

**A Guide to Application
for
Provisional Licences
(Non-restaurant Food Licences)**

Food and Environmental Hygiene Department

PROVISIONAL LICENSING SYSTEM FOR
FOOD FACTORY, FACTORY CANTEEN, SIU MEI AND LO MEI SHOP,
FRESH PROVISION SHOP, COLD STORE, BAKERY,
FROZEN CONFECTION FACTORY AND MILK FACTORY

INTRODUCTION

1. With effect from 13.11.98, the licensing authority may, if such applications are made, issue Provisional Licences in respect of the above types of food business to premises which have met all essential health, ventilation, building and fire services requirements for the issue of provisional licences imposed by all the departments concerned. This enables applicants to commence their business on a provisional basis following certification of compliance of essential requirements, pending the issue of full licences.

APPLICATION AND LICENSING PROCEDURES

2. Application for a provisional licence is entirely optional. If one opts for a provisional licence, he should submit the application at the same time as he applies for a full licence. Application for a provisional licence without applying for a full licence will not be considered by the licensing authority.

3. The licensing procedures of application for provisional licences are same as those of application for full licences except that after the issue of the letter of requirements, the applicant is required to report compliance by submission of certifications by authorised persons.

CRITERIA FOR ISSUE

4. The licensing authority will issue a provisional licence if :-

- (a) there is no objection in principle to the application for a full licence.
- (b) the applicant has been issued with a list of essential licensing requirements, i.e. requirements of building & health, fire services and ventilations, for the issue of a provisional licence; and
- (c) upon receipt of the report of compliance with the provisional licensing requirements from the applicant enclosing relevant certifications by professionals in prescribed forms, the licensing authority is satisfied that all essential requirements have been met.

Notes :

- 1. Sample of the “report of compliance” form is at Appendix A.
- 2. Samples of the prescribed forms for certification by professionals are at Appendices B to E.

(Forms required depend on types of licence applied)

5. The following professional persons are recognised by the licensing authority for the purpose of certification for the issue of provisional licences :-

Building & Health Requirements

- (a) authorised persons or registered structural engineers registered under the Buildings Ordinance in respect of health and building safety requirements;

Fire Services Requirements

- (b) fire service installation contractors registered under the Fire Services Ordinance in respect of fire service installations and equipment; and

Ventilation Requirements

- (c) ventilation contractors registered under the Buildings Ordinance in respect of

ventilating systems. A list of the authorised persons and registered structural engineers, fire service installation contractors and ventilation contractors is kept at the respective Licensing Offices for reference.

Validity & Renewal

6. A provisional licence shall be valid for six months. The licensing authority may in exceptional circumstances renew, before it expires, a provisional licence for only a further period not exceeding six months, if it is satisfied that the non-compliance with the outstanding requirements for the issue of a full licence is due to factors beyond the reasonable control of the licensee, his contractors and his agents.

Examples of such circumstances are :-

- (a) the processing of the full licence application being hindered by a cause which is not attributable to the act, default or omission of the licensee, his contractors and his agents; and
- (b) the occurrence of such events as labour strikes, curfews and natural disasters.

7. Applicants who intend to apply for renewal of a provisional licence should submit an application three weeks before the expiry of the licence with evidence to show that the failure to comply with the full licence requirements is due to above-mentioned circumstances.

Transfer

8. A provisional licence is not transferable except with the consent of the licensing authority. The existing policies and guidelines governing the transfer of full licences will apply to application for the transfer of provisional licences.

Licence Fee

9. The licence fee for the issue and renewal of a provisional licence shall be 50% of the fee for a full licence. Nevertheless, if a full licence is issued during the validity period of a provisional licence, refund of part of the fee paid in respect of the provisional licence will be made on a pro-rata basis.

Monitoring

10. Premises issued with a provisional licence will be subject to the same licence conditions, selective inspection system and licence suspension/cancellation policies operating under the existing full licensing system.

11. The licensing staff of the departments concerned will follow up on the letters of requirements for the issue of a full licence in accordance with their normal departmental licensing procedures.

Enquiries

12. Enquiries can be made by telephone, in writing or in person to the following offices:-

Food and Environmental Hygiene Department

Hong Kong and Islands

Assistant Secretary (Other Licences),
Hong Kong and Islands Licensing Office,
8th floor, Lockhart Road Municipal Services Building,
225 Hennessy Road, Wan Chai, Hong Kong
Tel. no.: 2879 5720
Fax: 2507 2964
E-mail address: hkis_lo@fehd.gov.hk

Kowloon

Assistant Secretary (Other Licences),
Kowloon Licensing Office,
4th floor, Pei Ho Street Municipal Services Building,
333 Ki Lung Street, Sham Shui Po, Kowloon
Tel. No.: 2729 1298
Fax: 2789 0107
E-mail address: kln_lo@fehd.gov.hk

New Territories

Assistant Secretary (Other Licences),
New Territories Licensing Office,
4th floor, Tai Po Complex, No.8 Heung Sze Wui Street, Tai Po, New Territories.
Tel. No.: 3183 9225
Fax: 2606 3350
E-mail address: nt_lo@fehd.gov.hk

Restaurant Licensing Resource Centre

Health Inspector (Resource Centre/Provisional Licence)
Restaurant Licensing Resource Centre,
4th floor, Pei Ho Street Municipal Services Building,
333 Ki Lung Street, Sham Shui Po, Kowloon
Tel. No.: 2958 0694
Fax: 2708 9761
E-mail address: enquiries@fehd.gov.hk

Fire Services Department**Hong Kong Regional Office**

M/F, Sheung Wan Fire Station,
2 Western Fire Services Street,
Sheung Wan, Hong Kong
Tel: 2549 8104
Fax: 2559 3461
e-mail: lchfpro2@hkfsd.gov.hk

Kowloon West Sub-Regional Office

6/F, East Wing,
Tsim Sha Tsui Fire Station,
333 Canton Road, Tsim Sha Tsui, Kowloon
Tel: 2302 5339
Fax: 2302 5314
e-mail: lckfpro@hkfsd.gov.hk

Kowloon East Sub-Regional Office

Room 403, 4/F, West Wing,
Tsim Sha Tsui Fire Station,
333 Canton Road, Tsim Sha Tsui, Kowloon.
Tel: 2302 5310
Fax: 2722 5256
e-mail: lckfpro@hkfsd.gov.hk

New Territories Regional Office

Room 402, 4/F., West Wing,
Tsim Sha Tsui Fire Station,
No.333 Canton Road, Tsim Sha Tsui, Kowloon
Tel: 2302 5373
Fax: 2443 1411
e-mail: lcstfpro@hkfsd.gov.hk

Ventilation Division

5/F, South Wing,
Fire Services Headquarters Building,
No.1 Hong Chong Road,
Tsim Sha Tsui East, Kowloon
Tel: 2718 7567
Fax: 2382 2495
e-mail: fsvent@hkfsd.gov.hk

Buildings Department

Licensing Unit,
12/F., Pioneer Centre,
750 Nathan Road,
Kowloon.
Tel: 2626 1085
Fax: 2625 0703
e-mail: ciclic_nb@bd.gov.hk

FOOD AND ENVIRONMENTAL HYGIENE DEPARTMENT
REPORT OF COMPLIANCE FOR THE GRANT OF
PROVISIONAL (_____) LICENCE

To : Assistant Secretary (Restaurant Licensing/Other Licensing*),
Hong Kong/Kowloon/New Territories* Licensing Office,
Food and Environmental Hygiene Department

Name of applicant : _____

Address of premises : _____

_____ Tel. no. : _____ Fax no. : _____

With reference to my application for a Provisional _____ Licence in respect of the above-mentioned premises dated _____, I wish to confirm that I have complied with all licensing requirements contained in your letter referenced _____ dated _____ and the Director of Fire Services' letter referenced _____ dated _____ and enclose herewith the following certificates of compliance :

- (a) Certificate of Compliance A (Health Requirements)
- (b) Certificate of Compliance B (Building Requirements)
- (c) Certificate of Compliance C (Fire Services Requirements)
- (d) Certificate of Compliance D (Ventilation Requirements)

I understand that all matters covered by the enclosed certificates are subject to verification by the Licensing Authority.

Date

Signature of Applicant

* Please delete where appropriate.

FOOD AND ENVIRONMENTAL HYGIENE DEPARTMENT
CERTIFICATE OF COMPLIANCE A
(HEALTH REQUIREMENTS)

I, _____ (_____),
 (Surname) (Other Names) (Name in Chinese)
 holder of Hong Kong Identity Card number _____, being the authorized
 person/structural engineer* registered under section 3 of the Buildings Ordinance (Chapter 123 of
 the Laws of Hong Kong) do hereby certify and declare as follows :

In respect of the premises known as _____
 (Shopsign in English)
 (_____), situated at _____
 (Shopsign in Chinese) (Address of Premises)

and being under application for a Provisional _____ Licence
 by _____ (_____),
 (Name of Applicant in English) (Name of Applicant in Chinese)
 all health requirements listed as Category A requirements in the Letter of Requirements
 addressed to the abovenamed applicant dated _____ have
 been fully complied with. I have personally verified such compliance by inspection of the
 subject premises on _____. I have read the said Letter of
 (Date of Inspection)

Requirements and understand the contents thereof. I also understand that all matters covered
 by this Certificate will be subject to further verification by the Licensing Authority and that if I
 wilfully or negligently give false or misleading information in this Certificate, I shall render
 myself to be liable to legal and/or other penalties.

_____ Date _____ Signature of authorized person /
 Registered structural engineer*

Registration number : _____

Expiry date of registration : _____

Registered address : _____

Name of company/partnership firm* : _____
 (if authorized person/registered structural engineer* is an
 employee/director/partner* of a company/partnership firm*)

 Company Chop

*Please delete where appropriate

FOOD AND ENVIRONMENTAL HYGIENE DEPARTMENT
CERTIFICATE OF COMPLIANCE B
(BUILDING REQUIREMENTS)

I, _____ (_____),
 (Surname) (Other Names) (Name in Chinese)
 holder of Hong Kong Identity Card number _____, being the authorized person/structural engineer* registered under section 3 of the Buildings Ordinance (Chapter 123 of the Laws of Hong Kong) do hereby certify and declare as follows :

In respect of the premises known as _____
 (Shopsign in English)
 (_____), situated at _____
 (Shopsign in Chinese) (Address of Premises)
 _____ and
 being under application for a Provisional _____ Licence
 by _____ (_____),
 (Name of Applicant in English) (Name of Applicant in Chinese)

all building requirements listed as Category B requirements in the Letter of Requirements addressed to the abovenamed applicant dated _____ have been fully complied with. I have personally verified such compliance by inspection of the subject premises on _____. I have read the said Letter of Requirements and
 (Date of Inspection)

understand the contents thereof. I also understand that all matters covered by this Certificate will be subject to further verification by the Licensing Authority and that if I wilfully or negligently give false or misleading information in this Certificate, I shall render myself to be liable to legal and/or other penalties.

 Date

 Signature of authorized person /
 registered structural engineer*

Registration number : _____

Expiry date of registration : _____

Registered address : _____

Name of company/partnership firm* : _____

(if authorized person/registered structural engineer* is an employee/director/partner* of a company/partnership firm*)

 Company Chop

* Please delete where appropriate.

SAMPLE

- (a) Signature of the fire service installation contractor or its authorized representative if the fire service installation contractor is a company/partnership firm*:

_____	_____
Company Chop	Signature
_____	_____
Registration Number	(Name and HK identity card no. of the authorized representative)

Date	

- (b) Signature of the fire service installation contractor or its authorized representative if the fire service installation contractor is a company/partnership firm*:

_____	_____
Company Chop	Signature
_____	_____
Registration Number	(Name and HK identity card no. of the authorized representative)

Date	

- (c) Signature of the fire service installation contractor or its authorized representative if the fire service installation contractor is a company/partnership firm*:

_____	_____
Company Chop	Signature
_____	_____
Registration Number	(Name and HK identity card no. of the authorized representative)

Date	

Signature of authorized person/registered structural engineer or its authorized representative if authorized person/registered structural engineer* is an employee/director/partner* of a company/partnership firm*:

_____	_____
Company Chop	Signature
_____	_____
Date	(Name and HK identity card no. of the authorized representative)

Registration No. : _____ Expiry Date of Registration : _____

Registered Address : _____

Name of company/Partnership firm* : _____

*Please delete where appropriate.

FOOD AND ENVIRONMENTAL HYGIENE DEPARTMENT
CERTIFICATE OF COMPLIANCE D
(VENTILATION REQUIREMENTS)

I, _____ (_____),
(Surname) (Other Names) (Name in Chinese),

holder of Hong Kong Identity Card number _____, being the registered specialist contractor (ventilation works category) under section 8A of the Buildings Ordinance (Chapter 123 of the Laws of Hong Kong) do hereby certify and declare as follows :

In respect of the premises known as _____
(Shopsign in English)

(_____), situated at _____
(Shopsign in Chinese) (Address of Premises)

_____ and
being under application for a Provisional _____ Licence
by _____ (_____),
(Name of Applicant in English) (Name of Applicant in Chinese)

all ventilation requirements listed as Category D requirements in the Letter of Requirements addressed to the abovenamed applicant dated _____ have been fully complied with. I have personally verified such compliance by inspection of the subject premises on _____. I have read the said Letter of Requirements
(Date of Inspection)

and understand the contents thereof. I also understand that all matters covered by this Certificate will be subject to further verification by the Licensing Authority and that if I wilfully or negligently give false or misleading information in this Certificate, I shall render myself to be liable to legal and/or other penalties.

Date

Signature of registered
specialist contractor (ventilation works category)

Registered address : _____

Name of company/partnership firm* : _____
(if the ventilation contractor
is a company/partnership*)

Company Chop

*Please delete where appropriate.