

DOs & DON'Ts for applying liquor or club liquor licences

Before planning a business for the consumption of intoxicating liquor on premises, please mind the following DO's and DON'Ts.

“DO's”

- (a) Carefully select the location of the premises with particular attention to be paid to the structure of the premises including building and fire safety, hygiene as well as the possible negative impacts on the neighborhood.
- (b) Lately, a number of liquor licence applications from upstairs bars/clubs have been rejected by the Liquor Licensing Board and the Municipal Services Appeals Board on the ground that there is already a considerable number of upstairs bars/clubs in the buildings concerned. In that connection, careful consideration should be taken before signing any tenancy agreement for premises to be used as an upstairs bar/club. If you have any questions, you may consult a legal advisor or a licensing consultant. You may also contact our licensing offices to obtain latest information on such rejected applications.
- (c) If the premises concerned are located in a commercial/residential building, whether they are on the ground floor or upstairs, concerns of different parties will be duly considered. If the premises are likely to cause noise nuisance to nearby residents, the Liquor Licensing Board may impose additional licensing conditions as appropriate, or even reject the application.
- (d) Before making any investment or signing any tenancy agreement, you are advised to check if the operation of liquor selling business at the premises is in violation of the designated land use under the “Government Lease”, “Deed of Mutual Covenant” or “Occupation Permit”.
- (e) Carefully consider the suitability of location of business premises particularly when live band/amplified music is involved since its noise will annoy noise sensitive receivers, so avoid choosing premises located in predominately residential areas.
- (f) Submit application for a Liquor/Club Liquor Licence concurrently with an application for a restaurant licence/Certificate of Compliance to the appropriate licensing authority if the premises have not been issued with the required licence/certificate.
- (g) Submit an application for Club Liquor Licence by the Secretary of a club. If the proposed licence holder is not the secretary of the club, the application should be signed by the proposed licensee as well.
- (h) Make immediate arrangements to place a newspaper advertisement in prescribed format in one English newspaper and two Chinese newspapers after the application for a Liquor/Club Liquor Licence is accepted for further processing.

- (i) Submit a copy of the **full page** containing the advertisement from each of the newspapers in which it appears to the respective Liquor Licensing Office once available.
- (j) Follow closely the recommendations on “Good Practices on Noise Abatement for Karaoke and Disco” by Environmental Protection Department (EPD) particularly when the selected business premises are unavoidable located underneath/close to residential dwellings or other noise sensitive receivers.
- (k) Consider structural borne noise problems affecting noise sensitive receivers structurally connected to the business premises and suitably design noise isolation/insulation such as choosing windows and doors capable of preventing noise from leaking to the external environment as recommended by EPD.

“DON’Ts”

- (a) DON’T choose premises contravening the “use restriction provision” in Government lease, Occupation Permit and the Deed of Mutual Covenants.
- (b) DON’T choose premises without separate access to each entrance to the premises located in a mixed commercial/residential building or a residential building.
- (c) DON’T start selling or supplying intoxicating liquor before a Liquor/Club Liquor Licence is issued by the LLB.
- (d) DON’T ignore the requirements imposed by other Government departments including the HKP, the BD, the FSD and the Environmental Protection Department (EPD) notwithstanding that a Liquor/Club Liquor Licence has been granted by the LLB.
- (e) DON’T offer advantage to the Board members and Government officers while have dealings of any kind with Liquor Licensing Board and Government departments.
- (f) DON’T make any incomplete statement or declaration or furnish any incorrect information, however made or furnished, or apply any incorrect description or supply any incorrect particulars in any document made or furnished for the licence to be issued.