

**15<sup>th</sup> Business Liaison Group Meeting  
with the Trade of Recreational Clubs**

Date: 11 August 2015  
Time: 2:30 p.m. – 4:20 p.m.  
Venue: Room Idea 1&2, Efficiency Unit, 41/F, Revenue Tower, 5 Gloucester Road,  
Wan Chai  
Convenor: Mr CHAN Wah-chan Head, Business Facilitation Division,  
Economic Analysis and Business Facilitation Unit

**Trade Attendees:**

The Helena May

Ms Betty SIMPSON General Manager

Aberdeen Boat Club

Mr Steven NG House Manager  
Ms Selina MAK Personal Assistant

Hong Kong Country Club

Mr Ken LI Facilities Manager

The Hong Kong Cricket Club

Ms Clara LI Assistant General Manager  
Mr Simon LAI House Operations Manager

The Hong Kong Jockey Club

Ms Irene TAM Hospitality Administration Manager  
Ms Jacqueline CHAN Hospitality Administration Officer  
Mr Alan WONG Chief Engineer

Ladies Recreation Club

Mr Raymond CHEUNG Acting General Manager  
Ms Winnie LAU Corporate Secretary & Membership Manager  
Mr Johnson CHENG Facilities & Maintenance Manager

Royal Hong Kong Yacht Club

Ms Polly LEE Executive Secretary  
Mr Carton LAM Technical and Projects Manager

Shek O Country Club

Mr Witty LAM Personal Assistant to General Manager

Victoria Recreation Club

Mr John KULIP Administrator

**Government Representatives:**

Home Affairs Department (HAD)

Mr Paul HEUNG Building Surveyor/Licensing Authority

Electrical & Mechanical Services Department

Mr Vincent LIU Engineer/Gas Standards A2/1

Environmental Protection Department (EPD)

Dr Benny SO Senior Environmental Protection Officer (Regional West)7

Fire Services Department (FSD)

Mr CHEUNG Ka-wai Senior Divisional Officer (Dangerous Goods)

Mr WONG Heung-wing Divisional Officer (Dangerous Goods) (Acting)

Mr HO Ka-chun Assistant Divisional Officer (Dangerous Goods)

Mr Gerald KWOK Senior Station Officer (Dangerous Goods)

Food and Environmental Hygiene Department (FEHD)

Mr HUI Fai-wing Superintendent (Licensing)2

Economic Analysis and Business Facilitation Unit (EABFU)

Mr Peter FUNG Chief Management Services Officer (Business Facilitation)2  
(Secretary)

Miss Jenny YEUNG Business Facilitation Officer

**Action**

The **Convenor** welcomed all to the meeting. He said that the notes of the last meeting had been posted to the Business Facilitation Initiatives website ([http://www.gov.hk/tc/theme/bf/pdf/RC\\_BLG\\_14\\_Notes.pdf](http://www.gov.hk/tc/theme/bf/pdf/RC_BLG_14_Notes.pdf)) for the trade's reference. He also reminded the meeting of the following –

- (i) *The BLG meetings were open for participation by any member of the trade. There were no appointed BLG members from the trade.*
- (ii) *It was not appropriate to discuss individual cases at BLG meetings.*
- (iii) *The Task Force on BLGs (BLGTF) under the Business Facilitation Advisory Committee was tasked to oversee and monitor the work of BLGs. As such, BLGTF members attended BLG meetings as observers.*
- (iv) *Smoking in meeting venues (including corridor and toilet) was strictly prohibited.*

**Agenda Item 1 - Briefing by Government department**

*Handling of asbestos in recreational clubs*

2. **Dr Benny SO** gave a briefing on “*Asbestos Management and Control*” with his presentation slides at Annex 1. **Dr SO** advised the trade that according to the Air Pollution Control Ordinance (the Ordinance), when the owner of premises, including club premises, planned to carry out any work (e.g. renovation) which might involve asbestos or asbestos containing materials (ACM), the owners must hire a Registered

**Action**

Asbestos Consultant to carry out investigation on any asbestos or ACM which might be in the premises and submit the asbestos investigation report and asbestos abatement plan to the Environmental Protection Department for vetting. A Registered Asbestos Contractor shall be appointed to carry out the asbestos abatement work in compliance with the asbestos abatement plan as well as the Ordinance. **Dr SO** further advised that from 4 April 2014 onwards, import, transshipment, supply and use of asbestos and ACM was banned. As a result of the total banning, the newly use of asbestos or ACM was prohibited. However, it was not necessary to remove the asbestos or ACM if they were already in use and were in good condition.

**Agenda Item 2 - New issues***2.1 Maximum validity period of Club Liquor Licence (CLL)*

3. The **Secretary** said that as reflected by some club operators, they had received reminder letters for CLL renewal applications, and were given an option for applying for a two-year licence. They would like to know the qualifying criteria for the two-year licence.

4. In response to the trade's enquiry, **Mr HUI Fai-wing** gave a presentation on "*Legislative Amendment to Improve the Liquor Licence Regulatory Regime*" with his presentation slides at Annex 2. **Mr HUI** told the trade that the Dutiable Commodities (Liquor) (Amendment) Regulation 2015 (Amendment Regulation) and Dutiable Commodities (Liquor Licences) (Fees) (Amendment) Regulation 2015 (Amendment (Fee) Regulation) had come into operation on 3 August 2015. According to the above legislative amendments, the maximum validity period of a liquor licence (including club liquor licence) was extended from one year to two years.

5. **Mr HUI** explained to the trade that only liquor-licensed (LL) premises with a good track record for at least two consecutive years immediately before the liquor licence renewal application would be considered favourably the Liquor Licensing Board (LLB, the licensing authority for liquor licence) for the licence renewal by two years. By "good track record", the LL premises should meet three criteria : (a) there is no substantiated complaint/enforcement action recorded against the licensed premises or the licensees for at least two consecutive years immediately before licence renewal application; (b) the premises had been granted a liquor licence of at least one year at the time when the licence was last approved or renewed; and (c) the licence renewal application is not a subject of objection or adverse comment from the public.

6. **Mr HUI** further explained that LLB would issue the renewal notice to the licensee four months before licence expiry. For premises with good track record, a reply slip with the option of choosing one-year or two-year licence would also be attached. Licensee of the premises should submit the renewal application form together with the reply slip indicating his/her preference. If the licensee did not submit a filled-in reply slip, LLB would assume that the licensee was opting for a one-year licence.

7. **Mr John KULIP** appreciated the business facilitative initiatives which would cut administration cost for the trade. He also opined that LLB should not raise the

licence fee for liquor licence with validity period longer than one year because the workload of relevant Government departments in processing the applications would be lowered. **Mr HUI** explained that, according to the legislative amendments, the licence fee for licence valid for a period of two years or any period more than one year but less than two years would be 1.5 times higher than the fee prescribed for a one-year licence. He further advised that there would be a licence fee review on liquor licence.

### *2.2 Implementation date of using password for electronic submission of CLL applications*

8. The **Secretary** said that regarding the use of password as an additional option to the existing digital signature for online application for CLL, the trade would like to know the implementation date.

9. **Mr HUI** advised that the Dutiable Commodities (Liquor) (Amendment) Regulation 2015 allowed the applicant to make use of a password assigned or approved by LLB, apart from the use of digital signature in submission of application electronically (for details of the legislative amendments, please refer to p.16-17 of Annex 2). To facilitate the applicant / licensee to make online submission of new issue, renewal, transfer or amendment of liquor licences by either a password assigned or approved by the LLB or by digital signature, the online licence application system would be upgraded to support the use of password. In parallel, legal advice related to the data privacy issue would be sought. It was expected that these tasks could be completed in 2015 and the applicant / licensee could make online application submission using password in early 2016.

10. **Ms Betty SIMPSON** enquired whether application for temporary absence of licensee could also be submitted online. **Mr HUI** confirmed that it would be included.

### *2.3 Requirements of storing cleaning chemicals and diesel oil in club buildings*

11. The **Secretary** said that according to the trade, some chemicals such as cleaning chemicals and diesel oil which were classified as dangerous goods, would be used at their clubhouses. The trade enquired about the maximum quantity that could be stored in a clubhouse without requiring a dangerous goods licence.

12. In response, **Mr HO Ka-chun** gave a presentation on “*Control of Dangerous Goods in Hong Kong*” with his presentation slides at Annex 3. **Mr HO** introduced to the trade several types of commonly used cleansing agents and paints which were dangerous goods regulated under the Dangerous Goods Ordinance (Cap.295) and their respective exempt quantity. Subject to the provisions in the said Ordinance, the trade could store the exempt quantity of each dangerous goods at the clubhouse without a licensed Dangerous Goods (DG) store, but if they were going to store dangerous goods exceeding the exempt quantity, they should apply for a DG store licence.

13. **Ms Irene TAM** enquired whether different categories of dangerous goods could be stored in one single licensed DG store. **Mr HO** advised that one licensed DG

store was allowed to store one category of DG only. The trade would need to apply for a separate DG store licence for each category of DG.

14. **Ms TAM** further enquired whether the door of the DG store should face an outdoor area or a public area. **Mr HO** advised that when choosing a location for the DG store, it was preferable to provide natural ventilation to the store, as such, FSD required the door to be facing open air. However, if the trade could not provide natural ventilation to the DG store, they could go for mechanical ventilation.

15. **Ms TAM** said that her organization owned a few clubhouses in separate locations, but the catering services of all of these clubhouses were managed by one single management team. She asked whether the exempt quantity was entitled to a location, each clubhouse or to a corporation. **Mr WONG Heung-wing** advised that section 6 of Cap.295 stipulated that “*except under and in accordance with a licence granted under this Ordinance, **no person** shall manufacture, store, convey or use any dangerous goods*”. A “person” could be a natural person or a corporation, viz. a legal entity. Most importantly, there was no mention of “location” in section 6. As such, all the dangerous goods, irrespective of locations, which were possessed by one legal entity would be taken into account when applying the concept of exempt quantity. If there were a few separate legal entities, whether they were in a clubhouse or in different clubhouses, each one of them would be entitled to store dangerous goods up to the exempt quantity without a licence. **Mr WONG Heung-wing** cautioned that, if dangerous goods for the various clubhouses were procured using a centralized system, then at some point in time one person might be responsible for possession of all the dangerous goods, though different persons or clubhouse operators might only be responsible for their own share after the dangerous goods were distributed to each of the clubhouses at a later stage. When this happened, the one person responsible for the centralized procurement might well require a licence to store dangerous goods in excess of the exempt quantity.

16. **Mr CHEUNG Ka-wai** recommended the trade to properly assess the actual amount of dangerous goods required for normal business operations and avoiding storing more than respective exempt quantities if they did not have licensed DG stores. Instead of applying for a DG store licence to store large quantity of dangerous goods, the trade might consider making regular replenish orders from suppliers according to their consumption rate of cleansing chemicals or diesel oils to facilitate their business operations.

#### 2.4 Requirements of storing liquefied petroleum gas (“LPG”) in club buildings

17. The **Secretary** said that as LPG was used by the trade for catering service, they enquired about the maximum amount of LPG that could be stored in each clubhouse without a DG licence.

18. In response, **Mr Vincent LIU** gave a presentation on “*Liquefied Petroleum Gas (LPG)*” with his presentation slides at Annex 4. **Mr LIU** said that according to the Gas Safety Ordinance, unless specifically approved by the Gas Authority (Electrical & Mechanical Services Department, EMSD), storing LPG cylinders (including empty cylinders) with aggregated nominal water capacity of over 130 litres in a premises was

prohibited; and according to the Code of Practice GU06, it was recommended not to use LPG cylinders for catering purposes in commercial premises if town gas or a central LPG supply system was available.

19. To facilitate the trade to comply with the relevant regulations, **Mr Alan WONG** enquired whether EMSD could provide a more precise definition of premises, such as the minimum space of the premise. **Mr LIU** advised that “premises” means any building “where no part of the building is separately occupied”; and “in any other case, any part of a building which is separately occupied”. Simply put, a “premises” was a place where there was separate occupier and there were no definitions for the minimum space or minimum distance of separation between two premises. In practice, EMSD would conduct a site inspection to decide whether a certain area could be considered as a separate premises on a case-by-case basis.

20. **Mr Johnson CHENG** enquired whether each building of a clubhouse could store 130 litres of LPG if there were more than one building in the clubhouse. **Mr LIU** advised that if these buildings were distinctively separated from one another, each of them could be considered as a separate premises and thus could be allowed to store up to 130 litres of LPG.

21. **Mr Steven NG** remarked that some clubs used LPG heaters in winter, but the upper limit of LPG capacity allowed to be stored at a clubhouse could not meet their operational need. **Mr LIU** advised that as storing too many LPG cylinders at the clubhouse posed potential danger to both the patrons and the premises, the trade could try using electric heaters as an alternative to LPG heaters. **Mr NG** further enquired whether they could separately store 130 litres of LPG at different locations within the clubhouse, such as in the party room and in the car park. **Mr LIU** advised that, according to the legislation, it would be allowed if they were distinctively separated from one another so much so that they could be considered as separate premises.

22. **Mr Carton LAM** said that regardless of the number of floors in a club building, EMSD considered the whole building as one premises and thus the club concerned was allowed to store 130 litres of LPG only and encountered difficulties to meet the operational needs. **Mr LIU** advised him to provide further information for his follow-up after the meeting.

*(Post meeting notes: Mr LAM contacted Mr LIU on 13 August regarding the case raised.)*

23. **Ms TAM** enquired on the requirements for setting up a LPG store. **Mr Alan WONG** would like to know whether there was a maximum capacity for such approval. **Mr LIU** advised that approval for storing LPG cylinders with aggregated nominal water capacity more than 130 litres was necessary, similar to DG store. The trade might need to engage a consultant to perform risk assessment, and the maximum capacity of LPG cylinders allowed would depend on the result of the risk assessment. The trade could refer to the pamphlet on “Guideline for Setting up of Liquefied Petroleum Gas Cylinder Store” ([http://www.emsd.gov.hk/emsd/e\\_download/pps/gas/LPG\\_Storage\\_Leaflet\\_Web.pdf](http://www.emsd.gov.hk/emsd/e_download/pps/gas/LPG_Storage_Leaflet_Web.pdf)) for more

information.

*2.5 Enhancement of the Application Tracking Facility for Certificate of Compliance applications*

24. The **Secretary** said that to make the licence application process more transparent, HAD had recently enhanced the Application Tracking Facility (ATF). The trade would like to know more about the enhancement.

25. **Mr Paul HEUNG** said that HAD case officers might not be accessible through office telephone because sometimes they needed to work outside (e.g. conduct site inspections). To facilitate better communication between the trade and HAD, the email address of the case officer was added on the ATF after the latest enhancement (please refer to Annex 5 for the screenshots of the enhancement). **Mr HEUNG** said that HAD would continue to review and enhance the ATF from time to time.

**Agenda Item 3 - Date of next meeting**

26. The **Convenor** said that the secretariat would inform the trade of the date of the next meeting in due course.

**Economic Analysis and Business Facilitation Unit  
September 2015**