

## Duration of a Licence

### Author

### Message

Food  
and  
Health  
Bureau

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We sincerely invite Forum members to share with us your views on the following matters regarding duration of a licence (details at Chapter 4 of the Consultation Document):

(a) whether the maximum duration of liquor licences should be extended to two years; and

(b) if the response to (a) is yes, whether an annual review mechanism should be introduced.

Other views or suggestions on the operation (e.g. the threshold on the number of complaints received against a licensed premises) of the annual review mechanism are also welcome.

#### Background

Under the Dutiable Commodities (Liquor) Regulations (Cap. 109B), a liquor licence shall be valid for a period of one year or such lesser period as the Liquor Licensing Board ("LLB") shall determine. A licensee has to apply to renew the licence and advertise the application afresh. On the one hand, this annual renewal exercise provides a natural opportunity for LLB to gauge the views of various government departments and the community on the operation of a licensee in the past year and to take necessary actions (e.g. refusing a new or renewal application, renewing a licence for a period less than a year with or without imposing additional licensing conditions). On the other hand, the annual renewal is considered a burden on the trade and the large number of renewals to be handled annually also adds to the caseload of LLB and relevant government departments. There have hence been suggestions to explore the extension of the duration of a liquor licence to more than one year based on a risk-management approach. The Administration will not compromise the effective control of licensed premises, but is prepared to consider the proposal on extending the duration of a licence to a maximum of two years only for those businesses with a good track record for at least two consecutive years.

If the maximum licence period is extended, the Administration considers it necessary to empower LLB to proactively trigger a mid-term review for two-year licences in justifiable cases (e.g. if the number of complaints against a particular licensed premises exceeded a certain threshold to be decided by LLB), so that those who are adversely affected by a two-year licensed premises during the first half of the licence period would have the chance to voice their concerns to LLB which would in turn be able to exercise a decision to suspend or cancel/revoke the licence as appropriate.

Ma Kam Wah Posted: 2011-08-01 12:17:30

Timothy

Posts:71

Votes:25

Credits:5

An annual renewal will remind the operator to have high quality of management and service. And, it can also allow the administration to be more effectively in responding to the concern and complaints aroused from this operation.