

Macau's new law on the Operation of Hotel Establishments

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Law No. 8/2021 on the Operation of Hotel Establishments will enter into force on January 1st 2022, revoking the currently in force Decree-Law No. 16/96/M, of April 1st.

Law No. 8/2021 establishes a new regime for the licensing and operation of hotel establishments, as well as restaurants, simple catering establishments, catering stalls at food courts, bars and nightclubs located in an urban building intended for the activity of a hotel establishment.

This new law will also apply to the licensing and operation of restaurants, simple catering establishments, catering stalls at food courts, bars and nightclubs licensed under the Hotel and Similar Industry Regulation, approved by Legislative Decree No. 1712, of July 23rd 1966, or the Regulation on Hotel and Similar Activity approved by Decree-Law No. 30/85/M, of April 13th, which, at the time they were licensed, were installed in an urban building not intended for hotel activity which purpose was appropriate, as well as similar establishments installed therein.

We highlight below the changes that the new law will introduce to the regime currently in force:

- As for the classification of hotel establishments, pensions and tourist complexes cease to exist, and there are now **hotels ranging from 2 to 5 stars-luxury and hotels-apartments of 3 and 4 stars;**
- A new category is created: **low-cost accommodation ("ABC")**, allowing the installation of shared rooms, where **the lease can be made per bed;**
- In order to raise the quality of services provided by superior quality hotels, **stricter requirements in terms of services** are being demanded from **5- and 5-star luxury hotels;**
- **Restaurants, bars and nightclubs no longer have classes**, with only the minimum requirements being fixed to ensure that the activity is carried out safely and hygienically;
- The **creation of simple catering establishments ("ERS")**, which serve simple meals and/or drinks for quick consumption on-site;

- **The licensing by DST of a new type of establishment: catering stalls located in food courts;**
- **The possibility of the establishment's name being written in one or both of the official languages, and in the latter case, it may contain a name in English;**
- **Prohibition of entry or stay for persons under 18 years of age in bars and nightclubs,** except when, according to the opening hours, in establishments with a restaurant and bar license, only restaurant activities are being carried out;
- Optimization of the procedure for issuing a license through the **creation of a licensing system under a single agency regime;**
- **Creation of a provisional operating authorization,** issued before or after the inspection has been carried out, to facilitate the opening of establishments;
- **Creation of the Project Appreciation and Inspection Committee** that issues opinions, assesses, analyses and inspects these establishments;
- The increase in the value of fines in regards to the infraction regime.

Concerning the law regulation on the Operation of Hotel Establishments, Administrative Regulation No. 44/2021 was published on December 6th, 2021, establishing the complementary provisions for the execution of Law No. 8 /2021. For more information on this subject and the specifics of your case, please contact **C&C Lawyers & Notaries**.



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