

**Thirty-second 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 31 March 2016.

Work progress of the BLGTF

Overall progress of Business Liaison Groups

2. From 1 January to 31 May 2016, seven Business Liaison Group (BLG) meetings were held. At these meetings, a total of 34 issues were satisfactorily resolved or clarified. Besides, nine information dissemination sessions on new regulations and one consultation session on the draft tree management handbook were conducted by the bureau/departments concerned.

Advisory letters under the Energy Audit Code for commercial buildings under conversion to hotels

3. Under the Energy Audit Code (EAC) of the Buildings Energy Efficiency Ordinance, commercial buildings and the commercial portions of a composite building are required to carry out energy audit every 10 years. Hotel premises are not regarded as commercial buildings and thus energy audit is not required. At a BLG meeting for hotels, the trade enquired why advisory letters under EAC were received from the Electrical and Mechanical Services Department (EMSD) requiring commercial buildings under conversion to hotels for conducting energy audits.

4. In response, EMSD has clarified that an EAC advisory letter is issued to the owner of each commercial building according to the building type information kept by the Buildings Department. Therefore, a hotel being converted from a commercial building would receive the advisory letter. For

such cases, EMSD has advised the building owner can, upon receipt of the advisory letter, deliberate with the department by informing the status of the building concerned, and providing a layout plan showing the proposed hotel licensing area and the building service installations therein, etc. together with the time frame for the completion of the conversion.

5. BLGTF appreciates the clarification and advice given by EMSD.

Hire of qualified competent persons for upkeep and safe operation of motion chairs installed in cinemas

6. According to the Amusement Rides (Safety) (Operation and Maintenance) Regulation, cinemas shall employ competent persons for upkeep and safe operation of motion chairs installed. At a BLG meeting for cinemas, the trade opined that it was difficult to hire qualified competent persons because requirements specified by the regulation were too high.

7. In response, EMSD has advised that it is inappropriate to lower the requirements for competent persons in view of safety concerns to the moviegoers. Nevertheless, EMSD has clarified that the specified 5 years relevant practical experience does not confine to the post qualification experience. The department also considers any relevant working experience prior to the award of the relevant qualification. As an alternative to the requirements, EMSD may approve an applicant as a competent person by reason of his/her knowledge and relevant practical experience. EMSD has also advised that a qualified competent person may be employed to work for more than one cinema subject to effective delivery of the required duties.

8. BLGTF welcomes the business facilitation approach of EMSD.

Concerns of recreational clubs on undertaking annual tree risk assessment

9. At the recent BLG meeting for recreational clubs, the Greening, Landscape and Tree Management Section (GLTMS) of the Development Bureau consulted the trade on the draft “Handbook on Tree Management” (HTM) which provides private property owners with guidelines and standards of good practice on tree management. Regarding the HTM recommendation on private property owners to carry out annual tree risk assessment for trees on their properties by qualified professionals and undertake appropriate mitigation measures to reduce tree risk, the trade was

concerned about the high compliance costs of conducting annual risk assessment on each and every single tree.

10. In response, GLTMS has clarified that the tree owners could, according to the intensity and frequency of use, identify target areas for undertaking tree group inspection and necessary mitigation measures or individual tree risk assessment for trees that require detailed assessment.

11. BLGTF appreciates the clarification made by GLTMS.

Facilitation of guesthouses in compliance with 24-hour manned counter requirement

12. Operation of guesthouses in Hong Kong is regulated by the Hotel and Guesthouse Accommodation Ordinance. To enhance the safety and management of licensed premises, the Government has recently required, inter alia, the guesthouse licensee to provide a 24-hour manned counter to the guesthouse (general). At a BLG meeting for guesthouses, holiday flats and holiday camps, the guesthouse trade raised the concern about the high compliance cost of meeting the requirement when there were physical constraints in the premises. In response, the Office of the Licensing Authority (OLA) of the Home Affairs Department (HAD) has advised that it is the duty of the licensees to provide continuous personal supervision to the operation of the guesthouses. If difficulties are encountered in complying with the new requirement, OLA would consider alternative proposals put forward by the licensee. OLA has also set up an enquiry hotline for answering the trade's enquiries.

13. BLGTF appreciates the business facilitation efforts of the HAD.

Way forward

14. 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.