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## INFORMATION NOTE

### Supplementary Note on the Licensing of Food Premises

#### 1. Background

1.1 The Subcommittee to Study the Streamlining of Food Business Licensing, at its meeting on 28 June 2005, requested the Research and Library Services Division to compare the licensing procedures of food premises in Singapore, London of the United Kingdom (London), Sydney of Australia (Sydney), New York City of the United States (New York) and Hong Kong. This information note compares the following aspects among the five places:

- (a) Central licensing authority;
- (b) Requirement to attend courses on food protection/food hygiene by food handlers;
- (c) Commencement of work prior to issue of licence/permit;
- (d) Issue of food licence/operating permit/occupation certificate;
- (e) Time involved in processing application/registration;
- (f) Renewal process;
- (g) System of appeal;
- (h) Third party application; and
- (i) Third party certification of compliance.

**Table 1 – Licensing of Food Premises in Singapore, London, Sydney, New York and Hong Kong**

	<b>Singapore</b>	<b>London</b>	<b>Sydney</b>	<b>New York</b>	<b>Hong Kong</b>
Central licensing authority	No.	No.	<ul style="list-style-type: none"> <li>• Yes, the Local Council in Sydney acts as the central authority for licensing of food premises; and</li> <li>• The owner of the food premises is required to notify the state government agency.</li> </ul>	No, but the Department of Building, in collaboration with the Department of Environmental Protection and the Department of Transportation, provides an Express Service to consolidate and simplify the approval process for the relevant permits and certificates.	No, but the Food and Environmental Hygiene Department co-ordinates and works together with the Buildings Department, the Fire Services Department and other departments to process licence applications.
Requirement to attend courses on food protection/food hygiene by food handlers	Yes.	No.	No.	Yes.	Yes.
Commencement of work prior to issue of licence/permit	The practice varies. The Fire Safety and Shelter Department requires approval of fire safety plans before any fire safety work commences. The National Environment Agency also advises the owner of the food premises not to commence work before receiving the in-principle approval letter.	Yes.	No.	No.	Yes, but the Food and Environmental Hygiene Department advises the owner of the food premises not to commence work before receiving the Letter of Requirements from the Application Vetting Panel.
Issue of food licence/operating permit/occupation certificate	The issue of the Foodshop Licence does not depend on whether the owner of the food premises has already obtained certificates and approvals from other government departments.	Not applicable.	The issue of the Occupation Certificate is contingent upon the owner of the food premises filing a Development Application, receiving Development Consent and a Construction Certificate, and a Principal Certifying Authority certifying that the construction meets all appropriate standards.	The issue of the Operating Permit is contingent upon the owner of the food premises receiving related permits, certificates and approvals from other government departments.	The issue of a full restaurant licence is contingent upon the owner of the food premises receiving appropriate certificates and letters of compliance from other government departments.

**Table 1 – Licensing of Food Premises in Singapore, London, Sydney, New York and Hong Kong (cont'd)**

	<b>Singapore</b>	<b>London</b>	<b>Sydney</b>	<b>New York</b>	<b>Hong Kong</b>
Time involved in processing application/registration	<p>National Environment Agency:</p> <ul style="list-style-type: none"> <li>• a minimum of five working days from the receipt of all required documents to the issue of an in-principle approval letter and health requirements; and</li> <li>• a minimum of two working days from the final inspection to the issue of the Foodshop Licence.</li> </ul> <p>Urban Redevelopment Authority: a minimum of 10 working days to process the submitted application.</p> <p>Fire Safety and Shelter Department:</p> <ul style="list-style-type: none"> <li>• two working days from the submission of application for approval of the fire safety plans to issue a Notice of Approval;</li> <li>• a minimum of 14 calendar days to process the fire safety plans;</li> <li>• if the site is selected for inspection, inspection is carried out within 10 calendar days from the receipt of application for the Fire Safety Certificate; and</li> <li>• three working days to issue the Fire Safety Certificate.</li> </ul>	28 days.	Six to eight weeks in general.	Information not available.	The shortest time to obtain a provisional licence for restaurants is 21 working days. The average time taken to issue provisional and full restaurant licences in 2004 was 44 and 164 working days respectively.

**Table 1 – Licensing of Food Premises in Singapore, London, Sydney, New York and Hong Kong (cont'd)**

	<b>Singapore</b>	<b>London</b>	<b>Sydney</b>	<b>New York</b>	<b>Hong Kong</b>
Renewal process	The Foodshop Licence is renewable annually.	Not required.	Not required.	<ul style="list-style-type: none"> <li>• The Operating Permit and the approval of the fire protection system are renewable annually; and</li> <li>• The Work Permit is renewable annually or when the contractor's insurance expires, whichever is earlier.</li> </ul>	<ul style="list-style-type: none"> <li>• The full restaurant licence is renewable annually; and</li> <li>• The provisional restaurant licence can only be renewed under exceptional circumstances for a further period not exceeding six months.</li> </ul>
System of appeal	<p>National Environment Agency: The applicant can request a review with the Environmental Health Regional Office.</p> <p>Urban Redevelopment Authority: Applicant objecting to the ruling can appeal to the Ministry of National Development.</p> <p>Fire Safety and Shelter Department: The owner of the food premises can submit a waiver via a Qualified Person if he/she objects to the ruling. If the waiver application is unsuccessful, the Qualified Person can submit a formal appeal to the Minister for Home Affairs.</p>	Not applicable.	The applicant can appeal to the Land and Environmental Court.	<p>Department of Building: The applicant can request a re-appointment to review the appeal.</p> <p>Department of Health and Mental Hygiene: The applicant can appeal to the Administration Tribunal.</p>	If the owner of the food premises is dissatisfied with the decision made by the Director of Food and Environmental Hygiene, he/she can declare the decision to appeal to the Licensing Appeals Board.

**Table 1 – Licensing of Food Premises in Singapore, London, Sydney, New York and Hong Kong (cont'd)**

	<b>Singapore</b>	<b>London</b>	<b>Sydney</b>	<b>New York</b>	<b>Hong Kong</b>
Third party application	A Qualified Person is needed to file the applications for the approval of the fire safety plans and for the Fire Safety Certificate on behalf of the owner of the food premises to the Fire Safety and Shelter Department.	Registration can be filed by the owner of the food premises.	Application can be filed by the owner of the food premises.	Fire Department: Application for approval of the fire protection system must be filed by a Professional Engineer. Department of Building: Applications for the Work Permit and the Certificate of Occupancy (or Sign-Off Letter) must be filed by either a Registered Architect or a Professional Engineer. Department of Environmental Protection: Applications for the Water Tap Permit, the Sewer Connection Permit and the Water Meter Permit must be filed by a licensed plumber.	Applications for provisional and full restaurant licences can be filed by the owner of the food premises.
Third party certification of compliance	Apart from the Inspection Certificate which is issued by a Registered Inspector, all other approvals, permits and certificates are issued by the relevant government departments.	Not applicable.	Optional. The owner of the food premises has a choice to appoint either the Local Council or a third party Accredited Certifier to issue the Construction Certificate and the Occupation Certificate for the food premises.	Issued by the government departments.	<ul style="list-style-type: none"> <li>For provisional restaurant licences, the Food and Environmental Hygiene Department accepts third party certification of compliance on health/hygiene, fire services, ventilation and building safety requirements; and</li> <li>For full restaurant licences, the Food and Environmental Hygiene Department is reviewing whether third party certification of compliance can be adopted.</li> </ul>

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