

## **HOW TO APPLY AMUSEMENTS WITH PRIZES LICENCE**

Any person who wants to organize or conduct a game of amusement with prizes has to apply for an Amusements With Prizes Licence (AWPL) from the Television and Entertainment Licensing Authority (the Licensing Authority). The premises at which the games of amusement with prizes are conducted must be covered by a valid Places of Public Entertainment Licence (PPEL) granted by the Food and Environmental Hygiene Department under the Places of Public Entertainment Ordinance (Chapter 172).

### **The law under which an Amusements With Prizes Licence is issued**

AWPL is issued in accordance with the provisions of the Gambling Ordinance and Regulations (Chapter 148). You may access the Bilingual Laws Information System at <http://www.legislation.gov.hk> for contents of the relevant legislation. You may also contact the Publications Sales Section of the Information Services Department at 2537 1910 on purchasing booklets of the relevant regulations.

### **Some examples**

The examples set out below are for general reference only and must not be taken as legal advice or implication that certain kinds of games require or do not require a licence. Each case must be determined on its own facts and circumstances. Even if a case is similar to the examples set out below, there may be other circumstances of the case that would lead to a different result. You must refer to the Gambling Ordinance (Cap. 148) and seek independent legal advice, where necessary, on whether a licence is required.

Functions such as funfair, bazaar, grand fete involving games of amusement with prizes will usually require an AWPL.

An AWPL is required for installing a machine which, after a person has inserted a designated amount of money, will give him/her a chance to pick whatever toys or products are available in the machine or nothing; but the person has no control over the results.

## **How to apply**

Application for an AWPL should be made to the Licensing Authority at Room 915, 9/F, Revenue Tower, 5 Gloucester Road, Wan Chai, Hong Kong (Tel: 2594 5824), where copies of the appropriate application forms, a checklist of documents to be submitted and the licence conditions are available. You may also download the relevant documents from the website of TELA ([www.tela.gov.hk](http://www.tela.gov.hk)).

Where an application is made on behalf of a company within the meaning of the Companies Ordinance (Chapter 32), Forms 3 and 7 should be completed. Where an application is made on behalf of a club or society in respect of which the Societies Ordinance (Chapter 151) applies, Forms 3 and 8 should be completed. Where an application is not made on behalf of a company or such a society or club, Forms 3 and 6 should be completed.

Before completing the forms, please read the conditions carefully and fill in the forms in English or Chinese. If you have any difficulties, the staff of the Licensing Authority will be pleased to assist.

The completed form should be sent to the Licensing Authority together with the supporting documents specified in the checklist. It normally takes less than four weeks to process an application for a licence\*. However, actual time for the issue of licence will be subject to availability of all required documents and the PPEL. If a licence is granted, a licence fee of \$3,200, which is subject to change from time to time, is payable unless an application for waiver or reduction of the licence fee has been endorsed.

Application for waiver of licence fee will not normally be considered unless the applicant organization is a local registered charitable institution or trust of a public character exempted from tax under Section 88 of the Inland Revenue Ordinance; or the 'parent' organization is a local registered charity. Application for reduction of licence fee will not normally be approved unless the applicant organization is a non-commercial/voluntary services group and that participation in the games or admission to the venue is not charged.

## **When you have been granted a licence**

You should read all the licence conditions very carefully and make sure that they are properly complied with when the games take place. If you do not abide by these conditions, you are liable to be prosecuted. It may also result in cancellation of your licence. The AWPL is only valid for the place, time and date or period specified.

## **Change of particulars of a licence**

If you need to change the particulars of AWPL such as the date or place of the games or the types of games/game machines, you should apply to the Licensing Authority and explain in writing the reasons for the changes required. If permission is given, you are required to submit the licence to the Licensing Section of the Licensing Authority for amendment upon payment of an official signature fee. The current fee is \$155.

\* Remarks: Upon receipt of PPEL from the Food and Environmental Hygiene Department, AWPL will be issued in eight working days provided that the game list as attached to the PPEL is the same as that attached to the Further Consideration letter issued by the Licensing Authority.