

**Twenty-fifth Meeting of
The Business Facilitation Advisory Committee**

***Agenda Item 4(c) : Report on the work of the
Task Force on Business Liaison Groups***

Purpose

This paper reports on the work of the Task Force on Business Liaison Groups (BLGTF) since the last Business Facilitation Advisory Committee meeting held on 28 November 2013.

Work progress of the BLGTF

Overall progress of Business Liaison Groups (BLGs)

2. For the year 2013, 18 BLG meetings were held. At these meetings, a total of 100 issues were satisfactorily resolved or clarified. In addition, 38 information dissemination sessions on business facilitation measures/new regulations/existing regulatory requirements and three consultation sessions on proposed regulations/legislation were conducted by the departments concerned.

Points to note for installation of digital projectors in cinemas

3. According to Clause C18.1(d) of the Code of Practice for Fire Safety in Buildings 2011, all projectors and the associated equipment should be placed within a projector room or projector rooms which are separated from the cinemas and other accommodations by walls, floors and doors having a specified fire resistance rating.

4. At a BLG meeting for cinemas, the trade requested the Administration to review whether the above fire safety requirement was still applicable to digital projectors used by the majority of cinemas in Hong Kong because they apparently had a lower fire risk than traditional 35 mm film projectors. In response, the Buildings Department (BD) has advised that the department will consider granting the exemption from complying with the fire safety requirement on a case-by-case basis if the trade can produce

documentary proof that the proposed digital projectors will not generate hazardous gases, dusts or radiation. BD has also prepared some points to note for the installation of digital projectors in existing or new cinemas to facilitate the trade in applying for waiving the fire safety requirement of projection rooms.

5. BLGTF appreciates the efforts of BD to facilitate the trade.

Provisional approval for deletion of a portion of licensed area

6. After a food business licence has been granted under section 31(1) of the Food Business Regulation (Cap.132X), the licensee should not make any alteration to the approved layout of the premises except with the written approval of the Food and Environmental Health Department (FEHD).

7. At a BLG meeting for restaurants, the trade expressed concern on the possible delay in obtaining a new food business licence if the premises under licence application were a portion within the licensed boundary of another licensed premises. In response, FEHD has advised that to avoid double licensing in respect of the same premises, the licence under application will not be granted until the subject portion has been deleted from the approved area of the licensed premises. As such, the department will require the licensee concerned to submit an application for deletion of the portion in question from the licensed boundary. Subject to receipt of documentary proof of sole control over the premises from the new licence applicant, physical segregation of the deleted portion from its former licensed area, full compliance of all licensing requirements for grant of the new licence and no objection from the government departments concerned in respect of the deletion application, FEHD will consider granting provisional approval to the deletion application without waiting for the completion of the alteration works.

8. BLGTF appreciates the efforts of FEHD to facilitate the trade.

Transfer of the Certificate of Compliance in bar trade

9. Some bars in Hong Kong are established by acquiring Certificate of Compliance (CoC) for club houses under the Clubs (safety of Premises) Ordinance. For club houses undergoing alteration works, the Home Affairs Department (HAD) normally does not process the CoC transfer applications until the alteration works are found completed in compliance with the building and fire safety requirements imposed by the department.

10. At a BLG meeting for karaoke establishments, nightclubs, bars and other entertainment clubs, the trade raised their concern about the CoC transfer application being held up by the alteration works in progress. In response, HAD has agreed to process the CoC transfer application on a case-by-case basis with due regard to the actual circumstances. For example, if both the holder of the CoC (transferor) and the proposed holder (transferee) each submits a declaration to the effect that they confirm the acknowledgement of the alteration works and the registered layout plan accepted by HAD has been provided to the transferee by the transferor, and the transferee undertakes to take up all the responsibilities of the alteration works and the consequences, HAD will have no objection to processing the CoC transfer application.

11. BLGTF appreciates the flexible approach taken by HAD.

Application for allowing person(s) in school uniform or under age of 16 Years to enter a licensed billiard establishment

12. Section 22C of the Places of Amusement Regulation (Cap 132BA) stipulates that unless expressly permitted by the Director of Leisure and Cultural Services in writing, the licensee of a billiard establishment shall not permit two categories of persons to enter the licensed premises, viz (a) persons under the age of 16 years between the hours of 8:00 p.m. and 10:00 a.m.; or (b) persons in school uniform, whether in full or in part, or whether wholly or partly covered, at any time during the business hours.

13. The Leisure and Cultural Services Department (LCSD) has recently briefed the trade at a BLG meeting on the introduction of standard applications forms for (a) permission of person(s) under the age of 16 years to enter a licensed billiard establishment accompanied by parent/instructor/guardian after 8:00 p.m. for the purpose of training or competitions; and (b) permission of person(s) in school uniform to enter a licensed billiard establishment at any time during the business hours for the purpose of physical education classes, extra-curricular activities or competitions etc. This measure helps reduce the administrative burden of the trade as it is no longer necessary for them to draft an application letter, and/or provide supplementary information regarding the application.

14. BLGTF appreciates the efforts of LCSD to facilitate the trade.

Way forward

15. Members are invited to note the work progress of the BLGTF. The Task Force will continue to oversee and monitor the work progress of the BLGs.

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