Post meeting notes: FEHD obtained the location of the bars concerned from Mr LI after the meeting and subsequently passed the information to relevant district environmental hygiene office of FEHD on 24 October 2014 for follow-up actions.)*

#### **Date of next meeting**

14. The Secretary would inform members of the date of the next meeting in due course.

#### **Economic Analysis and Business Facilitation Unit**

December 2014