

For information  
on 13 June 2013

**LegCo Panel on Food Safety and Environmental Hygiene**

**Procedures for Assessing Liquor Licence Applications**

**Purpose**

This paper sets out the procedures for assessing liquor licence applications adopted by the Liquor Licensing Board (“LLB”).

**Consideration of Liquor Licence Applications**

2. The LLB is an independent statutory body established under the Dutiable Commodities (Liquor) Regulations (Cap. 109B) (“the Regulations”) to consider applications for liquor licence, including club liquor licence. Each member shall make a declaration of interest at the time of their appointment and as necessary when the LLB considers individual liquor licence applications. Pursuant to Section 17 of the Regulations, the LLB may grant a liquor licence without conditions or subject to such conditions as it thinks fit, or refuse the application. The LLB shall not grant a liquor licence unless it is satisfied –

- (a) that the applicant is a fit and proper person to hold the licence;
- (b) that the premises to which the application relates are suitable for selling or supplying intoxicating liquor, having regard to –
  - (i) the location and structure of the premises; and
  - (ii) the fire safety and hygienic conditions in the premises;
- (c) that in all the circumstances the grant of the licence is not contrary to the public interest.

3. In considering new liquor licence applications, the LLB consults the relevant Government departments, including the Police, the Buildings Department, the District Offices via the Licensing Office of the Food and Environmental Hygiene Department (“FEHD”). Exercising their professional knowledge and experience, the relevant Government

departments examine the applications covering matters including the background of the applicant, the suitability of the premises and possible reaction of the neighbourhood. Based on their analysis and assessment, the relevant Government departments tender their impartial advice to the LLB. An applicant shall, at least two weeks before the LLB considers the application, place advertisements in three newspapers in accordance with Section 16 of the Regulations. The same is also posted on the LLB webpage. For cases with neither objection nor adverse comments<sup>1</sup>, FEHD will approve the applications under the authority delegated by the LLB. For contentious cases<sup>2</sup>, the LLB will conduct closed door meetings. For contested cases<sup>3</sup>, the LLB will conduct open hearings to listen to representations from the applicants, the objectors and the relevant Government departments. The LLB arrives at an independent decision on each case after the relevant case has been duly scrutinized and deliberated, taking into consideration the views from relevant Government departments, the applicant and the objector(s). By virtue of Section 14 of the Regulations, the LLB will, as necessary, decide on any issue by a majority of votes of the members present at the meeting.

4. Pursuant to Section 17(5) of the Regulations, an applicant or residents to which the application relates may appeal to the Municipal Services Appeals Board if they are not satisfied with the decision made by the LLB. A flow chart showing the procedures for processing new liquor licence applications is available on the LLB webpage and reproduced at [Annex](#).

5. Members are invited to note the content of this paper.

**Food and Health Bureau**  
**Food and Environmental Hygiene Department**  
**June 2013**

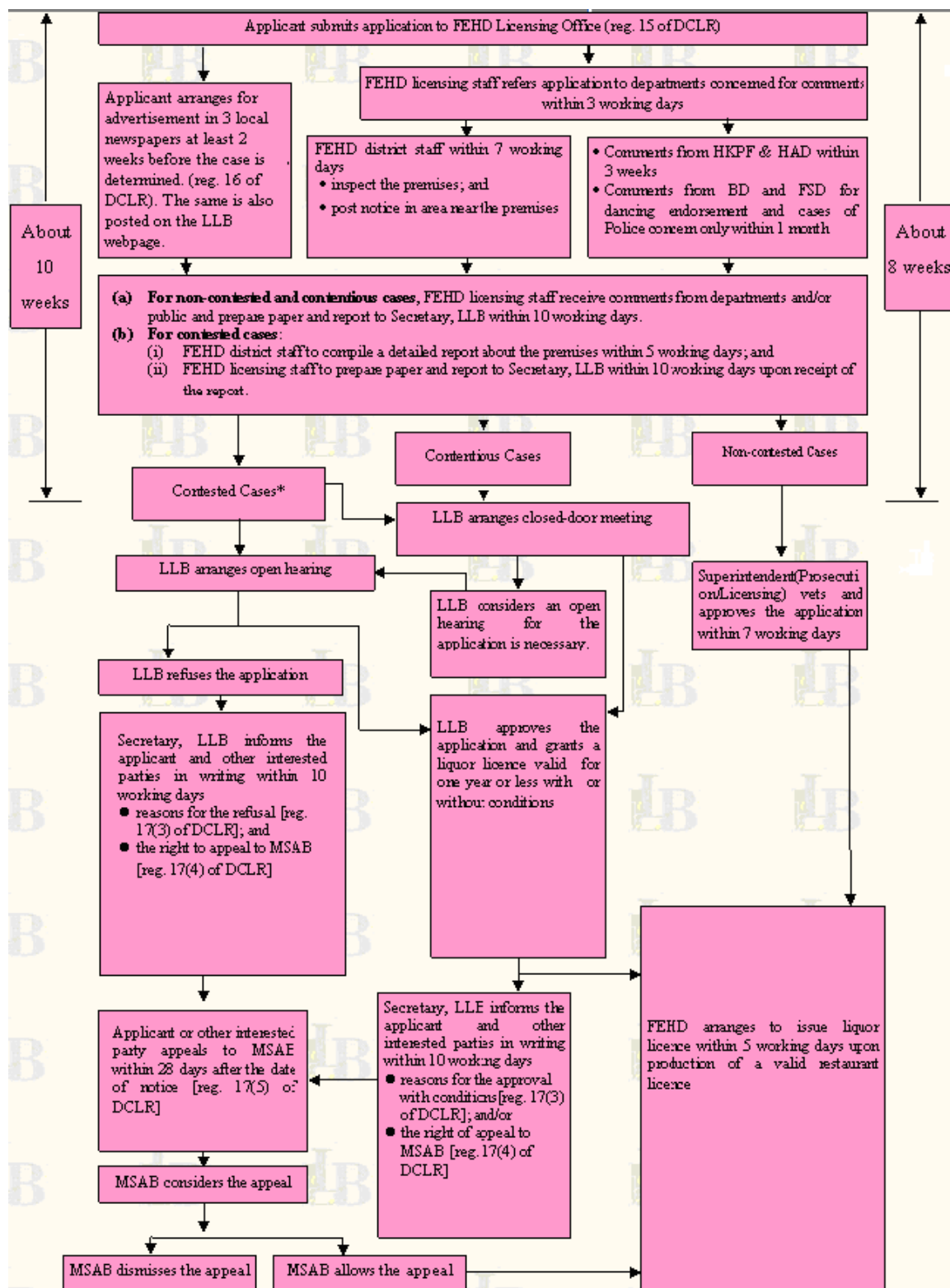
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<sup>1</sup> In these cases, the LLB has not received any objection nor adverse comment in relation to the liquor licence applications from members of the public or the relevant Government departments.

<sup>2</sup> In these cases, the LLB has received adverse comment(s) in relation to the liquor licence applications from members of the public or the relevant Government departments, but there is no objection.

<sup>3</sup> In these cases, the LLB has received objection(s) in relation to the liquor licence applications from members of the public or the relevant Government departments.

## Flow Chart of Processing Application for New Issue of Liquor Licences



\* If LLB considers that any contested case requires to be processed specifically, it can deal with the objections in a manner as it sees fit, including not convening an open hearing.

Legend: DCLR = Dutiable Commodities (Liquor) Regulations  
 HKPF = Hong Kong Police Force  
 BD = Buildings Department  
 LLB = Liquor Licensing Board

FEHD = Food and Environmental Hygiene Department  
 HAD = Home Affairs Department  
 FSD = Fire Services Department  
 MSAB = Municipal Services Appeals Board