

**Business Facilitation Advisory Committee
Food Business and Related Services Task Force**

**Business Facilitation Measures for Submission of Minor Works Documents
to Expedite Issue of Provisional Food Business Licences**

Purpose

This paper aims to brief members on the proposed business facilitation measures for submission of minor works documents to expedite the issue of provisional food business licences.

Background

2. The minor works control system (MWCS) was fully implemented on 31 December 2010. In connection with provisional food business licence applications, applicants are required to comply with the requirements of MWCS for carrying out certain building works such as erection/removal of supporting structures for air-conditioners/water cooling towers, internal staircase or signboards. These are minor works (MW) as listed in the building safety requirements (BSR) issued by the Buildings Department (BD) for issue of the provisional licence. After completion of the required MW items, applicants have to submit to BD the certificates of completion of works and supporting documents prepared by the prescribed registered MW contractors as required under MWCS, with a copy to the Food and Environmental Hygiene Department (FEHD) for checking and processing.

3. Upon receipt of the MW completion certificates and supporting documents for each case, the respective FEHD case manager will check the location and the descriptions of the MW stated in the certificates against the address of the premises and MW requirements in the BSR. If the MW documents

are in order, the applicant concerned will be informed to submit Certificates of Compliance A, B, C & D (i.e. certificates of compliance with health, building, fire safety and ventilation requirements) where necessary and related documents at the Licence Issuing Office (LIO) for issue of the provisional licence.

Trade's Concerns

4. At the Business Liaison Group Meeting on Food Business (Restaurant) held in February 2016, the trade raised the concern that the existing procedures for submitting copies of MW completion certificates and supporting documents to FEHD did prolong the issue of provisional licences because it normally took a lead time of three to five working days for FEHD to check and process each case. Moreover, the BSR issued by BD were in English while the MW contractors usually prepared their completion certificates in Chinese. It is not uncommon that some FEHD case managers might find difficulties to ascertain whether the Chinese descriptions of MW stated in completion certificates were same as those listed in the BSR. As a result, amendment and re-submission of the MW completion certificates would be required.

Proposed Business Facilitation Measures

5. To facilitate the early issue of provisional food business licences, it is proposed that the Authorised Person / Registered Structural Engineer (AP/RSE) certifying Certificate of Compliance B on building requirements should also certify that the MW completion certificates prepared by the prescribed registered MW contractors are in order as far as the relevant information (i.e. the address of the premises and the descriptions of the completed MW against that required under the BSR) is concerned and BD should perform audit check accordingly. This proposal is in line with the principle of accepting certification by professionals for issue of provisional licences. Under the new arrangements, applicants will no longer be required to pre-submit MW completion certificates and supporting documents to FEHD for checking. They will have to submit the Certificates of Compliance together with the MW completion certificates and related documents at LIO for issue of the provisional licence.

6. To take the proposal forward, FEHD will, in consultation with BD, revise the relevant application guides accordingly. The Certificate of Compliance B will also be suitably modified to highlight that the AP/RSE has personally checked the MW documents. Meanwhile, FEHD will enhance its computer system to support the new application process which is expected to be effective in the third quarter of 2016.

7. Recently, BD has provided bilingual description for the MW items in BSR. This improvement measure not only facilitates preparation of the MW documents by the registered contractors, but also avoids any unnecessary misinterpretation of the MW requirements by the relevant stakeholders.

Way Forward

8. Members are invited to note the content of this paper and offer comments, if any.

Buildings Department
Food and Environmental Hygiene Department
June 2016