

Classification of Licence

Author	Message
Food and Health Bureau	<p data-bbox="320 275 606 309">Posted: 2011-07-26 10:01:36</p> <p data-bbox="320 338 1374 405">We sincerely invite Forum members to share with us your views on the following matters regarding classification of licence (details at Chapter 6 of the Consultation Document):</p> <ul data-bbox="320 434 1382 566" style="list-style-type: none"><li data-bbox="320 434 1382 501">(a) the relevance and merits of a statutory licence classification system in the Hong Kong context; and<li data-bbox="320 530 932 566">(b) the practicability of such a classification system. <p data-bbox="320 595 970 629">Suggestions on such classifications are also welcome.</p> <p data-bbox="320 658 469 692">Background</p> <p data-bbox="320 721 1406 978">At present, a single type of liquor licence applies to all premises selling liquor for consumption therein. The conditions attached to each licence, however, may vary depending on the circumstances and merits of each case. There have been suggestions that liquor licences should be classified into different categories because different types of premises pose a different level of risk. Some suggested that different categories of licences should be subject to different sets of licensing conditions, i.e. more stringent conditions should be imposed on the more risky licensed premises. Such a categorisation system is believed to be able to further enhance efficiency in licence processing.</p> <p data-bbox="320 1008 1386 1075">We need to assess the practicability and effectiveness of the suggestion in the light of the following characteristics of the liquor entertainment scene in Hong Kong –</p> <ul data-bbox="320 1104 544 1137" style="list-style-type: none"><li data-bbox="320 1104 544 1137">(a) Trade practice: <p data-bbox="320 1167 1398 1299">In Hong Kong, given that there is currently no restriction on the type of liquors sold at each licensed premises, most licensed premises are selling a wide range of products. The proposed classification according to the variety of liquors sold (as in the case of Singapore and California) may not directly apply to our current mode of operation.</p> <ul data-bbox="320 1328 679 1361" style="list-style-type: none"><li data-bbox="320 1328 679 1361">(b) Evolving dining behaviour: <p data-bbox="320 1391 1406 1585">The dining behaviour of Hong Kong people is evolving. In recent years, we found the distinction between bars and restaurants becoming blurred, with many new restaurants also having a bar next to the dining areas and the consumption of wine being very common in general restaurants. This renders a classification according to the nature of business (e.g. restaurants or bars) infeasible.</p> <ul data-bbox="320 1615 627 1648" style="list-style-type: none"><li data-bbox="320 1615 627 1648">(c) Risk-based approach: <p data-bbox="320 1677 1406 1872">From the risk-management point of view, the Liquor Licensing Board (“LLB”) is already adopting such an approach by the imposition of additional conditions. As at April 2011, LLB imposed additional conditions on 1 544 licences. Examples of such conditions include restricting the liquor-selling hours, requiring all doors and windows to be closed after certain hours, prohibiting the playing of music or karaoke facilities, etc. In other words, LLB has been effectively classifying the licences according to the risks of the licensed premises.</p> <p data-bbox="320 1901 1386 2033">As the Dutiable Commodities (Liquor) Regulations (Cap. 109B) stipulates LLB to examine each application on its own merits weighing the suitability of the applicant, the location as well as public interest, categorising the licence types might not necessarily lead to enhanced efficiency.</p>

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I absolutely believe that there should be classification of licences, and in some areas (especially residential areas and their rims) only a limited class of licences should be issued.

It is true that the dining behaviour of HK people is evolving, and the selling of alcoholic drink does not necessarily lead to misbehaviour and gross disturbance to the neighbourhood and even the public. However, there have always been disturbance and disturbing cases in those bars with operation hours up to 4 a.m. Imagine the cause of these drunkards or people watching world cup and yelling until 4 a.m. in a residential region. If car horns are prohibited, so should human noises be restricted in certain areas within certain time frames.