

民政事務總署

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HOME AFFAIRS DEPARTMENT

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1 September 2011

All Guesthouse Licence Holders

Dear Sir/Madam,

Hotel and Guesthouse Accommodation Ordinance, Cap. 349
Cancellation of/Refusal to Renew Licences
Updating of "A Layman's Guide to Licence Applications" and Licence Application Form

I refer to my letter dated 23 February 2010 regarding the provision of section 10 of the Hotel and Guesthouse Accommodation Ordinance (Cap. 349) (the Ordinance) against unlicensed guesthouse operation. Please note that this letter has been uploaded in the "Latest News" in the website www.hadla.gov.hk.

The operation of an unlicensed guesthouse poses severe risks of safety not only to lodgers but also to the occupants of the same building. In this connection, the Office of the Licensing Authority (OLA) has been taking vigorous action to combat the operation of unlicensed guesthouses. A two-pronged approach has been adopted : by law enforcement as well as territory-wide publicity.

Please note that the Hotel and Guesthouse Accommodation Authority (the Authority) **will seriously consider invoking** section 10 of the Ordinance to cancel/refuse to renew all licences of a licence holder if the licence holder is convicted of the offence of operating an unlicensed guesthouse under section 5 of the Ordinance and/or the offence of operating a guesthouse in respect of which a licence has been issued in premises other than the licensed premises under section 21(3)(b) of the Ordinance. You may wish to note that since November 2009, the Authority has cancelled/refused to renew three licences where the licence holder has been convicted of an offence under section 5 or 21(3)(b) of the Ordinance.

For cases where there is evidence that a licence holder has involved in the operation of an unlicensed guesthouse and/or the operation of a guesthouse in respect of which a licence has been issued in premises other than the licensed premises; and prosecution is being considered, the Authority will take such circumstances into account when considering an application for transfer of any licence of that licence holder.

You may wish to note that "A Layman's Guide to Licence Applications under the Ordinance" has been updated. It can be downloaded from the website www.hadla.gov.hk or obtained from OLA.

Should you have any enquiries regarding the above, please contact our Mr. Kenneth M. L. KWONG at 2881 7746 or Mr. Pal C. K. LEUNG at 2881 7030.

Yours faithfully,

(T. C. YU)

Chief Officer (Licensing Authority)
Office of the Licensing Authority
Home Affairs Department

c.c. HAD/LA/1/2