

YOUR REF 來函檔號 : CB4/PAC/R81  
OUR REF 本署檔號 : L/M (26) in BD CR/4-35/2 C  
FAX 圖文傳真 : 2625 0472  
TEL 電話 : 2626 1133  
WEBSITE 網址 : www.bd.gov.hk

2 January 2024

Ms Shirley CHAN  
Clerk to Public Accounts Committee  
Legislative Council  
Legislative Council Complex  
1 Legislative Council Road  
Central, Hong Kong


Dear Ms CHAN,

**Public Accounts Committee**  
**Consideration of Chapter 2 of the Director of Audit's Report No.81**  
**Licensing of food premises**

Thank you for your letter dated 15 December 2023 to the Director of Buildings concerning the captioned Audit Report. We are pleased to provide the requested information in the **Appendix**.

2. If you require any further information, please contact the undersigned or our Chief Building Surveyor/New Territories East (1) & Licensing, Mr YUE Chak-sang, Lawsons, at 2626 1478.

Yours faithfully,



( CHEUNG Yuk-ching, Karen )  
Assistant Director/New Buildings 1  
for Director of Buildings

Encl.

c.c. Secretary for Environment and Ecology (email: see@eeb.gov.hk)  
Director of Food and Environmental Hygiene (email: dfefoffice@fehd.gov.hk)  
Director of Fire Services (email: dfs@hkfsd.gov.hk)  
Director of Home Affairs (email: dha\_office@had.gov.hk)  
Secretary for Financial Services and the Treasury (email: sfst@fstb.gov.hk)  
Director of Audit (email: ncylam@aud.gov.hk)

**Public Accounts Committee  
Consideration of Chapter 2 of the Director of Audit's Report No.81  
Licensing of food premises**

We are pleased to provide the requested information on the following issues raised at the public hearing:

**Part 2: Processing of applications for new food business licences and permits**

**Reply to Question (a)**

**Question:** Referring to paragraphs 2.10 and 2.12 of the Audit Report about the delays in making referrals of the 50 applications for new food business licences to and receiving comments from other relevant government bureaux/departments (“B/Ds”), the Food and Environmental Hygiene Department (“FEHD”) has agreed, according to paragraph 2.32, to take measures to address the problem. Please advise the progress and details of the follow-up actions taken by FEHD and the collaborative efforts made/to be made by FEHD, the Buildings Department and the Fire Services Department to expedite the processing of applications.

**Response:** Buildings Department (BD) has implemented the electronic-referral system under FEHD’s LMIS 2 since May 2023. In addition, BD has reminded its staff to provide comments to FEHD in a timely manner and is enhancing its computer system to monitor the progress of referrals automatically with newly added alert functions. The enhancement of BD’s computer system is expected to be completed in the second quarter of 2024.

### **Reply to Question (b)**

**Question:** With reference to paragraph 2.28 of the Audit Report, please advise whether there is a referral mechanism for cases of unlicensed food premises between FEHD and other relevant B/Ds, in particular the Buildings Department and the Fire Services Department, in view of the potential risks to public life and property; if yes, the details; if not, how the public safety can be fully protected.

**Response:** BD advises FEHD from building safety point of view on the suitability of the premises for food business use in response to FEHD's referrals during the food business licence/permit application process. While there is no established referral mechanism specifically for cases involving suspected unlicensed food premises, FEHD may refer such cases to BD for follow-up on building safety aspects in accordance with the prevailing enforcement policy. If BD in the course of carrying out its duty discovers unlicensed food premises, it would also refer the cases to FEHD for appropriate action under the licensing regime.