

**Extract from the Report of the Subcommittee to
Study the Streamlining of Food Business Licensing**

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Liquor licence

64. The catering trade has commented that the time for issuing a liquor licence is too long, and it is often not issued even after the operator has obtained a food business licence. The trade has suggested that the liquor licences should be issued together with the food business licence, and that a company (instead of an individual) should be allowed to hold a liquor licence. According to the trade, issuing a corporate licence can solve the problems posed by the temporary absence of a licensee.

65. The Subcommittee has requested the Administration to explain the operation of the Liquor Licensing Board and the procedures for issuing liquor licences. The Subcommittee has also requested the Administration to consider the suggestions of the trade.

66. The Administration has advised that liquor licence is issued separately by the Liquor Licensing Board in accordance with the criteria and procedures as laid down in the Dutiable Commodities (Liquor) Regulations (Cap. 109 Sub. Leg. B) Regulation. For non-contested cases, a licence can be issued within a few weeks. If there is objection from the local residents, the Police or other government departments, open hearings will be held. In some cases, close-door meetings will be held, when there is no objection but adverse comment from the public or government department, or irregularities are found on the subject premises. The decisions of the Liquor Licensing Board, together with reasons, will be provided to the applicants and interested parties in writing in 10 working days. Applicants who are not satisfied with the Board's decision may appeal to the Municipal Services Appeals Board within 28 days after the date of notification of the Board's decision.

67. On the suggestion of issuing a liquor licence to a company instead of an individual, the Administration has advised that it may pose enforcement difficulties as a liquor licensee is required to be present at the food premises when liquor is sold. The Police has explained that one of the licensing criteria is that the applicant must be "a fit and proper person". As the mode of operation and management of premises selling liquor are different from that of a restaurant, the requirements for a liquor licensee as "a fit and proper person" are different from that required of a restaurant licensee. A liquor licensee also has greater responsibility in supervising the premises and ensuring that there is no disorder, violence or illegal activity on the licensed premises. In considering the application, the Police will take into account the applicant's background

such as criminal record, qualifications and experience in managing similar premises, and health conditions.

68. As regards expediting the processing of liquor licences, the Subcommittee has noted that for straightforward cases, the processing time can be further shortened to about three weeks. However, a longer processing time is required if there is objection to the application, as HAD has to consult local communities such as District Councils, area committees and owners' corporations on the applications.

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