

Business Liaison Group for Recreational Clubs
Summary of trade's views and Government's responses
January to June 2022

During the above-mentioned period, the Secretariat, Business Liaison Group for Recreational Clubs received some trade's views on licensing and regulatory matters. The Secretariat has excerpted the trade's views together with the responses of relevant bureaux/departments as follows for the trade's reference:

| No. | Trade's view | Government responses |
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| 1. | <p>Long lead time for applications related to Private Recreational Lease (PRL)</p> <p>Trade is of the view that the time taken for government departments concerned to respond to applications related to Private Recreational Lease (PRL) is long.</p> | <ul style="list-style-type: none"> • Under the PRL policy, sites are granted to not-for-profit sports organisations for developing sports and recreational facilities. PRL lessees have to operate the facilities on site in accordance with the conditions of the land lease and the prevailing PRL policy. As stipulated in the land lease, applications such as the amendment to the Articles of Associations and alteration or redevelopment works on the sites should be filed to the Companies Registry (CR) and Lands Department (LandsD) for approval respectively. CR and LandsD will in turn seek the support of the Home Affairs Bureau (HAB) and advice from relevant government departments. • During the application process, lessees will be required to provide supplementary information when deemed necessary. Depending on the complexity of the subject matter, there may be back-and-forth communication between the club and the government departments to iron out the outstanding issues. • While the club may resolve issues with relevant departments directly, HAB also stands ready to facilitate the communication between the club and other departments where appropriate. |

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| 2. | <p>Difficult for sailing clubs to provide information to the quarterly reports of PRL site and the application form for Clubhouse Certificate of Compliance (CoC)</p> <p>Trade was of the view that the facilities/activities mentioned in the quarterly reports in respect of the opening-up requirements of a PRL site and the application form for CoC are more related to facilities/activities that are held on the land, it is thus difficult for sailing clubs to suitably provide the information required.</p> | <ul style="list-style-type: none"> • To facilitate the Government in monitoring the use of the PRL sites, in particular the implementation of the opening-up requirements arising from a lease condition to make available sports facilities for the use of eligible outside bodies, PRL lessees are required to submit quarterly reports on the operation of their sites, such as the facilities provided, availability and usage of the sports facilities, details of the sports training programmes and sports events held, etc.. • The quarterly report templates provided by HAB have included relevant sections for clubs to provide details of water sports activities. For applications related to CoC, a list of activities is also provided in the application forms for new/renewal/transfer of CoC. The list is updated in the revised form as of November 2021 for new CoC applications, and similar lists of activities are also introduced in the revised forms for renewal and transfer applications. |
| 3. | <p>Suggest bureaux/departments (B/Ds) concerned organising briefing sessions for club operators</p> <p>To facilitate their compliance with the licensing requirements for CoC and other requirements under PRL, trade suggested briefings to be organised for club operators on common pitfalls, errors etc. that club operators usually commit.</p> | <ul style="list-style-type: none"> • In view of the relatively low transaction volume and different timing of receiving new CoC applications, the Home Affairs Department (HAD) considers it more appropriate to provide a Frequently Asked Questions (FAQ) on common errors/pitfalls etc. committed by club operators for trade's review at any time to facilitate operators to comply with the provisions of the Clubs (Safety of Premises) Ordinance (Cap. 376). The FAQ is scheduled to be published in Q1 2023. • Apart from keeping lessees posted of the latest development of PRL-related issues in writing, HAB meets with the lessees regularly through annual inspections and other visits, during |

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| | | <p>which HAB will exchange views with the lessees and clarify issues of their concern.</p> |
| 4 | <p>Difficulties encountered by trade in respect of application for alteration and addition (A&A) works</p> <p>Trade opined that it is difficult for them to comply with requirements of A&A works application because the same application was handled by different HAD officers and each officer has different interpretations of compliance standards, and it is costly for a club to employ a lot of people for the processing of the application.</p> | <ul style="list-style-type: none"> • The requirements and standards for the alteration proposal are clearly specified in the Letter of Requirements (LoR) with reference to “A Layman’s Guide to Application of Certificate of Compliance under the Clubs (Safety of Premises) Ordinance (Cap. 376)”. If the CoC holder and the authorised person appointed have any question on the compliance requirements, they could contact the case officer whose contact information could be found in the LoR for clarification. • The case officer served as the single contact point between the trade and the Office of the Licensing Authority (OLA) under HAD. Currently, one case officer is assigned to handle matters related to one licensed premises. For prolonged application processing, trade operators may experience change of case officer because of normal staff posting, nevertheless, the contact phone number remains the same. • To allow continued business operation during the application for A&A works, it is the current practice for OLA to consider applications for CoC renewal of a club premises even when the A&A works therein are not completed yet by imposing a special condition in the CoC concerned. • OLA is preparing a guideline to enhance the transparency of the application requirements to facilitate trade’s compliance. A flowchart on the application for alteration proposal which includes the critical stages of submission of application, issuance of LoR, reporting on the completion of |

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| | | alteration works and registration of layout plans, etc. will be included in the guideline which is scheduled to be published in Q1 2023. |

Secretariat, Business Liaison Group for Recreational Clubs

30 June 2022