

MIRACLE MAGAZINE

建築及牌照課題資訊雜誌

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創業專輯

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編者的話 *Words from Chief Editor*

本公司以多媒體形式集合有關建築測量、建築設計、消防安全、牌照申請、環保等資訊向有興趣人士參閱。今年就以夾公仔生意作起點, 向大家介紹公眾娛樂場所牌照, 並綜合政府有關對於飲食業及娛樂場所等新政策。

We aim for addressing building surveying, architectural design, fire safety, licence application and environmental protection issues in the forms of various multi-media to all readers. This year, entertainment business is one of great ideas for all start-ups. In this issue, we will address the application of Places of Public Entertainment Licence and compile new implementing policies of the government in relation to the food business and entertainment licence.

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夾公仔生意要領什麼牌照？

創業專輯

創業是很多青少年的夢想，亦帶動不少新商機。今期，我們將介紹夾公仔機的創業貼士，讓有興趣人士了解此行業。

早於上世紀八十年代，香港經濟起飛，娛樂場所百花齊放，一些家庭娛樂中心亦進駐大型商場，吸引家長帶子女渡週末。以往租用地方比較大，亦提供幾十種遊戲，成本較高，亦非適合創業者。受亞洲韓國日本等娛樂場所影響，香港亦多了不少以夾公仔或商品的娛樂場所，面積約二百呎，貨源靈活，易管理，令創業者以較少資本投資。但創業人仕必須注意有關夾公仔的牌照申請事項。

夾公仔生意是屬於公眾場所給消費者提供娛樂，因此必須持有公眾娛樂場所牌照及有獎娛樂牌照。

任何人如無根據《公眾娛樂場所條例》（第172章）批出的牌照，不得經營或使用公眾娛樂場所，不論是否收取入場費。

第一階段 Phase 1:

創業者必須於租賃有關單位前，揀選專為作公眾娛樂場所的處所包括確定符合政府租契、大廈公契、入伙紙及有關法定規劃圖則及附件等證明土地用途是適合作申請公眾娛樂場所牌照，以上可向地產代理諮詢。此外，樓宇亦須符合《建築物（規劃）規例》的處所、樓宇沒有僭建物、消防安全、建造通風系統可行性等。此階段特別重要，建議聘請專業人士作可行性評估，以免影響申請及增加成本以符合發牌條件。

第二階段 Phase 2:

由遞交文件及圖則至食環署，多個部門包括警務處、屋宇署/房屋署、消防處、規劃署、地政署等將處理申請文件。召開會議並通過後，食環署將發出《發牌條件通知書》予申請人。



申請公眾娛樂場所牌照，可向食物環境衛生署提出申請。發牌程序分為四個階段：
1)申請前
2)申請
3)履行發牌條件及取得證書
4)領取牌照。

申請有獎娛樂牌照，可向民政事務總署牌照事務處提出



第三階段 Phase 3:

申請人必須履行處所需要的發牌條件，如通風系統的消防規定、消防設備、小型工程如1) 更換招牌的展示面，豎設、改動或拆除招牌；2) 建造、改動、修葺或拆除窗戶或玻璃外牆。並且取得所有証書。

第四階段 Phase 4:

食環署將證實申請人已履行所有發牌條件後，便會在申請人繳付牌費後，向申請人簽發公眾娛樂場所牌照（戲院及劇院除外），有效期一年或牌照上訂明的時間。申請人於牌照到期前，並符合消防年度檢驗均可續領牌照。

領有公眾娛樂場所牌照後，民政署便會在申請人繳付牌費後，向申請人簽發有獎娛樂牌照給申請人。有效期一年或牌照上訂明的時間。申請人於牌照到期前，並符合消防年度檢驗均可續領牌照。

What licences obtained for a business of claw crane games?

Start-up Feature

The entrance of the amusement business is now easier because of lower operating costs in toys offering and smaller shops in size. This feature draws attention for all interested parties in the application of required licences. Claw crane vending machines consist of prizes/merchandises when a player plays the game with a token. It is a gambling device. In Hong Kong, anyone who offering claw crane game to which the general public is admitted with or without payment, a Place of Public Entertainment (PPE) Licence and a Amusement with Prize Licence (AWPL) should be obtained under the Places of Public Entertainment Ordinance (Cap. 172). Home Affairs Department (HAD) is the Licencing Authority for PPE Licence and AWPL. Food and Environmental and Hygiene Department (FEHD) exercises the application for PPE Licence.



Phase 1:

The applicant must ensure the operating claw crane business is in compliance with the government lease, the deed of mutual covenant, the occupation permit, and relevant statutory documents, information can be assisted by your Estate Agent. In addition, the premise is in compliance with the building regulations, fire safety regulations and a provision of ventilation system. It is highly recommended the applicant to appoint an individual consultant for a Feasibility Study before confirmation of the premise to avoid wasting resources.

Phase 2:

Submission of an application and layout plans to various departments e.g. Buildings Department, Fire Services Department, Police Force etc. A Letter of Requirements will be issued at no objection raised.

Phase 3:

The applicant is in compliance with all licensing requirements e.g. Fire Safety Requirements, Minor Works submission.

Phase 4:

The PPE Licence for 1 year or indicated licence period will be issued upon settlement of licencing fee. An annual inspection for Fire Safety and Ventilation system is required for renewal of licence.

There are FOUR phases in application of PPE

Licence:

Phase 1: Before Application

Phase 2: Application

Phase 3: Compliance

Phase 4: Issue of Licence

Application of PPE
Licence at FEHD

Application of Amusement
with Prizes Licence
(AWPL) at HAD



The AWPL for 1 year or indicated licence period will be issued upon issue of the PPE Licence.



介貝類水產動物(大閘蟹) 售賣許可證

New permit for sale of hairy crabs

食物環境衛生署(食環署)已擬備一款新的規管銷售大閘蟹的許可證,有關經營者必須領有該許可證,方可銷售大閘蟹。就網上銷售大閘蟹,經營者需要向食環署申請網上售賣限制出售食物許可證。至於在其他食物業處所(如新鮮糧食店或街市魚類攤檔等)售賣大閘蟹,經營者亦應先取得食環署的相關書面准許。

New permit should be obtained for selling hairy crabs operators. For online sale of hairy crabs, an online sale of restricted food permit should be applied from FEHD. As for sale of hairy crabs at other food premises (such as fresh provision shops or fish stalls in public markets etc.), prior written permission from FEHD shall also be obtained.

處所須符合 Notes for Compliance



設置雪櫃及洗手盆
Provisions of
Refrigerators &
Basins



來自合法來源
(附有由食環署署長
認可的衛生證明書)
From Safety Source



存放於雪櫃
Storage in Refrigerators



業主沒有遵從清拆命令被罰款逾六萬元

Property owner fined over \$60,000 for not complying with removal order

2018年9月，一名業主由於沒有遵從根據《建築物條例》（香港法例第123章）發出的清拆命令被判處罰款六萬零八百元。有關命令涉及一座住宅大廈天台的一個僭建物作居住用途，面積約為21平方米，事先並無獲得屋宇署的批准，違反了《建築物條例》，屋宇署遂根據《建築物條例》第24（1）條向該業主發出清拆命令及被定罪。僭建物會影響樓宇結構及消防安全，可導致嚴重後果，業主在物業進行建築工程之前，應先諮詢專業人士的意見。根據《建築物條例》第40（1BA）條的規定，任何人無合理辯解而沒有遵從根據第24（1）條送達予他的命令，即屬犯罪，一經定罪，可處罰款二十萬元及監禁一年，及可就該罪行持續的每一天，再處罰款二萬元。

A property owner was fined \$60,800 for failing to comply with a removal order issued under the Buildings Ordinance (Cap 123) (BO) in September 2018. The order involved an illegal structure at the roof of a domestic building which was used for habitation and was around 21 square metres in size. As the unauthorised building works (UBWs) were erected without prior approval from the Buildings Department (BD), contravening the BO, a removal order was served on the owner of the premises under section 24(1) of the BO. UBWs may adversely affect the structural and fire safety of a building, leading to serious consequences. Owners should seek professional advice before carrying out any building works in the premises. Pursuant to section 40(1BA) of the BO, any person who, without reasonable excuse, fails to comply with an order served on him under section 24(1) of the BO, commits an offence and is liable on conviction to a fine of \$200,000 and to imprisonment for one year, as well as a further fine of \$20,000 for each day that the offence has continued.



業權分散的工廈措施

New Measures of Multiple Ownership of Industrial Buildings

由於部分工廈業權分散，業主未必能於短期內就改裝整幢或重建工廈達成共識，因此2018施政報告亦會推出以下措施，以便善用現有工廈資源－

1. 在設定期限（初步為五年）內放寬申請地契豁免書的政策，讓符合規劃要求的文化、藝術及創意產業，在無須申請地契豁免及繳交豁免費的情況下，於現時工廈的個別單位內運作；
2. 在顧及公眾安全的前提下，擴大緩衝樓層的可准許用途，以涵蓋電訊機樓中心和電腦／數據處理中心用途，促成改裝工廈低層樓層為非工業用途；及
3. 公布工廈地契內註明的「倉庫」用途具更廣闊的定義，可涵蓋貨物裝卸及貨運設施和可循環再造物料回收中心。

Owing to multiple ownership of some industrial buildings, owners may not be able to reach a consensus in the immediate future over wholesale conversion or redevelopment of the buildings. As such, 2018 Policy Address will introduce the following measures to optimise the use of existing industrial buildings:

1. relaxing the waiver application policy on a time-limited basis (for five years initially) to permit the arts and cultural sectors and creative industries to operate at individual units of existing industrial buildings without the need for making separate waiver applications and paying waiver fees, so long as such uses are permitted under the planning regime;
2. with due regard to public safety, widening the permissible uses of buffer floors to cover telecommunications exchange centres and computer/data processing centres, so as to facilitate conversion of lower floors of industrial buildings into non-industrial uses; and
3. promulgating a wider definition for “godown” uses under lease provisions of industrial buildings to cover cargo handling and forwarding operations and recyclable collection centres.

Highlights of 2018

本年度有幸參與多個專業團體的活動

We have a fruitful year in participation from various fields of professionalism.



由左至右 From left to right

(1) 參觀污水處理廠

@ Sewage Treatment Facilities

(2) 參加香港汽車會活動嘉賓

@HKAA activity

(3) 與消防處處長李建日先生合照

@photo with Mr LI Kin-yat, Director of Fire Services

(4) 參觀消防處昂船洲潛水基地

@Diving Base of HKFSD

(5) 與屋宇署副署長余德祥先生合照

@photo with Mr Yu Tak-cheung, Deputy Director of Buildings Department

(6) 參觀大館 - 古蹟及藝術館

@Tai Kwun - The Center of Heritage & Arts

(7) 出席關注私隱運動2018及中小企保障私隱運動啟動儀式

@PCPD Privacy Awareness Week 2018

Inauguration Ceremony cum Kick off Ceremony of Privacy Campaign for SME



香港消防處150年展覽

Scan QR code for watching 150th year of HKFSD exhibition





究竟食肆可以讓狗隻進入嗎？



ARE DOGS ALLOWED ENTERING TO RESTAURANTS?

很多人都想帶狗隻進入食肆，而且食肆負責人亦不讓狗隻進入，究竟可以帶狗狗去吃飯嗎？根據現行法例 (Cap. 487, Cap. 132X)，任何人不准帶狗隻進入食肆內，除導盲犬外，而導盲犬亦不能進入廚房或食物室。

People would like to bring and accompany with their dogs for patronage at the restaurants or food premises, however, the restaurants managers usually reject them. So can we bring dogs? According to current legislations (Cap. 487 & Cap. 132X), no person shall bring any dog onto food premises. There is an exception for dog serving as a guide for a totally blind person. Due to hygiene reason, guide dog is not allowed to enter the food room of the food premises.



本公司致力保障及尊重客戶個人資料。
本公司乃香港個人資料私隱專員公署「保障資料主任聯會」會員。

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