

**Thirty-first Meeting of
the Business Facilitation Advisory Committee**

***Agenda Item 3(c) : Report on the work of the
Task Force on Business Liaison Groups***

Purpose

This paper reports on the work of the Task Force on Business Liaison Groups (BLGTF) since the last Business Facilitation Advisory Committee meeting on 30 November 2015.

Work progress of the BLGTF

Overall progress of Business Liaison Groups

2. For the year 2015, 19 Business Liaison Group (BLG) meetings were held. At these meetings, a total of 103 issues were satisfactorily resolved or clarified. In addition, 23 information dissemination sessions on new business facilitation measures/existing regulatory requirements and one consultation session on proposed new regulation/legislation were conducted by the departments concerned.

3. In the light of operational experience and to better focus their efforts on implementation issues of business regulations, BLGTF agreed to fine-tune the terms of reference for BLGs as follows (with the change highlighted in **bold**) with effect from 1 February 2016 –

- ♦ to enhance communication between the trade and the stakeholding B/Ds to exchange views on licensing and regulatory matters **at the operational level**;
- ♦ to solicit trade's views on the licensing regime so as to identify possible improvement opportunities; and
- ♦ to serve as a platform to brief the trade about the related regulatory requirements and business compliance facilitation measures, and consult the trade on regulatory proposals.

Reducing the trade's administrative burden on application for temporary food factory licence

4. Under the Food Business Regulation (Cap 132X), the validity period of a temporary food factory licence (TFFL) cannot exceed seven days. At a BLG meeting for theme parks and attractions, the trade raised the concern on the great administrative burden incurred in repeated applications for TFFLs for events that might last for one year.

5. In response, the Food and Environmental Hygiene Department (FEHD) has advised that the department will accept applications for consecutive TFFLs at the same premises in connection with the same event. An applicant needs to submit only one application for TFFLs and specify in the application form the consecutive periods of time. FEHD may issue multiple consecutive TFFLs in one go for a period not more than six months. Subject to satisfactory food safety and hygiene records, FEHD may issue further TFFLs that would bring the total licence period not more than 12 months.

6. BLGTF appreciates the business facilitation efforts of FEHD.

Simplifying the cancellation of Hygiene Manager / Hygiene Supervisor records

7. To strengthen food safety supervision in licensed food premises, all food establishments are required to appoint a Hygiene Manager (HM) and/or a Hygiene Supervisor (HS). At a BLG meeting for non-restaurants food business, the trade raised the concern that if a person nominated as HM/HS of a new food premises under application for food business licence was still recorded as HM/HS of another food premises from which he/she had resigned, FEHD would not approve the nomination until a written confirmation was received to cancel the existing HM/HS record from the operator concerned. The current practice of approving the HM/HS nomination may cause delay in the issue of a full food business licence.

8. In response, FEHD has explained there is a need for the department to ensure that the nominated person will not work simultaneously as full-time HM/HS in more than one food premises. To facilitate early approval of a HM/HS nomination, FEHD will allow the nominated person to self-declare his/her resignation as HM/HS in connection with the previous employment. FEHD will cancel the existing HM/HS record after verification with the

operator concerned. The new measure is planned to be implemented in the second quarter of 2016.

9. BLGTF appreciates the business facilitation approach of FEHD.

Calculation of temporary absence period for liquor licence transfer

10. At a BLG meeting for karaoke establishments, nightclubs, bars and other entertainment clubs, the bar trade opined that the calculation of temporary absence period should be based on an individual person and the temporary absence period should be re-calculated once the liquor licence had been transferred to a new person. In response, FEHD has clarified that under Regulation 24 of the Dutiable Commodities (Liquor) Regulations (Cap.109B), the aggregate of the absence periods authorized in relation to a liquor licence must not exceed 25% of the number of days of the validity period of the licence. For a liquor licence with a validity period of more than 1 year, each period or the aggregate of the periods authorized must not exceed 90 days within any 12 consecutive months in the validity period. The calculation is based on the liquor licence, not person. The trade is advised to consider their absence arrangement carefully before applying for temporary absence.

11. BLGTF appreciates the clarification made by FEHD.

Enhancement of Application Tracking Facility to improve accessibility of case officers

12. At various BLG meetings for hotels, guesthouses and recreational clubs, the trades expressed the concern over the difficulty to contact the case officers of the Office of the Licensing Authority (OLA) under the Home Affairs Department (HAD) on various application matters during office hours. In response, OLA has enhanced its online Application Tracking Facility to provide the email addresses of the case officers and their supervisors in addition to names and telephone numbers. The enhancement not only makes the case officers more accessible, but also enables the applicants to send photos and documents to the case officers through email.

13. To further enhance its transparency, BLGTF suggest HAD to consider sending auto-acknowledgement emails. The Task Force appreciates the business facilitation efforts of the department.

Way forward

14. Members are invited to note the work progress of the BLGTF. The Task Force will continue to oversee and monitor the work progress of the BLGs.

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