

**L.N. 140 of 2009****DUTIABLE COMMODITIES (LIQUOR LICENCE FEE CONCESSIONS) REGULATION 2009**

(Made by the Secretary for Food and Health under section 6A of the Dutiable Commodities Ordinance (Cap. 109) and section 29 of the Interpretation and General Clauses Ordinance (Cap. 1))

**1. Commencement**

This Regulation comes into operation on 1 July 2009.

**2. Interpretation**

In this Regulation—

“concession period” (寬免期) means the period 1 July 2009 to 30 June 2010 (both dates inclusive);

“effective date” (生效日期)—

(a) in relation to the grant of a liquor licence, means the date from which the licence becomes valid; and

(b) in relation to a renewal of a liquor licence, means the date from which the renewed licence becomes valid;

“First Notice” (《第一則公告》) means the notice published in the Gazette as G.N. 6022 of 1996;

“liquor licence” (酒牌) has the same meaning as in the principal Regulations, but does not include a temporary liquor licence as defined in the principal Regulations;

“principal Regulations” (《主體規例》) means the Dutiable Commodities (Liquor) Regulations (Cap. 109 sub. leg. B);

“Second Notice” (《第二則公告》) means the notice published in the Gazette as G.N. 5473 of 1998;

“specified fee” (指明費用), in relation to an item of the First Notice or the Second Notice, means the fee specified for that item in column 3 of that Notice.

**3. Concessions on liquor licence fees**

(1) The fees that are—

(a) specified in the First Notice or the Second Notice; and

(b) continued in force under section 9(2) of the Provision of Municipal Services (Reorganization) Ordinance (Cap. 552) as if prescribed under section 6A of the Dutiable Commodities Ordinance (Cap. 109),

are subject to the concessions provided for in this Regulation.

(2) Subject to subsection (3), the specified fee for each of items 1(a), 1(b) and 2 of the First Notice is waived in respect of the grant or renewal of a liquor licence that is within the description set out opposite to that fee in column 2 of that Notice if the effective date of the licence falls within the concession period.

(3) If—

(a) 2 or more licences, each being a liquor licence or a renewed liquor licence, are issued in respect of the same premises;

(b) the effective date of each of those licences falls within the concession period; and

(c) the aggregate period of those licences exceeds 12 months,

then the amount of fee that is waived in respect of the last of those licences under subsection (2) is reduced by an amount equal to the fee that would, apart from this Regulation, have been payable for that licence under the First Notice for the period by which that aggregate period exceeds 12 months.

(4) Subject to subsection (5), the specified fee for each of items 1(a), 1(b), 2(a) and 2(b) of the Second Notice is waived in respect of the grant or renewal of a liquor licence that is within the description set out opposite to that fee in column 2 of that Notice if the effective date of the licence falls within the concession period.

(5) If—

(a) 2 or more licences, each being a liquor licence or a renewed liquor licence, are issued in respect of the same premises;

(b) the effective date of each of those licences falls within the concession period; and

(c) the aggregate period of those licences exceeds 12 months,

then the amount of fee that is waived in respect of the last of those licences under subsection (4) is reduced by an amount equal to the fee that would, apart from this Regulation, have been payable for that licence under the Second Notice for the period by which that aggregate period exceeds 12 months.

Dr. York Y. N. CHOW

Secretary for Food and Health

24 June 2009

### **Explanatory Note**

This Regulation provides for concessions on certain fees payable in respect of liquor licences under the Dutiable Commodities Ordinance (Cap. 109) within the period 1 July 2009 to 30 June 2010.