

**Bills Committee on Hotel and Guesthouse Accommodation
(Amendment) Bill 2018**

**List of follow-up actions required of the Administration
arising from the discussion at the meeting on 4 March 2019**

The Administration was requested to provide:

- (a) justifications for providing in administrative guidelines (instead of spelling out clearly in legislation) certain factors for considering whether a person was a fit and proper person to operate, keep, manage or otherwise have control of a hotel or guesthouse under the proposed new section 12L, and examples of legislation having similar arrangements for the fit and proper requirements in respect of licensing requirement;
- (b) information on the circumstances under which a warrant was or was not required for conducting searches and inspections of hotels/guesthouses;
- (c) information on how affected persons (i.e. operators, landlords and/or tenants of hotels/guesthouses) ("affected persons") would be informed of the applications of closure orders, the procedures involved in the making of the application of closure orders (in particular, if the application was made at any time which was subsequent to the date when the second conviction had been made by the court) and after the closure orders had been made by the court and the legal right, if any, afforded to such affected persons to enable them to contest the application of closure orders or closure orders made by the court to ensure due process;
- (d) a response to the suggestion of providing provisions in the Hotel and Guesthouse Accommodation (Amendment) Bill 2018 to ensure that affected persons would be informed of the applications of closure orders and the closure orders made against them;
- (e) justifications for setting the time frame at within 16 months in the proposed new section 20A(2) between the previous conviction and the commission of the offence leading to the present conviction in respect of the same premises in considering making a closure order on application;

- (f) justifications for setting the closure period of the premises subject to a closure order at six months in the proposed new section 20A(5); and
- (g) justifications for setting the effective period of suspension orders at not more than two years in the proposed new section 20E(5).

Council Business Division 2
Legislative Council Secretariat
27 March 2019