

**For discussion
on 28 June 2005**

**Panel on Food Safety and Environmental Hygiene
Subcommittee to Study the Streamlining of Food Business Licensing**

**Proposed Streamlining Measures for
Food Business Licensing**

Purpose

This paper sets out our proposals to streamline the existing food business licensing regime.

Background

2. The Food and Environmental Hygiene Department (FEHD) has come up with some initial ideas on a number of proposals to improve the food business licensing regime which could be pursued at this stage, after taken into account the views expressed by the Legislative Council Sub-committee to Study the Streamlining of Food Business Licensing and the trade. They are set out in a paper submitted to the Subcommittee on 17 May 2005 (LC Paper No. CB(2) 1546/04-05(03)). FEHD has further considered other measures to streamline the process for food business licensing. The proposals are set out in the following paragraphs.

Proposed Measures

Revision of workflow

3. According to our recent survey, there is a substantial percentage of abortive submissions. In 2003 and 2004, about 27% and 17% of the total number of applications received respectively were withdrawn by the applicants or did not pass the preliminary screening of layout plan or terminated by FEHD due to the lack of progress in complying with licensing requirements despite repeated reminders. Relevant departments have invested a lot of time in processing these abortive applications and such resources could have been deployed to expedite the processing of other applications. With this in mind, we propose to streamline the workflow for issue of new restaurant/non-restaurant licences as follows:

- (a) An application for new restaurant / non-restaurant licence will be deemed as withdrawn 6 months after the expiry date of the provisional licence or 12 months after the issue of Letter of Requirements for a full licence, whichever is applicable, unless the applicant can prove that the delay in meeting the licensing requirements is due to circumstances beyond his control; and
- (b) Upon issue of the Letter of Requirements for a full licence to an applicant, FEHD staff will make a site visit to the

premises concerned within three months time to offer advice on site to the applicant as necessary. After that, FEHD will issue reminders to the applicant at quarterly intervals up to 6 months after the expiry date of the provisional licence or 12 months after the issue of Letter of Requirements, whichever is applicable. Throughout the application process and for each application, a FEHD case manager will be made available to the applicant and will provide advice and assistance as necessary.

4. The above improvement measures will enable FEHD and other relevant departments to focus resources on applicants with genuine interest in operating a food business.

Changes to Approved Layout of Food Premises

5. Views have been expressed by the trade that there should be clearer guidelines on details that need to be shown on layout plans, in order to facilitate applications for approval for changes to be made to the original plans. FEHD will, in consultation with BD and the Fire Services Department (FSD), review the existing requirements with a view to simplifying the procedures where possible for changes which do not constitute any material deviation and have no building and fire safety and hygiene impact. To speed up the referral of applications for change of layout plan to BD and FSD where necessary, we will require applicants to highlight proposed changes on the revised plans submitted to FEHD.

Application Vetting Panel Meeting

6. At present, BD and FSD will inform the applicant for a food business licence their respective buildings and fire safety requirements before the Application Vetting Panel (AVP) meeting. FEHD will at the AVP meeting hand over to the applicant the health/hygiene requirements and conditions together with a Letter of Requirements enclosing also the requirements of BD. To enable the applicant to better prepare for the AVP, we plan to issue the health/hygiene requirements in draft form to the applicant in advance of the AVP meeting. To facilitate discussion at the AVP meeting and to ensure that the applicant, his consultant and contractor clearly understand all the licensing requirements and conditions, we will emphasize in the invitation letter to the applicant the need to involve the consultant and contractor where applicable at an early stage and to include them at the AVP meeting.

Advice Sought

7. Subject to Members' views on the proposals set out in paragraphs 3 to 6, we will follow up on the improvement measures and consult the trade as appropriate.