

A Guide to Licence Applications for Holiday Flat

under the Hotel & Guesthouse Accommodation Ordinance, Chapter 349

(December 2023)



民政事務總署
Home Affairs Department

Performance Pledges in Processing Licence Application

The Licensing Authority has made performance pledges in respect of the following stages of work:

Processing Steps		Processing Time and Performance Pledges
<u>New Application</u>		
(i)	To issue acknowledgement receipt	Within 4 working days upon receipt of a valid application
(ii)	To conduct site inspection and issue a letter of upgrading requirements to applicant	Within 22 working days upon issue of acknowledgement receipt

IMPORTANT NOTE

(1) Information contained in this Guide is for reference only. Application for issue, renewal, and transfer of a licence is to be processed in accordance with the Hotel and Guesthouse Accommodation Ordinance (Cap. 349) and its subsidiary regulations.

(2) In the light of the experience in combatting unlicensed hotels/guesthouses and licensing of hotels/guesthouses in recent years, the Home Affairs Department conducted a territory-wide consultation on the Review of the Hotel and Guesthouse Accommodation Ordinance in July 2014. Setting out a series of proposals, the consultation document aims to further enhance the effectiveness of enforcement actions against unlicensed hotels/guesthouses, and improve the licensing regime to minimise any impacts on residents. 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. The proposals include, inter alia, the implementation of administrative enhancement measures to the existing licensing regime of hotels and guesthouses. To enhance the safety and management of the premises licensed under the Hotel and Guesthouse Accommodation Ordinance, three enhancement measures have been implemented with effect from 28 December 2015. For details, please read the letter to licensees/applicants dated 11 December 2015 and its attached "Guideline on New Licensing Requirements Under the Hotel and Guesthouse Accommodation Ordinance (Cap. 349)" at the column 'General Advice to Licence/Certificate of Compliance/Permit Holders and Potential Applicants' on the website of the Office of the Licensing Authority (www.hadla.gov.hk). To avoid any inconvenience that might cause to you, you are advised to continue to keep track of the developments of other measures proposed in the consultation. Please check the 'Latest News' on the website of the Office of the Licensing Authority (www.hadla.gov.hk) for details.

(3) It is an offence under the Hotel and Guesthouse Accommodation Ordinance if any person, who on any occasion operates, keeps, manages or otherwise has control of a hotel/guesthouse without a licence or certificate of exemption in respect of the premises. The person convicted of the offence is liable to a fine of \$200,000 and to imprisonment for 2 years, and to a fine of \$20,000 for each day during which the offence continues.

(4) The issue of the licence does not act as a waiver of any terms in any lease or license granted by the Government of the Hong Kong Special Administrative Region or any public officer, nor does it in any way affect or modify any agreement, covenant or Deed of Mutual Covenant relating to any premises or building in which the holiday flat is situated. A Deed of Mutual Covenant (DMC) is a private covenant among the owners, the property manager and the developer of a building. Engaged parties are empowered to act under the power conferred by the DMC to enforce the DMC provisions in relation to the control, management and administration of the building. They may also take appropriate actions and measures against any owner who does not comply with the DMC. The operator of licensed premises, as one of the occupants of the building, is obliged to observe and comply with all the provisions of the DMC.

(5) The issue of the licence does not in any way exempt the holder of the licence from the consequence of non-compliance with the provisions of any other enactments, or indemnify him against the consequences of any breach of any other regulations or laws of Hong Kong (including The Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region).

(6) For the licence to be issued under Cap. 349, the applicant shall ensure that no act or activity on the licensed premises may constitute or is likely to cause the occurrence of an offence endangering national security under the National Security Law or other laws of the Hong Kong Special Administrative Region.

(7) This guide to licence applications is only applicable to a proposed holiday flat premises which is situated in a village type house in the New Territories.

IMPORTANT ADVICE

for Prospective Applicants of Holiday Flat Licence

DO's and DON'Ts

DO's

- ✓ also read another booklet: "A Layman's Guide to Licence Applications under the Hotel & Guesthouse Accommodation Ordinance (Chapter 349)" published by the Office of the Licensing Authority of the Home Affairs Department which explains how to apply for a hotel/guesthouse licence.
- ✓ consider appointing professionals to assist you in making application if you are not familiar with the requirements outlined in this booklet.
- ✓ hire competent contractors to carry out the required upgrading works to be laid down by the Licensing Authority.
- ✓ engage registered FSI contractors in the required fire service installations.
- ✓ choose only premises situated in village type houses in the New Territories complying with the requirements set out in the Buildings Ordinance (Cap. 123) and the Buildings Ordinance (Application to the New Territories) Ordinance (Cap. 121) for a proposed holiday flat.
- ✓ choose only premises issued with a Certificate of Compliance or a letter of No Objection to Occupy by the District Lands Office of the Lands Department for a proposed holiday flat.
- ✓ indicate in your application that the proposed holiday flat is for individual occupancies or for a single occupancy, in case where the premises is partitioned off into separate units.

DON'Ts







-  start construction, renovation, decoration or installation works in the premises before the Licensing Authority has conducted the preliminary site inspection and then informed you of the upgrading works required to be carried out in the premises.
-  carry out any building works and structural alterations to the premises before obtaining prior approval and consent from the Building Authority.
-  use the flat roof, if there is one annexed to your holiday flat premises, for any purposes other than that shown on the approved building plans.
-  commence operation or business in the holiday flat premises before a licence is obtained from the Licensing Authority.
-  ignore requirements of other government departments including the Lands Department, Buildings Department, Fire Services Department, Electrical and Mechanical Services Department, and Environmental Protection Department notwithstanding that a licence has been issued by the Licensing Authority.
-  choose premises in a building to which the District Land Office of the Lands Department has objection for use as your proposed holiday flat.

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Chapter I : Introduction

General

1.1 This Guide is published by the Office of the Licensing Authority of the Home Affairs Department summarizing the general compliance and safety requirements for a holiday flat. Under the Hotel and Guesthouse Accommodation Ordinance Cap 349, any person who intends to operate, keep, manage, or otherwise has control of a holiday flat should apply for and hold a valid licence from the Office of the Licensing Authority before commencing operation.

1.2 The objectives of the licence are to ensure that the requirements in respect of building safety, fire safety, health and sanitation for holiday flats are met.

1.3 This booklet outlines the general compliance requirements applicable to most holiday flat premises so that prospective applicants, professional and technical personnels would have a general idea of the basic compliance requirements and standards for holiday flats. It should be emphasized that the Licensing Authority may, as it deems fit and necessary, impose special and additional requirements for individual premises having reference to the circumstances and situation of the premises concerned such as means of ingress or egress, design, construction, size and type of building.

Choice of premises

1.4 Not all premises are suitable for use as a holiday flat. It is the responsibility of the prospective applicants for the licence to ensure that their premises do comply with the lease conditions and the Deed of Mutual Covenant of the building. Prospective applicants are therefore advised, before making any financial or contractual commitment, to check the government lease and Deed of Mutual Covenant of the building (at the Land Registry whose website is <http://www.landreg.gov.hk> and service hotline, 3105 0000) to ascertain whether or not the proposed premises could be used as a holiday flat, and for the proposed activities of the holiday flat.

1.5 Holiday flat application shall be for premises situated in village type houses in the New Territories and should –

(a) comply with the requirements set out in the Buildings Ordinance (Cap. 123) and the Buildings Ordinance (Application to the New Territories) Ordinance (Cap.121); and

(b) be issued with a Certificate of Compliance or a letter of No Objection to Occupy by the District Lands Office of the Lands Department.

1.6 The Licensing Authority will not normally issue licence for holiday flats situated in:

- (a) an industrial building;
- (b) premises at a basement;
- (c) an unauthorized structure;
- (d) a building which contains any of the following incompatible uses:-
 - (i) A motor repair shop;
 - (ii) A vulcanizing shop;
 - (iii) Automobile or carriage painting; and/or
 - (iv) A paint shop where paint or varnish is manufactured or mixed.
- (e) premises in an area designated for emergency or circulation use of a building such as a buffer floor, refuge floor, or a common area of a building;
- (f) an area for manufacturing of any dangerous goods within the meaning of the Dangerous Goods Ordinance (Cap 295);
- (g) Accommodation adjoining a dangerous goods storage area;
- (h) upper floors (i.e. all floors above the ground floor) of a building (except it is permitted under the Code of Practice for the Provision of Means of Escape in case of Fire issued by the Building Authority in August 1996 (MoE Code 1996) to have a single staircase) which has not been constructed to have not less than 2 exit routes each with minimum width 1050 mm or such greater number and minimum width of exit routes as required under MoE Code 1996; or
- (i) Upper floors* (i.e. all floors above the ground floor) of a single staircase building but does not comply with the relevant requirements in the MoE Code 1996.

** : For premises in a pre-war building or building whose building plans were approved prior to the adoption of the standards set out in the MoE Code 1996, the standards laid down in MoE Code 1986 will be applied.*

Application procedures

1.7 New and renewal applications for a licence for a holiday flat should be made by means of the prescribed application form (HAD 133) and application form (HAD 140) respectively. The application forms are obtainable at all District Offices and Office of the Licensing Authority of the Home Affairs Department, or the website of the Office of the Licensing Authority: <http://www.hadla.gov.hk>. The completed application form, in duplicate, should be forwarded to the Office of the Licensing Authority together with all the required supporting documents. For detail, please read the booklet entitled "A Layman's Guide to Licence Applications under the Hotel & Guesthouse Accommodation Ordinance (Chapter 349)" which sets out the new and renewal application procedures for the licence. Flow charts for processing new and renewal applications of licence for a holiday flat are shown in [Appendix A](#) and [Appendix B](#) respectively.

Common layout designs of holiday flat

1.8 Common layout designs of holiday flat situated in village type houses in the New Territories fall into 2 types as follows:

- (a) Premises is for renting out as a whole for a single occupancy, similar to a domestic flat, and is known as "holiday flat of domestic flat layout". Please refer to [Appendix C](#) for Typical layout plan for holiday flat of domestic flat layout; or
- (b) Premises is partitioned off into separate self-contained units (which is similar to layout design of guesthouse) for individual rental and is known as "holiday flat of guesthouse layout". Please refer to [Appendix D](#) for Typical layout plan for holiday flat of guesthouse layout.

1.9 In vetting an application, the Licensing Authority will take into consideration the proposed layout and the intention as declared by the applicant and carry out site inspection to the proposed holiday flat premises in order to determine the types of layout deemed involved and then based on which to formulate relevant building safety and fire safety requirements.

Chapter II : Building Safety Conditions


Introduction

2.1 In assessing the suitability of the premises for use as a holiday flat, the Licensing Authority generally makes reference to the provisions of the Buildings Ordinance (Cap. 123) and the Buildings Ordinance (Application to the New Territories) Ordinance (Cap.121) for the protection of the building from the effects of fire by inhibiting the spread of fire, and ensuring fire resisting construction and structural safety of the building. It also takes into account other fire safety objectives including abating fire hazards, preventing the outbreak of fire, fire suppression, preventing loss of property, providing means of escape and access for firefighting personnel in the event of fire and other emergencies.

2.2 In vetting an application, the Licensing Authority will take into consideration the following fundamental aspects of the proposed holiday flat premises:

- (a) general compliance to the latest plans approved or recorded by the relevant authorities,
- (b) structural safety,
- (c) fire resisting construction,
- (d) means of escape,
- (e) public safety,
- (f) health and sanitation provisions, and
- (g) ventilation and lighting provisions.

2.3 In addition to the Buildings Ordinance (Cap. 123) and Buildings Ordinance (Application to the New Territories) Ordinance (Cap.121), applicants are recommended to read the subsidiary regulations of the Buildings Ordinance, **“Code of Practice for Fire Resisting Construction”**, **“Code of Practice for the Provision of Means of Escape in case of Fire”** and **“Code of Practice for Means of Access for Firefighting and Rescue”** published by the Building Authority. These documents can be viewed at or downloaded from the Buildings Department's website — <http://www.bd.gov.hk> (Publications/Codes of Practice and Design Manuals).



2.4 Each application for a licence will be considered on individual merits taking into account the circumstances of individual premises. As a standing practice, shortly after the application has been acknowledged, staff of the Licensing Authority will arrange with the applicant for a mutually convenient date to conduct a preliminary site inspection on both building safety and fire safety aspects of the premises and the building. After the site inspection, the applicant will be advised on what kind of upgrading works are required to be completed so as to make the premises and the common areas of the building in compliance with the safety standard set out in the Ordinance before a licence can be issued. A flow chart for processing new applications for a licence for a holiday flat is shown in [Appendix A](#).

2.5 It should be noted that the Licensing Authority may outright refuse an application if the situations mentioned in paragraph 1.6, or any other items which may undermine the safety of the premises or the building come into its notice.


Structural safety

2.6 The premises should be structurally capable of withstanding the newly imposed loading due to the change from the present use. The future imposed loading shall be in accordance with the Code of Practice for Dead and Imposed Loads 2011 issued by the Buildings Department.

2.7 No openings, e.g. electrical conduits, cable trunking and ventilation ducts, are allowed to be formed on the existing structural members. Any structural alterations and new building works should not be carried out without obtaining the agreement from the Lands Department.

2.8 Structural justifications prepared by an Authorized Person or a Registered Structural Engineer are usually required for the effects on the existing structural members due to the following changes:

- (a) addition of raised floors if they are not hollow construction or their thickness is considered too excessive even though they are constructed of light-weight materials;
- (b) addition of solid partition walls if they are not constructed of light-weight materials or they are considered excessive in number;

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- (c) addition of any raised floors and solid partition walls over cantilevered structures;
 - (d) the change in use from domestic to holiday flat; and
 - (e) other changes which have structural implications.

2.9 The structural justification for the requirements set out in paragraph 2.8 above is not required if all the following situations are fulfilled:

- (a) The premises is of reinforced concrete structure, situated in village type houses in the New Territories and complies with the requirements set out in the Buildings Ordinance (Application to the New Territories) Ordinance (Cap. 121);
- (b) There is no structural defects of the premises;
- (c) The layout of the premises is a custom design;
- (d) The raised floors are constructed of light-weight materials and not more than 200mm thick;
- (e) The solid partition walls are constructed of light-weight materials; and
- (f) No solid partition walls, parapet walls or raised floors are constructed on the balcony.

2.10 For cantilevered slab balcony and canopy of holiday flats, a structural survey should be carried out to identify, if any, defective concrete including spalling, corroded rebar, cracking and deflection. Drainage details shall also be included in the survey report.

2.11 For the defects identified as required in paragraph 2.10 above, necessary remedial works shall be carried out and details shall be submitted to the Licensing Authority for consideration.

Fire resisting construction

2.12 The general requirements on fire resisting construction in respect of holiday flat are:

- (a) the fire resisting wall enclosing the stairs shall be of 1 hour fire resisting period (FRP) construction and continue to an open area at ground level;
- (b) The holiday flat should be separated from the rest of the building/other residence with 1 hour FRP construction;
- (c) The main exit door of each flat shall be of 1/2 hour FRP construction ;
- (d) If a flat has been partitioned off into separate units for individual occupancy,
 - (i) the wall separating each unit shall be of 1 hour FRP construction;
 - (ii) the door to each unit shall be of 1/2 hour FRP construction; and
 - (iii) the wall between corridor and each unit shall be of 1/2 hour FRP construction.
- (e) Internal PVC pipes shall be contained within a duct having an FRP similar to the surrounding structure ; and
- (f) Storage area shall be of 1/2 hour FRP construction.

Special hazard and kitchen

2.13 High voltage electrical switch gear, transformers, fire service pumps, air handling unit plant, air-conditioning plant, lift machines, rooms housing escalator machines, flammable liquid spraying rooms, boiler, areas for storing and/or charging batteries, and areas for storing dangerous goods should be enclosed by non-combustible construction having a FRP of not less than 2 hours, 4 hours where adjoining required stairs, and any permitted openings thereto should be provided with a door having a FRP of not less than 1 hour.

2.14 Kitchens should be enclosed by fire resisting construction having 1 hour FRP and 1/2 hour FRP door.

2.15 Every flat which is provided with a single exit door shall be so arranged that the entrance to the kitchen within the flat is not adjacent to the exit door. Provided that the kitchen door may be adjacent to the exit door if:-

(a) such door is self-closing;

(b) is of 1/2 hour FRP; and

(c) the capacity of the flat does not exceed 10 persons.

2.16 Cooking facility including burner, stove, induction cooker, electrical cooker or the like shall be provided in a kitchen which is constructed as per paragraph 2.14 and 2.15. Other than the said kitchen, no such cooking facility should be provided at any other places.

Compartmentation


2.17 No unauthorized openings shall be made in the separating/party walls between separate buildings.

2.18 Any openings in a wall or floor for the passage of air-conditioning ducts, ventilation ducts, electrical trunking, conduits, pipes and wires or holes left after construction should be protected with fire dampers or other suitable form of fire stop to maintain the required FRP of that wall or floor.

2.19 Where ducts, pipes, wires and any insulation passing through the wall are made of combustible material, such material should be contained within an enclosure having a FRP corresponding to that of the surrounding structure. Where access openings are provided to the enclosure, such openings should be provided with self-closing doors or securable covers having a FRP of not less than half that of the enclosure.

Means of escape

2.20 The general requirements on means of escape in respect of holiday flat are:

- 
- (a) The width of exit route within the holiday flat shall not be less than 750mm.
 - (b) Every exit route should lead directly to a street or to an open area having unobstructed access. Such access to a street should not be closed with doors or gates unless such doors or gates are fitted with panic bolts as the sole means of being locked in a closed position.
 - (c) The clear height of exit route shall not be less than 2m.
 - (d) The minimum width of exit staircase of a single staircase building in which a holiday flat is situated shall not be less than 900mm. If the width of exit staircase is less than 1050mm, the capacity of each floor using the staircase shall not exceed 25 persons. For holiday flat served by an exit staircase of width not less than 1050mm or there is more than one staircase in the building, the capacity of each floor shall be calculated in accordance with "Code of Practice for Means of Escape".

Lighting and ventilation

2.21 Each guest room shall have adequate natural lighting and ventilation to the satisfaction of the Licensing Authority.

2.22 Bathrooms / toilets should be provided with adequate lighting and ventilation and comply with the following requirements:

- (a) the total area of glazing is not less than one-tenth of the floor area of the room; and
- (b) one-tenth of the floor area is openable with the top being at least 2m above the floor level.

The OLA may consider the case having regard to individual merits according to [Appendix E](#) . (See attached [Appendix E](#))

Sanitary fitments

2.23 The number of sanitary fitments required in a holiday flat varies with the number of persons to be accommodated in the flat or individual rented unit. The minimum requirements are tabulated below:

No. of persons residing or likely to reside in the flat or individual rented unit	No. of water closets	No. of wash-hand basins	No. of baths or showers
1-8	1	1	1
9-20	2	2	2
For every additional 15 persons or part thereof	1 additional fitment	1 additional fitment	1 additional fitment

2.24 Bathroom, water closet or communal toilet should not open directly into a kitchen.

Plumbing and pipework

2.25 The effluent shall be suitably discharged to the satisfaction of the Licensing Authority.

2.26 Every soil pipe, waste pipe, anti-syphonage pipe, ventilating pipe, overflow pipe and every pipe connected with any drain provided for the carriage of foul water should be:

- (a) circular in shape; and
- (b) constructed of cast iron, steel, copper or other approved material.

2.27 UPVC or PVC piping may be used externally and, subject to the following conditions, may also be used internally:


- (a) the internal diameter of the piping should not be greater than 100mm;
- (b) the piping should be enclosed in duct having a FRP equal to the structure, and the access panels to the duct should have either self-closing doors or securable covers with a FRP of 1/2 hour;
- (c) fixing brackets to be steel and where stacks have cemented joints to have a bracket below each joint;
- (d) holes to floors and walls should be fully filled and firmly sealed with fire stop mortar or intumescent material;
- (e) to be securely fixed to all surfaces as appropriate; and
- (f) if UPVC piping is used, this may be exposed subject to, where pipes pass through compartment walls or floors and any fire rated elements, appropriate approved fire stop sealers are to be provided.

2.28 Every soil fitment and waste fitment should be provided with a suitable trap and ventilated by means of anti-syphonage pipes of suitable sizes to the satisfaction of the Licensing Authority. If the traps connected to the waste fitments are designed to prevent loss of water seal, provision of anti-syphonage pipe to the traps of the waste fitment is not required.

Railings and balustrades

2.29 Where there is a difference in adjacent levels greater than 600mm, protective barriers have to be provided to restrict or control the movement of persons and vehicles. These barriers should be:

- (a) designed and constructed to minimise the risk of persons or objects falling, rolling, sliding or slipping through gaps in the barrier, or persons climbing over the barrier;

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- (b) at a height above the higher of the adjacent levels of not less than 1.1m; and
 - (c) constructed as to inhibit the passage of articles more than 100mm in their smallest dimension.

Waterproofing

2.30 Suitable waterproofing materials should be applied to the structural concrete slab of the toilets to prevent water leakage. If raised floor is constructed, the raised floor slab should also be applied with suitable waterproofing material.

Unauthorised building works

2.31 All unauthorised building works must be removed and the building be reinstated to the original layout as accepted by the Lands Department.

Storage of fuel

2.32 Storage of fuel for cooking is not allowed in the premises or within the exit routes.

Chapter III : Fire Safety Conditions

Introduction

3.1 Holiday Flats are required to have adequate and appropriate fire service installations and equipment to protect the safety of the public and the premises against fire, limit the spread of fire and at the same time give warning to the occupants of the premises. All requirements on Fire Service Installations (FSI) and Equipment for Holiday Flats are based on the "Codes of Practice for Minimum Fire Service Installations and Equipment and Inspection, Testing and Maintenance of Installations and Equipment" issued by the Fire Services Department. The updated version of this document can be viewed or downloaded from the Fire Services Department's website: www.hkfsd.gov.hk.

3.2 All fire service installation works, alterations and additions required for a holiday flat must be carried out by a registered FSI contractor of appropriate class. The full list of different classes of registered FSI contractors is set out in the Fire Services Department's website shown in paragraph 3.1 above. Once installed, all fire service installations and equipment in the premises should be retained and maintained in an efficient working order at all times, and inspected by a registered FSI contractor at least once in every 12 months.

3.3 A copy of the certificate for the required fire service installations and equipment issued to the owner should be forwarded to the Director of Fire Services and the Licensing Authority within 14 days and 28 days respectively after completion of works.

Fire service requirements for Holiday Flats of domestic flat layout

3.4 The ensuing paragraphs sets out the major fire service requirements for Holiday Flats of domestic flat layout (A typical layout plan for holiday flat of domestic flat layout is shown in [Appendix C](#)):

Power supply for fire service installations

3.5 An independently powered generator of sufficient electrical capacity shall be provided to meet the fire service installations that it is required to provide. If there is no emergency generator provided in the existing building, primary and secondary electrical supply shall be provided to all fire service installations.

Exit signs and Directional signs

3.6 All designated exits inside the premises shall be indicated by exit signs with specifications in accordance with the Code of Practice for Minimum Fire Service Installations and Equipment. If an exit sign is not clearly visible from any location in the premises, directional signs with specifications in accordance with the Code of Practice for Minimum Fire Service Installations and Equipment shall be erected to assist occupants to identify the exits in the event of an emergency.

Manual fire alarm system

3.7 A manual fire alarm system shall be provided to the entire premises and the design of which shall be in accordance with the Codes of Practice for Minimum Fire Service Installations & Equipment. One actuating point and one audio warning device located at or near the main entrance and at a conspicuous location of the common corridor shall be provided.

Fire service installations control panel

3.8 All fire service installations control panels shall be installed at the reception area or near the main entrance inside the premises.

Fire detection system

3.9 Fire detection system shall be provided in accordance with the Rules of the Loss Prevention Council for Automatic Fire Detection and Alarm Installations for the Protection of Property and BS: 5839-1:2002+A2:2008 or other standards acceptable to the Director of Fire Services, and shall be provided as follows:

- (a) Fire detection system shall be provided in area not covered by automatic fixed installations.
- (b) A smoke detection system shall be provided for the entire premises excluding toilets, bathrooms and staircases which are covered by sprinkler, if any part of that floor is used for sleeping accommodation.
- (c) Heat detection system would be acceptable in electrical/mechanical rooms and kitchens.
- (d) Alternatively, self-contained battery-operated smoke detectors may be installed in the premises and self-contained battery-operated heat detectors may be installed in electrical/mechanical rooms and kitchens. The self-contained battery-operated smoke/heat detectors shall comply with any one of the following international standards:

British Standard BS5446;
American Standard UL217;
Australian Standard AS 3786;
Canadian Standard ULC S531; or
Other international equivalent

To ensure the proper operation of the smoke/heat detectors, you are required to check and test the self-contained battery-operated smoke/heat detectors weekly according to the operation manual provided by the manufacturer. (The installation work does not have to be conducted by a Registered Fire Service Installation Contractor and FS251 is not required)

- (e) The alarm of such system shall be integrated with the Manual Fire Alarm System provided for the premises.

Portable fire fighting equipment

3.10 One 2 kg dry powder or 4.5 kg CO₂ gas fire extinguisher shall be provided in each kitchen/pantry/switch room and one 9L CO₂/water fire extinguisher shall be provided at the location near the reception area.

Polyurethane (PU) foam filled mattresses and upholstered furniture

3.11 If Polyurethane (PU) foam filled mattresses and upholstered furniture are used in the premises, they shall meet the flammability standards as specified in British Standard BS7177 : 1996 and BS7176 : 1995 (or their latest editions) for use in medium hazard premises/building or standards acceptable to the Director of Fire Services. Applicant shall submit test report, delivery note and invoice of polyurethane (PU) foam filled mattresses and upholstered furniture upon report of completion.

Electrical installations

3.12 An owner of fixed electrical installations in the premises shall have their installations installed, inspected, tested and certificated by an electrical contractor registered with the Director of Electrical & Mechanical Services. Such electrical installation shall have it inspected, tested and certified at least once every 5 years thereafter. A certificate, as proof of compliance shall be forwarded to the Office of the Licensing Authority.

Fuel gas system / appliances

3.13 Any fuel gas system/appliance installed for use in the premises shall be installed in accordance with the provisions in the Gas Safety Ordinance, Cap 51 by a registered contractor and a Certification of compliance/ completion shall be submitted to the Office of the Licensing Authority as proof of compliance. For safety reasons, the owner should arrange/facilitate the regular safety inspection of their gas installation by a registered gas supply company/ registered gas contractor to ensure such installation are in order.

Fuels for kitchen / bathroom

3.14 The following fuels may be used inside the kitchen/bathrooms:-

- (a) Electricity;
- (b) Towngas; or
- (c) Liquefied Petroleum Gas (LPG) in portable cylinders provided that :-
 - (i) LPG cylinders may only be used inside premises to supply fixed gas appliances when a piped supply (Towngas or central LPG supply) is not available to the said premises upon first application for licence.

(ii) LPG cylinders shall not be located:

- below ground level
- in poorly ventilated areas
- in sleeping areas or bathrooms
- in only means of escape from the premises
- close to heat source(s).

(iii) The aggregate water capacity of LPG cylinders in each dwelling shall not exceed 130 litres without approval of the Gas Authority.

Fire service requirements for Holiday Flats of guesthouse layout exceeding 230 square metres in floor area

3.15 The ensuing paragraphs sets out the major fire service requirements for Holiday Flats of guesthouse layout exceeding 230 square metres in floor area (A typical layout plan for holiday flat of guesthouse layout is shown in [Appendix D](#)):

Power supply for fire service installations

3.16 An independently powered generator of sufficient electrical capacity shall be provided to meet the fire service installations that it is required to provide. If there is no emergency generator provided in the existing building, primary and secondary electrical supply shall be provided to all fire service installations.

Emergency lighting

3.17 Emergency lighting shall be provided inside the premises at suitable locations at common corridors. A self-contained secondary lighting system in accordance with Part V, para. 5.9 of the Codes of Practice for Minimum Fire Service Installations and Equipment will be accepted if the illumination level of not less than 2 lux for duration not less than that specified in the Codes.

Exit signs and Directional signs

3.18 All designated exits inside the premises shall be indicated by exit signs with specifications in accordance with the Code of Practice for Minimum Fire Service Installations and Equipment. If an exit sign is not clearly visible from any location in the premises, directional signs with specifications in accordance with the Code of Practice for Minimum Fire Service Installations and Equipment shall be erected to assist occupants to identify the exits in the event of an emergency.

Manual fire alarm system

3.19 A manual fire alarm system with visual alarm signals (Please see FSD Circular Letter 2/2012 for installation specification) shall be provided to the entire premises and the design of which shall be in accordance with the Codes of Practice for Minimum Fire Service Installations & Equipment. One actuating point and one audio warning device located at or near the main entrance and at a conspicuous location of the common corridor shall be provided.

Fire service installations control panel

3.20 All fire service installations control panels shall be installed at the reception area or near the main entrance inside the premises.

Fire detection system

3.21 Fire detection system shall be provided in accordance with the Rules of the Loss Prevention Council for Automatic Fire Detection and Alarm Installations for the Protection of Property and BS: 5839-1:2002+A2:2008 or other standards acceptable to the Director of Fire Services, and shall be provided as follows:

- (a) Fire detection system shall be provided in area not covered by automatic fixed installations.
- (b) A smoke detection system shall be provided for the entire premises excluding toilets, bathrooms and staircases which are covered by sprinkler, if any part of that floor is used for sleeping accommodation.
- (c) Heat detection system would be acceptable in electrical/mechanical rooms and kitchens.
- (d) The alarm of such system shall be integrated with the Manual Fire Alarm System provided for the premises and transmitted to the Fire Services Communication Centre through a service provider by a direct telephone line.

Fire hydrant / hose reel System

3.22 A fire hydrant/hose reel system shall be installed in accordance with [Appendix F](#). The installation works shall be carried out by a Registered Fire Service Installations Contractor in Class 2, and a copy of 'Certificate of Fire Service Installations and Equipment' (Form FS 251) shall be submitted to the Licensing Authority upon completion.

Portable fire fighting equipment

3.23 One 2 kg dry powder or 4.5 kg CO₂ gas fire extinguisher shall be provided in each kitchen/pantry/switch room.

Automatic sprinkler installation

3.24 An automatic sprinkler installation shall be installed for the entire premises including staircases, common corridors, toilets and bathrooms in accordance with the Loss Prevention Council Rules for Automatic Sprinkler Installations incorporated with BS EN12845. Where the provision of sprinkler water tank is not possible, the water supply for such system may be permitted to be obtained from the existing fire hydrant/hose reel tank or via direct connection from town mains. As a last means, connection to the 1,500 litres hose reel tank as mentioned in [Appendix F](#) may be accepted. The improvised sprinkler system shall be installed in accordance with Fire Services Department Circular Letter No. 4/1996. The installation works shall be carried out by a Registered Fire Service Installations Contractor in Class 2, and a copy of "Certificate of Fire Service Installations and Equipment" (Form FS 251) shall be submitted to the Licensing Authority upon completion.

Smoke extraction system

3.25 A static or dynamic smoke extraction system shall be provided in accordance with Part V, para.5.23 of the Codes of Practice for Minimum Fire Service Installations and Equipment for all internal means of escape serving all guest rooms irrespective of the cubical extent of the building or the volume of the fire compartment on any floor. "Internal means of escape" for this purpose, means the route leading from the outside of all guest rooms to a pressurized or naturally ventilated staircase; a protected lobby or open air. The above requirement on static or dynamic smoke extraction system is not applicable if the route itself is provided with openable windows communicating to the open air and the aggregate area of such windows exceeds 6.25% of the floor area of that route.

Ventilation / air conditioning control system

3.26 When a ventilation/air conditioning control system to the premises is provided, it shall stop mechanically induced air movement within a designated fire compartment.

Ventilation system

3.27 All ventilating systems that embody the use of ducting or trunking, passing through any wall, floor, or ceiling from one compartment to another, shall comply with the Building (Ventilating System) Regulations. Detailed drawings showing layout of the ventilating system shall be submitted to the Ventilation Division of the Fire Services Department for approval, and a copy of letter of

compliance shall be submitted to the Licensing Authority as proof of compliance. The system shall subsequently be inspected by a Registered Ventilation Contractor at intervals not exceeding 12 months and a copy of 'maintenance certificate' shall be forwarded to the Licensing Authority as proof of compliance.

All linings for acoustic, thermal insulation purposes in ductings and concealed locations shall be of Class 1 or 2 Rate of Surface Spread of Flame as per British Standard 476: Part 7 or its international equivalent, or be brought up to that standard by use of an approved fire retardant product. The work shall be carried out by a Class 2 Registered Fire Service Installation Contractor. A copy of the "Certificate of Fire Service Installations and Equipment (Form FS 251) shall be submitted to the Office of the Licensing Authority as proof of compliance.

Combustible materials

3.28 All linings for acoustic, thermal insulation and decorative purposes within protected means of escape in the premises shall be of Class 1 or 2 Rate of Surface Spread of Flame as per British Standard 476: Part 7 or its international equivalent, or be brought up to that standard by use of an approved fire retardant product. The work shall be carried out by a Class 2 Registered Fire Service Installation Contractor. A copy of the "Certificate of Fire Service Installations and Equipment (Form FS 251) shall be submitted to the Office of the Licensing Authority as proof of compliance.

Polyurethane (PU) foam filled mattresses and upholstered furniture

3.29 If Polyurethane (PU) foam filled mattresses and upholstered furniture are used in the premises, they shall meet the flammability standards as specified in British Standard BS7177 : 1996 and BS7176 : 1995 (or their latest editions) for use in medium hazard premises/building or standards acceptable to the Director of Fire Services. Applicant shall submit test report, delivery note and invoice of polyurethane (PU) foam filled mattresses and upholstered furniture upon report of completion.

Electrical installations

3.30 An owner of fixed electrical installations in the premises shall have their installations installed, inspected, tested and certificated by an electrical contractor registered with the Director of Electrical & Mechanical Services. Such electrical installation shall have it inspected, tested and certified at least once every 5 years thereafter. A certificate, as proof of compliance shall be forwarded to the Office of the Licensing Authority.

Fuel gas system / appliances

3.31 Any fuel gas system/appliance installed for use in the premises shall be installed in accordance with the provisions in the Gas Safety Ordinance, Cap 51 by a registered contractor and a Certification of compliance/ completion shall be submitted to the Office of the Licensing Authority as proof of compliance. For safety reasons, the owner should arrange/facilitate the regular safety inspection of their gas installation by a registered gas supply company/ registered gas contractor to ensure such installation are in order.

Fuels for kitchen / bathroom

3.32 The following fuels may be used inside the kitchen/bathrooms:-

- (a) Electricity;
- (b) Towngas; or
- (c) Liquefied Petroleum Gas (LPG) in portable cylinders provided that :-
 - (i) LPG cylinders may only be used inside premises to supply fixed gas appliances when a piped supply (Towngas or central LPG supply) is not available to the said premises upon first application for licence.
 - (ii) LPG cylinders shall not be located:
 - below ground level
 - in poorly ventilated areas
 - in sleeping areas or bathrooms
 - in only means of escape from the premises
 - close to heat source(s).
 - (iii) The aggregate water capacity of LPG cylinders in each dwelling shall not exceed 130 litres without approval of the Gas Authority.

Carpets

3.33 The carpets being used within the protected means of escape of the premises shall comply with ASTM E-648, the USA Standard for assessment of textile floor covering or BS 5287 as conforming to low radius of effects of ignition when tested in accordance with BS 4790, or made of pure wool, unless the pile height of which does not exceed 10mm and the area to be carpeted is not exceeding 5% of the protected means of escape calculated on the floor by floor basis.

Fire service requirements for Holiday Flats of guesthouse layout not exceeding 230 square metres in floor area

3.34 The ensuing paragraphs sets out the major fire service requirements for Holiday Flats of guesthouse layout not exceeding 230 square metres in floor area (A typical layout plan for holiday flat of guesthouse layout is shown in [Appendix D](#)) :

Power supply for fire service installations

3.35 An independently powered generator of sufficient electrical capacity shall be provided to meet the fire service installations that it is required to provide. If there is no emergency generator provided in the existing building, primary and secondary electrical supply shall be provided to all fire service installations.

Emergency lighting system

3.36 Emergency lighting shall be provided inside the premises at suitable locations at common corridors. A self-contained secondary lighting system in accordance with Part V, para. 5.9 of the Codes of Practice for Minimum Fire Service Installations and Equipment will be accepted if the illumination level of not less than 2 lux for duration not less than that specified in the Codes.

Exit signs and Directional signs

3.37 All designated exits inside the premises shall be indicated by exit signs with specifications in accordance with the Code of Practice for Minimum Fire Service Installations and Equipment.

If an exit sign is not clearly visible from any location in the premises, directional signs with specifications in accordance with the Code of Practice for Minimum Fire Service Installations and Equipment shall be erected to assist occupants to identify the exits in the event of an emergency.

Manual fire alarm system

3.38 A manual fire alarm system shall be provided to the entire premises and the design of which shall be in accordance with the Codes of Practice for Minimum Fire Service Installations & Equipment. One actuating point and one audio warning device located at or near the main entrance and at a conspicuous location of the common corridor shall be provided.

Fire service installations control panel

3.39 All fire service installations control panels shall be installed at the reception area or near the main entrance inside the premises.

Fire detection system

3.40 Fire detection system shall be provided in accordance with the Rules of the Loss Prevention Council for Automatic Fire Detection and Alarm Installations for the Protection of Property and BS: 5839-1:2002+A2:2008 or other standards acceptable to the Director of Fire Services, and shall be provided as follows:

- (a) Fire detection system shall be provided in area not covered by automatic fixed installations.
- (b) A smoke detection system shall be provided for the entire premises excluding toilets, bathrooms and staircases which are covered by sprinkler, if any part of that floor is used for sleeping accommodation.
- (c) Heat detection system would be acceptable in electrical/mechanical rooms and kitchens.
- (d) Alternatively, self-contained battery-operated smoke detectors may be installed in the premises and self-contained battery-operated heat detectors may be installed in electrical/mechanical rooms and kitchens. The self-contained battery-operated smoke/heat detectors shall comply with any one of the following international standards:

British Standard BS5446;
American Standard UL217;
Australian Standard AS 3786;
Canadian Standard ULC S531; or
Other international equivalent

To ensure the proper operation of the smoke/heat detectors, you are required to check and test the self-contained battery-operated smoke/heat detectors weekly according to the operation manual provided by the manufacturer. (The installation work does not have to be conducted by a Registered Fire Service Installation Contractor and FS251 is not required)

- (e) The alarm of such system shall be integrated with the Manual Fire Alarm System provided for the premises.

Portable fire fighting equipment

3.41 One 2 kg dry powder or 4.5 kg CO₂ gas fire extinguisher shall be provided in each kitchen/pantry/switch room and one 9L CO₂/water fire extinguisher shall be provided at the location near the reception area.

Smoke extraction system

3.42 A static or dynamic smoke extraction system shall be provided in accordance with Part V, para.5.23 of the Codes of Practice for Minimum Fire Service Installations and Equipment for all internal means of escape serving all guest rooms irrespective of the cubical extent of the building or the volume of the fire compartment on any floor. "Internal means of escape" for this purpose, means the route leading from the outside of all guest rooms to a pressurized or naturally ventilated staircase; a protected lobby or open air. The above requirement on static or dynamic smoke extraction system is not applicable if the route itself is provided with openable windows communicating to the open air and the aggregate area of such windows exceeds 6.25% of the floor area of that route.

Ventilation / air conditioning control system

3.43 When a ventilation/air conditioning control system to the premises is provided, it shall stop mechanically induced air movement within a designated fire compartment.

Ventilation system

3.44 All ventilating systems that embody the use of ducting or trunking, passing through any wall, floor, or ceiling from one compartment to another, shall comply with the Building (Ventilating System) Regulations. Detailed drawings showing layout of the ventilating system shall be submitted to the Ventilation Division of the Fire Services Department for approval, and a copy of letter of compliance shall be submitted to the Licensing Authority as proof of compliance. The system shall subsequently be inspected by a Registered Ventilation Contractor at intervals not exceeding 12 months and a copy of 'maintenance certificate' shall be forwarded to the Licensing Authority as proof of compliance.

All linings for acoustic, thermal insulation purposes in ductings and concealed locations shall be of Class 1 or 2 Rate of Surface Spread of Flame as per British Standard 476: Part 7 or its international equivalent, or be brought up to that standard by use of an approved fire retardant product. The work shall be carried out by a Class 2 Registered Fire Service Installation Contractor. A copy of the "Certificate of Fire Service Installations and Equipment (Form FS 251) shall be submitted to the Office of the Licensing Authority as proof of compliance.

Combustible materials

3.45 All linings for acoustic, thermal insulation and decorative purposes within protected means of escape in the premises shall be of Class 1 or 2 Rate of Surface Spread of Flame as per British Standard 476: Part 7 or its international equivalent, or be brought up to that standard by use of an approved fire retardant product. The work shall be carried out by a Class 2 Registered Fire Service Installation Contractor. A copy of the "Certificate of Fire Service Installations and Equipment (Form FS 251) shall be submitted to the Office of the Licensing Authority as proof of compliance.

Polyurethane (PU) foam filled mattresses and upholstered furniture

3.46 If Polyurethane (PU) foam filled mattresses and upholstered furniture are used in the premises, they shall meet the flammability standards as specified in British Standard BS7177 : 1996 and BS7176 : 1995 (or their latest editions) for use in medium hazard premises/building or standards acceptable to the Director of Fire Services. Applicant shall submit test report, delivery note and invoice of polyurethane (PU) foam filled mattresses and upholstered furniture upon report of completion.

Electrical installations

3.47 An owner of fixed electrical installations in the premises shall have their installations installed, inspected, tested and certificated by an electrical contractor registered with the Director of Electrical & Mechanical Services. Such electrical installation shall have it inspected, tested and certified at least once every 5 years thereafter. A certificate, as proof of compliance shall be forwarded to the Office of the Licensing Authority. 3.6.14

Fuel gas system / appliances

3.48 Any fuel gas system/appliance installed for use in the premises shall be installed in accordance with the provisions in the Gas Safety Ordinance, Cap 51 by a registered contractor and a Certification of compliance/ completion shall be submitted to the Office of the Licensing Authority as proof of compliance. For safety reasons, the owner should arrange/facilitate the regular safety inspection of their gas installation by a registered gas supply company/ registered gas contractor to ensure such installation are in order.

Fuels for kitchen / bathroom

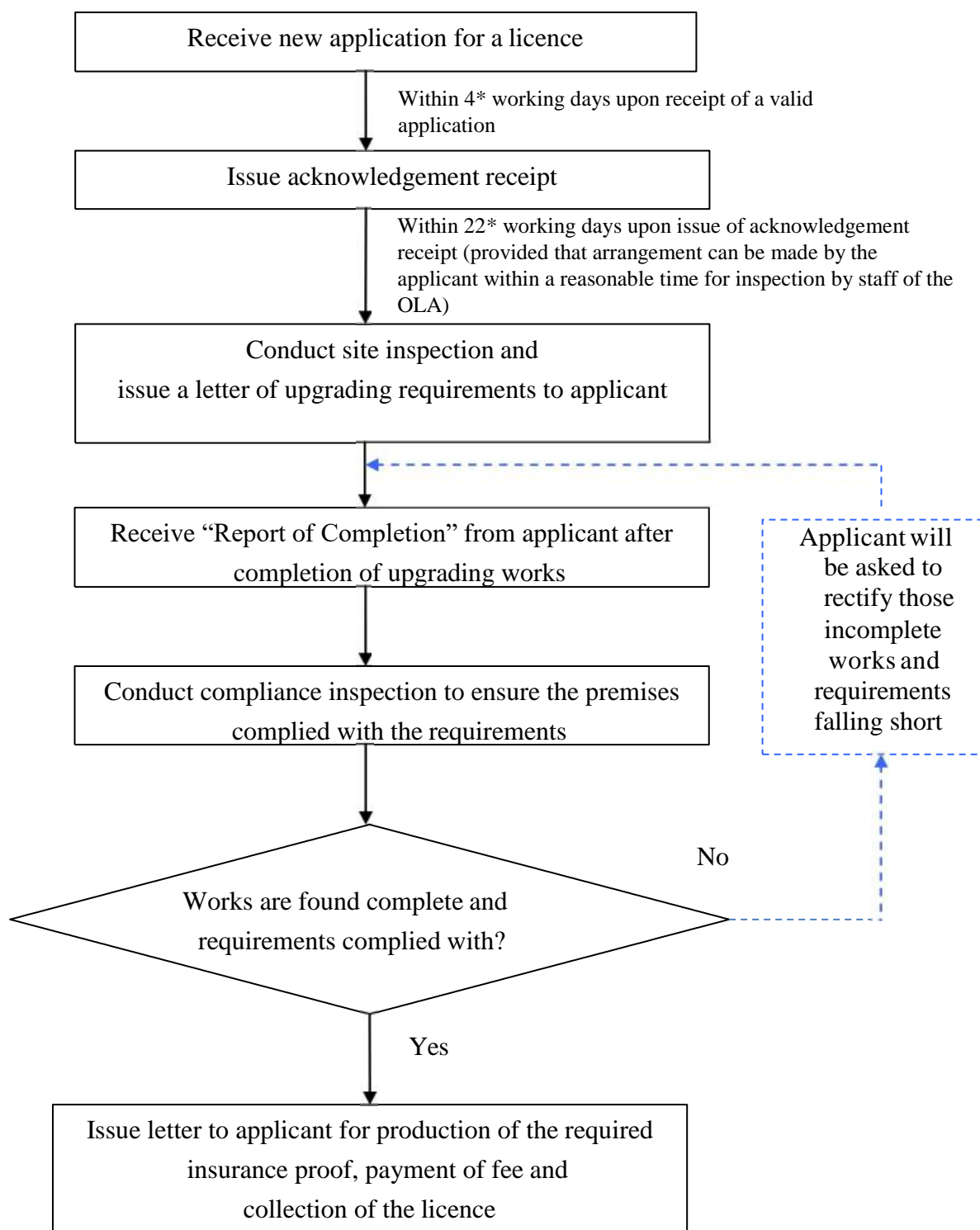
3.49 The following fuels may be used inside the kitchen/bathrooms:-

- (a) Electricity;
- (b) Towngas; or
- (c) Liquefied Petroleum Gas (LPG) in portable cylinders provided that:-
 - (i) LPG cylinders may only be used inside premises to supply fixed gas appliances when a piped supply (Towngas or central LPG supply) is not available to the said premises upon first application for licence.
 - (ii) LPG cylinders shall not be located:
 - below ground level
 - in poorly ventilated areas
 - in sleeping areas or bathrooms
 - in only means of escape from the premises
 - close to heat source(s)
 - (iii) The aggregate water capacity of LPG cylinders in each dwelling shall not exceed 130 litres without approval of the Gas Authority.

Carpets

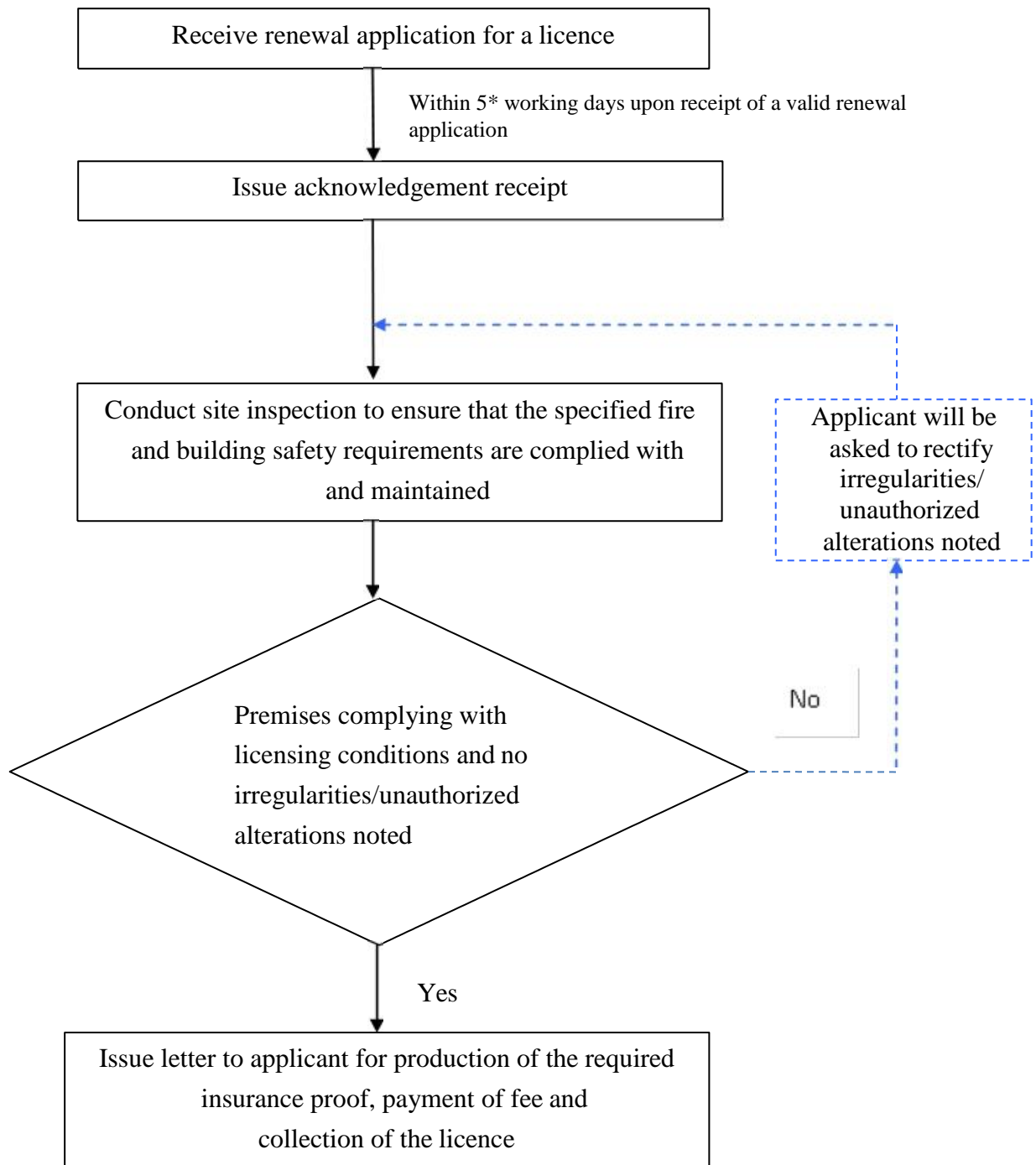
3.50 The carpets being used within the protected means of escape of the premises shall comply with ASTM E-648, the USA Standard for assessment of textile floor covering or BS 5287 as conforming to low radius of effects of ignition when tested in accordance with BS 4790, or made of pure wool, unless the pile height of which does not exceed 10mm and the area to be carpeted is not exceeding 5% of the protected means of escape calculated on the floor by floor basis.

Flow Chart for Processing New Application of Licence for Holiday Flat



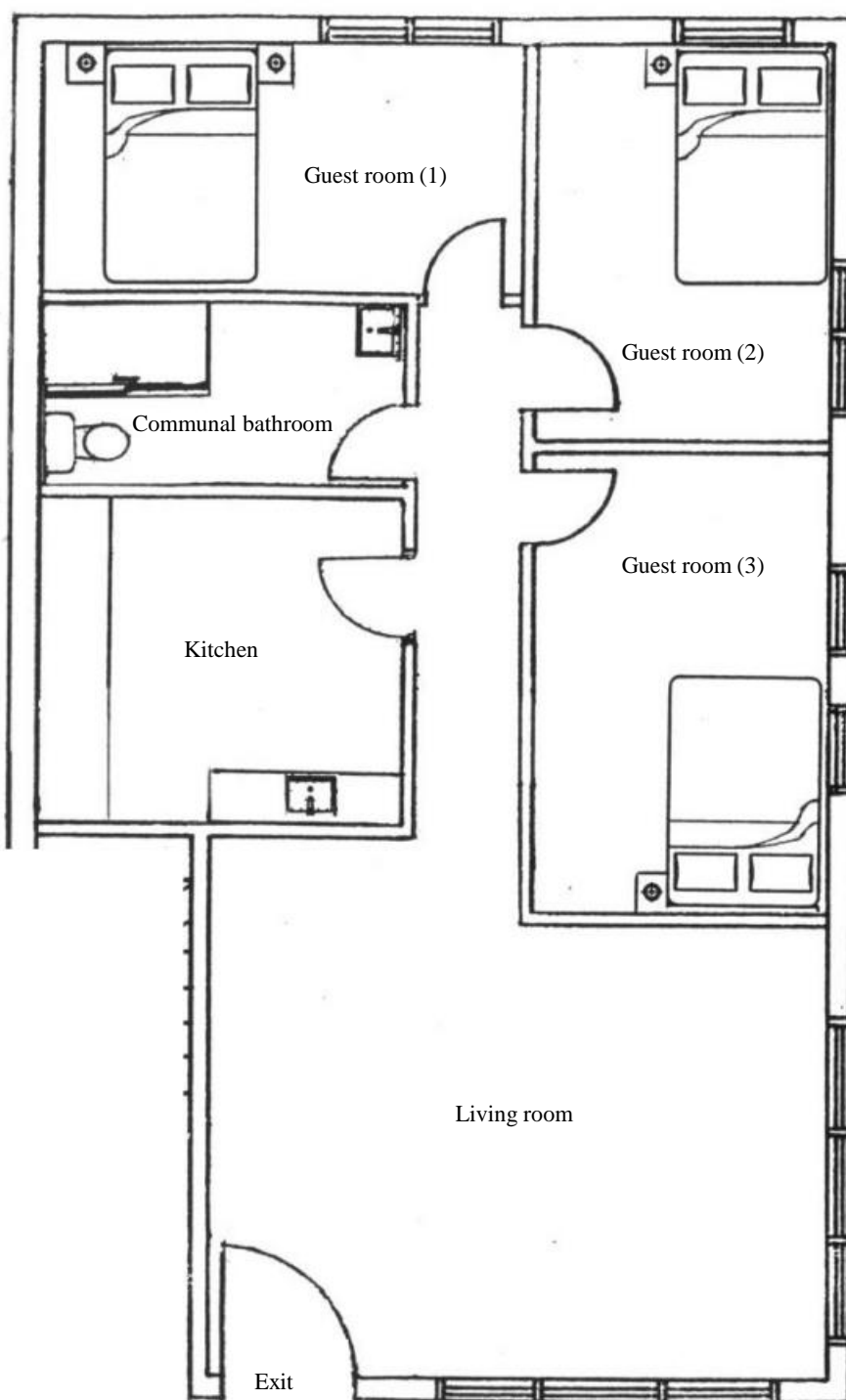
* - indicate performance pledge

Flow Chart for Processing Renewal Application of Licence for Holiday Flat



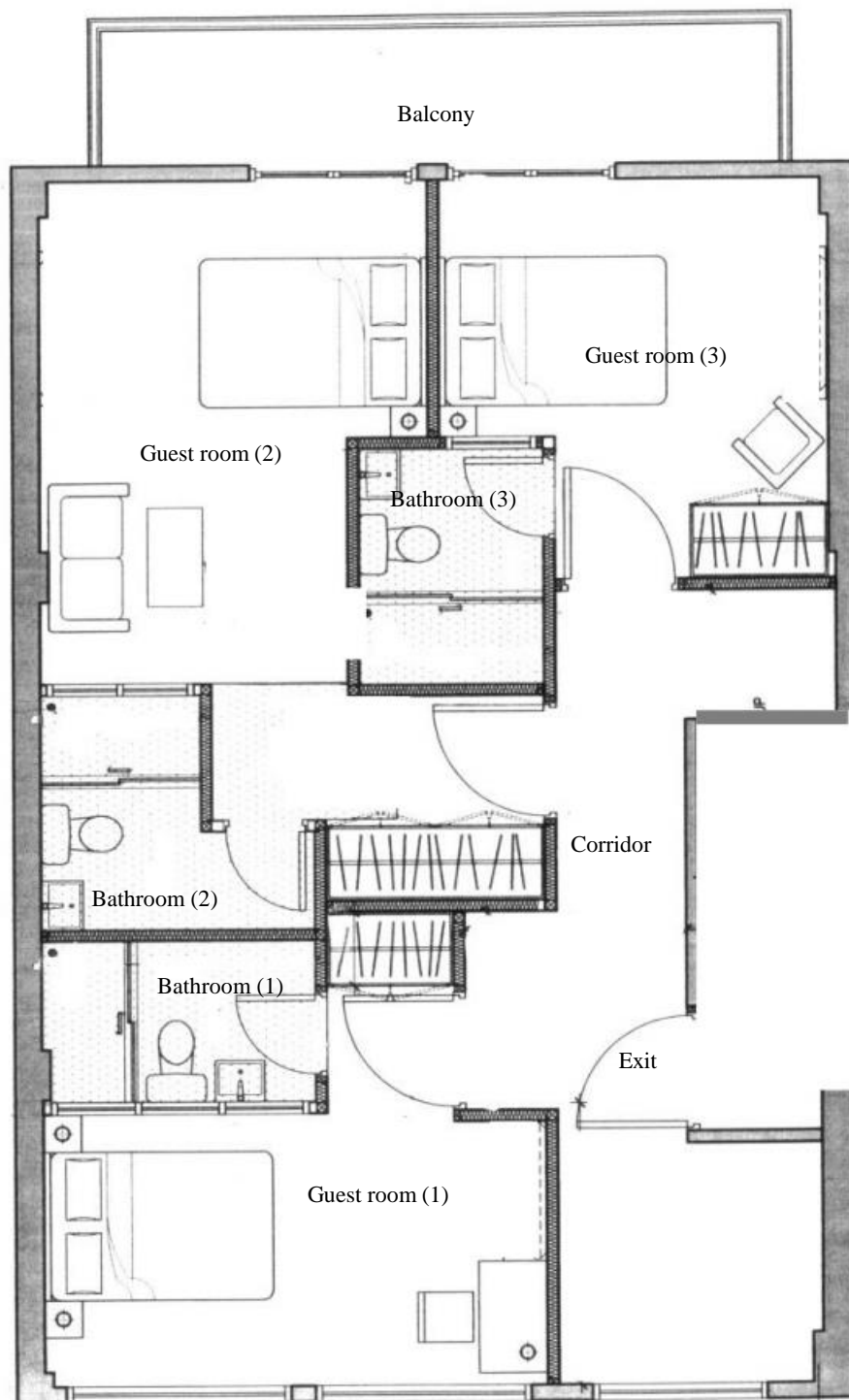
* - indicate performance pledge

Typical Layout Plan for Holiday Flat of Domestic Flat Layout ^



^ The plan is only for illustration of the typical layout of holiday flat of domestic flat layout. Applicant may refer to Chapter II for the building safety conditions and Chapter III for the fire safety conditions respectively. Upon submission of application and the proposed holiday flat layout, the Office of the Licensing Authority will formulate detailed upgrading requirements and notify the applicant accordingly.

Typical Layout Plan for Holiday Flat of Guesthouse Layout §



§ The plan is only for illustration of the typical layout of holiday flat of guesthouse layout. Applicant may refer to Chapter II for the building safety conditions and Chapter III for the fire safety conditions respectively. Upon submission of application and the proposed holiday flat layout, the Office of the Licensing Authority will formulate detailed upgrading requirements and notify the applicant accordingly.

Artificial Lighting and Ventilation

(A) The standards of lighting and ventilation laid down in the Building (Planning) Regulations are generally considered to be the minimum acceptable but due to the restricted nature of individual premises some operators have made use of rooms with sub-standard or seriously impaired provisions. These will only be accepted under the following circumstances :-

- (1) individual consideration on a per room and per premises basis;
- (2) the establishment by the operator of hardship and planning constraints; and
- (3) adherence to some or all of the following conditions – as specified.

(B) Bathrooms and W.C.'s

Artificial lighting must be provided where there is inadequate natural lighting, to a standard not less than 50 lux.

Ventilation must be provided by a permanent means direct to the outside air of not less than 6000mm². The artificial ventilation shall provide not less than 5 air changes per hour and be provided with a 20 minute over-run.

Any acceptance of this reduced standard is because of the peculiar circumstances of the case and should not be deemed to establish a precedent. Also it does not act as a waiver of the standards required under the Building (Planning) Regulations.

Fire Hydrant/Hose Reel System

1. There shall be sufficient hydrants and hose reels to ensure that every part of the premises can be reached by a length of not more than 30m of the fire services hose or hose reel tubing.
2. Additional hose reel(s) completed with remote pump starter switch shall be extended from the existing fire hydrant/hose reel system, to the effect that every part of the premises can be reached by a length of not more than 30m of hose reel tubing.
3. A hose reel system shall be provided for the premises such that every part of the premises can be reached by a length of not more than 30m of hose reel tubing. The tank of such hose reel system shall be not less than 1500 litres. The system shall have a fixed fire pump which shall be permanently primed and be capable of producing a jet at the hose reel nozzle for a length of not less than 6m, at a flow of not less than 24 litres/minute.

Remark: After site inspection is conducted, the applicant will be advised on which of the above requirements is to be fulfilled.

Enquiries

Office of the Licensing Authority, Home Affairs Department

Address	:	10/F, 14 Taikoo Wan Road, Taikoo Shing, Hong Kong
Telephone number	:	2881 7034
Fax number	:	2894 8343
e-mail address	:	hadlaeng@had.gov.hk
Website	:	www.hadla.gov.hk

Lands Administration Office, Lands Department (for the Buildings Ordinance (Application to the New Territories) Ordinance (Cap.121), issuance of Certificate of Compliance, and letter of No Objection to Occupy)

Address	:	20/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong
Telephone number	:	2626 1616
Fax number	:	2868 4707

Buildings Department (for building plans, unauthorized building works, and lists of authorized building professionals and registered contractors)

Address	:	12th floor, Pioneer Centre, 750 Nathan Road, Mong Kok, Kowloon
Telephone number	:	2626 1616
Fax number	:	2840 0451

Fire Services Department (for registered fire service installations contractors, registered suppliers of fire equipment, and enquiries about the ventilation system)

Licensing & Certification Command

Address	:	5th floor, South Wing, Fire Services Headquarters Building, 1 Hong Chong Road, Tsim Sha Tsui East, Kowloon
Telephone number	:	2733 7619
Fax number	:	2367 3631

Ventilation Division

Address	:	5th floor, South Wing Fire Services Headquarters Building, 1 Hong Chong Road, Tsim Sha Tsui East, Kowloon
Telephone number	:	2718 7567
Fax number	:	2382 2495

Electrical & Mechanical Services Department (for electrical and gas installations)

Address	:	3 Kai Shing Street, Kowloon
Telephone number	:	1823
Fax number	:	2890 7493

The Land Registry (for government lease and Deed of Mutual Covenant of a building)

Address	:	19th floor, Queensway Government Offices, 66 Queensway, Hong Kong.
Telephone number	:	3105 0000
Fax number	:	2523 0065