



Our Ref : HAD/LA/1/2/6

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11 December 2015

To: all licensees / applicants of hotels and guesthouses

Dear Sir/Madam,

**Review of the Hotel and Guesthouse
Accommodation Ordinance (Cap.349)
Implementation of Administrative Enhancement Measures**

I write to inform you of the new measures to be introduced to enhance the licensing regime under the Hotel and Guesthouse Accommodation Ordinance (Cap.349) (the Ordinance).

Background

The Home Affairs Department (HAD) conducted an extensive public consultation on the review of the Ordinance last year. We received overwhelming public support for the various proposals put forth in this consultation exercise. At the meeting of the Legislative Council Panel on Home Affairs held on 24 March 2015, the Legislative Council Members were informed of the outcome of the public consultation exercise and the proposed way forward, which includes, inter alia, the implementation of administrative enhancement measures to the existing licensing regime of hotels/guesthouses.

Implementation of Administrative Enhancement Measures

To enhance the safety and management of the premises licensed under the Ordinance, the Hotel and Guesthouse Accommodation Authority (the Authority) will introduce the following enhancement measures with effect from 28 December 2015 (the Implementation Date) –

- (a) a third party risks insurance (public liability insurance) policy is required to be procured by the licensee of hotel/guesthouse;
- (b) a 24-hour manned counter is required to be installed at the licensed guesthouse (general); and
- (c) four different forms of licences will be issued on the basis of the approved use of the premises.

Subject to the grace period arrangements as mentioned below, the above measures will be applicable to all premises being used as hotels and guesthouses under the Ordinance with effect from the Implementation Date (except for measure (b) which would only be applicable to licensed guesthouses (general)). For details, please refer to the attached “Guideline on New Licensing Requirements under the Hotel and Guesthouse Accommodation Ordinance” (the Guideline). You are strongly advised to read the Guideline in detail and make your own plan of actions before applying for renewal of licence or a new licence.

Grace Period Arrangements

For measures (a) and (b) mentioned above, an one-off **grace period of 12 months** may be given to the licensees/applicants in respect of the following premises so that they would have sufficient time to make necessary arrangements to meet the relevant requirements –

- (i) premises to which a valid licence has been issued under the Ordinance before the Implementation Date, an one-off grace period of 12 months will be granted to the licensee upon the renewal of the licence; and
- (ii) premises to which a new licence application has been made under the Ordinance before the Implementation Date and the new licence is issued after the Implementation Date, an one-off grace period of 12 months will be granted to the applicant upon the issue of the new licence.

No grace period would be allowed for any applicant who submits application for a new licence under the Ordinance on or after the Implementation Date. The applicant is required to make the necessary arrangements to meet the administrative enhancement measures (a) and (b) mentioned above.

Please be reminded that the Authority may refuse an application for licence under section 8(2)(b) or cancel, suspend or refuse to renew a licence under section 10(d) of the Ordinance if (1) an applicant for a new licence fails to make the necessary arrangements to meet the above administrative enhancement measures after the Implementation Date, and (2) a licence holder of the hotel/guesthouse fails to make the necessary arrangements to meet the above administrative enhancement measures within the 12 month grace period granted under the above grace period arrangements.

Enquiries

Should you have any enquiries, please contact our enquiry hotline at 3107 3021.

Yours faithfully,

Signed

(AU Wing-hung)

for Hotel and Guesthouse Accommodation Authority