

切勿涉及任何經營無牌旅館事宜

鑑於 2012 年 7 月有關三名內地碩士學生因經營無牌旅館而違反逗留條件被定罪一事，民政事務總署特別作出以下提醒：

凡在香港開展旅館業務，必須先領取根據《旅館業條例》發出的牌照。根據《條例》，“旅館”指任何處所，其佔用人、東主或租客顯示會提供收費的住宿地方，而出租期少於連續 28 天。

根據《條例》第 5 條，凡任何人沒有有效旅館牌照而經營、開設、管理或以其他方式控制旅館，即屬犯罪，並會留下刑事記錄。違者一經定罪，可被判監禁，最高可處罰款 20,000 元及監禁兩年，並可就罪行持續期間的每一天另處罰款 20,000 元。根據記錄，近年法院加重有關經營無牌旅館的刑罰，詳情請參閱牌照事務處網站 www.hadla.gov.hk

入境處亦提醒：“以學生身分在香港逗留的人士只能就讀於指明的學校、大學或其他教育機構，修讀入境處處長批准修讀的課程，並不得在未有入境處處長批准下接受有薪或無薪的僱傭工作，以及開辦或參與任何業務，違例者會遭檢控，一經定罪，最高刑罰為罰款五萬元及入獄兩年”。詳情請參閱入境事務處的新聞公報 www.immd.gov.hk

YOU ARE REMINDED NOT TO INVOLVE IN ANY UNLICENSED GUESTHOUSE OPERATION

In view of a court case in July 2012 regarding the conviction of three Mainland post-graduate students for operating an unlicensed guesthouse, the Home Affairs Department would like to bring your attention to the followings:

Before commencing a hotel or guesthouse business in Hong Kong, a licence issued under the Hotel and Guesthouse Accommodation Ordinance shall be obtained. Under the Ordinance, “hotel / guesthouse” means any premises being held out by the occupier, proprietor or tenant for providing sleeping accommodation at a fee with a tenancy term of less than 28 continuous days.

Under section 5 of the Ordinance, any person operates, keeps, manages or otherwise has control of a guesthouse without a valid guesthouse licence commits an offence and will lead to a criminal record. Any person who is convicted for operating an unlicensed guesthouse is liable to imprisonment. The maximum penalty upon conviction is a \$200,000 fine and imprisonment for two years, and a fine of \$20,000 for each day during which the offence continues. According to records, heavier sentences for unlicensed guesthouse operations have been passed by the courts in the recent years. For further information, please refer to the website of Office of the Licensing Authority at www.hadla.gov.hk.

“Under the laws of Hong Kong, a person permitted to stay in Hong Kong as a student shall only study at a specified school, university or other educational institution and undertake such course of study as may be approved by the Director of Immigration. Such students are not allowed to take up employment, whether paid or unpaid, or establish or join in any business in Hong Kong, without the permission of the Director of Immigration. Offenders are liable to prosecution and upon conviction to a maximum fine of \$50,000 and imprisonment for two years.” the spokesman from Immigration Department reminded.

For further information, please refer to the website of Immigration Department at www.immd.gov.hk.