

**Twenty-eighth Meeting of
the Business Facilitation Advisory Committee**

***Agenda Item 3(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 on 27 November 2014.

Work progress of the BLGTF

Overall progress of Business Liaison Groups

2. For the year 2014, 18 Business Liaison Groups (BLGs) meetings were held. At these meetings, a total of 83 issues were satisfactorily resolved or clarified. In addition, 24 information dissemination sessions on business facilitation measures/new regulations/existing regulatory requirements and one consultation session on proposed regulation/legislation were conducted by the bureaux/departments concerned.

3. Regarding the BLG for theme parks, operators of other attraction points (e.g. the Madam Tussauds Hong Kong, Hong Kong Observation Wheel and Ngong Ping 360) have since 2012 been invited to attend the BLG meetings as observers and exchange views on common or similar licensing and regulatory matters. As the arrangement is well received by the trade, BLGTF endorses the plan to expand the scope of the BLG to cover attraction points and rename it as “BLG for Theme Parks and Attractions” with effect from 1 April 2015.

Business facilitation measure to minimize delay in liquor licence renewal

4. The Liquor Licensing Board (LLB) used to require submission of liquor licence (including club liquor licence) renewal applications at least two

months prior to the expiry date of the licence. The approval of a non-contested renewal application would normally take 5-6 weeks. A longer processing time would be required for the contested case as LLB would have to conduct an open hearing for the parties involved (e.g. the applicant, opponents or departments concerned) to express their views before deciding on the licence renewal.

5. At a BLG meeting for karaoke establishments, nightclubs, bars and other entertainment clubs, the trade raised the concern that even the non-contested renewal applications were timely submitted to LLB, the processing time was sometimes too long and passed the licence expiry date, resulting in temporary closure of liquor selling business. In response, LLB has advanced the deadline for submission of renewal applications by one month. Under the new arrangement, the Liquor Licensing Office of the Food and Environmental Hygiene Department (FEHD) will issue a renewal notice four months before the licence expiry date to remind the licensee concerned to submit the application to LLB at least three months prior to the expiry of the licence. As such, more time is allowed for the processing of the renewal application and thus the incidence of licence break could be minimised.

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

Occasional use of multi-purpose function rooms for dining in hotels

7. FEHD is the licensing authority for food business under the Food Business Regulation (Cap. 132X). At a BLG meeting for hotels, the trade enquired whether they had to obtain a food business licence from FEHD in order to provide food service in their multi-purpose function rooms.

8. In response, FEHD has clarified that for function rooms used for multi-purposes such as press conferences, meetings, seminars, receptions or parties where the food service provided is not regarded as the main purpose of the events held, it is not necessary for the hotel operators to apply for food business licence. However, if the function rooms are mainly used for providing dining service, they will require a food business licence.

9. BLGTF welcomes the flexible approach taken by FEHD.

Rationalization of the referral process for alteration application of Places of Public Entertainment Licence (non cinema and theatre)

10. A Places of Public Entertainment Licence holder is required to seek FEHD's approval before effecting any alteration to the approved layout plan. In March 2014, the trade of the family amusement centres (FACs) expressed to the BLG their concern about FEHD's practice of referring alteration applications to the Hong Kong Police Force (Police) for comment, which might cause delay in processing the applications as changes to approved layout plans would normally only have implications on building and fire safety issues. Taking into account that FAC premises are subject to annual inspection by Police during their annual licence renewal, the trade requested the departments concerned to simplify the referral process. FEHD and Police have subsequently reviewed and rationalized the referral process for alteration applications. Under the new arrangement, FEHD will inform Police about each alteration application but will not require Police to comment on the application.

11. BLGTF appreciates the business facilitation efforts of FEHD and Police.

Licence area of a holiday flat

12. According to the Hotel and Guesthouse Accommodation Ordinance, a new holiday flat operator must apply for a licence from the Office of the Licensing Authority (OLA) under the Home Affairs Department (HAD) before commencing business operation. In submitting the licence application, the applicant is required to provide a layout plan delineating the licence area for OLA's approval.

13. At a BLG meeting for guesthouses, holiday flats and holiday camps, the trade requested 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. In response, OLA has advised that in a new holiday flat licence application, the applicant is required to submit 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, OLA will formulate licensing requirements in respect of building and fire safety. OLA has also advised that it is up to the applicant to propose whether the balcony should be included in the licence area.

14. BLGTF appreciates the clarification made by HAD.

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 of BLGs.

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