

Frequently Asked Questions Related to Liquor Licensing Issues of Wine Tasting Events

Question 1 : Is a temporary liquor licence required for a wine tasting event?

Answer 1 : A temporary liquor licence is required for a wine tasting event if the event is held (a) at any premises for consumption on those premises; or (b) at a place of public entertainment or a public occasion for consumption at the place or occasion, where a fee or admission fee is charged, and/ or there is sale of liquor for consumption thereat.

Question 2 : If only a small amount of wine is provided in each tasting in a wine tasting event, can I apply for an exemption for a temporary liquor licence under the circumstances?

Answer 2 : The amount of wine consumed is immaterial. It shall be regarded as “an act of consumption” regardless of the amount of liquor consumption.

The general position is that a temporary liquor licence is not required if the event to be held is completely free of charge or on free admission, and that there is no sale of liquor for consumption activity.

Under the Dutiable Commodities (Liquor) Regulations, Cap. 109B, there is no exemption for a temporary liquor licence. The circumstances of the event will determine whether a temporary liquor licence is necessary. In case of doubt, the organizer should seek independent legal advice.

Question 3 : Am I not required to apply for a temporary liquor licence if I only collect the admission fee but do not charge for each tasting of wine?

Answer 3 : A temporary liquor licence is required.

Question 4 : In a public event with food and alcoholic beverages supplied, can I not apply for a temporary liquor licence if only admission fee or cover charge is collected but all food and beverages, including alcoholic drinks, are provided free of charge?

Answer 4 : A temporary liquor licence is required.

Question 5 : I am an event organizer. Can I appoint only one single liquor licensee to apply for a temporary liquor licence to cover the whole event that I intend to organize with various wine booths with liquor supplied?

Answer 5 : It shall be a commercial decision. The Licensing Authority (i.e. the Commissioner of Police) will require the licensee and/ or the authorized person(s) to be legally responsible for the running of the event according to the conditions set out in the temporary liquor licence and in accordance with the Dutiable Commodities Ordinance, Cap. 109 and its Regulations, Cap. 109B.

Question 6 Do I need to be a liquor licensee myself in order to apply for a temporary liquor licence of a wine tasting event?

Answer 6 Yes, an applicant must be a holder of a valid liquor/club liquor licence in order to apply for a temporary liquor licence.

Question 7 How can I apply for a temporary liquor licence for a wine tasting event? How much does it cost?

Answer 7 For a wine tasting event which requires a temporary liquor licence, an applicant must be a holder of a valid Liquor/Club Liquor Licence issued by the Liquor Licensing Board of the Food and Environment Hygiene Department. He/she should submit the application form together with a copy of the valid Liquor/Club Liquor Licence to the Police Licensing Office.

A prescribed fee of HK\$585 per day is payable upon granting of the application. No fee is required for processing the application.

Question 8 How long will an application for a temporary liquor licence of a wine tasting event usually take?

Answer 8 All applications will be processed as soon as practicable and normally within 12 working days.

Question 9 Is it a criminal offence to hold a public wine tasting event without a temporary liquor licence?

Answer 9 The law requires a temporary liquor licence for the retail sale of liquor at any public entertainment or on any public occasion, other than at the premises covered by a valid Liquor/Club Liquor Licence. It is an offence for any person who sells liquor without a liquor licence in accordance with Section 17(3)(b) of the Dutiable Commodities Ordinance, Cap. 109. Any person convicted of the offence is liable to a maximum penalty of a fine of \$1,000,000 and imprisonment for 2 years.

Question 10 Where can I get further information about the licensing issue for a wine tasting event?

Answer 10 For further information, you may write to the Police Licensing Office, (address :12/F, Arsenal House, Police Headquarters, 1 Arsenal Street, Wan Chai, Hong Kong), or send e-mail to general-licensing@police.gov.hk, or call 2860 6523 / 2860 6524 or access the Police Public Page through the Hong Kong Police website http://www.police.gov.hk/ppp_en/11_useful_info/licences/general.html.