

**Thirtieth 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 20 July 2015.

Work progress of the BLGTF

Overall progress of Business Liaison Groups

2. From 1 June to 30 September 2015, seven Business Liaison Group (BLG) meetings were held. At these meetings, a total of 34 issues were satisfactorily resolved or clarified. Besides, 9 information dissemination sessions on new business facilitation measures/existing regulatory requirements were conducted by the departments concerned.

Proposed regulatory control over Internet Computer Services Centres (ICSCs) and other places of entertainment installed with game machines

3. The Home Affairs Bureau (HAB) and Home Affairs Department (HAD) have updated BLGTF on the development of the following proposals –

- to exempt family amusement centres with a valid Amusement with Prizes Licence under the Gambling Ordinance from the Amusement Game Centres Ordinance (AGCO), and allow them to install limited number of amusement game devices (i.e. non-mechanical game devices which are currently forbidden);

- to exempt from the AGCO the electronic darting centres and other premises installed with electronic darting machines already licensed under other licensing regimes with similar safety requirements; and
- to regulate ICSCs through the licensing regime under the AGCO, with licensing conditions similar to those provided under the existing voluntary-based Code of Practice.

4. The proposals include exemption and relaxation arrangement in different aspects, which involve relatively complicated legal and operational issues. HAB is working out the construction of legal document and the operational details with relevant departments. HAB and HAD will further communicate with relevant trades and other stakeholders when implementation details are available. The detailed proposals would be submitted to the Legislative Council when ready as appropriate.

One statement taking by the Police for both Places of Public Entertainment Licence and Amusements with Prizes Licence applications

5. When Family Amusement Centres (FACs) apply for Amusements with Prizes Licence (AWPL) from HAD and Places of Public Entertainment Licence (PPEL) from the Food and Environmental Hygiene Department (FEHD), both departments will refer the applications to the Police for comments.

6. At a BLG meeting for FACs, the trade enquired if the Police would consider combining the taking of the two separate statements for the PPEL and AWPL applications into one. In response, the Police has explained that the current practice of taking separate statements is meant to ensure the information provided by the applicant concerned for processing the applications is correct and up-to-date. The Police has also advised the trade that when frontline officer of the relevant formation contacts them for statement-taking for the PPEL application, they can alert the officer to the pending AWPL application with relevant information so that the Police will consider arranging one statement-taking for both applications if deemed appropriate.

7. BLGTF appreciates the flexible approach taken by the Police.

Advertising requirement to make public the intention to open a cinema

8. At a BLG meeting for cinemas, the trade opined that the advertisement requirement for opening a new cinema should be waived as newspaper reading was becoming less popular. In response, FEHD has clarified that it is a statutory requirement under the Places of Public Entertainment Regulations (Cap 172A) that any person desirous of obtaining authority to open any place of public entertainment should first make public his intention to do so and the purpose for which the premises will be used, by exhibiting a notice on the proposed site, or if it is proposed to adapt an existing structure, upon such structure, in such a position that it can be plainly read from the main road upon which the site or structure fronted, or by advertisement in 4 newspapers (2 English and 2 Chinese) circulating in Hong Kong. A copy of the notice or each of the 4 newspapers, as the case may be, should be forwarded to the Licensing Authority before the issue of licence. Information about the notification requirement and the compliance options is available at FEHD's website.

9. BLGTF appreciates the clarification made by FEHD.

Avoiding delay in receiving renewed restaurant licences by bars

10. At a BLG meeting for karaoke establishments, nightclubs, bars and other entertainment clubs, the trade raised the concern that in some occasions, the renewed restaurant licences were delivered by registered mail to the bars even though they had indicated clearly in the renewal application forms that the correspondence addresses should be used. Due to the nature of the bar business, there are normally no staff on duty during daytime and the registered mails need to be collected at the Post Office. Such incidents could cause delays in receiving the licences for the bars concerned.

11. In response, FEHD has reminded staff of the Licence Issuing Offices to send the renewed restaurant licences to the licensees according to the collection method as indicated in the licence renewal form. FEHD has also revised the renewal form FEHB 152 for the licensee to indicate explicitly whether the licence should be sent by registered mail to the address of the licensed premises or the correspondence address of the licensee.

12. BLGTF appreciates the business facilitation efforts of FEHD.

Facilitation for hotels to comply with the Mandatory Window Inspection Scheme

13. At a BLG meeting for hotels, the trade expressed the concern on complying with the time frame stipulated by the Buildings Department (BD) to carry out the prescribed inspection and repairs works under the Mandatory Window Inspection Scheme (MWIS) in view of the tender process, supply of qualified persons (QPs) and other service providers, and nature of hotel operation. The trade also enquired whether glass curtain walls, commonly used by hotels, fell within the purview of MWIS.

14. In response, BD has clarified that a pre-notification letter will be mailed to the building owner at least two months before the issue of the MWIS statutory notice. As over 5 800 QPs have indicated that they are willing to provide MWIS services, this should normally be able to satisfy the market demand. If hotels have difficulty in meeting the stipulated time frame under MWIS, they could make a request for time extension to BD with a proposed works programme and justifications. BD would take a flexible and pragmatic approach in considering the granting of extension. BD has also advised that glass curtain walls are covered by the Mandatory Building Inspection Scheme (MBIS) and not MWIS. The prescribed time frame for completion of prescribed inspection and repair works under MBIS is 12 months, six months more than that under MWIS.

15. BLGTF appreciates the business facilitation approach and clarification efforts of BD.

Way forward

16. 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.