Classification of Licence

Author	Message
Food and Health Bureau	 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): (a) the relevance and merits of a statutory licence classification system in the Hong Kong context; and (b) the practicability of such a classification system. Suggestions on such classifications are also welcome. Background 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. 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 – (a) Trade practice: 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. (b) Evolving dining behaviour: 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. (c) Risk-based approach: 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. 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.

Ma Kam Wah
Timothy

Posts:71

Votes:25

Credits:5

If we are going to have different classification of licence, I am worried that more effort and resources in governing the enforcement would be needed.

To me, keep it as simple as best...

Ma Kam Wah
Timothy

Posts:71

Votes:25