

**25th Business Liaison Group Meeting
with the Hotel Trade**

Date: 22 October 2018 (Monday)
Time: 3:00 p.m. – 5:00 p.m.
Venue: Business Facilitation Team Conference Room, 9/F, Revenue Tower, 5
Gloucester Road, Wanchai
Convenor: Mr Andrew KWOK Assistant Commissioner for Efficiency,
(Business Facilitation), Efficiency Office

Trade Attendees:

Federation of Hong Kong Hotel Owners (FHKHO)

Mr Michael LI Executive Director
Miss Stephenie FUNG Assistant to Executive Director

Chinachem Group

Mr Chris CHAN Building Services Manager

Oriental Lander Hotel

Mr K.C. LAI Managing Director

Government Representatives:

Home Affairs Department (HAD)

Mr Edwin TANG Chief Officer (Licensing Authority)
Ms Catherine YIU Senior Building Surveyor (LA)

Department of Health (DH)

Dr Jeff LEE Head, Tobacco Control Office
Miss Wenona LEUNG Administrative Assistant (Special Duties)

Food and Environmental Hygiene Department (FEHD)

Mr CHENG Chok-wing Superintendent (Licensing)1
Mr CHAN Ka-kui Superintendent (Hygiene)1
Mr WONG Wai-nang Chief Health Inspector (Other Licensing) HQs

Water Supplies Department (WSD)

Mr Roger WONG Chief Engineer/Technical Support
Mr Max TONG Engineer/Technical Support (5)

Efficiency Office (EffO)

Miss Fanny CHENG Chief Management Services Officer (Business
Facilitation)2 (*Secretary*)
Miss Jenny YEUNG Business Facilitation Officer

The **Convenor** welcomed all to the meeting. He said that the notes of the last meeting had been posted to the Business Facilitation Initiatives website (https://www.gov.hk/en/theme/bf/pdf/H_BLG_24_Notes.pdf) for the trade's reference.

Agenda Item 1 – Discussion items

1.1 Business facilitation measures to speed up the licensing process for purpose-built hotels

2. As the Office of the Licensing Authority (OLA) needed to ensure that the proposed hotel should tally with the approved plans and complete to the satisfaction of the Building Authority, the applications for hotel licences for newly constructed purpose-built hotel buildings would be processed after the issuance of the Occupation Permit by the Buildings Department (BD). The trade enquired whether OLA could advance the licensing processing so that the lead time for obtaining the licence could be shortened. In response, **Mr Edwin TANG** said that the OLA had recently formalized the Pre-submission Enquiry Service for such applications so that the applicants or their consultants could clarify with OLA on specific licensing issues. On the other hand, OLA was currently refining the hotel licensing requirements which would be more specific with highlight on critical issues and some updating on building safety requirements to tally with those under the Buildings Ordinance. OLA was also liaising with the BD to incorporate a hyper-link on its website or relevant practice notes for wider promulgation of these requirements.

3. **Mr TANG** said that the above measures were expected to facilitate the designers to identify the most pragmatic and effective arrangement (such as integration of fitting out and construction works) for hotel projects with a view to shortening the lead time of obtaining a hotel licence. Moreover, OLA had also refined the Report of Completion (RoC). It was expected that the refined RoC could help the trade on the promptly submission of relevant substantiation which in turn would expedite the process of compliance check.

4. **Mr Chris CHAN** said that there should be better coordination between the OLA and the Ventilation Division (VD) of the Fire Services Department for speeding up the licensing process. **Mr TANG** advised that OLA staff would provide assistance in the liaison but OLA could not issue the hotel licence until the VD had confirmed that the ventilation system had been completed satisfactorily. To further expedite the process, however, the OLA would consider issuing the hotel licence to individual cases where the VD had confirmed that the fundamental requirements for obtaining the Ventilation Certificate were completed and the applicant would undertake to complete minor outstanding items in a specified period of time.

5. In response to Mr Chris CHAN's enquiry on compliance inspections, **Mr TANG** advised that in order to facilitate the trade, OLA could arrange the compliance inspections on fire safety and building safety separately depending on the completion status of the application, or jointly upon request by the applicant.

6. **Mr Michael LI** appreciated the business facilitation measures implemented by the OLA for speeding up the hotel licensing process. The **Convenor** suggested and **Mr LI** agreed to disseminate the measures to FHKHO's member hotels via a newsletter to be provided by the Secretariat in due course.

7. **Mr TANG** supplemented that as advised by the Audit Report, the OLA staff was now conducting annual inspections for licensed premises without advance notification. **Mr LI** gave his full support to the arrangement.

8. **Mr LI** enquired the licensing requirements for capsule hotels. He was concerned about the fire safety of these premises. **Mr TANG** said that OLA noted the recent market trend of capsule accommodation and was liaising with FSD on the safety requirements. OLA would make sure these accommodations were in compliance with all the relevant fire and building safety standards before issuance of a licence.

1.2 Conditions for the applications for Places of Public Entertainment Licence for activities held within the hotel premises

9. The trade enquired whether a Places of Public Entertainment Licence (PPEL) was necessary for events such as toy show, wedding show and auction etc. to be held within the hotel premises. In response, **Mr CHENG Chok-wing** walked through a presentation on the above subject with the trade (presentation slides at **Annex 1**). He said that pursuant to the Places of Public Entertainment Ordinance (Cap.172), no person shall keep or use any place of public entertainment without a licence granted under that Ordinance by FEHD. Public entertainment was defined in the Ordinance to mean any entertainment within the meaning of the Ordinance to which the general public was admitted with or without payment. The events, activities and other things referred to in the definition of "entertainment" of the said Ordinance were the following or any part of any of them:

- (a) a concert, opera, ballet, stage performance or other musical, dramatic or theatrical entertainment;
- (b) a cinematograph or laser projection display;
- (c) a circus;
- (d) a lecture or story-telling;
- (e) an exhibition of any 1 or more of the following, namely, pictures, photographs, books, manuscripts or other documents or other things;
- (f) a sporting exhibition or contest;
- (g) a bazaar;
- (h) an amusement ride within the meaning of the Amusement Rides (Safety) Ordinance (Cap. 449) or any mechanical device (other than such an amusement ride) which is designed for amusement;
- (i) a dance party.

Mr CHENG said that if the activity to be held at a hotel premises was caught by any or any part of the above definitions and the public would be admitted with or without payment, then a PPEL would be necessary for holding such activity. However,

the requirement of a licence under the Ordinance did not apply to entertainment held in any public place to which the public had right of access and the organiser had no right to control the admission of the public.

Agenda Item 2 – Briefings

2.1 Measures to streamline the application for alterations/additions of works to food business premises

10. **Mr CHAN Ka-kui** gave a briefing on the subject with presentation slides at **Annex 2**. **Mr CHAN Ka-kui** said that FEHD, FSD and BD/Independent Checking Unit of the Housing Department, after reviewing the existing system and procedures for processing applications for alteration to the layout plans, proposed to streamline the processing procedures of alteration applications by the following measures which would be introduced progressively in 2019 -

- (a) Allowing more flexibility in the layout of the premises;
- (b) Revising the inter-departmental referral protocols to streamline the processing procedures;
- (c) Engaging professionals to process applications for alteration to the layout plans; and
- (d) Clearing the backlog of long-outstanding cases.

11. **Mr CHAN Ka-kui** said that in order to streamline the processing procedures, the relevant departments would set out clearly the circumstances under which referral could be obviated without compromising public safety. FEHD would include the new protocols in the relevant guides to application for food business licences upon implementation.

12. **Mr LI** and **Mr Chris CHAN** welcomed the above facilitation measures introduced by FEHD.

2.2 Measures to facilitate timely processing of applications for water supply

13. **Mr Roger WONG** and **Mr Max TONG** gave a briefing on the subject with presentation slides at **Annex 3**. **Mr Roger WONG** said that WSD had revised the workflow for the application for water supply to expedite the application processing. Moreover, a pilot scheme was launched in November 2017 to streamline the processing of applications for water supply involving less complicated plumbing systems such as those in food business. Up to August 2018, about 230 applications (plumbing proposals together with the application for plumbing installation) were approved under the scheme in 2018 and the corresponding average processing time was about two weeks.

14. **Mr LI** appreciated the measures introduced by WSD.

15. **Mr Chris CHAN** said that it was difficult to get in touch with WSD inspectors. **Mr WONG** advised the trade to use the hotline provided by WSD as Public Liaison Managers were assigned to pick up the calls and they would relay the messages to respective inspectors for follow-up.

2.3 Prohibition on the sale / supply of intoxicating liquor to minors in the course of business

16. **Dr Jeff LEE** gave a briefing on the subject with presentation slides at **Annex 4**. He said that the Dutiable Commodities Ordinance (Cap. 109) and the Dutiable Commodities (Liquor) Regulations (Cap. 109B) were amended to prohibit the sale and supply of intoxicating liquor to minors (persons aged under 18 years) in the course of business. The legislation would commence on 30th November 2018.

17. **Dr LEE** clarified that giving liquor to minors as a free gift (such as giving liquors as a gift in a lucky draw or as a souvenir on the street) in the course of business would be deemed as supplying liquor to minors under the amended legislation.

18. **Dr LEE** said that DH had prepared a set of guidelines to facilitate compliance with the requirements under the said Ordinance and Regulations and it would be posted on DH's website in early November 2018. The trade could also make use of the said guidelines to provide training to their employees.

19. **Mr LI** enquired whether it was the organiser or the hotel that would be held liable if liquor was sold or supplied to minors at an event held inside a hotel premises. **Dr LEE** replied that while DH might consider charging the organiser, it would seek advice from the Department of Justice and look into the details of the case before forming a charge against any party.

Agenda Item 3 – Date of next meeting

20. The **Convenor** said that the Secretariat would inform the trade of the date of the next meeting in due course.

**Efficiency Office
November 2018**