

**Information requested by the Bills Committee
at its meeting held on 2 April 2001 regarding
the Karaoke Establishments Bill**

The information requested by the Bills Committee is set out in the following paragraphs –

1. (a) *To explain the policy intent of the requirement for an individual person to be a karaoke establishment licensee/grantee;*

The policy intent is to make a physical person held responsible for all matters pertaining to a licence /permit issued/granted under the Bill when the licence/permit is issued/granted to a group of persons, a partnership or legal entity. This is to ensure that the responsibilities and liabilities under the licence/permit be vested unambiguously on a physical person to avoid possible evasion or difficulties in the administration of the Bill.

- (b) *To consider the various suggestions made by individual members to address the practical difficulties faced by the trade if an individual person being the grantee/licensee has died or disappeared etc;*

We acknowledge the practical difficulties that may be faced by the trade if an individual person being the grantee/licensee has died or disappeared etc. We are considering the administrative practices adopted in relation to a few other licensing schemes in the event of the death/disappearance of a licensee or grantee for possible application to the licensing scheme of karaoke establishments.

2. ***To respond to members' view that for the sake of equity, provisional permit/licence should also be granted to karaoke establishments in certified clubs/licensed hotels or guesthouses;***

Provisional permits will be granted to karaoke establishments in certified clubs/licensed hotels or guesthouses.

3. ***To explain when and how a public consultation under clause 5(6) will be conducted for the purpose of clause 5(3)(b), and whether the process of consultation is the same as that conducted for the purpose of issuing a liquor licence;***

A public consultation under clause 5(6) will be conducted following receipt of an application for licence/permit. The procedure will be similar to that conducted for the purpose of issuing a liquor licence, as follows –

- (a) requiring the applicant to place an advertisement in newspapers to seek public opinion;
- (b) referring the application to the respective District Office of the Home Affairs Department, for carrying out local consultation; and
- (c) posting of notices in the building where the karaoke establishment is situated to publicize the application and to seek the opinion of the residents of the building and in the immediate vicinity.

4. ***To provide relevant statistics on complaints made by members of the public concerning operation of karaoke establishments in the year of 2000, such as complaints about noise or public safety;***

We regret that no separate statistics on complaints made by members of the public concerning operation of karaoke establishments are kept by the relevant authorities.

5. *On the flow charts showing the licensing procedures, to provide the length of time required for completing the different stages of the licensing process; and*

The lengths of time required for completing the different stages of licensing process are now shown in Charts 1 and 2 attached.

6. *To advise whether the definition of “karaoke establishment” may cover premises holding rave parties on a regular basis.*

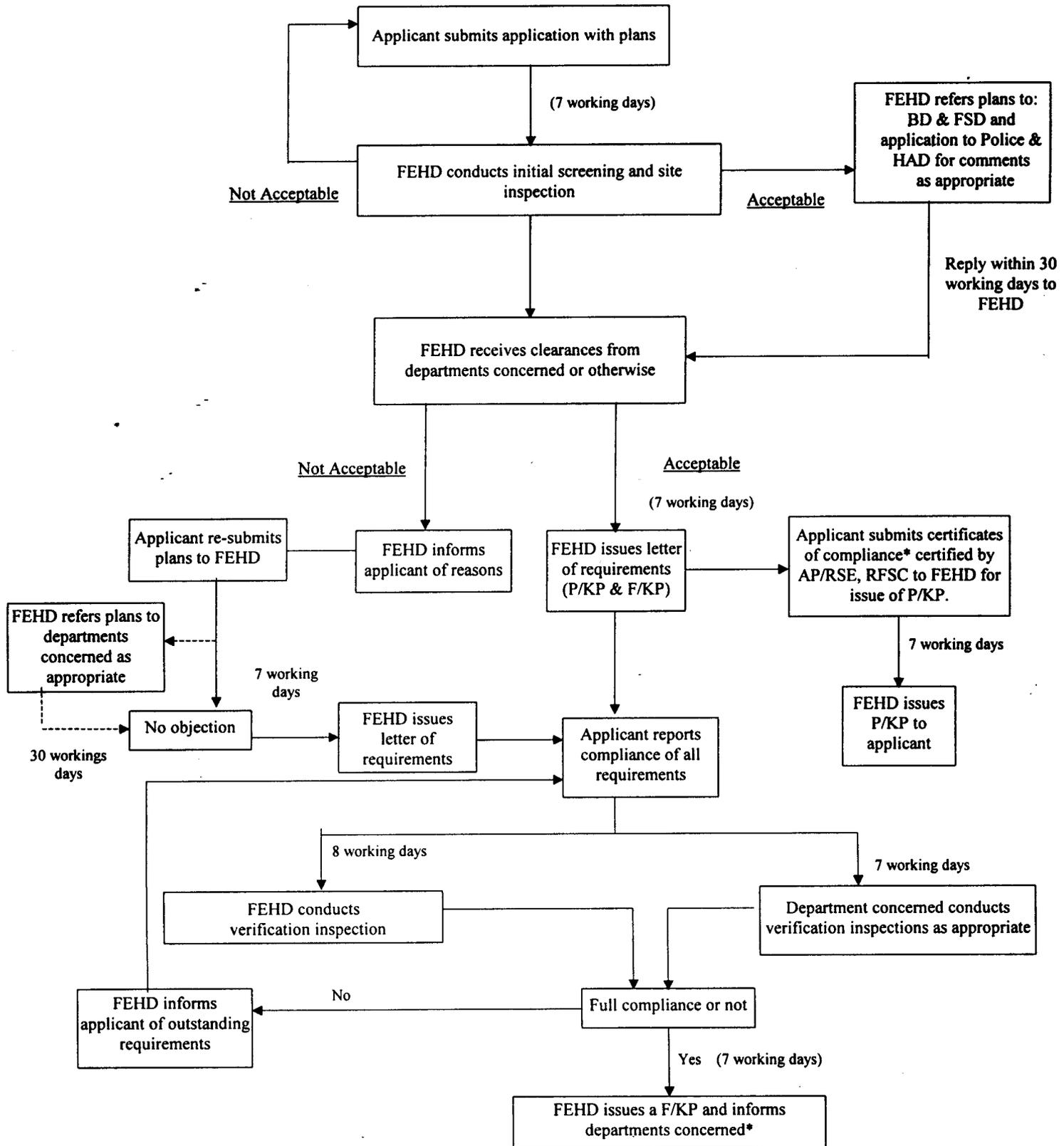
Rave parties involve a large number of people dancing to ‘rave’ music provided by professional ‘disc jockeys’ and are mostly held either in discotheques or at other venues that can accommodate a large audience, e.g. exhibition halls, hotel ballrooms, warehouses and even ferry piers. The test to the question of whether the premises holding rave parties will be covered lies in the fact as to whether the premises concerned are places opened, kept or used for the purpose of karaoke by way of trade or business. If so, the premises will be covered. If not, the reverse is true. We understand that Members may be concerned about the need for the control of rave parties. Members may therefore be pleased to note that currently the Secretary for Home Affairs is proposing legislation to require organizers of ‘rave’ dance parties to obtain a licence under the Places of Public Entertainment Ordinance (Cap.172).

Security Bureau
April 2001

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Flow Chart Showing Licensing Procedures for Application for a Karaoke Establishment Permit in Licensed Restaurants

Licensing Authority – Director of Food and Environmental Hygiene



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|--------|---------|--|------|---|
| Legend | :- FEHD | :- Food and Environmental Hygiene Department | AP | :- Authorized Person |
| | BD | :- Buildings Department | RSE | :- Registered Structural Engineer |
| | FSD | :- Fire Services Department | RFSC | :- Registered Fire Services Contractor |
| | HAD | :- Home Affairs Department | F/KP | :- Full Karaoke Establishment Permit |
| | | | P/KP | :- Provisional Karaoke Establishment Permit |

*BD carries out audit checking to the certificates of compliance certified by AP/RSE after issue of KE Permit..

**Flow Chart Showing Licensing Procedures for
Application for a Karaoke Establishment Licence or
a Karaoke Establishment Permit in Certified Clubs/Licensed Hotels or Guesthouses**

Licensing Authority – Secretary for Home Affairs

