

Portaria no. 83/96/M, of April 1

as amended by

Portaria no. 173/97/M, of July 21

Executive Order no. 7/2002, of March 4

The constant evolution of tourism and of the hotel equipments that support it has caused the revision of the legal regulation on licensing and supervision of the hotel activity and similar activity, effected by means of Decree-Law no. 16/96/M, of April 1.

It is now important to approve the regulation mentioned in article 106 of the said law.

Therefore;

After having heard the Consultative Council;

In accordance with article 106 of Decree-Law no. 16/96/M, of April 1, and in accordance with subparagraph *c)* of paragraph 1) of article 16 of the Macau Organic Statute, the Governor determines as follows:

Article 1. The Regulation of Hotel Activity and Similar Activity, published as an annex to this *portaria*, and of which it is an integral part, is hereby approved.

Article 2. This law shall come into force on 1 May 1996.

Government of Macau, 26 March 1996.

To be published.

The Governor, Vasco Rocha Vieira.

Regulation of Hotel Activity and Similar Activity

CHAPTER I

(Hotel establishments)

SECTION I

Requirements of hotel establishments

SUBSECTION I

General requirements

Article 1. An hotel establishment shall occupy the totality or a fully independent part of a building; its installations shall form an homogeneous whole, and shall have direct access to the floors for exclusive use of clients.

Article 2. In addition to the specific characteristics mentioned for each group and category, hotel establishments shall also comply with the requirements mentioned in this section.

Article 3 — 1. All applicable safety measures shall be observed in the construction, installation and operation of hotel establishments, namely against fire.

2. Similarly, all sanitation, food hygiene and cleanliness rules shall be observed.

3. Electric and electro mechanic installations and equipments shall comply with all technical rules on maintenance and safety.

4. Legislation on architectonic barriers and other processes for easing access and circulation shall also be complied with.

Article 4. Hotel establishments shall use the public water supply, shall be connected to the public sanitation network, shall have electricity and shall have telephone connected to the general network for use of clients.

Article 5. Hotel establishments shall have a safety lighting system.

Article 6. Sanitation installations shall be considered as common when to be used by clients in general and private when put to the exclusive use of a lodging.

Article 7. Hotel establishments shall have sanitation facilities adapted to physically impaired persons.

Article 8 — 1. Sanitation installations shall have running water and direct or artificial ventilation, with continuous renovation of the air.

2. The walls, pavements and ceilings shall be covered with waterproof and imputrescible materials, and easily cleanable.

3. The pavements shall have devices or a configuration that enables the easy draining of water.

Article 9 — 1. Sanitation installations shall be composed of and named in following manner:

a) Sanitation — installation provided with a toilet and a wash basin;

b) Shower — installation provided with a shower and a wash basin;

c) Simplified bathroom — installation provided with a shower or a minibath-shower, a wash basin and a toilet;

d) Complete bathroom — installation provided with a bathtub equipped with a shower arm, a wash basin and a toilet;

e) Special bathroom — installation made of two compartments, provided with a bathtub equipped with a shower arm, a wash basin and a toilet;

2. Showers and bathrooms shall have hot and cold running water.

3. It is forbidden to use combustion devices for water heating, if installed in sanitation installations.

Article 10. With the exception of the installations mentioned in subparagraph *a)* of paragraph 1 of the previous article, sanitation installations shall also have the following equipment:

a) A light and a mirror over the wash basin;

b) A space for placing personal objects;

c) A power supply, mentioning the voltage, in accordance with applicable safety rules;

d) Guards in bath areas;

e) Bath areas with nonslip materials;

f) Towel-racks;

g) Bell or telephone in the bath areas.

Article 11. — 1. Common sanitation installations are not required to have wash basins in the sanitariums and showers, provided that they have the former.

2. In the case mentioned in the previous paragraph, the installations shall have lavatories in a minimum proportion of one for each two toilets, one for each three urinals and one for each three showers.

3. The common sanitation installations cannot communicate directly with areas intended for kitchen, preparation of foods or service of food or beverage, and shall be separated by gender.

4. Common sanitation installations whose access door does not allow the necessary isolation from the outside shall be fitted with a double door with vestibule or antechamber.

5. Showers which are part of common sanitation installations shall be organized in separate cabins, with an antechamber, and with the necessary isolation from the outside.

6. Common sanitation installations shall also have disposable towels or hand dryers, as well as necessary articles of personal hygiene and lighted fixed mirrors.

Article 12 — 1. In hotel establishments the areas for clients and the general public shall have climate control, and other areas shall have direct or artificial ventilation.

2. Climate control means the existence of adjustable air conditioning systems.

3. Artificial ventilation shall have a minimum output of 17 cubic meters per hour and shall have an air inlet and an air outlet located in different points of each compartment of the establishment.

Article 13 — 1. In the installation of equipments, lifts, and water and refuse ducts, appropriate technical means shall be deployed so as to minimize noise, vibration, and bad smell.

2. Installations where music is played shall have technical mechanisms of construction which limit the passage of the noise produced to the outside.

Article 14. Hotel establishments shall have water tanks with sufficient capacity to satisfy running consumption needs in case of temporary lack of normal supply, as well as the needs of the fire fighting system.

Article 15. Hotel establishments shall have an emergency power generator capable of covering any interruptions of the normal energy supply and of ensuring the effective operation of essential services.

Article 16. The area of the halls shall be proportional to the capacity of the hotel establishment, and shall allow easy access to its dependencies.

Article 17. Saloons for conferences or parties shall be supported by a space for cloakroom and sanitation installations.

Article 18. — 1. Swimming pools shall have sanitation installations segregated by gender, and equipped with showers, lavatories and toilets.

2. Swimming pools shall have separate equipment for the renewal, disinfection and filtering of the water.

Article 19 — 1. In hotel establishments classified as five or four stars the minimum ceiling height of dining rooms and other rooms to be used by clients shall be 3,50 m.

2. In hotel establishments other than those mentioned in the previous paragraph the minimum ceiling height shall be of 3,00 m.

3. The provisions of the previous paragraphs shall apply to similar establishments provided that these have been installed in hotel establishments.

Article 20. For the purposes of this regulation the ceiling height of establishments shall be measured from the pavement to the lower face of the ceiling slab.

SUBSECTION II

Vertical access

Article 21. — 1. The vertical accesses of hotel establishments shall be the main staircases, the service staircases, the emergency staircases, the elevators, the freight elevators, and the light goods elevators.

2. The organization and composition of the various means of access depends upon the classification of the establishment and shall be determined taking into account the architecture layout adopted and the number of lodgings and floors.

3. The existence of elevators is compulsory whenever an hotel establishment is located in a building with three or more floors.

4. At least one of the elevators shall be equipped in a manner that enables the movement of physically impaired persons.

Article 22. The number of staircases, their dimensions and location shall be determined in accordance with the number of floors occupied by the establishment and with the number of lodgings per floor, as well as by the architectural layout of the building, and its horizontal distribution system.

SUBSECTION III

Lodgings

Article 23. Lodgings shall be designated as rooms, suites or apartments, in accordance with their respective characteristics.

Article 24. — 1. Lodgings shall be identified by means of a number placed in the outside of the entrance door.

2. In lodgings located in more than one floor, the initial digits shall indicate the number of the floor and the following the number of order of the lodging.

Article 25. — 1. All lodgings shall have a window or a balcony facing directly towards the outside.

2. Windows or balconies shall have a system for filtering the entry of light.

3. The area opening towards the outside cannot be less than 1,2 sq m.

Article 26. Lodgings shall be the object of technical construction solutions so as to enable the privacy of the environment and to limit the passage of noise.

Article 27. — 1. Rooms shall have the following minimum equipment:

a) Single or double bed, separated or not, with dimensions in accordance with international standards;

b) Bedside tables or an equivalent support solution;

- c) Seat or chair and table;
- d) Specific place for suitcases;
- e) Wardrobe with draws and hangers in a sufficient number;
- f) Bedside lights with a hand reachable switch;
- g) Telephone connected to the general network and to the internal network of the establishment;

2. Rooms which do not have private sanitation installations shall have a lavatory connected to the sewage network, with hot and cold water, lighted mirror, shelf, and power supply mentioning the voltage, in accordance with safety regulations.

3. In the case mentioned in the previous paragraph the walls and pavements close to the lavatory shall be waterproof.

Article 28. A suite is a group made of, at a minimum, an antechamber, a sleeping room, a special bathroom and a living room, all adjacent to each other.

SUBSECTION IV

Service areas

Article 29. The service areas shall be separated from the areas for the use of clients.

Article 30. — 1. Kitchens shall have sufficient lighting and ventilation, direct or artificial.

2. Kitchens shall be equipped with equipments for the efficient renewal of the air and for the collection and extraction of smokes and smells.

3. The minimum areas of kitchens are stated in Table II annex to this regulation, which is an integral part of it.

Article 31. — 1. The pavement, the walls and the ceiling of kitchens and of the respective complementary installations shall be coated with resistant, waterproof, imputrescible and easily cleanable materials.

2. The pavements of such areas also shall be antislip, and kitchens and pantries shall have devices or a configuration that enables the easy draining of water.

3. Walls shall be flat, coated to the roof, and their connection with the pavement or with other walls shall have a rounded form.

4. There shall be lavatories for staff at the entrance of kitchens.

Article 32. — 1. The connection of the kitchens with dining rooms shall be effected in a manner that enables rapid circulation.

2. If the kitchen is not located in the same floor of the dining room, the connection shall be ensured by means of a light goods elevator or a freight elevator.

3. There shall be pantries adjacent to the dining rooms.

Article 33. — 1. Hotel establishments shall have freezer installations for the conservation and refrigeration of food and beverage, in accordance with their classification, capacity and characteristics.

2. Freezing chambers shall be equipped with temperature control and alarm systems.

Article 34. Hotel establishments shall keep garbage in a separate and closed compartment.

SECTION II

Hotels

SUBSECTION I

General provisions

Article 35. If a protected building is used for the installation of an hotel, some of the requirements mentioned in this section may be exempted, if their observance affects the specific characteristic of the building.

Article 36. For an establishment to be classified as a hotel, it shall have a minimum of 40 rooms.

SUBSECTION II

Five star hotels

Article 37. — 1. For an hotel to be classified as of five stars it shall have an appropriate urban setting and shall offer maximum comfort and convenience, with installations, furniture and equipment of high quality, a refined general aspect and atmosphere, and shall comply with the characteristics stated in the following articles, as well as with Table I annex to this regulation.

2. Establishments mentioned in the previous paragraph shall have an entrance at street level to be used by clients, separate from service entrances.

Article 38. — 1. Areas for clients shall have:

a) Hall with porter, reception, cloak rooms and telephones for internal and external communication;

b) Area for individual safe deposit boxes for storage of valuables, except if they are available in the rooms;

- c) Living areas and meeting rooms;
- d) Restaurant compatible with the level of the establishment and its capacity;
- e) Bar installed in a separate room or in the living area; in the latter case, the areas reserved to it shall be separate from the other parts;
- f) Saloon convertible into conference or party rooms, provided with appropriate equipment;
- g) Hairdresser installations;
- h) Lodgings provided with private bathroom and antechamber;
- i) A number of suites making up at least 5% of the total of lodgings;
- j) Television, radio or other sound systems in all lodgings;
- l) Telephones connected to the general network and to the internal network of the establishment in all areas for clients;
- m) Parking lots in accordance with applicable laws.

2. At least 80% of the total of lodgings not classified as suites shall have a special bathroom, and the remaining shall have a complete bathroom.

3. Five star hotels shall have a swimming pool, internal or external, in accordance with their characteristics and location.

4. Establishments mentioned in the previous paragraph also shall have travel agency and foreign exchange services.

Article 39. The service area shall have:

- a) Entrance for staff, luggage and merchandise, different from client entrances;
- b) Luggage deposit;
- c) Administrative and unit head dependencies;
- d) Kitchens, pantries and complementary installations provided with all necessary elements, in accordance with the level and capacity of the establishment;
- e) Areas for storage, separated so as to ensure the isolation of the areas for food and beverage;
- f) Freezer chambers;
- g) Dependencies for staff, segregated by gender, made of dressing rooms and simple bathrooms;

h) Dining room for staff.

Article 40. In order to be considered as deluxe, five star hotels shall have all of the following:

a) Restaurants specializing in Oriental, Portuguese and/or Macanese and international cooking;

b) Suites in a number of no less than 10% of the total lodgings;

c) Lodgings with an area of no less than 20 sq m;

d) Special bathroom in at least 50% of the lodgings not classified as suites;

e) Health club;

f) Heated swimming pool.

SUBSECTION III

Four star hotels

Article 41. For an hotel to be classified as four stars it shall have all commodity standards, with a good level of installations, furniture and equipment, offering a comfortable general aspect and atmosphere, and also shall comply with the characteristics stated in the following articles, as well as with Table I annex to this regulation.

Article 42. — 1. The provisions of subparagraphs *a)* to *f)*, *h)* and *j)* to *m)* of paragraph 1 and of paragraphs 3 and 4 of article 38, as well as the provisions of article 39, shall apply to the client and service areas of four star hotels.

2. Establishments of this category shall have suites in a number of no less than 3% of the total lodgings.

3. The lodgings cannot have sanitation installations of a level lower than that mentioned in subparagraph *d)* of paragraph 1 of article 9.

SUBSECTION IV

Three star hotels

Article 43. For an hotel to be classified as three stars it shall have the characteristics stated in the previous Subsection, except for the provisions of the following subparagraphs:

a) The saloon mentioned in subparagraph *f)* of paragraph 1 of article 38 is not compulsory;

b) The lodgings cannot have sanitation installations of a level lower than that mentioned in subparagraph *c)* of paragraph 1 of article 9, and at least 50% shall be equipped with a complete bathroom;

c) The swimming pool is not compulsory.

SUBSECTION V

Two star hotels

Article 44. For an hotel to be classified as two stars it shall have installations, furniture and equipment offering a sufficient level of convenience and comfort, and also shall comply with the characteristics stated in the following articles, as well as with Table I annex to this regulation.

Article 45. Areas for the use of clients shall have:

a) Hall with porter, reception, cloak rooms and telephones;

b) Safe deposit box for storage of valuables;

c) Living area;

d) Dining room;

e) Bar, which can be integrated with the living area;

f) Complete bathroom in at least 20% of the lodgings, with the remaining equipped with a simple bathroom;

g) Radio or other sound systems in all lodgings.

Article 46. The service area shall have:

a) Kitchen, pantry and complementary installations;

b) General store-rooms for food and beverage;

c) Freezer chambers;

d) Dependencies for staff, segregated by gender, made of dressing rooms and simple bathrooms;

e) Dining room for staff.

SECTION III

Apartment-hotels

SUBSECTION I

General provisions

Article 47. The rental of apartments on a daily basis, or for agreed periods of time, together with the provision of cleaning and tidying up services, is considered to be an operation under a hotel régime.

Article 48. — 1. Apartments shall be made of, at a minimum, the following compartments: sleeping room, common room, bathroom, and small kitchen ('kitchenette').

2. They shall have complete furniture, dinnerware, glasses, silverware, bed and bath linen, tablecloths and napkins, kitchen and cleaning utensils, in an amount and quality appropriate to the capacity of the apartment and to the category of the establishment.

3. In apartments the use of combustion apparels is prohibited.

Article 49. — 1. The lodging capacity of apartments is determined by the number of beds in bedrooms and by the number of convertible beds.

2. The number of places of convertible beds cannot exceed 50% of that corresponding to the rooms, except if the apartment has only one room and common room, in which case the number of convertible beds shall be the same as that of the room.

3. Convertible beds can only be installed in bedrooms or in common rooms.

Article 50. — 1. A bedroom is considered as a compartment exclusively destined for such purpose.

2. A bedroom may have a number of beds proportional to its area; each single bed shall correspond to a minimum area of 6 sq m and each double bed to 10 sq m.

3. If the beds are in bunk, the area corresponding to each of them is lowered to 4 sq m.

4. Only single beds can be installed in a bunk bed system, which cannot have more than two beds.

Article 51. — 1. The common room, which shall have an area proportional to the capacity of the apartment, may function as living room and dining room, and shall have furniture appropriate for this double purpose.

2. The living room shall have a window or a balcony facing directly towards the outside, with an opening of no less than 2 sq m.

Article 52. In apartments of one or two places, the bedroom, the common room and the kitchen may be integrated in only one compartment, provided that its shape and size and the characteristics of the furniture allow it.

Article 53. — 1. The kitchen shall be equipped with freezer, stove, exhaust of smokes and smells, apparel for disintegration of food scraps, kitchen sink and closets for provisions and utensils.

2. The kitchen shall have efficient ventilation, direct or artificial.

Article 54. All apartments shall have, for client use and without consumption limitations, the following:

- a) Drinkable running water in the kitchen and in the sanitation installations;
- b) Electric light in all rooms with light points and power sockets with voltage indication.

Article 55 — 1. Apartment hotels shall have:

- a) Reception-cloakroom with telephone;
- b) Restaurant;
- c) Dependencies for staff, segregated by gender, made of dressing rooms and simple bathrooms.

2. If the establishment is made of several blocks of apartments, the reception may be common to all, but there shall be a cloakroom in each one.

Article 56. In apartment hotels the restaurant shall be a complementary service independent from lodging, which cannot be included in the price of lodging.

Article 57. It is forbidden for clients:

- a) To transfer the use of the apartment, at any title, without registration;
- b) To use apparels which substantially increase the normal consumption of water and electricity.

SUBSECTION II

Four stars apartment hotels

Article 58. For an apartment hotel to be classified as four stars it shall be installed in a building with good location, it shall have furniture and decoration of a good standard, and equipment and utensils of quality, and it shall comply as well with the characteristics stated in the following articles, and with Table I annex to this regulation.

Article 59. — 1. Establishments mentioned in the previous article shall have:

- a) Complete bathroom in each apartment;
- b) Television, radio or other sound systems in all lodgings;
- c) Telephone connected to the general network and to the internal network of the establishment in each apartment;
- d) Swimming pool and recreation area for children;

e) Hairdresser saloon.

2. Apartments with a capacity of more than four beds shall have one additional simple bathroom.

3. The minimum areas of bedrooms are stated in Table I annex to this regulation.

SUBSECTION III

Three stars apartment hotels

Article 60. For an apartment hotel to be classified as three stars it shall have comfortable furniture, decoration of a good standard, and equipment and utensils of compatible quality, and it shall comply as well with the characteristics stated in the following articles, and with Table I annex to this regulation.

Article 61 — 1. Establishments mentioned in the previous article shall have the requirements stated in subparagraphs *a)* and *b)* of paragraph 1 and in paragraph 2 of article 59.

2. Apartments with a capacity of less than four beds must only have a simple bathroom.

SECTION IV

Tourism complexes

SUBSECTION I

General provisions

Article 62. All land used by a tourism complex shall be demarcated, with natural or artificial means, so as to make the whole autonomous, and to ensure the isolation of the establishment.

Article 63. The types of lodging that integrate a tourism complex may correspond to the categories set out in Groups 1 and 2 of paragraph 1 of article 5 of Decree-Law no. 16/96/M, of April 1, and the complementary services may comprise establishments of Groups 1, 2 and 3 of article 6 of the same law.

Article 64. In the classification of tourism complexes, the category and level of the installations shall be taken into account, and also the following factors:

a) Location;

b) Relation between the built up area and the capacity of the complex;

c) Diversity, sufficiency and adequation of the animation, sports, children, and commercial equipments.

Article 65. A tourism complex shall have parking lots in accordance with the applicable legislation to tourist villages.

SUBSECTION II

Five star tourism complexes

Article 66. — 1. For a tourism complex to be classified as five stars it shall have a main hotel unit with five stars characteristics, as well as diversity and quality of complementary equipment for animation and sport.

2. In five stars tourism complexes the lodgings that consist of apartments cannot be more than 50% of the total lodging capacity of the tourism complex, and shall be a complementary operation of the main hotel unit.

3. The provision of the previous paragraph does not prevent the apartments from being located in separate blocks, adjacent to the nucleus of the main hotel unit, in accordance with the architecture layout adopted.

Article 67 — 1. The provisions of articles 37 to 40 apply to the main hotel unit, with the necessary adaptations.

2. The requirement for the existence of meeting rooms may be exempted if the tourism complex offers individualized areas for this purpose.

Article 68. The provisions of articles 58 and 59 apply to lodgings which are apartments, with the necessary adaptations, except for as provided in the following article.

Article 69 — 1. The installation of bunk beds is not allowed in apartments integrated in five stars tourism complexes.

2. There shall be a special bathroom in the apartments mentioned in the previous paragraph, if the capacity is of more than four persons.

SUBSECTION III

Four stars tourism complexes

Article 70 — 1. For a tourism complex to be classified as four stars it shall have a main hotel unit with four stars characteristics, as well as complementary equipment for animation and sport.

2. The provisions of articles 41 and 42 apply to the main hotel unit, with the necessary adaptations.

3. The provisions of articles 60 and 61 apply to lodgings which are apartments, with the necessary adaptations.

SECTION V

Guest houses

SUBSECTION I

Three stars guest houses

Article 71. For an establishment to be classified as a three stars guest house, it shall have furniture and equipment of compatible quality, and it shall comply with the characteristics stated in the following articles, and with Table I annex to this regulation.

Article 72. — 1. Three stars guest houses shall have:

- a) Cloakroom with telephone;
- b) Living area;
- c) Dining room;
- d) Bathroom in all rooms;
- e) Kitchen and store-room;
- f) Dependencies for staff, comprising dining space, dressing room and simple bathroom.

2. The dining room and the living area may be integrated in a multifunction room, provided that the areas reserved to each of them are differentiated.

SUBSECTION II

Two stars guest houses

Article 73 — 1. For an establishment to be classified as a two stars guest house, it shall have furniture and equipment of acceptable quality, and it shall comply with the requirements stated in the following paragraph, and with Table I annex to this regulation.

2. The provisions of paragraph 1 of article 72 apply to two stars guest houses, except for as mentioned in the following subparagraphs:

- a) The dining room and the living area may be a common dependency;
- b) At least 30% of the rooms shall be equipped with a simple bathroom;
- c) There shall be simple common bathrooms, in each floor, in a proportion of one for each five rooms, or fraction, not equipped with bathroom;
- d) Simple bathrooms for staff.

Article 74. Guest houses which do not provide a meals service and offer only lodging and breakfast shall be classified as residentials [*residenciais*].

SECTION VI

Service in hotel establishments

SUBSECTION I

General provisions

Article 75. The level and quality of the service provided in hotel establishments shall correspond to the classification that has been granted to it.

Article 76 — 1. The nucleus of client relations for the purpose of service, information and assistance is made of the management of the establishment and of the reception and cloakroom services.

2. The reception and cloakroom namely have the following functions:

a) Reservation of lodging;

b) Registration of the check-in and check-out movement of clients;

c) Registration and communication of messages addressed to clients;

d) Safekeeping of correspondence and objects of clients;

e) Reception and delivery of luggage;

f) Safekeeping of lodging keys, except if access to lodgings is processed by means of a codified system;

g) Wake up service;

h) Cashier service.

3. The reception and cloakroom services shall function permanently so as to answer any request from clients.

Article 77 — 1. The management of hotel establishments is liable for personal objects or valuables of clients in accordance with the respective internal security conditions.

2. Hotel establishments shall inform clients of the terms of liability of the management for the objects, valuables or luggage of clients, deposited in the establishment or entrusted to it for safekeeping.

3. A receipt of the objects, valuables or luggage mentioned in the previous paragraph shall be issued.

Article 78. Invoices to be presented to clients for the settlement of expenses made shall mention, besides the daily rate, all other consumptions and expenses, as well as the taxes and fees imposed.

Article 79 — 1. Lodgings shall be prepared and clean in the moment of being occupied by clients.

2. Lodgings shall be cleaned and tidied up daily in all establishments.

3. The bed sheets and bath linen shall be replaced daily in hotel establishments of five, four and three stars.

4. In the establishments mentioned in the previous paragraph the lodging shall be again tidied up in the late afternoon.

5. In other establishments the change of sheets and linen shall be made at least three times a week.

Article 80. Hotel establishments, with the exception of apartment hotels, shall be prepared to provide a breakfast service.

Article 81. — 1. There shall be information in the lodgings regarding the various services available to clients and the respective costs, as well as on the prices of products available to them in the lodgings.

2. All information on services to be provided shall be written at least in Portuguese, Chinese and English.

Article 82. Hotel establishments, with the exception of guest houses, shall be able to provide laundry and ironing services.

Article 83. In hotel establishments the staff shall use garments appropriate to the service provided, and present himself or herself with the maximum politeness and cleanliness.

SUBSECTION II

Service in five and four stars hotel establishments

Article 84. — 1. In five and four stars hotel establishments the reception and the cloakroom shall have qualified staff, separate for each of the services.

2. The cloakroom shall service and take deposit of luggage.

Article 85. In the hotel establishments mentioned in the previous article there shall be a unit providing permanent room service, able to serve meals.

Article 86. The service of similar establishments existing in five and four stars hotel establishments shall be compatible with the level of the unit of which they are part.

SUBSECTION III

Service in three and two stars hotel establishments

Article 87. The provisions of articles 84 to 86 apply to three and two stars hotel establishments, with the exception of the provisions of the following subparagraphs:

- a) The luggage service is not compulsory;
- b) Room service may have specific working hours.

CHAPTER II

Similar establishments

Section I

Requirements common to all similar establishments

Article 88. In addition to the specific requirements stated for each group and category, similar establishments shall comply with the common requirements stated in this Section.

Article 89. The provisions of articles 3, 4 and 12 apply to similar establishments.

Article 90. — 1. The following are common requirements for all similar establishments:

- a) Areas for clients separate from service areas;
- b) Sanitation installations for clients separated by gender;
- c) Service staircases or light goods elevators, if the installations for clients are located in a floor other than that in which the cooking and final preparation of food and beverage is made;
- d) Kitchen and pantry, separated or not, with appropriate area and compartment division;
- e) Freezer chambers in accordance with the provisions of article 33;
- f) Sanitation installations for staff.

2. In food establishments and in beverage establishments the separation by gender of the sanitation installations is not compulsory, nor the existence of sanitation installations for staff.

3. The kitchen and the sanitation installations shall comply with Tables II and III annex to this regulation, which are an integral part of it.

4. If a similar establishment is located in a commercial building or in a shopping center, it may not have its own sanitation installations, provided that those of the commercial building or shopping center comply with the minimum requirements stated in Table III, are located in the same floor of the establishment, and are for the exclusive use of the clients and staff of the establishment.

Article 91. — 1. In restaurants of ‘self-service’, ‘fast-food’ or of Japanese cooking types, the kitchen may not be compartmented as traditionally done, and may instead open directly to a balcony area.

2. In restaurants serving meals of Chinese or Korean ‘fondue’ type, the final preparation of food may be done in the tables of clients, provided that they have an appropriate fire safety system in place.

Article 92. — 1. In deluxe and 1st class restaurants there shall be an entrance for clients separate from the service entrance.

2. In other establishments the deliveries shall be made outside of the normal public operation hours.

Article 93. The provisions of article 8 and of paragraph 6 of article 11 shall apply to the sanitation installations of similar establishments.

Article 94. — 1. Sanitation installations cannot communicate directly with areas for kitchen and food preparation, or with the dining rooms.

2. Sanitation installations shall have lavatories and sanitation devices in a proportion mentioned in Table III annex to this regulation.

3. In sanitation installations not separated by gender the toilet cabins shall have walls from the floor to the ceiling.

4. In deluxe restaurants with a capacity of more than 200 clients there shall be a cabin equipped for physically impaired persons.

Article 95 . The provisions of articles 30 and 31 apply to the kitchens of similar establishments.

Article 96. Service areas shall be built in a manner that avoids the propagation of smells, and allows the elimination of noises, vibrations, and bad smells.

Article 97. — 1. The minimum ceiling height of the installation location of similar establishments is of 2,60 meters.

2. A tolerance of 5 centimeters less shall be allowed, in relation to the minimum limit mentioned in the previous paragraph, provided that the installation location has climatization that ensures the necessary renewal of the atmosphere.

3. The minimum height from the pavement to the double roof, whenever such is used, is the same as that mentioned in the previous paragraphs.

4. It is allowed use Chinese-style balconies (‘cok-chai’), provided that their construction complies with all requirements stated in the applicable legislation.

Article 98. The furniture, decoration and equipment of similar establishments shall correspond to their classification and capacity, as well as to the characteristics of the service rendered.

Article 99. — 1. The level and quality of the service rendered in similar establishments shall correspond to the classification granted.

2. For the purposes of the previous paragraph, the following shall be taken into account:

a) Hygiene and care in the preparation of food and beverage;

b) Appropriate presentation of dishes;

c) Courtesy and efficiency in dealing with clients;

d) Perfect operation and cleanliness of all installations of the establishment.

Article 100. — 1. The maximum capacity of similar establishments is stated in the license.

2. Similar establishments of Group 1 of paragraph 1 of article 6 of Decree-Law no. 16/96/M, of April 1, shall have a maximum capacity which is defined by the floor area intended for clients, and which shall have as reference a minimum factor of 1 sq m per person.

SECTION II

Restaurants

SUBSECTION I

Deluxe restaurants

Article 101. For a restaurant to be classified as deluxe, it shall comply with the characteristics stated in the following articles.

Article 102. — 1. The area intended for clients shall have:

a) Dressing room located close to the entrance;

b) Waiting room with bar service;

c) Room or rooms intended for the dining service, with a capacity defined in accordance with the respective floor areas, so as to ensure relative privacy and comfort to clients, as well as the efficiency of the service;

d) Areas for smokers and non-smokers;

e) Sanitation installations with equipment and coating materials of high quality, wash basins with hot and cold running water and a cabin for physically impaired persons.

2. The requirement for a bar service mentioned in subparagraph *b*) of the previous paragraph is not compulsory in restaurants serving exclusively Oriental cooking.

3. The service area shall have:

a) Service entrance;

b) Kitchen with modern, perfected and efficient machinery;

c) Pantry with dirty and clean areas, the communication of which with the dining room shall be made in a manner not to permit the kitchen to be seen, and to obtain its necessary isolation from client areas;

d) Area for storage of food, beverage and deposit of bottles, appropriate to the capacity and characteristics of the establishment;

e) Dressing room for staff.

4. The decoration and the equipment shall be of high quality so as to provide refined service and atmosphere.

5. The maximum capacity is defined by the floor area intended for clients, and shall have as reference a minimum factor of 2 sq m per person.

Article 103. Restaurants which do not serve Oriental cooking exclusively shall make available to clients a menu that shall include Portuguese, Macanese and international cooking, as well as an appropriate wine list.

Article 104. Deluxe restaurants shall have staff with sufficient knowledge of the Portuguese, Chinese and English languages.

Article 105. The kitchen and table services shall be the responsibility of properly qualified chefs, and in establishments mentioned in article 103 there shall also be a wine chef.

SUBSECTION II

1st class restaurants

Article 106. For a restaurant to be classified as 1st class, it shall comply with the common requirements and with the characteristics stated in the following articles.

Article 107. — 1. Paragraphs 1 and 2 of article 102 shall apply to 1st class restaurants, without prejudice to the provisions of the following paragraph.

2. The decoration and the equipment shall be of good quality, and the minimum area required in the dining area is lowered to 1,5 sq m per person.

Article 108. The provisions of articles 103 and 105 shall apply; the wine chef is not compulsory.

SUBSECTION III

2nd class restaurants

Article 109. For a restaurant to be classified as of 2nd class, it shall comply with the common requirements and shall have:

- a) Dressing room located close to the entrance;
- b) Area for storage of food, beverage and deposit of bottles.

2. The equipment shall be appropriate and shall have an acceptable quality.

SECTION III

Night clubs

Article 110. The installation of night clubs is only allowed in buildings not totally or partially intended for residential purposes.

Article 111. In order to calculate the capacity of night clubs, the minimum area per person shall be of 1 sq m, excluding for this purpose the spaces for musicians and the disc-jockey areas.

Article 112. — 1. In addition to the common requirements, night clubs shall have:

- a) Entrance with restricted visibility towards the inside;
- b) Entrance for clients separate from the service entrance;
- c) Vestibule;
- d) Dressing room located close to the entrance;
- e) Dancing floor;
- f) Kitchen and pantry organized in accordance with the intended operation;
- g) Separate dressing room and hall for staff and, if any, for artists;
- h) Area for storage of food, beverage and deposit of bottles.

2. The installations also shall have technical construction mechanisms which limit the passage of the noise produced to the outside.

3. Should the operation be confined to the supply of drinks, the kitchen and pantry are not required, and may be a space integrated the balcony area.

Article 113. For an establishment to be classified as a deluxe night club, it shall have:

a) Refined decoration, equipment, furniture, atmosphere and service;

b) Sanitation installations with equipment and coating materials of high quality, with hot and cold running water.

Section IV

Bars

Article 114. — 1. In addition to the common requirements, bars shall comply with the characteristics stated in subparagraphs *a)*, *b)*, *d)* and *h)* of paragraph 1 of article 112.

2. There shall also be a kitchen-pantry, which may be a space integrated in the balcony area.

Article 115. In bars the minimum area per person, in order to calculate capacity, is of 1 sq m.

Article 116. For an establishment to be classified as a deluxe bar, it shall have a staff dressing room and decoration and equipment so as to provide refined service and atmosphere.

Section V

Beverage establishments

Article 117. — 1. The installations of beverage establishments shall comply with the common requirements stated for similar establishments, without prejudice to the provision of the following paragraph.

2. In the establishments mentioned in the previous paragraph, the kitchen and the pantry may be a space integrated in the balcony area.

Section VI

Eating establishments

Article 118. — 1. For an establishment to be classified as an eating establishment, it shall comply with the common requirements stated for similar establishments and have:

a) Area intended for clients;

b) Sanitation installations to be used by clients;

c) Kitchen;

d) Freezer appropriate to the capacity of the establishment.

2. The kitchen and the sanitation installations shall comply with Tables II and III annex to this regulation.

3. The technical requirements mentioned in articles 30 and 31 do not apply to establishments intended to serve only congee and noodle soup; in these, the kitchen may consist of a compartment isolated by aluminum and glass, provided that the conditions of hygiene and safety are met.

CHAPTER III

Installation of hotel establishments and similar establishments

Section I

New establishments

Subsection I

Establishments to be installed in buildings yet to be built

Article 119 — 1. In the case of installation of a hotel establishment in a building yet to be built, the elements mentioned in paragraph 3 of article 14 of Decree-Law no. 16/96/M, of April 1, are the following:

- a)* Questionnaire in accordance with a form stated in Annex I to this regulation;
- b)* Location plan drawn up in an appropriate scale;
- c)* Implantation plan of the enterprise to the scale of 1:1000, showing the location of the construction in relation to the involving area;
- d)* Plan of the constructions, in their different pavements, to the scale of 1:100, from which the distribution of the projected installations, their circulations and that of the equipment can be appreciated;
- e)* Views in longitudinal and transverse perspectives as necessary for a good understanding of the project; one of the views shall pass on the area of the vertical accesses;
- f)* Upright projection, to the scale of 1:100, of the façades of the various buildings, with indication of the finishing materials and of colors to use;
- g)* Projects of water supply, drainage and sewers, of electric installations, street arrangements and accesses;
- h)* fire safety project;
- i)* Report providing a description and justification of the enterprise.

2. The report providing a description and justification shall mention:

- a)* Integration of the establishment in the site from the landscaping and town planning points of view;

- b)* Total area of the land;
- c)* General division of the composition, zoning foreseen, access roads, volume and pattern of the building;
- d)* Foreseen area of construction;
- e)* Area for parking;
- f)* Definition of the recreation areas and free spaces foreseen;
- g)* Total of lodgings and beds foreseen;
- h)* Structures of the air conditioning system;
- i)* Time limit foreseen for the start and conclusion of the construction.

3. In the case of tourism complexes it is necessary to present a plan, in a scale of 1:1000, stating the planned allocation of free spaces and of green and recreation zones, so as to enable an assessment of the architectural and landscaping solutions adopted.

4. The plans mentioned in subparagraph *d)* of paragraph 1 shall indicate the areas, in conformity with Table I annex to this regulation.

Article 120. — 1. The application mentioned in paragraph 2 of article 14 of Decree-Law no. 16/96/M, of April 1, and the elements mentioned in subparagraphs *a)* to *f)* and *i)* of paragraph 1 of the previous article, as well as the plans for street arrangements and accesses, shall be delivered in six copies.

2. The element mentioned in subparagraph *h)* of paragraph 1 of the previous article, as well as the projects of water supply, drainage and sewers, and of electric installations, shall be delivered in one copy.

Article 121 — 1. In the case of installation of a similar establishment in a building yet to be built, the elements mentioned in paragraph 3 of article 14 of Decree-Law no. 16/96/M, of April 1, are those mentioned in subparagraphs *a)*, *b)* and *d)* to *i)* of paragraph 1 of article 119.

2. The report providing a description and justification shall mention:

- a)* Characteristics of the construction and its integration in the site;
- b)* General division of the composition and essential characteristics of the construction;
- c)* Construction, coating and decorative materials to be used;
- d)* Generic characteristics of the establishment and specific characteristics of the public and service areas;
- e)* Time limit foreseen for the start and conclusion of the construction.

Subsection II

Establishments to be installed in buildings already built

Article 122 — 1. In the case of installation of a hotel establishment in a building already built, the elements mentioned in paragraph 3 of article 14 of Decree-Law no. 16/96/M, of April 1, are the following:

- a)* Questionnaire in accordance with a form stated in Annex I to this regulation;
- b)* Location plan drawn up in an appropriate scale;
- c)* Plan of the building, in its different pavements to be used by the establishment, to the scale of 1:100, from which the distribution of the projected installations, their circulations and that of the equipment can be appreciated;
- d)* Views in longitudinal and transverse perspectives of the part of the building to be used by the establishment, to the scale of 1:100, in a number as necessary for a good understanding of the project; one of the views shall pass on the area of the vertical accesses;
- e)* Projection, to the scale of 1:100, of the façades of the building;
- f)* Projects of water supply, drainage and sewers, of electric installations, and accesses;
- g)* Fire safety project;
- h)* Pictures of the façades of the building, in 18 x 24 cm format;
- i)* Report providing a description and justification of the enterprise.

2. The report providing a description and justification shall mention:

- a)* Characteristics of the construction of the building;
- b)* Coating and decoration materials to be used;
- c)* Operation of the different services and installations foreseen and their connections, of horizontal and vertical circulations, and of the air conditioning system;
- d)* Time limit foreseen for the start and conclusion of the works.

3. The plans mentioned in subparagraph *c)* of paragraph 1 shall indicate the areas, in conformity with Table I annex to this regulation.

Article 123. The provisions of article 120 apply, with the necessary adaptations, to establishments to be installed in buildings already built.

Article 124 — 1. In the case of installation of a similar establishment in a building already built, the elements mentioned in paragraph 3 of article 14 of Decree-Law no.

16/96/M, of April 1, are those mentioned in subparagraphs *a)*, *b)* and *d)* to *i)* of paragraph 1 of article 122.

2. The report providing a description and justification shall mention:

- a)* Characteristics of the construction of the building;
- b)* Coating and decoration materials to be used;
- c)* Generic characteristics of the establishment and specific characteristics of the public and service areas;
- d)* Time limit foreseen for the start and conclusion of the works.

CHAPTER IV

Changes

Section I

Change of the installations

Article 125. For the purpose of paragraph 2 of article 19 of Decree-Law no. 16/96/M, of April 1, the elements to be presented are the following:

- a)* Questionnaire in accordance with a form stated in Annex I to this regulation;
- b)* Plans, projections and views, to the scale of 1:100, of the installations with the requested changes;
- c)* Report providing a description and justification of the changes to be made, with a reference to the modifications to be introduced in the service.

SECTION II

Change of classification

Article 126. An application for a change in the classification shall be filed with the following elements:

- a)* Questionnaire in accordance with a form stated in Annex I to this regulation;
- b)* Report providing a description and justification of the changes in the equipment, service and decoration to be introduced in the establishment.

CHAPTER V

Request for inspection and issue of license

Article 127. — 1. Fees as stated in Table IV annex to this law, which is an integral part of it, shall be due for the conduction of an inspection, provided that it has been requested by the private party or effected as a result of a request from him.

2. The following elements shall be handed together with the inspection application:

a) Construction works license, if that is the case;

b) Internal service regulation and staff chart, in the case of an hotel establishment;

c) Fees as stated in Table IV annex to this regulation, added of an amount of no less than 300,00 patacas for the purpose of paragraph 2 of article 28 of Decree-Law no. 16/96/M, of April 1;

d) Fee for the issue of the license in accordance with Table IV annex to this regulation.

3. A temporary receipt of the amounts mentioned in the previous paragraph shall be issue.

Article 128. — 1. The license shall be issued in accordance with the form mentioned in Annex I to this regulation.

2. Fees are due for the issue and renewal of the license in accordance with Table IV annex to this regulation.

Article 129. — 1. Without prejudice to the provisions of paragraph 2, the license shall be valid for a maximum time limit of one year, counted from its date of issue.

2. If the licensing of the establishment is concluded in the second semester, the first renewal of the license occurs in the following year.

3. The renewal of the license shall be requested up to 60 days before the expiry of its time limit of validity.

4. A request for renewal shall be made together with a declaration issued by the owner or operator entity of the establishment in which it certifies the conformity of the installations, namely regarding fire safety, with the project as approved.

Article 130. — 1. In relation to establishments whose licensing is a competence of the Macau Government Tourist Office the period for renewal of the licenses runs annually during the month of October.

2. The Municipalities shall set the period mentioned in the previous paragraph.

Article 131. The renewal of the license after the time limit mentioned in the previous articles shall be subject to a fee equivalent to the double of that set in subparagraph *b)* of paragraph 2 of Table IV annex to this regulation.

Article 132. After the process has been counted, any amount which is a balance in favor of the interested party shall be returned to him, this being the case.

Chapter VI

Final and transient provisions

Article 133. Without prejudice to the following article, the provisions of this regulation apply to all hotel establishments and similar establishments existing by the date of its entry in force.

Article 134. — 1. The technical requirements demanded by this regulation do not apply to hotel establishments and similar establishments already existing by the date of its entry in force, or to requests already being processed.

2. The following shall be excluded from the previous paragraph:

a) Cases which may be covered by paragraphs 1, 2 and 4 of article 97;

b) Changes mentioned in article 19 of Decree-Law no. 16/96/M, of April 1, provided that they do cause an expansion of the establishment.

ANNEX I

(License forms and questionnaires)



ANNEX II

(Model plaques)



TABLES

Table I**Table of minimum dimensions and areas**

Classification of the establishment	Staircases	Main corridors — Width (b)	Rooms c) and d)		Divisions of rooms, suites, apartments and lodging units (e)
			Double	Single	
Hotels:					
Five stars		1,75 m	18,00 sq m	14,00 sq m	12,00 sq m
Four stars		1,60 m	15,00 sq m	12,00 sq m	10,00 sq m
Three stars		1,40 m	13,00 sq m	10,00 sq m	9,00 sq m
Two stars		1,20 m	12,00 sq m	9,00 sq m	8,00 sq m
Apartment hotels:					
Four stars	a)	1,60 m	15,00 sq m	12,00 sq m	14,00 sq m
Three stars		1,40 m	13,00 sq m	10,00 sq m	12,00 sq m
Tourism complexes:					
Five stars		1,75 m	16,00 sq m	13,00 sq m	16,00 sq m
Four stars		1,60 m	14,00 sq m	11,00 sq m	14,00 sq m
Guest houses:					
Three stars		1,20 m	9,00 sq m	7,50 sq m	7,50 sq m
Two stars		1,20 m	9,00 sq m	7,50 sq m	7,50 sq m

NOTES:

a) The number and width of the staircases shall comply with the provisions of the Fire Safety Regulations, approved by Decree-Law no. 24/95/M, of June 9;

b) The required widths of corridors may be lowered by 0,20 m if there are rooms only in one of the sides of the corridor;

- c) Room areas do not include the areas of antechambers and corridors; however, the space occupied by built-in wardrobes is included;
- d) The areas of rooms of apartment hotels and of lodgings of tourism complexes are calculated without prejudice to the provisions regarding the areas corresponding to each bed;
- e) If a suite has more than one room, it is sufficient that one of them meets the minimum areas required in this table.

TABLE II

Table of minimum areas of kitchens

1. Restaurants and eating establishments:

Gross covered area of the establishment	Minimum area of kitchen	Minimum area of kitchen + pantry + storage + other areas for preparation and cooking of food
Up to 100 sq m	6 sq m	30% of the total gross area (covered) of the establishment, but not less than 9 sq m
101 - 150 sq m	10 sq m	25% of the total gross area (covered) of the establishment, but not less than 27 sq m
151 - 250 sq m	10 sq m	23% of the total gross area (covered) of the establishment, but not less than 36 sq m
More than 250 sq m	14 sq m	21% of the total gross area (covered) of the establishment, but not less than 54 sq m

2. Bars and beverage establishments:

Gross covered area of the establishment	Minimum area of areas for preparation and cooking of food + storage
Up to 22 sq m	Not less than 5 sq m
23—35 sq m	20% of the total area of the establishment, but not less than 7 sq m
36—55 sq m	18% of the total area of the establishment, but not less than 8 sq m
56—95 sq m	14% of the total area of the establishment, but not less than 12 sq m
96—185 sq m	13% of the total area of the establishment, but not less than 17 sq m
More than 185 sq m	9% of the total area of the establishment, but

	not less than 28 sq m
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TABLE III

Table of number of sanitation installations

Capacity (no. of clients)	Sanitation installations		
	Ladies	Gentlemen	Common
less than 25	—	—	1 sanitary
25—100	1 sanitary + 1 lavatory	1 sanitary + 1 lavatory + 1 urinal	—
101—200	2 sanitaries + 2 lavatories	1 sanitary + 1 lavatory + 2 urinals	—
201—300	3 sanitaries + 2 lavatories	2 sanitaries + 2 lavatories + 3 urinals	—
More than 300	4 sanitaries + 3 lavatories	3 sanitaries + 3 lavatories + 4 urinals	—

TABLE IV

Fees

[as amended by by Executive Order no. 7/2002, of March 4]

1. Fees for conduction of inspection: 500,00 patacas.
2. Fees:
 - a) Issue of license:
 - a.1) Five star hotels qualified as deluxe – 25 000,00 patacas;
 - a.2) Five stars hotels and tourism complexes: 22 500,00 patacas;
 - a.3) Four stars hotels, tourism complexes and apartment hotels: 20 000,00 patacas;
 - a.4) Three stars hotels and apartment hotels: 17 500,00 patacas;

- a.5) Two stars hotels: 15 000,00 patacas;
a.6) Three stars guest houses: 12 500,00 patacas;
a.7) Two stars guest houses: 10 000,00 patacas;
a.8) Deluxe similar establishments – 12 500,00 patacas;
a.9) Similar establishments of 1st and 2nd class -7 500 patacas;
a.10) Other similar establishments – 5 000,00 patacas.
- b) Renewal of license:
- b.1) Five star hotels qualified as deluxe – 12 500,00 patacas;
b.2) Five stars hotels and tourism complexes: 11 250,00 patacas;
b.3) Four stars hotels, tourism complexes and apartment hotels: 10 000,00 patacas;
b.4) Three stars hotels and apartment hotels: 8 750,00 patacas;
b.5) Two stars hotels: 7 500,00 patacas;
b.6) Three stars guest houses: 6 250,00 patacas;
b.7) Two stars guest houses: 5 000,00 patacas;
b.8) Deluxe similar establishments – 6 250,00 patacas;
b.9) Similar establishments of 1st and 2nd class - 3 750 patacas;
b.10) Other similar establishments – 2 500,00 patacas.

TABLE V

Classification correspondence

Classification in accordance with the regulation approved by Decree-Law no. 30/85/M, of April 13	Corresponding classification
5 stars hotel	5 stars hotel
4 stars hotel	4 stars hotel
3 stars hotel	3 stars hotel
2 stars hotel 1 star hotel	2 stars hotel
5 stars <i>pousada</i>	5 stars hotel
4 stars <i>pousada</i>	4 stars hotel
3 stars guest house	3 stars guest house
2 stars guest house 1 star guest house	2 stars guest house
Deluxe restaurant	Deluxe restaurant
1st class restaurant	1st class restaurant
2 nd class restaurant 3 rd class restaurant	2nd class restaurant
1 st class eating establishment 2 nd class eating establishment 3 rd class eating establishment	Eating establishment
Deluxe night club	Deluxe night club

1 st class night club 2 nd class night club	1 st class night club
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Note: Current beverage establishments which operate as a bar shall be classified as deluxe or as 1st class depending upon they are classified as deluxe or as 1st, 2nd or 3rd classes. All others shall have the classification of beverage establishment.

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