

Bills Committee on Food Safety Bill

Follow-up on Matters arising from the Bills Committee Meeting on 14 December 2010

Purpose

As requested by Members at the Bills Committee meeting on 14 December 2010, this paper sets out the circumstances under which the Director of the Food and Environmental Hygiene (the Director) would exercise his power to revoke the registration under Clause 14(2)(b) of the Food Safety Bill (the Bill).

Circumstances under which the Director would exercise his power to revoke the registration under Clause 14(2)(b) of the Bill

2. Clause 14(2)(b) empowers the Director to revoke a person's registration in respect of a business (i.e. food importation business or food distribution business) if the Director is satisfied that, in the case of a natural person, the person has died. If any family member of the deceased or related person wishes to continue operating the business previously registered under the name of the deceased, they must make a new application. Clause 14(5)(b) stipulates that revocation of registration takes effect on the expiry of 30 days after the day on which the decision to revoke the registration is made. This should allow adequate time for the family member or the related person to make a new application and for the application to be processed.

3. As discussed at the Bills Committee meeting on 14 December 2010, the Centre for Food Safety would state in the guidelines for registration that in case of death of a natural person who held a valid registration prior to his death, if anyone wishes to continue operating the business registered under the name of the deceased, a new application for registration will have to be made.

Advice Sought

4. Members are asked to note the Administration's response at paragraphs 2-3 above.

**Food and Health Bureau
December 2010**