



本署檔號 Our Ref. HAD/LA/1/2/6

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4 November 2022

**To: All Hotel, Guesthouse, Bedspace Apartments & Karaoke Establishment  
Licensees or Responsible Persons  
All Club Certificate of Compliance Holders or Responsible Persons**

Dear Sir/Madam,

**Application of New/ Renewal and Transfer of Licence -**

**Documentary proof of holding a continuous and personal supervision for operation,  
keeping, management or other control of the premises concerned**

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For making applications in respect of a new/renewal and transfer of licence/certificate under the Hotel and Guesthouse Accommodation Ordinance (Cap. 349) (the “HAGAO”), the Clubs (Safety of Premises) Ordinance (Cap.376) (the “CuSPO”), the Bedspace Apartments Ordinance (Cap.447) (the “BAO”) and the Karaoke Establishment Ordinance (Cap.573) (the “KEO”), applicant is required to provide a documentary proof **upon submission of the application** that he/she can operate, keep, manage or control by other means such premises under his/her continuous and personal supervision.

**Background**

2 Pursuant to relevant sections under the HAGAO, the CuSPO, the BAO and the KEO<sup>1</sup>, the Hotel and Guesthouse Accommodation Authority/ the Secretary for Home and Youth Affairs/ the Bedspace Apartments Authority, as the case maybe, may refuse to issue/renew and permit a transfer of hotel/guesthouse/bedspace apartment/karaoke establishment licence or a club certificate of compliance (CoC) on the ground that it appears to him that the operation, keeping, management or other control of the hotel/ guesthouse/ club-house/ bedspace apartment would not be under the continuous and personal supervision of the person to whom the licence/ CoC would be issued.

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<sup>1</sup> *Relevant provisions including –*  
HAGAO : Section 12B(4)(b), 12C(5)(b)&(d) and 12F(4)(c) of Cap 349  
CuSPO : Section 8(2)(c), 10(a) & 12(2) of Cap 376  
BAO : Section 12(5)(c), 13(3)(b) and 17(2) of Cap 447  
KEO: Section 5(3) and 10(c) of Cap.573

## Implementation

3 In considering whether an applicant has a continuous and personal supervision over the premises concerned in respect of the application for new issue/ renewal and transfer of licence/ CoC, applicant should submit documentary proof at the time of making all types of applications. The examples of relevant document proof include:

- (a) The ownership record registered in the Land Registry showing the ownership of the premises concerned;
- (b) Stamped Tenancy Agreement between the registered owner of the premises concerned and the applicant;
- (c) Authorization letter from the registered owner/ legal tenant of the premises concerned to the applicant to operate, keep, manage or control the premises;
- (d) Legal documents (e.g. Government Lease or Deed of Mutual Covenant) explicitly designated the applicant to operate, keep, manage or control the premises concerned; or
- (e) Other document(s) showing the applicant having the exclusive right to use and enjoyment of the premises concerned.

4 The applicant should submit the required documents as referred to in paragraph 3 above to demonstrate that the premises concerned could come under his/her continuous and personal supervision throughout the period of the licence/ CoC. If the submitted document does not cover the full period of licence/ CoC, the applicant shall deliver to the Office of the Licensing Authority a copy of new documentary proof at least 30 days before the expiry of the previous submitted document.

5 Depending on the circumstances of each case, failure to provide the documentary proof as mentioned in paragraph 3 above may cause refusal of the related application.

6. For enquiries related to the above requirement, please contact us at 2881 7034.

Yours faithfully,

(signed)  
( LEUNG Chi-tim, Robin )  
Chief Officer (Licensing Authority)  
Office of the Licensing Authority