

1. As pointed out in the paper (LC paper No. CB(2)1249/12-13(01)) submitted to the Panel by the Food and Health Bureau, "As at March 2013, there are 413 "upstairs bars" in the territory". What is the Administration's definition of "upstairs bars" which makes them come up with this figure? Whether the 413 "upstairs bars" include upstairs liquor-selling premises with club liquor licence? If the Administration do have a definition for "upstairs bars", why such definition is not used in the Guidelines?
2. Whether Karaoke operating on an upper floor of a building will be defined as "upstairs bars" if it also sells liquor?
3. According to the Administration's paper that "upstairs bars" "in general refers to liquor-licensed premises which operate as bars (i.e. with the sale and consumption of liquor on the premises being the main line of business) and are not located at street level", whether the Liquor Licensing Board ("LLB") will make reference to existing relevant legislation and give a specific account of "with the sale and consumption of liquor on the premises being the main line of business", with a view to define "upstairs bars", so as to avoid giving rise to confusion and unfairness?
4. Why are the criteria for defining "upstairs bars" not clearly stipulated in the Guidelines? In the absence of a clear definition, whether "upstairs bars" refers in general to liquor-licensed premises not located at street level and whether it will easily cause confusion?
5. Whether there are any differences between the criteria considered by LLB for assessing applications for "upstairs bars" and bars located at street level? If so, what are these differences?
6. Whether LLB will make public and update the list of "upstairs bars" on a regular basis for the trade to make reference to?
7. Whether the Administration can provide information on the number of fires or other emergencies caused by "upstairs bars" in the past ten years? What is the number of casualties involved? Whether the data support the argument of the Guidelines which proposes that the safety margin set at discounted capacity limit will help reducing accident rate? If not, what is the LLB's rationale for supporting such practice?
8. At present, whether all "upstairs bars" meet the statutory fire safety requirements?

9. If stress tests have been conducted by the Administration and LLB in buildings where there are "upstairs bars", to assess whether people in the building can promptly escape for safety in case a fire breaks out?
10. What is the basis on which the Administration set the safety margin of "upstairs bars" and what are the enforcement actions? Whether there is any relevant prosecution record?
11. In accordance with paragraph 3(e)(v) of the Guidelines, does it mean that the percentage of capacity limit to be set by LLB as safety margin is not confined to 90%, and it may be more or less than 90%? Of the criteria adopted by LLB in determining the percentage?
12. Whether the "Seminar on Liquor Licensing" referred to in the Guidelines is to be organized by the Food and Environmental Hygiene Department or contractors? What are the fees charged? How would the Government ensure that it is reasonably charged? What are the respective venue and time arrangement of the seminar? What is the meaning of attending the seminar "within a specified period" as referred to in the Guidelines?
13. With reference to paragraph 5(a) of the Guidelines, whether LLB will consider immediately making public and notifying the building owner in regard to places in a building not suitable for operation as a bar for at least six months, as well as updating the list from time to time, so as to prevent the trade from suffering investment loss when their applications for liquor licence being rejected after they have rented or purchased premises in that building?
14. What are the reasons for LLB to consider that "it may not be acceptable if the total number of upstairs bars exceeds half of the number of floors of the building"(paragraph 5(f)(i) of the Guidelines)? Please elaborate on the scientific basis therein.
15. As referred to in paragraph 4 of the Guidelines, LLB may impose additional licensing conditions to strike a balance between the interests of all parties. However, based on what criteria does LLB ascertain and prove that public interest is undermined, so as to impose additional licensing conditions? Whether it will make reference to the professional opinions of the Environmental Protection Department or refer the compliant to EPD for investigation and verification before considering whether or not additional licensing conditions should be imposed?

16. Whether LLB attaches too much importance and being over-relying on recommendations made by the Police in considering the issuance of liquor licence? Can LLB provide information on the number of cases approved by the Police but licence is eventually not granted by LLB in each of the past three years, and the percentage of these cases in the total number of applications processed? In addition, what is the number of licence applications of which objections have been raised by the public in the past few years? What is the number of applications eventually turned down by LLB as a result of objections raised by the public?
17. Whether LLB will review all the applications recommended to LLB by the Wanchai Licensing Sub-unit which was led by the convicted superintendent? Whether the Police will re-examine the recommendations made by that Sub-unit?
18. How the Police will follow up on the magistrate's accusation of suspected abuse of power made against the Sub-unit led by the convicted superintendent?
19. Whether the Administration intend to expand the coverage of SOHO in the Central district?
20. Whether the Administration will review the composition, functions, operational transparency and the complaint mechanism of LLB?
21. In item 8 of the additional Standard Licensing Conditions imposed on liquor licences, it is stipulated that the licensee shall not permit any common prostitutes to assemble or remain on the premises. Whether it will constitute discrimination and deny sex workers' access to entertainment after work?
22. In the process of assessing liquor licence applications, LLB requires applicants to possess sufficient experience in managing liquor-licensed premises. Whether this requirement will hinder the business environment?