

**Business Facilitation Advisory Committee
Task Force on Business Liaison Groups**

Licence area of a holiday flat

Background

Holiday flats in Hong Kong are regulated by the Hotel and Guesthouse Accommodation Ordinance (Cap. 349) (“the Ordinance”) to ensure that premises intended to be used for accommodation meet the required building structure and fire safety standards in order to safeguard the lodgers and the public. The Office of the Licensing Authority (OLA) under the Home Affairs Department is responsible for administering the Ordinance. According to the Ordinance, a new holiday flat must apply for a licence from OLA before commencing operation. In submitting the licence application, the applicant is required to provide a layout plan delineating the licence area for OLA’s approval.

Trade’s Concern

2. At a recent Business Liaison Group meeting for guest houses, holiday flats and holiday camps, the trade pointed out that some holiday flats included balcony in their licence areas while others did not. They would like OLA to clarify the requirements of delineating the licence area of a holiday flat and whether the balcony of a holiday flat should be included in its licence area.

Administration’s Response

3. In response, OLA has advised that in submitting an application for a new holiday flat licence, the applicant is required to submit to OLA for vetting the building, drainage, ventilation and fire services installation plans showing the proposed works at the area(s) intended for licence. Based on the information shown on the plans, licensing requirements in respect of building and fire safety would be formulated.

4. OLA has also advised that it is up to the applicant to propose

whether the balcony should be included in the licence area. The applicant should obtain prior agreement from other departments concerned such as the Lands Department before commencement of alteration works even if the balcony is outside the licence area.

Way Forward

5. Members are invited to note the content of this paper and offer comments, if any.

The Office of the Licensing Authority
Home Affairs Department
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