

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

***Agenda Item 4(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 26 June 2018.

Work progress of FRSTF

***Measures to Facilitate Food Business Licence Applicants' Timely
Obtaining of Full Licences***

2. At present, there is a provisional licensing system for food business, under which premises that are in compliance with the essential licensing requirements as certified by recognised professionals will be issued with provisional licences valid for 6 months. During this period, applicants have to complete all the licensing requirements in order to obtain full licences for continuation of business operations. In order to facilitate applicants' timely obtaining of full licences, the Food and Environmental Hygiene Department (FEHD), the Fire Services Department (FSD), the Buildings Department (BD) and the Independent Checking Unit (ICU)¹ had reviewed the licence application procedures and proposed to implement the following measures –

¹ The ICU is set up directly under the Office of the Permanent Secretary for Transport and Housing (Housing) to advise the FEHD on building safety matters relating to licence applications for premises on existing and divested properties of the Housing Authority.

- (a) As most licence applicants will appoint contractors or agents to handle licence application matters, the FEHD will disseminate related information to applicants through various channels such as letters, emails and SMS messages, so that applicants will be aware of their application progress more directly and can take appropriate action where necessary;
- (b) The FEHD will, as far as possible, arrange for case managers to inspect the premises within one month after provisional restaurant licences have been issued, and point out the outstanding licensing requirements for full licences to facilitate the applicants' early compliance;
- (c) The departments concerned have updated the referral criteria for processing revised plans to streamline the procedures. Moreover, if the revised plans do not involve material changes to the structure or means of escape of the premises, applicants may choose to appoint Authorised Persons/Registered Structural Engineers (APs/RSEs) to certify whether the revised plans comply with the building safety requirements without referring the applications to the BD/ICU for processing;
- (d) The FEHD will provide applicants through email with the specified forms containing relevant application details (such as the name of the applicant, address of the premises etc) maintained in the department's computer system, so as to minimise the need for re-submission due to typos; and
- (e) The departments concerned would enhance publicity and education on good practices of licence application to serve as reference for applicants.

Measures to Expedite the Processing of Applications for Alteration to the Layout Plans of Food Premises

3. Under the Food Business Regulation, food business licensees are required to seek approval from the Director of Food and Environmental Hygiene before carrying out any alteration or addition to their licensed

premises which would result in material deviation from the layout plans of the premises approved by the Government. To expedite the processing of applications for alteration to the layout plans of food premises, making it possible for the operators to carry out the alteration as soon as possible to cater for their business operations, the FEHD, FSD, BD and ICU, after reviewing the existing system and procedures for processing applications for alteration to the layout plans, have proposed the following enhancement measures -

- (a) The departments concerned will expand the list of items that may be added or altered to the arrangement of appliances/furniture without prior approval from the licensing authority, so that the trade will benefit from greater flexibility in the layout of the premises;
- (b) The departments concerned have revised the referral criteria for processing alteration to the layout plans to streamline the referral procedures;
- (c) Regarding applications for alteration to the layout plans without involving material changes to the structure or means of escape of the premises, licensees may choose to appoint APs/RSEs to certify whether the planned works comply with the building safety requirements; and
- (d) For the long-outstanding applications for alteration or addition to the layout plans, the FEHD will cancel the application if the licensee could not provide a reasonable explanation.

4. The implementation details of the above measures concerning applications for full licences and applications for alteration to the layout plans are being finalised. These measures are expected to roll out gradually from late 2018 to late 2019.

5. FRSTF appreciated the collaborative efforts of the departments concerned on addressing the trade's concern and business facilitation.

Way forward

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

Business Facilitation Team
Efficiency Office
Innovation and Technology Bureau
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