

LCQ16: Unlicensed guesthouse

Following is a question by the Hon Paul Tse and a written reply by the Secretary for Home Affairs, Mr Tsang Tak-sing, in the Legislative Council today (May 12):

Question:

I have received complaints that in recent years, some unlicensed guesthouses have often sent their staff to the busy streets of urban areas to distribute promotion cards and leaflets to solicit business from travellers. In this connection, will the Government inform this Council:

(a)? whether the Government had received the aforesaid complaints in the past three years; if so, of the number of such complaints received each year, and how the Government dealt with them;

(b)? what policies and measures are in place to curb and prevent unlicensed guesthouses from soliciting business by the aforesaid way, as well as which government departments are responsible for implementing such policies and measures; and

(c)? of the respective total numbers of "snaking" operations conducted by the Home Affairs Department to investigate cases of operating unlicensed guesthouses, prosecutions which were instituted and cases in which the persons involved were convicted, in the past three years?

Reply:

President,

(a)? The Office of the Licensing Authority ("OLA") under the Home Affairs Department is responsible for the administration of the Hotel and Guesthouse Accommodation Ordinance (the "Ordinance"), the issue of guesthouse licenses under the Ordinance and enforcement of the Ordinance.

Regarding complaints against suspected unlicensed guesthouses soliciting business from travellers through promotion received by the OLA, they are classified and handled as reports on suspected unlicensed operation of guesthouses. The number of

complaints on suspected contravention of the Ordinance received by the OLA in the last three years is as follows:

	2008	2009	2010 (as at April 30)
Complaints	216	460	129

Upon the receipt of a complaint, the OLA will inspect the premises within eight working days. If investigation shows that there is evidence indicating unlicensed operation of a guesthouse, it will take appropriate actions for prosecution.

(b) The OLA has spared no efforts in combating the operation of unlicensed guesthouses. In response to suspected unlicensed guesthouses soliciting business from travellers through promotion, staff of the OLA read newspapers and browse web pages on a regular basis to collect information about promotion of suspected unlicensed guesthouses. Pro-active inspections have also been taken to districts where there are black spots of unlicensed guesthouses to collect information. Where publicity activities such as display of bills, overhanging of signboards or distribution of leaflets are found, appropriate enforcement actions will be taken.

The OLA has also launched a series of publicity activities to encourage and facilitate visitors to choose licensed guesthouses and call on members of the public to make a report on suspected illegal operation of guesthouses. The OLA has launched a Licensed Guesthouse Logo Scheme which requires all licensed guesthouses to display the newly designed logo at the main entrance and on the doors of all guestrooms to help visitors identify if the premises have been licensed under the Ordinance to provide further safeguards to visitors. A new round of publicity activities has also been launched for the scheme. Announcements of public interests are broadcast on television and radio while posters/banners are displayed at suspected unlicensed guesthouse black spots and immigration control points to call on visitors to patronise licensed guesthouses. Visitors may also obtain a list of licensed guesthouses from OLA's website (www.hadla.gov.hk). The OLA has also set up a hotline (Tel: 2881 7498) and uploaded a report form to its website to facilitate reporting of suspected illegal operation of guesthouses by members of the public.

(c) Regarding law enforcement, the OLA will, having regard to the circumstances of each case, carry out effective inspections through various means in order to collect evidence about suspected unlicensed guesthouses, including proactive inspections

during and outside office hours (e.g. at nights, during and before holidays) and collecting evidence by posing as clients (commonly known as "snaking") when necessary. The numbers of prosecutions and convictions resulting from "snaking" operations by the OLA in the past three years are as follows:

	2008	2009	2010 (as at April 30)
Prosecution	11	33	9
Conviction	11	27	13

Ends/Wednesday, May 12, 2010

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