



中華人民共和國香港特別行政區政府總部食物及衛生局

Food and Health Bureau, Government Secretariat  
The Government of the Hong Kong Special Administrative Region  
The People's Republic of China

**Translation**

13 July 2018

Ms Josephine SO  
Clerk, Panel on Food Safety and Environmental Hygiene  
Legislative Council Secretariat  
Legislative Council Complex  
1 Legislative Council Road  
Central, Hong Kong  
(Fax: 2509 9055)

Dear Ms So,

**Panel on Food Safety and Environmental Hygiene  
List of Outstanding Items and List of Follow-up Actions**

I refer to the list of follow-up actions enclosed to your letter dated 11 May 2018. On item 4, our response is set out in the Annex.

Yours sincerely,

(Miss Diane WONG)  
for Secretary for Food and Health

**LegCo Panel on Food Safety and Environmental Hygiene  
Responses to Issues by Members on 10 April 2018**

**Liquor Licensing Regime**

The information requested by Members at the Panel meeting held on 10 April 2018 are set out below –

- (a) the measures to be taken by the Administration to address the nuisances caused by the operation of bars to the surrounding environment and effectively handle complaints against the bars and restaurants**

Liquor Licensing Board (“LLB”) is responsible for handling matters relating to the issuance of liquor licences. Relevant Government departments such as the Police, Food and Environmental Hygiene Department (“FEHD”), Environmental Protection Department (“EPD”) and Fire Services Department (“FSD”) are responsible for handling complaints against liquor-licensed premises under their respective purview. During the licence period, if the Police find the licensed premises to be associated with serious crimes (e.g. sale of dangerous drugs) or in serious breach of the licensing conditions (e.g. sale and supply of liquor to persons aged below 18 for consumption on the licensed premises), which warrant revocation of the liquor licence by LLB, they may make such recommendation to LLB regardless of whether the licence is due to expire or not. While the Government departments do not notify LLB immediately upon receipt of complaints against the licensed premises, they have put in place mechanisms to provide the complaint and enforcement records to LLB upon request or on a regular basis.

LLB has implemented measures to improve the regulatory regime in the past few years. To provide added room for sensitive handling of views from the neighborhood, LLB has revamped the public notification and consultation procedures to collect public views on applications for the renewal or transfer of liquor licences. With effect from May 2013, for liquor-licensed premises which (a) drew objections when the licence was

last renewed; or (b) were the subject of complaints in the past 12 months, the District Council member of the respective constituency on which the premises are located would be consulted. Neighbouring residents could also offer their views to LLB directly. LLB would then take into account the views collected from the public including complaint(s) against liquor-licensed premises and comments from Government departments and, where appropriate on a case-by-case basis, impose additional licensing conditions, grant a short-term licence or refuse the application.

LLB has been diligently discharging a gate-keeping role in striking a reasonable balance between the benefits brought about by the commercial and economic activities and the social cost to the nearby community in terms of public order, building safety, environmental hygiene and nuisances.

- (b) the number of liquor licence applications rejected by the Liquor Licensing Board (“LLB”) in the past three years due to adverse comments / objections received from members of the public or relevant Government departments (e.g. the Police)**

In 2015, 2016 and 2017, the numbers of liquor licence applications rejected by LLB due to adverse comments / objections from members of the public or relevant Government departments are tabulated as follows:

<b>Year</b>	<b>No. of cases</b>
2015	40
2016	34
2017	41

- (c) the number of cases (in the past three years, breakdown by new application and licence renewal) in which LLB had imposed additional conditions on the licensed premises, after taking into account the advice from the relevant Government departments and the views received during the consultation**

In 2015, 2016 and 2017, the number of cases (broken down by new

application and licence renewal) in which LLB had imposed additional conditions on the licensed premises, after taking into account the advice from the relevant Government departments and the views received during the consultation are as follows:

Year	Number of cases imposed with additional licensing conditions	
	New Application	Licence Renewal
2015	394	793
2016	276	756
2017	204	700

**(d) the overall direction and outcome of the Administration's review of matters related to LLB and the liquor licensing regime**

Overall speaking, the Government reviews the liquor licensing regime from time to time. Although LLB has adopted trade facilitation measures in the past years, some trade members have suggested the Government to consider further improvements to the liquor licensing regime. For example, some trade members suggested allowing a body corporate to be issued with a liquor licence; and some requested consideration be given to classifying liquor licences into different categories in accordance with their risk levels, such that low-risk licensed premises (e.g. licensed premises with a good track record or the main business to sell food but not liquors) are subject to less stringent control. We will carefully examine the advantages and disadvantages of the said proposals, drawing reference from experiences in other jurisdictions and considering the impact made to the local trade; and consult relevant stakeholders and enforcement departments at a suitable juncture.

Food and Health Bureau  
Food and Environmental Hygiene Department  
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