

**Twenty-eighth Meeting of
the Business Facilitation Advisory Committee**

***Agenda Item 3(b) : Report on the work of the Food Business
and Related Services Task Force***

Purpose

This paper reports on the work of the Food Business and Related Services Task Force (FRSTF) since the last Business Facilitation Advisory Committee (BFAC) meeting held on 27 November 2014.

Work progress of FRSTF

Implementation of the Extension of Plastic Shopping Bag Charging to all Retail Outlets

2. The Environmental Protection Department (EPD) has briefed FRSTF on the full implementation of the Plastic Shopping Bag (PSB) Charging, which will take effect on 1 April 2015, and the related trade facilitation and publicity measures.

3. As a matter of general principles, any PSB provided for carrying foodstuff packed in a foam box will be exempted from charging because the box is not airtight. If eating utensils and sauces in airtight packaging are also put in the same PSB, EPD has clarified that the exemption will still be applied because such utensils and sauces are considered as essential items of the take-away meal.

4. EPD has also clarified that in general, any PSB provided for carrying rice dumplings in airtight packaging will be subject to charging. In case the rice dumplings have been kept in a refrigerator before selling, the PSB used to carry such rice dumplings will be exempted from charging.

5. FRSTF considers that the trade and its customers will have difficulty in understanding the exemption arrangements of PSB Charging for festive foods in different packaging and storage conditions. To help the trade

avoid breaching the law inadvertently and minimize potential confrontation with its customers, FRSTF suggests that EPD should enhance its publicity and public education efforts in this area, especially around festivals.

Implementation of New Measures for Compliance with Fire Safety Requirements by Food Premises

6. The Food and Environmental Hygiene Department (FEHD) and the Fire Services Department (FSD) have jointly briefed FRSTF on the compliance status of food premises after the three new measures for the trade to comply with fire safety requirements (FSRs) have been implemented since 30 June 2014.

7. Up to 31 December 2014, there are only 2 minor breaches of FSRs with one committed by a General Restaurant (GR), and the other by a Light Refreshment Restaurant (LRR) after the imposition of the additional licensing condition on GR, LRR and Factory Canteen (FC) licences to ensure the licensees shall at all times comply with FSRs issued by FSD.

8. During the period from 1 October to 31 December 2014, there are 2 553 licences, comprising 1 764 GR licences, 717 LRR licences and 72 FC licences, required to obtain the “No Objection to Licence Renewal Notices” (NOLR notices) issued by FSD as the new licence renewal requirement. Of the 2 553 licences, 2 442 (*or over 95%*) are renewable with the issue of NOLR notices by FSD as at 5 February 2015. For the remaining 111 licences, only 25 cases fail to comply with FSRs, 83 cases are attributable to voluntary cancellation of licences or cessation of business, and 3 special cases are under review by FEHD and FSD.

9. During the period from 30 June to 31 December 2014, there are 2 073 applications for provisional licence. 1 356 of them have made declaration of using polyurethane foam filled mattresses and upholstered furniture in their premises and are able to submit invoices and test certificates during the verification inspections by FSD.

10. So far, FEHD and FSD are not aware of any significant hiccups or teething problems arising from implementation of the new measures. FRSTF points out that there are some NOLR notices sent to wrong addresses. As a result, the food business licences cannot be timely renewed. FRSTF requests FEHD and FSD to look into the issue. In response to FRSTF’s suggestion, FEHD and FSD undertake to conduct a post-implementation review after the new measures have been introduced for a full-year cycle.

Implementation Progress of the Recommendations of the Review on Application for Outside Seating Accommodation Permission of Restaurants

11. In October 2013, the Outside Seating Accommodation (OSA) Working Group¹ completed a review on the application for OSA permission of restaurants and put forward 10 recommendations. As reported at the last BFAC meeting, five recommendations had already been implemented.

12. At the last FRSTF meeting held in February 2015, the OSA Working Group updated members on the implementation progress of the remaining five recommendations: one recommendation has been implemented and the rest are in good progress.

13. From 21 November 2014 onwards, the OSA permission will be granted together with or after the issue of a provisional or full restaurant licence upon compliance with the OSA requirements. This measure allows the trade to start the OSA business earlier and increase the flexibility of business operations.

14. FRSTF appreciates the implementation efforts taken by the departments concerned.

Way forward

15. Members are invited to note the work progress of FRSTF. FRSTF will continue to monitor the development of the above issues.

Economic Analysis and Business Facilitation Unit,
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March 2015

¹ The Working Group comprises representatives from the Food and Environmental Hygiene Department, Fire Services Department, Buildings Department, Lands Department, Planning Department, Housing Department, Transport Department, Home Affairs Department and Economic Analysis and Business Facilitation Unit.