

**Second Meeting of the
EEC Subgroup on Business Facilitation**

***Agenda Item 4.2 : Regulatory activities affecting
the Entertainment sector***

Purpose

This paper presents the initial findings on the regulatory activities affecting the entertainment sector.

2. At the second EEC meeting held on 31 May, Members agreed on the priority of industry sectors for regulatory reviews and the entertainment sector was one of the priority areas identified.

Findings

3. Based on the Hong Kong Standard Industrial Classification⁽¹⁾, there are two major industry groups under the entertainment sector, viz motion pictures and other entertainment services, and miscellaneous amusement and recreational services. Each of these industry subgroups has a number of sub-classifications as shown at **Annex 1**.

4. The 2003 employment statistics for the two major industry subgroups under entertainment are as follows –

	No of Employed <u>Persons</u>	Share of Employed <u>Persons</u> ⁽²⁾	No of Unemployed <u>Persons</u>	Share of Unemployed <u>Persons</u> ⁽²⁾
Motion pictures and other entertainment services	20 800	0.6%	1 800	0.7%
Miscellaneous amusement and recreational services	35 000	1.1%	3 100	1.1%

For miscellaneous amusement and recreational services, the figures have not included employment in “bath houses and massage parlours” for which no statistics are available.

⁽¹⁾ Hong Kong Standard Industrial Classification is published by the Census and Statistics Department.

⁽²⁾ Refers to percent share in all industries.

5. The regulatory framework of the entertainment sector is mainly exercised through approvals, certification and licensing and there are altogether 60 more common regulatory activities administered by 14 departments⁽³⁾ as shown in **Annexes 2 and 3**.

6. There has been a number of reviews in recent years to streamline the procedures of entertainment licences. These cover mahjong / tin kau centres, billiard centres, bowling centres, public dance halls, dancing schools, amusement games centres, discos and karaoke establishments, public skating rinks, amusement rides, lottery, tombola, amusement with prizes, trade promotion competition and massage establishments. The focus of these reviews was primarily on cutting red tape, with little challenge on the original policy intent.

Industry's Concerns

7. We are gathering views from different industry subgroups under the entertainment sector. For cinema operation, we have received feedback as follows –

- (a) The fire safety requirement about independent stairways leading directly to the street level is considered outdated. Cinemas should be allowed to locate on the upper floors of commercial or shopping malls provided adequate means of escape have been taken care of. This would help increase patronage of shops; and
- (b) Provision of a lift for workers with physical disabilities to work in the projection room is impractical as the work environment and the job nature would make it difficult for these persons to function effectively in a cinema operation room.

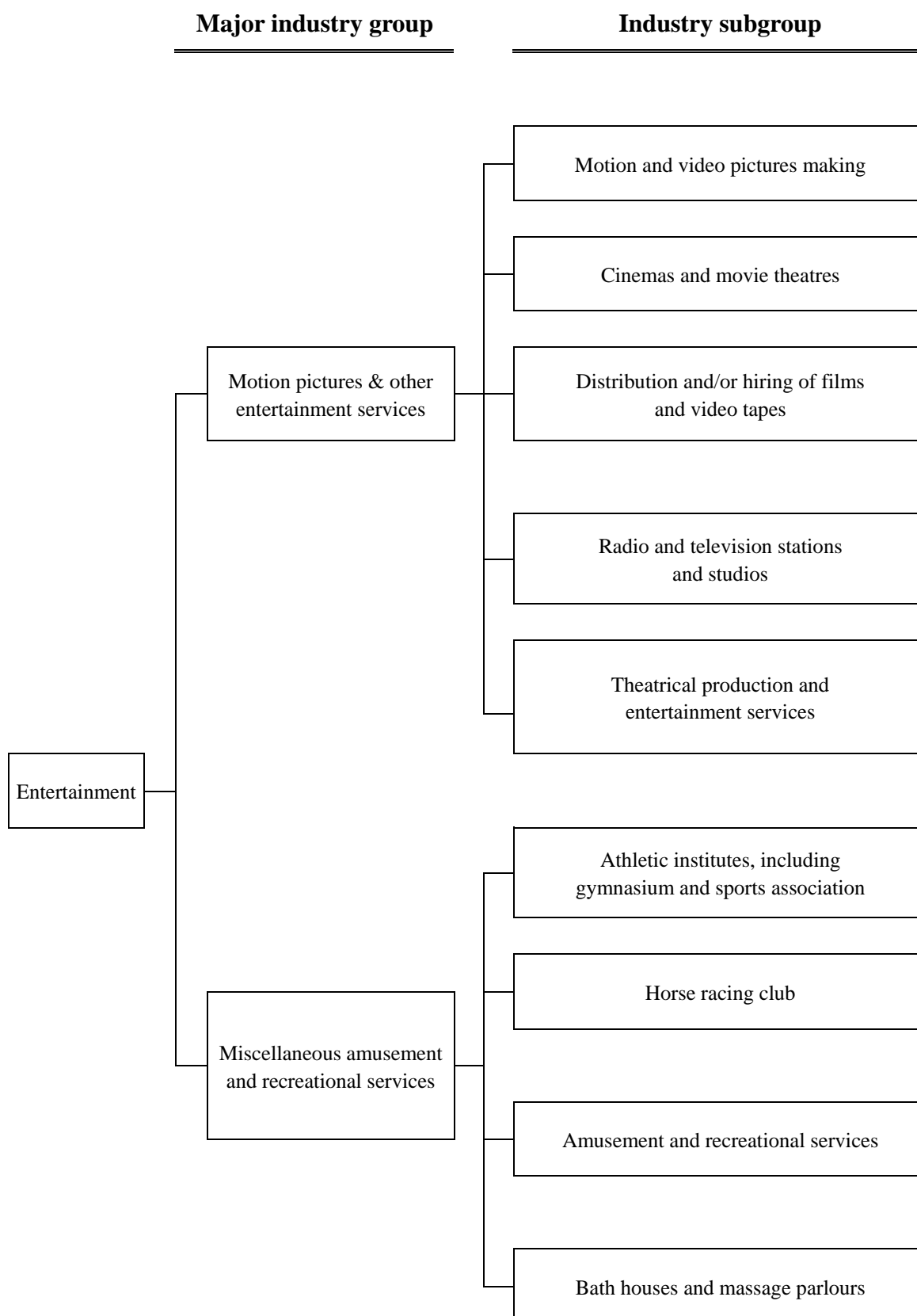
Way Forward

8. We shall arrange to form a task force with representatives from the industry to identify and prioritize study areas, and to oversee the regulatory review. Subgroup Members are invited to join the task force.

Economic Analysis and Business Facilitation Unit,
Financial Secretary's Office
August 2004

⁽³⁾ Source – Business Licence Information Centre of Trade and Industry Department.

The entertainment industry



**List of Regulatory Activities for the Industry Group of
Motion Pictures & Other Entertainment Services
Entertainment Sector**

Industry Sub-Group Types of Regulatory Activities (Executing Agency)	Motion & Video pictures making	Cinemas & movie theatres	Distribution / hiring of films & video tapes	Radio & TV stations & studios	Theatrical production & entertainment services
1. Approval for Storage of Chemical Waste in Large Container > 450 Litres (EPD)	X			X	
2. Approval Letter for Location Filming Involving Use of Modified Firearms & Blank Ammunition (HKPF)	X			X	
3. [#] Amusement with Prizes Licence under Gambling Ordinance (Cap 148) (TELA)			X		X
4. Balloon Flights Permission (CAD)	X			X	X
5. Certificate for Advertising Materials (TELA)	X		X	X	
6. Certification of Approval for film categorization (TELA)	X		X		
7. Certification of Exemption from film categorization (TELA)	X		X	X	
8. Certificate for Packaging (TELA)			X		
9. Coin-operated Automatic Vending Machine Permit (FEHD)		X			

<div>Industry Sub-Group</div> <div>Types of Regulatory Activities (Executing Agency)</div>	Motion & Video pictures making	Cinemas & movie theatres	Distribution / hiring of films & video tapes	Radio & TV stations & studios	Theatrical production & entertainment services
10. Domestic Free Television Programme Service Licence (CITB)				X	
11. Domestic Pay Television Programme Service Licence (CITB)				X	
12. Discharge Permit for Special Effects Materials (Stream A) (TELA)	X			X	
13. Discharge Permit for Special Effects Materials (Stream B) (TELA)	X			X	X
14.* Food Factory Licence & Provisional Food Factory Licence (FEHD)		X			
15.* Frozen Confection Factory Licence & Provisional Frozen Confection Factory Licence (FEHD)		X			
16. Licence for Discharge from Industrial, Commercial & Institutional Premises (EPD)	X	X		X	
17.# Light Refreshment Restaurant Licence & Provisional Light Refreshment Restaurant Licence ((FEHD)		X			
18.# Lottery Licence under Gambling Ordinance (Cap 148) (TELA)			X		X
19.* Non-bottled Drinks Permit (FEHD)		X			

Industry Sub-Group Types of Regulatory Activities (Executing Agency)	Motion & Video pictures making	Cinemas & movie theatres	Distribution / hiring of films & video tapes	Radio & TV stations & studios	Theatrical production & entertainment services
20. Non-domestic Television Programme Service Licence (CITB)			X		
21. Places of Public Entertainment Licence (FEHD)		X			
22. Registration of Waste Producers (EPD)	X			X	
23. Sound Broadcasting Licence (CITB)				X	
24. [#] Trade Promotion Competition Licence (TELA)		X	X	X	X
25. Type A Other Licensable Television Programme Service Licence (CITB)			X	X	
26. Waste Collection Licence (EPD)	X				
27. Waste Disposal Licence (EPD)	X			X	
Total number of licences under each industry subgroup	12	8	9	15	5
Total number of Executing Agencies	4	3	2	5	2

Note :

- (1) Regulatory activities depend on the nature and the extent of business. The above lists show the more common regulatory activities under each industry sub-group.
- (2) Regulatory activities marked with “*” have been covered in the supermarket licensing review, and “#” were subjects of past helping business studies.

**List of Regulatory Activities for the Industry Group of
Miscellaneous Amusement & Recreational Services
Entertainment Sector**

Industry Sub-Group Types of Regulatory Activities (Executing Agency)	Athletic institutes, including gymnasium & sports association	Horse racing club	Amusement & recreational services	Bath houses & massage parlours
1. Approval for Storage of Chemical Waste in Large Container > 450 Litres (EPD)		X	X	
2. Approval of Commencement of Operation of Aerial Ropeway (EMSD)			X	
3. Approval of Aerial Ropeway Design (EMSD)			X	
4. Approval of Design, Specification, Method & Programme of Installation of Amusement Ride (EMSD)			X	
5. [#] Amusement with Prizes Licence under Gambling Ordinance (Cap 148) (TELA)	X		X	
6. [#] Amusement Game Centres Licence (TELA)	X		X	
7. Category 1 Dangerous Goods Storage Licence (CED)	X			
8. Certificate of Approval for Furnace, Oven & Chimney (EPD)	X	X	X	X

Industry Sub-Group Types of Regulatory Activities (Executing Agency)	Athletic institutes, including gymnasium & sports association	Horse racing club	Amusement & recreational services	Bath houses & massage parlours
9. Club – Certificate of Compliance (HAD)	X	X	X	
10. Club Liquor Licence (FEHD)	X	X		
11. Coin-operated Automatic Vending Machine Permit (FEHD)			X	
12. Commercial Bathhouse Licence (FEHD)				X
13. Exhibition Licence / Temporary Exhibition Permit for Animals (AFCD)			X	
14.* Food Factory Licence & Provisional Food Factory Licence (FEHD)			X	
15.* Frozen Confection Factory Licence & Provisional Frozen Confection Factory Licence (FEHD)			X	
16.* Frozen Confection Permit – Packaged Confection (FEHD)			X	
17.# General Restaurant Licence & Provisional General Restaurant Licence (FEHD)			X	
18.# Karaoke Establishment Licence / Permit (HAD)	X		X	
19. Licence for Discharge from Industrial, Commercial & Institutional Premises (EPD)	X	X	X	X

<div>Industry Sub-Group</div> <div>Types of Regulatory Activities (Executing Agency)</div>	Athletic institutes, including gymnasium & sports association	Horse racing club	Amusement & recreational services	Bath houses & massage parlours
20. Licence for Possession / Addition of Arms (Corporation or Association Shooting Club) (HKPF)	X			
21. [#] Light Refreshment Restaurant Licence & Provisional Light Refreshment Restaurant Licence ((FEHD)			X	X
22. Limited Licence for Possession of Arms (HKPF)	X			
23. Liquor Licence (FEHD)			X	X
24. [#] Lottery Licence under Gambling Ordinance (Cap 148) (TELA)	X		X	
25. [#] Mahjong / Tin Kau Licence under Gambling Ordinance (Cap 148) (TELA)			X	
26. [#] Massage Establishments Licence (HKPF)				X
27. Mobile Radio System Licence (System Consisting of Portables Only) (OFTA)	X		X	X
28.* Non-bottled Drinks Permit ((FEHD)			X	
29. Permission for Outside Seating Accommodation (FEHD)			X	
30. Permit to Use & Operate Amusement Ride (EMSD)			X	

Industry Sub-Group Types of Regulatory Activities (Executing Agency)	Athletic institutes, including gymnasium & sports association	Horse racing club	Amusement & recreational services	Bath houses & massage parlours
31. Permit to Use & Operate Kiddie Ride (EMSD)			X	
32. Places of Amusement Licence (Billiard Establishment) (LCSD)			X	
33. Places of Amusement Licence (Public Bowling Alley) (LCSD)			X	
34. Places of Amusement Licence (Public Skating Rink) (LCSD)			X	
35. Places of Public Entertainment Licence (FEHD)			X	
36. Pleasure Vessel – Licence for Pleasure Vessels (MD)	X			
37. Pleasure Vessel Radio Network Station Licence (OFTA)	X			
38. [#] Public Dance Hall Licence under Miscellaneous Licences Ordinance (Cap 114) (TELA)			X	
39. Registration of Boiler and Pressure Vessels (LD)	X		X	X
40. Registration of Waste Producers (EPD)		X	X	
41. Removal Permit of Dangerous Goods (CED)	X			
42. Riding Establishment Licence (AFCD)	X	X		

Industry Sub-Group Types of Regulatory Activities (Executing Agency)	Athletic institutes, including gymnasium & sports association	Horse racing club	Amusement & recreational services	Bath houses & massage parlours
43. Swimming Pool Licence (FEHD)	X	X	X	
44. [#] Tombola Licence under Gambling Ordinance (Cap 148) (TELA)	X	X	X	
45. [#] Trade Promotion Competition Licence (TELA)	X	X	X	X
46. Waste Disposal Licence (EPD)		X	X	
Total number of licences under each industry subgroup	20	11	36	9
Total number of Executing Agencies	10	5	9	6

Note :

- (1) Regulatory activities required depend on the nature and the extent of business. The above lists show the more common regulatory activities under each industry sub-group.
- (2) Regulatory activities marked with “*” have been covered in the supermarket licensing review, and “#” were subjects of past helping business studies.