

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

***Revision of Licensing Requirements and Provision of New Checklists
Stipulating Preparations prior to Fire Safety Compliance Inspection to
Facilitate Licence Application***

Purpose

This paper briefs members on the measures of revising licensing requirement and providing new checklists stipulating preparations prior to fire safety compliance inspection to facilitate food business licence application.

**Revision of Licensing Requirement on Provision of Independent Chimney
(for Restaurant Licences)**

2. Under the prevailing food business licensing regime, if an applicant for restaurant licence indicates intention of using solid fuel or diesel for cooking on the premises and provided that the subject application received no objection raised by concerned government departments, a standard licensing requirement on installation of independent chimney on external wall of the building will be stipulated for compliance by the applicant. In this connection, some applicants would file application to the Food and Environmental Hygiene Department (FEHD) for relaxation of this specific licensing requirement usually on the ground of using only small amount of the said fuel.

3. Having discussed with Environmental Protection Department and Fire Services Department (FSD), FEHD has revised the licensing requirement on provision of independent chimney for the application involving use of solid / liquid fuel in limited quantity for cooking in the restaurants. It is agreed that subject to no objection to the application for restaurant licence is raised by concerned government departments, the applicant is required to provide independent chimney for the premises on the external wall of the building only if the restaurant business will involve total fuel consumption capacity of premises (including that of proposed work) exceeding 25 litres of conventional liquid fuel (e.g. kerosene and diesel oil) per hour or 35 kilograms of conventional

solid fuel (e.g. charcoal and wood) per hour. This revised licensing requirement has come into effect since mid-June 2019.

Revision of Licensing Requirement on Restricting Cashier Counter in Food Preparation Areas (for Restaurant / Factory Canteen / Food Factory Licences)

4. From food safety point of view, cashier activity should not be allowed within food preparation area. Under the existing licensing regime, in general, the applicant must comply with the standard licensing requirement on restricting cashier counter being placed inside any food preparation areas. Owing to operational need of individual business, some applicants would file application to FEHD for relaxation of this standard licensing requirement by compliance with other hygiene measures to ensure food safety.

5. After reviewing on previously approved exemption cases to allow provision of cashier counter in food preparation area, FEHD has revised the relevant standard licensing requirement in application for restaurant, factory canteen and food factory licences by imposing specific licensing conditions such as staff assigned for cashier duty shall not be allowed to engage in handling, preparation and service of open food etc. The revised licensing conditions will come into effect by November 2019.

New checklists stipulating preparations prior to compliance inspection to meet the compliance standards of Fire Safety Requirements (FSR)

6. FSD is planning to issue newly devised checklists with an aim to meet the compliance standards of FSR for food business licence applications. In accordance with the Food Business Regulation (Cap. 132X), a food business licence shall be obtained from the Licensing Authority, viz. the Director of Food and Environmental Hygiene, by any person who would like to conduct any food business as stipulated in the Regulation. The Licensing Authority will not issue any licence until after the applicant has complied with, among others, all FSR imposed by the Director of Fire Services. Upon receiving the report of compliance for the FSR from the applicant, FSD will arrange a compliance inspection. If the relevant FSR are found fully complied with after compliance inspection, a Fire Services Certificate (FSC) would be issued to the applicant. If the relevant FSR are not fully complied with, re-inspection would be required.

7. With a view to increasing the efficiency of compliance inspections and to reducing the number of cases requiring re-inspection, FSD would devise a set of checklists to stipulate the prior preparations to be taken by the applicant to

facilitate the process of compliance inspection and to meet the compliance standards of FSR. Some relevant prior preparations include:

- To ensure no obstruction to sprinkler heads; and
- To ensure all polyurethane (PU) foam filled upholstered furniture or mattress are borne with appropriate label.

8. A draft checklist for General Restaurants (Full Licence) with low fire potential is attached at Appendix for reference. The checklists for relevant food business licences are anticipated to be launched in the first quarter of 2020.

Advice Sought

9. Members are invited to note and give comments on the content of this paper.

Food and Environmental Hygiene Department

Fire Services Department

November 2019

**Self-checking Form for
Prior preparation to meet the Compliance Standard of Fire Safety Requirements
General Restaurants (Full Licence) with Low Fire Potential – (PPA/101(I)-2)**

✧ You are advised that **NO** compliance inspection will be conducted unless **ALL** necessary supporting documents for relevant fire safety requirements have been received by respective Regional Offices. For the supporting documents required, please refer to the Self-checking Form for the supporting documents required for compliance inspection which can be downloaded in the following website:

https://www.hkfsd.gov.hk/eng/source/licensing/CL_PPA101_I_eng.pdf

| Requirement Ref. No. | Description | Prior Preparation to meet Compliance standard | |
|----------------------|---|---|--------------------------|
| FSI Requirements | | | |
| 1 | Fire Hydrant / Hose Reel System / Sprinkler System | No obstruction to the Fire Hydrant / Hose Reel System / sprinkler heads. <i>(Note 1)</i> | <input type="checkbox"/> |
| 2 & 3 | Sprinkler System (for premises area > 230m ² ; or premises in basement and area > 126m ²) | No obstruction to the sprinkler heads. <i>(Note 1)</i> | <input type="checkbox"/> |
| 4 | Portable Fire Fighting Equipment | (a) The type, location and quantity of the appliance(s) shall be in conformity as listed in the specified Fire Safety Requirements. (b) The appliance(s) shall be prominently placed and easily accessible without any obstruction. (c) The appliance(s) is not damaged or rusted. (d) No obstruction to the appliance(s). <i>(Note 1)</i> | <input type="checkbox"/> |
| 5 | Manual Fire Alarm (with visual alarm signals) | (a) The location of break glass unit(s) shall be provided in conformity as listed in the specified Fire Safety Requirements. (b) No obstruction to the break glass unit(s). <i>(Note 1)</i> | <input type="checkbox"/> |
| 7 & 8 | Exit Signs / Directional Signs | (a) The exit / directional signs shall be illuminated and in conformity with the submitted layout plan. (b) No obstruction to the exit / directional signs. <i>(Note 1)</i> | <input type="checkbox"/> |
| 9 | Emergency Lighting | All emergency lightings shall be automatically lighted up when the normal power supply to the premises is | <input type="checkbox"/> |

| | | | |
|---------------------------|--|---|--------------------------|
| | | being cut off. | |
| Other Requirements | | | |
| 6 | Drop Hatch / Fire Shutter | (c) The location of food serving opening shall be in conformity with the submitted layout plan. (d) The drop hatch shall be securely fitted at the food serving opening. | <input type="checkbox"/> |
| 10 | Combustible materials used as false ceilings, partitions or wall furnishings (Treated with fire retardant paint or solution) | The number(s) and type(s) of combustible materials within the premises treated with fire retardant paint shall be in conformity with the FS 251 provided. | <input type="checkbox"/> |
| 11 | Draperies & Curtains (Treated with fire retardant solution) | The number(s) of draperies & curtains within the premises treated with fire retardant paint shall be in conformity with the FS 251 provided. | <input type="checkbox"/> |
| 12 | PU Foam filled mattresses and furniture | (a) The number(s), colour(s) and type(s) of PU Foam filled mattresses and furniture within the premises shall be in conformity with the supporting documents provided. (b) The upholstered furniture or mattress within the premises shall be borne with appropriate label. <i>(Note 1)</i> | <input type="checkbox"/> |

Notes:

- For more details or examples regarding the obstruction to FSI and the appropriate label to be borne on the PU Foam filled mattress and furniture, please refer to the “Common Irregularities Encountered In The Issue of a Fire Services Certificate” in the following website:

https://www.hkfsd.gov.hk/eng/source/licensing/irregularities_food.pdf

Abbreviations:

- FS 251 : Certificate of Fire Service Installations and Equipment
 FSI : Fire Service Installations and Equipment