

### **Notes for Licensees on Condition (4) of the License**

- (a) If there is evidence that any person has committed an offence under any laws of Hong Kong in respect of premises holding a valid hotel/guesthouse license, such as establishing vice activities, making noise which is a source of annoyance to any person, etc, the licensee concerned will be required to give an account on as to how he/she has maintained continuous and personal supervision over the premises concerned. Subject to the representation made by the licensee, the Authority may cancel, suspend or refuse to renew the license concerned in accordance with section 10(d) of the Ordinance, i.e. on the ground that any condition of the license has not been or is not being complied with by the person holding the license in respect of the premises.
- (b) As far as holiday flat is concerned, the licensee shall be clear that his obligations in maintaining the continuous and personal supervision over the holiday flat do not stop or suspend during the period when his holiday flat is let out to a customer. He remains to be the person who is responsible for the continuous and personal supervision of the operation, keeping, management and other control of the holiday flat at any time as the circumstances require.
- (c) There have been complaints that nuisances or annoyance was alleged to have caused to persons living near holiday flats and that illegal activities were said to have been carried out in such flats. In fulfilling a licensee's obligations relating to his holiday flat, the licensee shall take appropriate actions (e.g. to introduce relevant house rules for the holiday flat or amend such house rules suitably) to remind customers:
- i. Not to use the holiday flat for any illegal purpose or activities; and
  - ii. Not to cause in the holiday flat any nuisance or annoyance, which may disturb any persons(including residents nearby).
- (d) Further, whether or not the licensee will provide a front desk or a separate office for the purpose of the holiday flat, he shall ensure that his customer(s) or any third party who wishes to make enquiry or to relate to him any matters in connection with the holiday flat can reach him at any time as the circumstances require. It is not acceptable that he shuts the front desk or the office of the holiday flat after the office hours. He should adopt appropriate measures so that any matter arising in connection with the holiday flat can be dealt with promptly and instantly under his personal and continuous supervision. To facilitate communication between the

licensee and his customer(s), the licensee shall include the name of the responsible person and his contact phone number in the house rules so that the customer(s) would be able to get in touch with him or the responsible person, whenever necessary.