

## **Enforcement News**

### **Office of the Licensing Authority**

The Office of the Licensing Authority (OLA) is responsible for administering and taking enforcement actions under the Hotel and Guesthouse Accommodation Ordinance, Cap. 349 (the Ordinance).

2. Under Section 5(1) of the Ordinance, any person who operates, keeps, manages or otherwise has control of a hotel/guesthouse without a valid licence would commit an offence, and is liable on conviction 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.

3. Moreover, under Section 21(3) of the Ordinance, any hotel/guesthouse licence holder who operates, keeps, manages or otherwise has control of a hotel/guesthouse in any premises other than the premises indicated in the licence so issued would commit an offence, and is liable on conviction to a fine of \$100,000 and to imprisonment for 2 years and to a fine of \$10,000 for each day during which the offence continues.

4. The following are convictions for contravention of Sections 5(1)/21(3) of the Ordinance and sentenced for imprisonment :

	<b>Date of Conviction</b>	<b>Sentence</b>
1	28 October 2009	Imprisonment for 4 months (suspended for 2 years)
2	2 November 2009	Imprisonment for 2 months and fined \$20,000.
3	18 November 2009	Imprisonment for 4 months (suspended for 2 years) and fined \$4,000
4	8 February 2010	Imprisonment for 2 months
5	25 August 2010	Imprisonment for 2 months (suspended for 2 years) and fined \$6,000
6	8 November 2010	Imprisonment for 3 months (suspended for 2 years)
7	8 November 2010	Imprisonment for 2 weeks (suspended for 1 year)

8	22 December 2010	Imprisonment for 1 month (suspended for 1 year) and fined \$5,000
9	22 December 2010	Imprisonment for 1 month (suspended for 1 year) and fined \$5,000
10	8 June 2011	Imprisonment for 3 months (suspended for 15 months) and fined \$5,000
11	8 June 2011	Imprisonment for 3 months
12	29 June 2011	Imprisonment for 4 weeks (suspended for 12 months) and fined \$5,000
13	26 January 2012	Imprisonment for 6 weeks (suspended for 12 months) and fined \$30,000
14	21 February 2012	Imprisonment for 6 weeks
15	21 February 2012	Imprisonment for 2 months
16	31 August 2012	Imprisonment for 2 months (suspended for 12 months) and fined \$50,000
17	31 August 2012	Imprisonment for 2 months (suspended for 12 months)
18	26 October 2012	Imprisonment for 7 days
19	4 December 2012	Imprisonment for 2 months
20	28 January 2013	Imprisonment for 2 months
21	14 March 2013	Imprisonment for 2 months
22	30 March 2013	Imprisonment for 2 months
23	3 June 2013	Imprisonment for 2 weeks (suspended for 2 years) and fined \$6,000
24	21 June 2013	Imprisonment for 1 day
25	24 July 2013	Imprisonment for 7 days
26	23 August 2013	Imprisonment for 2 weeks
27	4 October 2013	Imprisonment for 1 week

28	13 November 2013	Imprisonment for 2 weeks (suspended for 2 years)
29	21 November 2013	Imprisonment for 2 months
30	13 December 2013	Imprisonment for 2 months
31	8 February 2014	Imprisonment for 6 weeks
32	19 March 2014	Imprisonment for 2 months (suspended for 2 years)
33	30 April 2014	Imprisonment for 1 month (suspended for 1 year) and fined \$10,000
34	30 April 2014	Imprisonment for 6 weeks
35	12 July 2014	Imprisonment for 4 days
36	29 July 2014	Imprisonment for 2 month (suspended for 2 year) and fined \$10,000
37	1 January 2015	Imprisonment for 7 days
38	23 January 2015	Imprisonment for 4 days
39	1 March 2015	Imprisonment for 2 months (suspended for 1 year) and fined \$10,000
40	4 March 2015	Imprisonment for 14 days (suspended for 2 year)
41	18 March 2015	Imprisonment for 2 months (suspended for six months) and fined \$10,000
42	2 June 2015	Imprisonment for 6 weeks
43	3 June 2015	Imprisonment for 14 days (suspended for 1 year) and fined \$16,000
44	12 August 2015	Imprisonment for 14 days (suspended for 18 months)
45	15 September 2015	Imprisonment for 1 month (suspended for 18 months ) and fined \$5,000
46	23 September 2015	Imprisonment for 1 month (suspended for 2 years) and fined 8,000

47	30 September 2015	Imprisonment for 3 months (suspended for 2 years)
48	1 November 2015	Imprisonment for 2 months
49	4 November 2015	Imprisonment for 1 month (suspended for 1 year)
50	1 December 2015	Imprisonment for 4 weeks
51	2 March 2016	Imprisonment for 1 month (suspended for 1 year)
52	2 March 2016	Imprisonment for 2 months (suspended for 18 months)
53	16 March 2016	Imprisonment for 2 months (suspended for 3 years) and fined 20,000
54	13 April 2016	Imprisonment for 2 months (suspended for 2 years)
55	14 April 2016	Imprisonment for 2 weeks
56	25 May 2016	Imprisonment for 3 weeks and fined 12,000
57	07 June 2016	Imprisonment for 1 day
58	29 June 2016	Imprisonment for 1 months (suspended for 1 year)
59	01 August 2016	Imprisonment for 1 months (suspended for 3 years) and fined 60,000
60	08 August 2016	Imprisonment for 1 week
61	17 August 2016	Imprisonment for 1 month (suspended for 1 year) and fined 10,000
62	14 September 2016	Imprisonment for 2 months
63	14 September 2016	Imprisonment for 2 months (suspended for 2 years) and fined 10,000
64	14 September 2016	Imprisonment for 6 weeks
65	05 October 2016	Imprisonment for 1 months (suspended

		for 2 years)
66	26 October 2016	Imprisonment for 1 months (suspended for 18 months)
67	02 November 2016	Imprisonment for 2 months (suspended for 2 years)
68	21 December 2016	Imprisonment for 14 days (suspended for 18 months) and fined 3,000
69	21 December 2016	Imprisonment for 1 months (suspended for 18 months) and fined 4,000
70	04 January 2017	Imprisonment for 2 weeks (suspended for 1 year) and fined 10,000
71	04 January 2017	Imprisonment for 2 weeks (suspended for 1 years) and fined 10,000
72	27 January 2017	Imprisonment for 1 month
73	04 March 2017	Imprisonment for 2 months
74	27 April 2017	Imprisonment for 7 days
75	04 May 2017	Imprisonment for 1 month (suspended for 1 year) and fined 15,000
76	17 May 2017	Imprisonment for 4 weeks (suspended for 2 years) and fined 18,000
77	23 May 2017	Fined 3,500
78	24 May 2017	Fined 6,000
79	31 May 2017	Fined 8,000
80	06 June 2017	Fined 6,000
81	07 June 2017	Fined 5,000
82	13 June 2017	Fined 16,000
83	14 June 2017	Imprisonment for 4 weeks (suspended for 2 years) and fined 11,000

84	21 June 2017	Imprisonment for 12 weeks (suspended for 2 years)
85	22 June 2017	Fined 7,000
86	27 June 2017	Fined 8,000
87	28 June 2017	Fined 18,000
88	05 July 2017	Imprisonment for 14 days (suspended for 18 months) and fined 8,000
89	25 July 2017	Fined 8,000
90	26 July 2017	Imprisonment for 2 weeks (suspended for 12 months) and fined 8,000
91	09 August 2017	Fined 8,000
92	10 August 2017	Fined 10,000
93	16 August 2017	Fined 12,000
94	29 August 2017	Fined 8,000
95	30 August 2017	Fined 7,000
96	01 September 2017	Fined 4,000
97	05 September 2017	Fined 8,000
98	06 September 2017	Fined 8,000
99	12 September 2017	Fined 10,000
100	13 September 2017	Fined 8,000
101	20 September 2017	Fined 6,000

102	27 September 2017	Fined 6,000 and 8,000
103	29 September 2017	Fined 3,000
104	10 October 2017	Fined 15,000
105	12 October 2017	Fined 4,000
106	20 October 2017	Fined 3,000
107	25 October 2017	Fined 7,000
108	31 October 2017	Fined 8,000
109	01 November 2017	Fined 8,000 and 10,000
110	08 November 2017	Fined 7,000 to 13,000
111	15 November 2017	Fined 7,000 to 8,000
112	22 November 2017	Imprisonment for 2 months and fined 7,000 to 8,000
113	29 November 2017	Imprisonment for 4 weeks (suspended for 3 years)
114	06 December 2017	Fined 7,500
115	20 December 2017	Fined 6,000 to 8,000
116	27 December 2017	Imprisonment for 2 weeks (suspended for 12 months) and fined 10,000
117	03 January 2018	Fined 8,000 and 10,000
118	05 January 2018	Fined 13,000
119	10 January 2018	Imprisonment for 2 weeks (suspended for 2 years)

120	17 January 2018	Fined 8,000 and 12,000
121	24 January 2018	Fined 8,000
122	30 January 2018	Fined 6,500 and 25,000
123	31 January 2018	Fined 2,000 to 15,000
124	14 February 2018	Fined 5,000
125	27 February 2018	Fined 12,000
126	28 February 2018	Fined 10,000 and 20,000
127	07 March 2018	Fined 3,000 and 8,000
128	13 March 2018	Fined 10,000 and 19,000
129	14 March 2018	Fined 8,000 and 12,000
130	23 March 2018	Fined 6,000
131	28 March 2018	Fined 8,000
132	03 April 2018	Fined 8,000
133	04 April 2018	Fined 8,000
134	10 April 2018	Fined 5,000
135	11 April 2018	Fined 8,000 and 10,000
136	18 April 2018	Fined 8,000
137	24 April 2018	Fined 8,000



138	25 April 2018	Imprisonment for 2 months (suspended for 18 months) and fined 15,000
139	25 April 2018	Fined 8,000 and 15,000
140	09 May 2018	Fined 8,000 and 10,000
141	16 May 2018	Imprisonment for 4 weeks (suspended for 2 years) and fined 12,000
142	23 May 2018	Imprisonment for 4 weeks (suspended for 18 months) and fined 10,000
143	29 May 2018	Fined 4,000 to 8,000
144	06 June 2018	Fined 7,000 to 10,000
145	12 June 2018	Fined 8,000
146	14 June 2018	Fined 12,000
147	20 June 2018	Fined 8,000 and 10,000
148	27 June 2018	Fined 20,000
149	29 June 2018	Fined 7,000
150	04 July 2018	Fined 8,000
151	17 July 2018	Fined 10,000
152	18 July 2018	Fined 8,000
153	20 July 2018	Fined 3,000
154	24 July 2018	Fined 10,000
155	25 July 2018	Fined 10,000

156	31 July 2018	Fined 12,000
157	01 August 2018	Fined 10,000 and 8,000
158	08 August 2018	Fined 8,000
159	15 August 2018	Fined 8,000
160	16 August 2018	Fined 4,000
161	21 August 2018	Fined 6,000
162	23 August 2018	Fined 10,000
163	28 August 2018	Fined 7,000
164	12 September 2018	Fined 8,000
165	13 September 2018	Fined 8,000
166	19 September 2018	Fined 6,000 and 8,000
167	26 September 2018	Fined 12,000
168	9 October 2018	Fined 12,000
169	10 October 2018	Fined 8,000 and 15,000
170	24 October 2018	Fined 10,000
171	24 October 2018	Fined 10,000
172	31 October 2018	Fined 8,000
173	1 November 2018	Fined 10,000

174	13 November 2018	Fined 10,000
175	14 November 2018	Fined 8,000
176	15 November 2018	Fined 8,000
177	21 November 2018	Imprisonment for 1 month (suspended for 1 year) and fined 3,000
178	21 November 2018	Fined 6,000
179	28 November 2018	Imprisonment for 1 month (suspended for 12 months) and fined 10,000
180	28 November 2018	Fined from \$8,000 to \$12,000.
181	30 November 2018	Fined 8,000

5. The following guesthouse licences have been cancelled or suspended the licence or refused to renew the licence under Section 10 of the Ordinance after the licensees had been convicted against contravention of Sections 5(1)/21(3) of the Ordinance :

	<b>Cancellation/Suspension /Refusal Date</b>	<b>Remarks</b>
1	22 October 2009	Refusal to renew the licence
2	25 August 2010	Cancellation of the licence
3	11 April 2011	Cancellation of the licence

4	29 August 2011	Cancellation of the licence
5	1 November 2011	Cancellation of the licence
6	3 December 2012	Cancellation of the licence
7	3 January 2013	Cancellation of the licence
8	19 March 2013	Cancellation of the licence
9	18 April 2013	Cancellation of the licence
10	21 May 2013	Cancellation of the licence
11	21 May 2013	Cancellation of the licence
12	6 June 2013	Cancellation of the licence
13	14 June 2013	Cancellation of the licence
14	2 October 2013	Cancellation of the licence
15	2 October 2013	Cancellation of the licence
16	4 December 2013	Cancellation of the licence
17	30 December 2013	Cancellation of the licence
18	30 December 2013	Cancellation of the licence
19	10 February 2014	Cancellation of the licence
20	9 May 2014	Cancellation of the licence
21	15 May 2014	Cancellation of the licence
22	1 April 2014	Suspension of the licence for three months
23	30 June 2014	Suspension of the licence for six months
24	6 October 2014	Cancellation of the licence
25	11 December 2014	Cancellation of the licence
26	31 December 2014	Cancellation of the licence
27	19 March 2015	Refusal to renew the licence
28	27 July 2015	Cancellation of the licence
29	27 July 2015	Cancellation of the licence
30	2 December 2015	Refusal to renew the licence
31	7 May 2016	Cancellation of the licence

32	29 May 2016	Suspension of the licence for three months
33	20 June 2016	Suspension of the licence for three months
34	12 July 2016	Cancellation of the licence
35	12 October 2016	Suspension of the licence for three months
36	27 March 2017	Cancellation of the licence
37	4 May 2017	Cancellation of the licence
38	14 December 2017	Cancellation of the licence
39	21 May 2018	Refusal to renew the licence
40	12 October 2018	Refusal to renew the licence
41	12 October 2018	Suspension of the licence for three months

6. The OLA will continue to take vigorous action to combat unlicensed operation to ensure the safety of lodgers and the public. To report any suspected unlicensed guesthouses to the OLA, members of the public can dial the hotline (2881 7498), send e-mail ([hadlaenq@had.gov.hk](mailto:hadlaenq@had.gov.hk)) or download report form from this website.

**Office of the Licensing Authority**  
**Home Affairs Department**  
**December 2018**