

A Guide to Applicants/Licensees on Procedures of Applying for Issue and Transfer of Food Business Licences on –

- (i) Certification of Free of Unauthorized Building Works (UBW)**
- (ii) Compliance with Government Lease Conditions**
- (iii) Compliance with [†]Statutory Plan Restrictions**

A. New policies

1. With effect from 18 April 2006, the following three new licensing policies have come into operation –

- (i) Free of UBW at food premises of restaurant, factory canteen, cold store, food factory, fresh provision shop and bakery licences;
- (ii) Compliance with Government lease conditions in respect of all food business licences including restaurant, factory canteen, cold store, food factory, bakery, frozen confection factory, fresh provision shop, siu mei and lo mei shop and milk factory licences; and
- (iii) Compliance with statutory plan restrictions in respect of all food business licences including restaurant, factory canteen, cold store, food factory, bakery, frozen confection factory, fresh provision shop, siu mei and lo mei shop and milk factory licences.

2. The new policies will apply to-

- (i) New applications for food business licences received on or after 18 April 2006;
- (ii) Change of licence applicant on or after 18 April 2006 for existing licence applications received before 18 April 2006; and
- (iii) Transfer of food business licences on or after 18 April 2006.

[†] Statutory Plan refers to plan prepared and published by the Town Planning Board under the Town Planning Ordinance.

B. New Arrangements

(i) Certification of Free of UBW in Food Premises

(a) New Applications for Food Business Licences

(I) *Premises in Private Buildings*

3. New applications for food business licences in private buildings are subject to the new regulatory framework as follows-

- (a) To facilitate assessment of the existence of UBW, applicants will be required at the time of application to indicate existing UBW and proposed UBW according to items (n) & (o) of the *Note at Annex on the proposed floor plans/layout plans and ventilation plans (*an extra copy of plan in addition to normal submission of 3 copies of plan is required if referral to District Lands Office is needed*).
- (b) If UBW are detected on the proposed layout and ventilation plans submitted or during any site inspections, the applicant will need either to remove the UBW, or obtain Buildings Department (BD)'s approval of the building works, as one of the requirements for the issue of licence.
- (c) The premises under application are free from UBW shall be certified by a recognized professional (such as an authorized person or a registered structural engineer (APs/RSEs) registered under section 3 of the Buildings Ordinance (Cap. 123)).

Applicants shall:

- (i) Furnish Certification that the Food Business Premises are free of UBW in accordance with the Guidelines for Authorized Person and Registered Structural Engineer for Certification of Food Business Premises free of Unauthorized Building Works (Guidelines UBW-1 to UBW-4) issued by the Director of Buildings, Director of Lands, Independent Checking Unit of Housing Department or Director of Architectural Services as appropriate.
- (ii) In case of different UBW in the food business premises are to be certified by different APs/RSEs, each AP/RSE should submit a separate certification (Form UBW-1 for Provisional Licence and Form UBW-2 for Full Licence).

- (d) BD will carry out audit checks in respect of certification made by AP/RSE for premises at private buildings whereas Lands Department (Lands D) for food premises in New Territories Exempted Houses.
- (e) A provisional or full licence so issued may be cancelled if UBW are subsequently detected.

(II) Premises in Housing Authority's Properties / the Properties Divested to The Link Management Limited (The Link)

4. The procedures in paragraph 3 above will apply except that Independent Checking Unit of HD will assume the role of BD.

(III) Premises in other Government Properties

5. The procedures in paragraph 3 above will apply except that Arch SD will assume the role of BD.

(b) Change of licence applicant on or after 18 April 2006 for existing licence applications received before 18 April 2006

6. In case there is change of licence applicant on or after 18 April 2006 for existing licence applications received before 18 April 2006, the prospective licence applicant will be required to follow the new arrangement as outlined in paragraphs 3-5 above.

(c) Transfer of Food Business Licences

7. For transfer of food business licence, the transferee of an existing food business licence is required to obtain certification from AP/RSE that the premises are free from UBW. The transferee is required to follow the course of actions as set out in paragraphs 3 to 5 above (as appropriate) for submission of Form UBW-1 and Form UBW-2 for transfer of provisional and full food business licences respectively. FEHD will *not process* application for transfer of a food business licence if the professional certification is not submitted at the time of application.

(d) Non-availability of approved plans in private buildings

8. For cases where approved plans in private buildings (excluding New Territories Exempted Houses) are not available, for instance, pre-war buildings

and premises without official records, AP/RSE may seek advice from case officers of BD. BD will assist in certification of free of UBW on individual case basis. AP/RSE is required to confirm certification upon BD's advice.

(ii) Compliance with Government Lease Conditions

(a) New Applications for Food Business Licences

(I) Premises in Private Buildings

9. New licence applicant will be required to make a declaration that the use of the premises for the proposed food business does not violate any Government lease conditions (Declaration Form, FEHB 192). FEHD will ***not process*** application for the issue of a food business licence if the lease declaration is not submitted at the time of application for food premises at private properties.

(II) Premises in Housing Authority's Properties / the Properties Divested to The Link / Government Properties

10. On receipt of new applications at these premises, FEHD will seek comments on whether the proposed food business is in compliance with the designated trade under the tenancy agreement from the department/organization concerned e.g. HD for food premises in Housing Authority's properties, The Link for the divested Housing Authority's properties or the owner department concerned, such as Leisure and Cultural Services Department for food premises at civic centre / swimming pool. FEHD will ***not process*** application for the issue of a food business licence if the proposed food business is not a designated trade for food premises in Housing Authority's properties, the divested Housing Authority's properties or in Government properties.

(b) Change of Licence Applicant on or after 18 April 2006 for Existing Food Business Licence Applications received before 18 April 2006

(I) Premises in Private Buildings

11. For change of food business licence applicant on or after 18 April 2006 for existing applications in private buildings, FEHD will require the prospective licence applicant to submit a declaration to the effect that the proposed food business at the premises under application is in compliance with Government lease conditions. FEHD will ***not process*** application for the issue of a food business licence if the lease declaration is not submitted at the time of application for change in name of the licence applicant for food premises at

private properties.

(II) Premises in Housing Authority's Properties / the Properties Divested to The Link / Government Properties

12. If there is change in name of the licence applicant on or after 18 April 2006 for existing applications in respect of these properties, FEHD will seek comments from HD, The Link, or the owner department concerned on whether the proposed food business under application is in compliance with the designated trade under the tenancy agreement. FEHD will ***not process*** application for the food business licence if the food business is not a designated trade for food premises in Housing Authority's properties, the divested Housing Authority's properties or in Government properties.

(c) Transfer of Food Business Licences

(I) Premises in Private Buildings

13. In the event of transfer of a food business licence for food premises in private buildings, FEHD will require the transferee to submit a declaration to the effect that the proposed food business at the premises under application for transfer is in compliance with Government lease conditions. FEHD will ***not process*** application for transfer of a food business licence if the lease declaration is not submitted at the time of application for food premises at private properties.

(II) Premises in Housing Authority's Properties / the Properties Divested to The Link / Government Properties

14. FEHD will seek comments from HD, The Link, or the owner department concerned on whether the proposed food business under application for transfer is in compliance with the designated trade under the tenancy agreement. FEHD will ***not process*** application for the transfer of a food business licence if the food business is not a designated trade for food premises in Housing Authority's properties, the divested Housing Authority's properties or in Government properties.

(iii) Compliance with Statutory Plan Restrictions

(a) New Applications / Transfer of Food Business Licences / Change of Licence Applicant on or after 18 April 2006 for Existing Food Business Licence Applications received before 18 April 2006

15. It is a pre-requisite in complying with statutory plan restrictions for

new issue / transfer of food business licence. When receiving applications for new issue / transfer of food business licences / change of licence applicant on or after 18 April 2006 for existing food business licence applications received before 18 April 2006, FEHD will seek comments from Plan D to confirm if the proposed food business is in compliance with statutory plan restrictions before processing the applications.

C. Sanction System

16. A Full or Provisional Licence so issued or transferred may be cancelled if-

- (i) UBW are subsequently detected when the professional certificate subject to further examination, auditing and verification by the BD, Lands D, HD or Arch SD (as appropriate), and that the information in those certifications is found to be false, incorrect or misleading, whether willfully so or otherwise. The responsible recognized professional(s) will be liable to disciplinary action under Section 7 of the Buildings Ordinance and/or other legal penalties; or
- (ii) Lands D confirms that the operation of food business at the premises is in breach of Government lease conditions or the declaration on compliance with Government lease conditions is false.

Food and Environmental Hygiene Department
April 2006

Annex

Note * The proposed floor plans/layout plans should contain the following particulars –

- (a) space allocated to the cooking, preparation and handling of food;
- (b) space allocated to the storage of any kind of exposed food;
- (c) space allocated to the serving of meals to customers;
- (d) space allocated to the cleansing, sterilizing, drying and storage of utensils;
- (e) sanitary fitments and drainage works;
- (f) cloak rooms, passageways and open spaces;
- (g) all means of exit, entry and internal circulation;
- (h) all windows, ducts providing ventilation and means of mechanical ventilation;
- (i) the siting of all furniture and equipment of a substantial and permanent nature, including food manufacturing and preparation plant, cooking ranges, sterilizers, dish-washing machines, refrigeration and cooling equipment, fixed sideboards, washbasins and sinks, drying racks and water tanks;
- (j) means of refuse storage and disposal;
- (k) the type of fuel to be annotated. If liquid fuel is used, the location of the fuel tank and its capacity should be indicated on the layout plan;
- (l) the extent of raised floor area should be indicated;
- (m) fire services details in paragraph 56 of “A Guide to Application for Restaurant Licences”;
- (n) existing UBW within the interior and attached to or extending from the licensed premises that will be demolished before the issue of provisional licence or full licence; and

- (o) proposed UBW that need NOT be included in the Free of UBW Certification, within interior and attached to or extending from the licensed premises in connection with the food business. Position and major dimensions of these UBW should be indicated on the layout plan.

**Certification of Food Business Premises Free of Unauthorized Building Works
Guidelines for Authorized Persons and Registered Structural Engineers
(Applicable to Private Buildings excluding the divested Housing Authority's Properties)**

Introduction

The following guidelines are provided for authorized persons (AP) and registered structural engineers (RSE) who are commissioned to certify that food business premises are free of unauthorized building works (UBW) required by the Licensing Authority.

Unauthorized Building Works

2. Buildings and building works are defined in section 2 of the Buildings Ordinance (BO). Unless exempted under section 41(3) and 41(3A) of the BO, buildings erected or building works carried out without the prior approval and consent from the Building Authority (BA) are UBW.

3. To verify if any buildings or building works are unauthorized, the AP/RSE are advised to examine the approved plans of the subject building including the approved plans for all alteration and addition (A&A) works relating to the premises in question and, if any, the record plans. For A&A works, the AP/RSE should check if the completed works have been certified under the BO and accepted by the BA.

Scope and Extent of AP/RSE's Certification

4. For the purpose of certifying that food business premises are free of UBW, the AP/RSE should check the existence of any UBW within the food business premises (e.g. unauthorized slabs covering approved cockloft/staircase voids, removal of approved facilities for persons with a disability), UBW attached to or extending from the external walls of the food business premises (e.g. metal frames for cooling towers) and UBW located off the premises but directly associated with or serving the premises under application *(e.g. metal frames for air-conditioning plants).

5. The certification system, as regards free of UBW, does not include UBW attached to the external walls or on the approved roofs of the food business premises if such UBW are being used to serve premises other than the food business premises.

* For the avoidance of doubt, if the food business premises under application is served by the central air-conditioning plant of the building in which the premises is situated, those ventilation ducts, associated frames and related branching off accessories of the central plant serving the premises need not be included in the certification subject to compliance with item (f) of paragraph 6.

6. Subject to para. 4, the following types of UBW need not be included in the certification. However, the AP/RSE should make a visual inspection and satisfy himself that such UBW are not in dilapidated or dangerous condition. Any certification with structural justification, if required, should be submitted prior to the application for full licence and transfer of licence.

- (a) Continuous unauthorized canopies or overhead projections serving both the premises and other premises and that the portion of the canopy or projection serving the premises under application is not more than 50% of the total length of the canopy or projection;
- (b) Lightweight canopies projecting not more than 500mm beyond the building line and having a minimum vertical clearance of 2.5m;
- (c) Lightweight shopfront overhead projections not more than 600mm beyond the building line and having a minimum vertical clearance of 2.5m;
- (d) Lightweight decorative shopfront extensions/projections of not more than 300mm beyond the building line;
- (e) Existing signboards not resting on or suspended from approved canopies and with the area of the largest planer surface of the prescribed prism being less than 30m² ('prescribed prism' means the smallest virtual rectangular prism which can contain all parts of the signboard, including its supporting structure but excluding structural members solely for preventing lateral movement of the signboard);
- (f) Supporting frames projecting not more than 600mm from the external wall and at a height not less than 2.5m from the ground for air-conditioning units and vent ducts;
- (g) Supporting frames not resting on approved suspended slabs and less than 600mm high for air-conditioning plants;
- (h) Supporting frames resting on approved roofs/slabs and less than 600mm high for air-conditioning plants;

- (i) Supporting frames suspended from the approved floor slabs for air-conditioning plants if such frames are certified, with supporting calculations, to be structurally safe. For the avoidance of doubt, ventilation ducts and associated accessories for the air-conditioning units wholly within the licensed premises not passing through compartment walls/floors and with a minimum vertical headroom of 2m need not be included in the certification;
- (j) Existing openings on or slabs over existing floors for food hoists and pipe ducts if such openings or slabs are certified, with supporting calculations, to be structurally safe and any slabs should not result in additional gross floor area under the Building (Planning) Regulations;
- (k) Hollow raised platforms within approved premises with a height not greater than 600mm and not hindering the access for persons with a disability;
- (l) Hollow raised platforms with a height between 600mm to 2000mm within approved premises if such platforms are certified, with supporting calculations, to be structurally safe and not hindering the access for persons with a disability;
- (m) Removal of internal staircases not involving unauthorized strengthening works if such removal is certified, with supporting calculations, to be structurally safe;
- (n) Kitchens and toilets within approved premises and drainage works certified as being in proper function and properly connected;
- (o) Small storage chamber for LPG cylinders with an aggregate capacity not exceeding 130L and complying with “LPG Installation for Catering Purposes in Commercial Premises” issued by the Electrical and Mechanical Services Department; and
- (p) Grease traps suspended from the approved slab if such grease traps are certified, with supporting calculations, to be structurally safe.

Where structural assessment is made, the supporting calculations should be prepared in accordance with the guidelines at Appendix A.

7. A list of typical UBW in food business premises and a checklist for carrying out certification are at Appendices B and C for general reference. The UBW described in Appendix B should not be taken as exhaustive.

8. For removal of UBW, reference should be made to the “Guidelines for the Removal of Typical Unauthorized Building Works and General Maintenance of External Walls” published by the Buildings Department.

9. The guidelines provided in paragraph 6 are for the purpose of application for a food business licence and transfer of a licence from the Licensing Authority only. The operators should be reminded that future action may be taken under sections 24 and 40 of the BO to secure removal or rectification of these UBW by the Buildings Department in accordance with the prevailing enforcement policy.

Records of Completed Building Works

10. Except for pre-war buildings and buildings falling within the purview of the Buildings Ordinance (Application to New Territories) Ordinance, the approved plans and structural calculations for completed private buildings and A&A works thereon may be viewed in the Building Information Centre of BD at 13/F of Pioneer Centre, 750 Nathan Road, Kowloon (tel. no.: 2626 1207) upon application and payment of the requisite fee. Certified copies of plans and documents are available upon submission of an application form together with the payment of the requisite fee. Application forms may be obtained from the Information Counter on 12/F of Pioneer Centre, 750 Nathan Road, Kowloon or by downloading soft copies from the website <http://www.info.bd.gov.hk>.

Enquiries

11. For specific enquiries, please approach the Licensing Unit of BD at 12/F of Pioneer Centre, 750 Nathan Road, Kowloon (tel. no. 2626 1257 – handled by “1823 Citizen’s Easy Link” of the Government).

Buildings Department
August 2006

Information and Assessment to be included in the Supporting Structural Calculations

1. General Requirements

- (a) Whilst the structural members of the UBW should be checked under the current Building Regulations, all approved structural elements should be checked in accordance with the original design principle and the prevailing codes of practice at the time of construction.
- (b) The imperial units shown in the approved plan and/or original design calculations should be converted to metric units for easy reference.
- (c) The structural integrity of the affected structures should be checked in accordance with the minimum imposed loads stipulated in Regulation 17 of the Building (Construction) Regulations.

2. Fundamental Information and Assessments (if applicable)

- (a) The original design data retrieved from the approved plan and/or original design calculations, such as material specifications, permissible stress and design imposed load should be given.
- (b) Relevant structural framing part plans should be submitted to show the affected portion of existing structures.
- (c) Relative disposition of the additional elements such as partition walls, raised screeding, walk-in freezers, fish tanks, water pools, over hanging air-conditioning units and cooling towers should be shown on the structural framing part plans with appropriate setting out dimensions.
- (d) The weight of all additional elements, such as partition walls and raised screeding, should be conformed with the type, size, thickness and density of the construction materials resulting from these additional works.
- (e) The structural adequacy of the existing structures arising from the total combined loadings should be demonstrated.

3. Specific Information (if applicable)

- (a) The manufacturer's catalogue and specification of the relevant plants and equipment should be attached in order to substantiate the design operational weight.
- (b) The design of steel frame supporting the relevant plants or equipment should be submitted. The connection details of these steel members and fixing details into existing structures should also be given.
- (c) Depending on the circumstances of individual cases, additional information and assessment may be required.

**New Issue or Transfer of Food Business Licence
Typical Unauthorized Building Works Requiring Removal/Rectification**

1. Unauthorized rooftop/flat roof/yard structures
2. Unauthorized structures on or suspended from approved canopies.
3. Unauthorized canopies/projections /extensions/cladding.
4. Unauthorized signboards resting on or suspended from approved canopies.
5. Unauthorized support frames for vent ducts.
6. Unauthorized supporting frames for air-conditioning or ventilating plants.
7. Unauthorized obstructions to smoke vents.
8. Unauthorized alteration or removal of compartment walls or fire resisting walls/shutters/doors not complying with fire and structural safety requirements.
9. Unauthorized slabs filling up approved voids.
10. Unauthorized openings through slabs.
11. Unauthorized cocklofts, intermediate floors or floor extensions.
12. Unauthorized staircases.
13. Unauthorized removal, partial removal or alteration of staircases.
14. Unauthorized removal, partial removal or alteration of structural members.
15. Unauthorized removal of approved facilities for persons with a disability (e.g toilet or access ramp) and unauthorized building works which hinder the access to the food business premises for persons with a disability (e.g. raised platform in seating areas).
16. Unauthorized alterations and additions works contravening the provisions of the Buildings Ordinance (e.g. sub-division of a floor into separate units not complying with the fire and structural safety requirements, conversion of plant rooms/car parks to usable floor areas for licensing, obstruction of means of escape from the premises or the parent building, etc.).

**Checklist for Certifying Food Business Premises
Free of Unauthorized Building Works (UBW)**

Part 1 – General Information

Address of Premises : _____ Lot No. _____

Part 2 – Examination of Approved Records

	Yes	N/A
Approved plans for the parent buildings		
Approved plans for all alterations and additions (A&A) works affecting the subject premises		
Record plan of completed A&A works affecting the subject premises		
Completion certification of A&A works affecting the subject premises		
Building Authority’s acknowledgement of the completion certification of A&A works affecting the subject premises		

Part 3 – Site Inspection

- (i) Prior to site inspection, the findings in Part 2 and the guidelines should be studied.
- (ii) When conducting the site inspection, reference should be made to the copy of the latest set of approved plans including those for A&A works with Building Authority’s acknowledgement.

	Yes	No
UBW within the premises, attached to or extended from the external walls of the premises, or located off the premises but directly associated with or serving the premises	<input type="checkbox"/> itemize all UBW with detailed description including their condition, essential dimensions and location <input type="checkbox"/> record on a copy of approved plans, and <input type="checkbox"/> take record photos.	

Part 4 – Submission of Certification

Complete the certificate and submit all the required supporting documents and structural justification, if applicable.

**Certification of Food Business Premises Free of
Unauthorized Building Works in respect of
New Territories Exempted Houses
Guideline for Authorized Persons and Registered Structural Engineers**

Introduction

This guideline is provided for authorized persons (APs) and registered structural engineers (RSEs) who are commissioned to certify that food business premises are free of unauthorized building works (UBW) in respect of New Territories Exempted Houses (NTEHs) required by the Licensing Authority. In this certification exercise, the APs/RSEs should first check with the requirements stipulated in the Buildings Department Guidelines before certifying that the food premises under application is free of UBW.

Definition of New Territories Exempted Houses

2. NTEHs which are covered by the Buildings Ordinance (Application to the New Territories) Ordinance (Cap 121) are houses not exceeding 65.03m² (700 ft.²) in area, 3 storeys and 8.23m (27 ft.) in height. Small Houses are NTEHs built in accordance with the Small House Policy under which male indigenous villagers in the New Territories are allowed to build a house on Government land upon payment of a concessionary premium or on his private agricultural land. As all Small Houses must be built in compliance with the provisions of Cap 121, they are all NTEHs.

3. On the other hand, NTEHs are not necessarily Small Houses. There are many house lots in the New Territories which are not granted under the Small House Policy. Examples include ‘old schedule’ house lots and ‘new grant’ house lots. Owners of these ‘old schedule’ and ‘new grant’ house lots may apply to the respective District Lands Officers to build houses in compliance with the provisions of Cap 121.

4. In short, for the purpose of this guideline, NTEHs refer to houses built in compliance with Cap 121 under the Small House Policy, on ‘old schedule’ house lots or ‘new grant’ house lots, as long as the houses are not bigger than 65.03m², not higher than 8.23m and not exceeding 3 storeys.

Unauthorized Building Works

5. To verify whether there are UBW in an NTEH, the APs/RSEs are advised to examine the lease in respect of the NTEH, the certificates of exemption in respect of site formation, building works and drainage works (if the NTEH is erected after October 1987) and the certificate of compliance. In case if the NTEH is an 'old schedule' house lot or a 'new grant' house lot where approval for redevelopment has been given by the respective New Territories District Lands Officer, the APs/RSEs are advised to also examine the letter of approval for redevelopment and the letter of 'No objection to occupy'. Except the lease conditions which can be found in the Land Registry, certified true copy of the abovementioned documents (if available) can be obtained from the respective New Territories District Lands Offices upon payment of the relevant fees and charges. Application forms (LAOVIC_001) may be obtained from the Village Improvement and Lease Enforcement/Land Control Section of Lands Department at 22/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong or download from Lands Department's Homepage.

6. This guideline is drawn up for APs/RSEs for the purpose of new issue and transfer of food business licences only. It does not prejudice Lands Department's or Buildings Department's rights to take enforcement actions if they detect UBW in the licensed food business premises or if there are other breaches of the leases or land grants. Lands Department reserves its rights to determine if any building works in licensed food business premises are UBW and if there are/have been other breaches of the leases or land grants and to take such enforcement or other actions as it considers appropriate.

7. Nothing contained in this guideline shall be treated or considered as giving rise to any representation or expectation that NTEHs shall be permitted to be used as food business premises or for purposes other than those permitted under the relevant leases or land grants.

Enquiries

8. Enquiries may be made at Village Improvement and Lease Enforcement/Land Control Section of Lands Department at 22/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong (Tel. No. 2231 3575).

Lands Department
April 2006

APPLICATION FORM FOR COPYING OF DOCUMENTS

(USE ONE FORM FOR EACH PREMISES)

I. PARTICULARS OF THE PREMISES – to be completed by the applicant in BLOCK letters

- (a) D.D./Lot No. : _____
(b) Address : _____
(c) District : _____

II. DETAILS OF SERVICES REQUESTED – to be completed by the applicant

No.	Services Requested	*Please ‘√’
1.	Certified true copy of C of E respect of building works	
2.	Certified true copy of C of E respect of site formation	
3.	Certified true copy of C of E respect of drainage of works	
4.	Certified true copy of certificate of compliance	
5.	Certified true copy of Approved Letter of Redevelopment of Old Schedule/New Grant House Lot	
6.	Certified true copy of letter of ‘No objection to occupy’	

III. DECLARATION OF THE APPLICANT (AP/RSE)

I/We hereby declare that the information in the above documents will be used for ensuring compliance with the provisions of the Buildings Ordinance or any other enactment

- i.e. * licensing application _____ (state the type of license).
 * others _____ (state the purpose).

AND I/We hereby undertake that I/we will not use the information so obtained for any other purposes and pay the prescribed fee(s).

Name : _____ Tel No. : _____ Fax No. : _____

Address : _____

Signature : _____ Date : _____

- Notes : 1. The personal data provided in this application form will be used by the District Lands Office for the processing of this application. The provision of personal data by means of this form is voluntary. However, if you do not provide sufficient information, the District Lands Office may not be able to process your application.
2. The completed application form should be submitted in person to the relevant District Lands Offices whose addresses are listed overleaf.

District Lands Office	Address	Telephone	Fax
District Lands Office/Islands	19th floor, Harbour Building, 38 Pier Road, Central, Hong Kong	2852 4265	2850 5104
District Lands Office/North	6th floor, North District Government Offices, 3 Pik Fung Road, Fanling, New Territories	2675 1809	2675 9224 2676 6432
District Lands Office/Shan Tin	11th floor, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories	2158 4700	2602 4093
District Lands Office/Sai Kung	3rd and 4th floors, Sai Kung Government Offices, 34 Chan Man Street, Sai Kung, New Territories	2791 7019	2792 0706
District Lands Office/Tai Po	1st floor, Tai Po Government Offices, Ting Kok Road, Tai Po, New Territories	2654 1263	2650 9896
District Lands Office/Tsuen Wan and Kwai Tsing	10th and 11th floors, Tsuen Wan Station Multi-storey Carpark Building, 174-208 Castle Peak Road, Tsuen Wan, New Territories	2402 1164	2415 0703 2412 0505
District Lands Office/Tuen Mun	6th and 7th floors, Tuen Mun Government Offices, 1 Tuen Hi Road, Tuen Mun, New Territories	2451 1176	2459 0795
District Lands Office/Yuen Long	9th to 11th floors, Yuen Long Government Offices, 2 Kiu Lok Square, Yuen Long, New Territories	2443 3573	2473 3134 2479 9736 2478 8554

**Certification of Food Business Premises Free of Unauthorized Building Works
Guidelines for Authorized Persons and Registered Structural Engineers
(Applicable to Housing Authority's Properties and the divested Housing Authority's Properties)**

Introduction

The following guidelines are provided for authorized persons (AP) and registered structural engineers (RSE) who are commissioned to certify that food business premises are free of unauthorized building works (UBW) required by the Licensing Authority with respect to the Housing Authority's (HA) properties and the divested HA's properties.

Unauthorized Building Works

2. Buildings and building works are defined in section 2 of the Buildings Ordinance (BO). Unless exempted under section 41(3) and 41(3A) of the BO, buildings erected or building works carried out without the prior approval and consent from the Building Authority (BA) are UBW.

3. The Independent Checking Unit (ICU) of the Housing Department (HD) administers the building control of the divested HA's properties to which the BO applies, under the delegated authority from the BA. Although the HA's properties which are under the control of the Housing Ordinance are exempted from the BO, same policy applies with respect to unauthorized building works.

4. To verify if any buildings or building works are unauthorized, the AP/RSE are advised to examine the records of the subject building including the latest layout and fitting out plan accepted by the HD, and the plans for all alteration and addition (A&A) works relating to the subject premises approved by the ICU of HD, if any. For any A&A works, the AP/RSE should check with the ICU of HD if any such works have been certified completion and such certification have been accepted by the ICU of HD.

(a) *For food premises in HA's properties:-*

The applicant or his AP/RSE should obtain from the Housing Manager (HM) or the Property Service Manager (PSM) of the HD a true copy of the latest layout and fitting out plan together with the respective confirmation letter of no objection to the fitting out works issued by the HD so that the AP/RSE can make reference to it for certifying if the premises is free from UBW.

(b) *For food premises in divested HA's properties:-*

The applicant or his AP/RSE should obtain from The Link a true copy of the layout and fitting out plan accepted by the HD together with the respective confirmation letter of no objection to the fitting out works issued by the HD before 25 November 2005 for verification of UBW.

Scope and Extent of AP/RSE's Certification

5. For the purpose of certifying that food business premises are free of UBW, the AP/RSE should check the existence of any UBW within the food business premises (e.g. unauthorized slabs covering approved cockloft/staircase voids, removal of approved facilities for persons with a disability), UBW attached to or extending from the external walls of the food business premises (e.g. metal frames for cooling towers) and UBW located off the premises but directly associated with or serving the premises under application * (e.g. metal frames for air-conditioning plants).

6. The certification system, as regards free of UBW, does not include UBW attached to the external walls or on the approved roofs of the food business premises if such UBW are being used to serve premises other than the food business premises.

7. Subject to paragraph 5 above, the following types of UBW need not be included in the certification. However, the AP/RSE should make a visual inspection and satisfy himself that such UBW are not in dilapidated or dangerous condition. Any certification with structural justification, if required, should be submitted prior to the application for full licence and transfer of licence.

- (a) Continuous unauthorized canopies or overhead projections serving both the premises and other premises and that the portion of the canopy or projection serving the premises under application is not more than 50% of the total length of the canopy or projection;
- (b) Lightweight canopies projecting not more than 500mm beyond the building line and having a minimum vertical clearance of 2.5m;
- (c) Lightweight shop front overhead projections not more than 600mm beyond the building line and having a minimum vertical clearance of 2.5m;

* For the avoidance of doubt, if the food business premises under application is served by the central air-conditioning plant of the building in which the premises is situated, those ventilation ducts, associated frames and related branching off accessories of the central plant serving the premises need not be included in the certification subject to compliance with item (f) of paragraph 7.

- (d) Lightweight decorative shop front extensions/projections of not more than 300mm beyond the building line;
- (e) Existing signboards not resting on or suspended from approved canopies and with the area of the largest planer surface of the prescribed prism being less than 30m² ('prescribed prism' means the smallest virtual rectangular prism which can contain all parts of the signboard, including its supporting structure but excluding structural members solely for preventing lateral movement of the signboard)
- (f) Supporting frames projecting not more than 600mm from the external wall and at a height not less than 2.5m from the ground for air-conditioning units and vent ducts;
- (g) Supporting frames not resting on approved suspended slabs and less than 600mm high for air-conditioning plants;
- (h) Supporting frames resting on approved roofs/slabs and less than 600mm high for air-conditioning plants;
- (i) Supporting frames suspended from the approved floor slabs for air-conditioning plants if such frames are certified, with supporting calculations, to be structurally safe. For the avoidance of doubt, ventilation ducts and associated accessories for the air-conditioning units wholly within the licensed premises not passing through compartment walls/floors and with a minimum vertical headroom of 2m need not be included in the certification;
- (j) Existing openings on or slabs over existing floors for food hoists and pipe ducts if such openings or slabs are certified, with supporting calculations, to be structurally safe and any slabs should not result in additional gross floor area under the Building (Planning) Regulations;
- (k) Hollow raised platforms within approved premises with a height not greater than 600mm and not hindering the access for persons with a disability;
- (l) Hollow raised platforms with a height between 600mm to 2000mm within approved premises if such platforms are certified, with supporting calculations, to be structurally safe and not hindering the access for persons with a disability;

- (m) Removal of internal staircases not involving unauthorized strengthening works if such removal is certified, with supporting calculations, to be structurally safe;
- (n) Kitchens and toilets within approved premises and drainage works certified as being in proper function and properly connected;
- (o) Small storage chamber for LPG cylinders with an aggregate capacity not exceeding 130L and complying with “LPG Installation for Catering Purposes in Commercial Premises” issued by the Electrical and Mechanical Services Department; and
- (p) Grease traps suspended from the approved slab if such grease traps are certified, with supporting calculations, to be structurally safe.

Where structural assessment is made, the supporting calculations should be prepared in accordance with the guidelines at Appendix A.

8. A list of typical UBW in food business premises and a checklist for carrying out certification are at Appendices B and C for general reference. The UBW described in Appendix B should not be taken as exhaustive.

9. For removal of UBW, reference should be made to the “Guidelines for the Removal of Typical Unauthorized Building Works and General Maintenance of External Walls” published by the Buildings Department (BD).

10. The guidelines provided in paragraph 7 are for the purpose of application for a food business licence and transfer of a licence from the Licensing Authority only. The operators should be reminded that future action may be taken under sections 24 and 40 of the BO to secure removal or rectification of these UBW by the ICU of HD under the delegated authority from the BA and the BD respectively.

Records of Completed Building Works

11. Plans and structural calculations for A&A works approved by the ICU of HD may be viewed at the ICU of HD on 10/F of Lung Cheung Office Block, 138 Lung Cheung Road, Wong Tai Sin, Kowloon (tel. no.: 3162 0488) upon application and payment of the requisite fee. Certified copies of such approved plans are available upon submission of an application form together with the payment of the requisite fee. Application forms may be obtained from the reception counter on 10/F of Lung Cheung Office Block, 138 Lung Cheung Road, Wong Tai Sin, Kowloon.

Enquiries

12. For specific enquiries, please write to the ICU of HD, 10/F of Lung Cheung Office Block, 138 Lung Cheung Road, Wong Tai Sin, Kowloon (tel. no.: 3162 0488).

Housing Department

August 2006

Information and Assessment to be included in the Supporting Structural Calculations

1. General Requirements

- (a) Whilst the structural members of the UBW should be checked under the current Building Regulations, all approved structural elements should be checked in accordance with the original design principle and the prevailing codes of practice at the time of construction.
- (b) The imperial units shown in the approved plan and/or original design calculations should be converted to metric units for easy reference.
- (c) The structural integrity of the affected structures should be checked in accordance with the minimum imposed loads stipulated in Regulation 17 of the Building (Construction) Regulations.

2. Fundamental Information and Assessments (if applicable)

- (a) The original design data retrieved from the approved plan and/or original design calculations, such as material specifications, permissible stress and design imposed load should be given.
- (b) Relevant structural framing part plans should be submitted to show the affected portion of existing structures.
- (c) Relative disposition of the additional elements such as partition walls, raised screeding, walk-in freezers, fish tanks, water pools, over hanging air-conditioning units and cooling towers should be shown on the structural framing part plans with appropriate setting out dimensions.
- (d) The weight of all additional elements, such as partition walls and raised screeding, should be conformed with the type, size, thickness and density of the construction materials resulting from these additional works.
- (e) The structural adequacy of the existing structures arising from the total combined loadings should be demonstrated.

3. Specific Information (if applicable)

- (a) The manufacturer's catalogue and specification of the relevant plants and equipment should be attached in order to substantiate the design operational weight.
- (b) The design of steel frame supporting the relevant plants or equipment should be submitted. The connection details of these steel members and fixing details into existing structures should also be given.
- (c) Depending on the circumstances of individual cases, additional information and assessment may be required.

New Issue or Transfer of Food Business Licence Typical Unauthorized Building Works Requiring Removal/Rectification

1. Unauthorized rooftop/flat roof/yard structures
2. Unauthorized structures on or suspended from approved canopies.
3. Unauthorized canopies/projections /extensions/cladding.
4. Unauthorized signboards resting on or suspended from approved canopies.
5. Unauthorized support frames for vent ducts.
6. Unauthorized supporting frames for air-conditioning or ventilating plants.
7. Unauthorized obstructions to smoke vents.
8. Unauthorized alteration or removal of compartment walls or fire resisting walls/shutters/doors not complying with fire and structural safety requirements.
9. Unauthorized slabs filling up approved voids.
10. Unauthorized openings through slabs.
11. Unauthorized cocklofts, intermediate floors or floor extensions.
12. Unauthorized staircases.
13. Unauthorized removal, partial removal or alteration of staircases.
14. Unauthorized removal, partial removal or alteration of structural members.
15. Unauthorized removal of approved facilities for persons with a disability (e.g. toilet or access ramp) and unauthorized building works which hinder the access to the food business premises for persons with a disability (e.g. raised platform in seating areas).
16. Unauthorized alterations and additions works contravening the provisions of the Buildings Ordinance (e.g. sub-division of a floor into separate units not complying with the fire and structural safety requirements, conversion of plant rooms/car parks to usable floor areas for licensing, obstruction of means of escape from the premises or the parent building, etc.).

**Checklist for Certifying Food Business Premises
Free of Unauthorized Building Works (UBW)
(applicable to Housing Authority’s (HA) Properties and the divested HA’s Properties)**

Part 1 – General Information

Address of Premises: _____

Lot No./Vesting Order No. _____

Part 2 – Examination of Records

	Yes	N/A
(a) Obtain from the Housing Department (HD) or The Link regarding the latest layout plan of the subject premises which has been accepted by the Housing Department (HD)		
(b) Obtain from the HD or The Link regarding the latest fitting out plan of the subject premises which has been accepted by the HD		
(c) Obtain from HD or The Link regarding the confirmation letter of no objection to the fitting out works relating to (b) issued by the HD		
(d) Check with the Independent Checking Unit (ICU) of HD regarding plans for all alteration and addition (A&A) works approved by the ICU which may affect the subject premises		
(e) Check with the ICU of HD regarding record plans of completed A&A works acknowledged by the ICU which may affect the subject premises		
(f) Check with the ICU of HD for any completion certification of A&A works affecting the subject premises		
(e) Check with the ICU whether ICU has acknowledged any completion certification of A&A works affecting the subject premises		

Part 3 – Site Inspection

- (i) Prior to site inspection, the findings in Part 2 and the guidelines should be studied.
- (ii) When conducting the site inspection, reference should be made to the copy of the latest layout and fitting out plans accepted by the HD which are obtained from the HD or The Link, including those for A&A works with ICU’s acknowledgement.

	Yes	No
UBW within the premises, attached to or extended from the external walls of the premises, or located off the premises but directly associated with or serving the premises	<input type="checkbox"/> itemize all UBW with detailed description including their condition, essential dimensions and location <input type="checkbox"/> record on a copy of the latest layout plan accepted by the HD, and <input type="checkbox"/> take record photos.	

Part 4 – Submission of Certification

Complete the certificate and submit all the required supporting documents and structural justification, if applicable, together with the true copy of the latest layout and fitting out plan and the respective confirmation letter of no objection to the fitting out works issued by the HD.

**Certification of Food Business Premises Free of Unauthorized Building Works
Guidelines for Authorized Persons and Registered Structural Engineers
(applicable to Government Properties)**

Introduction

The following guidelines are provided for authorized persons (AP) and registered structural engineers (RSE) who are commissioned to certify that food business premises are free of unauthorized building works (UBW) required by the Licensing Authority with respect to Government properties.

Unauthorized Building Works

2. Buildings and building works are defined in section 2 of the Buildings Ordinance (BO). Unless exempted under section 41(3) and 41(3A) of the BO, buildings erected or building works carried out without the prior approval and consent from the Building Authority (BA) are UBW. Although Government properties in general are exempted from the BO, the parts of property which are subject to a lease or tenancy agreement are not exempted. Applications for building works are administered by Architectural Services Department (ArchSD) under the delegated authority from the BA.

3. To verify if any buildings or building works are unauthorized, the AP/RSE are advised to approach the Drawing Office of ArchSD to examine the records of the subject building including the latest layout and fitting out plans accepted by the ArchSD, and the plans for all alteration and addition (A&A) works relating to the subject premises approved by ArchSD, if any. For any A&A works, the AP/RSE should check if the completed works have been certified and accepted by ArchSD.

Scope and Extent of AP/RSE's Certification

4. For the purpose of certifying that food business premises are free of UBW, the AP/RSE should check the existence of any UBW within the food business premises (e.g. unauthorized slabs covering approved cockloft/staircase voids, removal of approved facilities for persons with a disability), UBW attached to or extending from the external walls of the food business premises (e.g. metal frames for cooling towers) and UBW located off the premises but directly associated with or serving the premises under application *(e.g. metal frames for air-conditioning plants).

* For the avoidance of doubt, if the food business premises under application is served by the central air-conditioning plant of the building in which the premises is situated, those ventilation ducts, associated frames and related branching off accessories of the central plant serving the premises need not be included in the certification subject to compliance with item (f) of paragraph. 6.

5. The certification system, as regards free of UBW, does not include UBW attached to the external walls or on the approved roofs of the food business premises if such UBW are being used to serve premises other than the food business premises.

6. Subject to paragraph 4 above, the following types of UBW need not be included in the certification. However, the AP/RSE should make a visual inspection and satisfy himself that such UBW are not in dilapidated or dangerous condition. Any certification with structural justification, if required, should be submitted prior to the application for full licence and transfer of licence.

- (a) Continuous unauthorized canopies or overhead projections serving both the premises and other premises and that the portion of the canopy or projection serving the premises under application is not more than 50% of the total length of the canopy or projection;
- (b) Lightweight canopies projecting not more than 500mm beyond the building line and having a minimum vertical clearance of 2.5m;
- (c) Lightweight shop front overhead projections not more than 600mm beyond the building line and having a minimum vertical clearance of 2.5m;
- (d) Lightweight decorative shop front extensions/projections of not more than 300mm beyond the building line;
- (e) Existing signboards not resting on or suspended from approved canopies and with the area of the largest planer surface of the prescribed prism being less than 30m^2 ('prescribed prism' means the smallest virtual rectangular prism which can contain all parts of the signboard, including its supporting structure but excluding structural members solely for preventing lateral movement of the signboard);
- (f) Supporting frames projecting not more than 600mm from the external wall and at a height not less than 2.5m from the ground for air-conditioning units and vent ducts;
- (g) Supporting frames not resting on approved suspended slabs and less than 600mm high for air-conditioning plants;
- (h) Supporting frames resting on approved roofs/slabs and less than 600mm high for air-conditioning plants;

- (i) Supporting frames suspended from the approved floor slabs for air-conditioning plants if such frames are certified, with supporting calculations, to be structurally safe. For the avoidance of doubt, ventilation ducts and associated accessories for the air-conditioning units wholly within the licensed premises not passing through compartment walls/floors and with a minimum vertical headroom of 2m need not be included in the certification;
- (j) Existing openings on or slabs over existing floors for food hoists and pipe ducts if such openings or slabs are certified, with supporting calculations, to be structurally safe and any slabs should not result in additional gross floor area under the Building (Planning) Regulations;
- (k) Hollow raised platforms within approved premises with a height not greater than 600mm and not hindering the access for persons with a disability;
- (l) Hollow raised platforms with a height between 600mm to 2000mm within approved premises if such platforms are certified, with supporting calculations, to be structurally safe and not hindering the access for persons with a disability;
- (m) Removal of internal staircases not involving unauthorized strengthening works if such removal is certified, with supporting calculations, to be structurally safe;
- (n) Kitchens and toilets within approved premises and drainage works certified as being in proper function and properly connected;
- (o) Small storage chamber for LPG cylinders with an aggregate capacity not exceeding 130L and complying with “LPG Installation for Catering Purposes in Commercial Premises” issued by the Electrical and Mechanical Services Department; and
- (p) Grease traps suspended from the approved slab if such grease traps are certified, with supporting calculations, to be structurally safe.

Where structural assessment is made, the supporting calculations should be prepared in accordance with the guidelines at Appendix A.

7. A list of typical UBW in food business premises and a checklist for carrying out certification are at Appendices B and C for general reference. The UBW described in Appendix B should not be taken as exhaustive.

8. For removal of UBW, reference should be made to the “Guidelines for the Removal of Typical Unauthorized Building Works and General Maintenance of External Walls” published by the Buildings Department (BD).

9. The guidelines provided in paragraph 6 are for the purpose of application for a food business licence and transfer of a licence from the Licensing Authority only. The operators should be reminded that ArchSD may request BD to take action under sections 24 and 40 of the BO to secure removal or rectification of these UBW.

Records of Completed Building Works

10. Record plans may be viewed at the Drawing Office on 6/F of APB Centre, 9 Sung Ping Street, Hunghom, Kowloon (tel. no.: 2773 2419) upon application and payment of the requisite fee. Copies of such record plans are available upon submission of an application form together with the payment of the requisite fee. Application forms may be obtained from the PTO(A)/DO of the Drawing Office.

Enquiries

11. For specific enquiries, please contact SPSM/PM3, 4/F of APB Centre, 9 Sung Ping Street, Hunghom, Kowloon (tel. no.: 2773 2377).

Architectural Services Department
August 2006

Information and Assessment to be included in the Supporting Structural Calculations

1. General Requirements

- (a) Whilst the structural members of the UBW should be checked under the current Building Regulations, all approved structural elements should be checked in accordance with the original design principle and the prevailing codes of practice at the time of construction.
- (b) The imperial units shown in the approved plan and/or original design calculations should be converted to metric units for easy reference.
- (c) The structural integrity of the affected structures should be checked in accordance with the minimum imposed loads stipulated in Regulation 17 of the Building (Construction) Regulations.

2. Fundamental Information and Assessments (if applicable)

- (a) The original design data retrieved from the approved plan and/or original design calculations, such as material specifications, permissible stress and design imposed load should be given.
- (b) Relevant structural framing part plans should be submitted to show the affected portion of existing structures.
- (c) Relative disposition of the additional elements such as partition walls, raised screeding, walk-in freezers, fish tanks, water pools, over hanging air-conditioning units and cooling towers should be shown on the structural framing part plans with appropriate setting out dimensions.
- (d) The weight of all additional elements, such as partition walls and raised screeding, should be conformed with the type, size, thickness and density of the construction materials resulting from these additional works.
- (e) The structural adequacy of the existing structures arising from the total combined loadings should be demonstrated.

3. Specific Information (if applicable)

- (a) The manufacturer's catalogue and specification of the relevant plants and equipment should be attached in order to substantiate the design operational weight.
- (b) The design of steel frame supporting the relevant plants or equipment should be submitted. The connection details of these steel members and fixing details into existing structures should also be given.
- (c) Depending on the circumstances of individual cases, additional information and assessment may be required.

**New Issue or Transfer of Food Business Licence
Typical Unauthorized Building Works Requiring Removal/Rectification**

1. Unauthorized rooftop/flat roof/yard structures
2. Unauthorized structures on or suspended from approved canopies.
3. Unauthorized canopies/projections /extensions/cladding.
4. Unauthorized signboards resting on or suspended from approved canopies.
5. Unauthorized support frames for vent ducts.
6. Unauthorized supporting frames for air-conditioning or ventilating plants.
7. Unauthorized obstructions to smoke vents.
8. Unauthorized alteration or removal of compartment walls or fire resisting walls/shutters/doors not complying with fire and structural safety requirements.
9. Unauthorized slabs filling up approved voids.
10. Unauthorized openings through slabs.
11. Unauthorized cocklofts, intermediate floors or floor extensions.
12. Unauthorized staircases.
13. Unauthorized removal, partial removal or alteration of staircases.
14. Unauthorized removal, partial removal or alteration of structural members.
15. Unauthorized removal of approved facilities for persons with a disability (e.g. toilet or access ramp) and unauthorized building works which hinder the access to the food business premises for persons with a disability (e.g. raised platform in seating areas).
16. Unauthorized alterations and additions works contravening the provisions of the Buildings Ordinance (e.g. sub-division of a floor into separate units not complying with the fire and structural safety requirements, conversion of plant rooms/car parks to usable floor areas for licensing, obstruction of means of escape from the premises or the parent building, etc.).

**Checklist for Certifying Food Business Premises
Free of Unauthorized Building Works (UBW)
(applicable to Government Properties)**

Part 1 – General Information

Address of Premises: _____

Part 2 – Examination of Records

	Yes	N/A
(a) Record layout and fitting out plans		
(b) Approved plans for all alteration and addition (A&A) works affecting the subject premises		
(c) Record plans of completed A&A works affecting the subject premises		
(d) Completion certification of A&A works affecting the subject premises		
(e) ArchSD acknowledgement of the completion certification of A&A works affecting the subject premises		

Part 3 – Site Inspection

- (i) Prior to site inspection, the findings in Part 2 and the guidelines should be studied.
- (ii) When conducting the site inspection, reference should be made to the copy of the latest layout and fitting out plans accepted by ArchSD, including those for A&A works with ArchSD’s acknowledgement.

	Yes	No
UBW within the premises, attached to or extended from the external walls of the premises, or located off the premises but directly associated with or serving the premises	<input type="checkbox"/> itemize all UBW with detailed description including their condition, essential dimensions and location <input type="checkbox"/> record on a copy of the latest layout plan accepted by ArchSD, and <input type="checkbox"/> take record photos.	

Part 4 – Submission of Certification

Complete the certificate and submit all the required supporting documents and structural justification, if applicable.

聲明書
DECLARATION

(A) 日期： _____
Date

(B) 聲明者個人資料：
Personal particulars of person making the declaration

姓名： _____ 年齡/性別： _____ /
Name Age/Sex

香港身分證/護照*號碼： _____ 電話： _____
Hong Kong identity card/Passport *no. Tel. no.

地址： _____
Residential address

申請簽發/轉讓*食物業牌照類別： _____
Type of food business licence under
application for issue / transfer*

(C) 申請簽發/轉讓*食物業牌照的處所地址： _____
Address of premises under application
for issue / transfer* of food business licence

(D) 聲明內容：
Declaration

本人聲明，申請簽發/轉讓* _____ 牌照的有關店鋪處所(見上述(C)
(食物業牌照類別)
項)經營 _____ 的用途，是符合政府租契條款的。
(食物業類別)

I declare that the operation of _____ at the shop premises (see
(type of food business)
item (C) above) now under application for issue/transfer* of a _____
(type of food business licence)
licence is in compliance with the Government lease conditions.

牌照申請人/新持牌人*聲明簽署
Signature of applicant/prospective
licensee* making declaration

(E) 備註
REMARK

申請簽發/轉讓*食物業牌照的食物業處所必須完全符合政府租契條款，否則食物環境衛生署署長不會批准簽發/轉讓*有關牌照。倘申請人為取得簽發/轉讓*牌照而作出虛假聲明，以符合政府租契條款，獲批准簽發/轉讓*的牌照可能會被取消。

Director of Food and Environmental Hygiene will refuse the issue/transfer* of the food business licence unless the food premises are in compliance with government lease conditions. In case of the false declaration given concerning the compliance with the government lease conditions for the purpose of obtaining the grant on issue/transfer* of a licence, the licence may be cancelled.

* 請刪去不適用者
Please delete where appropriate.

**Certification of Food Business Premises Free of
Unauthorized Building Works (UBW) for Provisional Licence Application (Form UBW-1)**

I, _____ (Surname) _____ (Other names) _____ (Name in Chinese) (Mr./Ms. *),

holder of Hong Kong identity card no. _____, being the authorized person/structural engineer* registered under Section 3 of the Buildings Ordinance (Chapter 123) do hereby certify and declare that :

- (a) I personally inspected the premises known as _____ (Shopsign in English)
(_____), situated at _____ (Address of premises)
(Shopsign in Chinese)

and being under application for issue / transfer* of a provisional food business licence by

_____ (Name of applicant/transferee* in English) _____ (Name of applicant/transferee* in Chinese),

on _____ at _____
(Date(s) of inspection(s)) (dd/mm/yyyy) (Time of inspection(s))

in accordance with the Guidelines for Authorized Person and Registered Structural Engineer for Certification of Food Business Premises free of Unauthorized Building Works (Guidelines) issued by the Director of Buildings (D of B), Director of Lands (D of L) or the Independent Checking Unit of Housing Department (ICU of HD), as appropriate.

- (b)* I have read the Letter of Requirements addressed to the above named applicant dated _____ (dd/mm/yyyy)^(Note 1) on the subject premises to be free of UBW except those mentioned in paragraph (d) below and understand the contents thereof.
(Not applicable to transfer of food business licence)
- (c)* In accordance with paragraphs 4 to 9 of the Guidelines of the D of B/paragraphs 5 to 10 of the Guidelines of the ICU of HD*, the subject premises are free of UBW except those mentioned in paragraph (d) below.
- (d)* In accordance with paragraph 6 and Appendix C of the Guidelines of the D of B/ paragraph 7 and Appendix C of the Guidelines of the ICU of HD*, I have inspected the following UBW[#] and was satisfied that they are not in dilapidated or dangerous condition:

Note 1: Date of the Letter of Requirements issued by FEHD, whichever is the latest, should be stated.

- (e) In accordance with paragraphs 4 to 9 and Appendix C of the Guidelines of the D of B/ paragraphs 5 to 10 and Appendix C of the Guidelines of the ICU of HD*, I attach the plan(s) showing UBW mentioned in paragraph (d) and record photos taken during my inspections showing the conditions of the subject premises and external walls of the premises and UBW mentioned in paragraph (d) to support my certification.
- (f) I have taken all reasonable and practical steps to ensure the correctness of the information in this certification and referred to the following approved/record plans/documents in accordance with the Guidelines:

Description of documents (File reference of Private Building, excluding the properties divested to The Link Management Limited)*

Description of documents (Applicable to New Territories Exempted Houses)*

Description of documents (Applicable to the properties divested to The Link Management Limited)*

- (g) I understand that all matters and information covered by this certification and all the related documents submitted for this licence application will be subject to further examination, auditing and verification by the Building Authority, Lands Department or the ICU of HD (as appropriate) and that if I wilfully or negligently give false, incorrect or misleading information in this certification, I will be liable to disciplinary action under Section 7 of the Buildings Ordinance and/or other legal penalties.

Date(dd/mm/yyyy)

Signature of authorized person /
registered structural engineer*

Registration no. : _____

Expiry date of registration : _____

Registered address : _____

Contact telephone no.: _____ Contact fax no.: _____

Notes:

- * : Please delete where appropriate. Only one AP/RSE should certify paragraph (c). In case of different UBW in the food business premises are to be certified by different authorized persons/registered structural engineers (APs/RSEs), each AP/RSE should submit a separate certification. If the AP/RSE certifying paragraph (c) is based on his/her and another AP/RSEs' certification of paragraph (d), that AP/RSE should specify in paragraph (c) of his/her certification.
- # : Itemised the UBW with detailed description including their condition, essential dimensions and locations and use separate sheets if necessary. The itemised UBW shall be indicated on the latest licence layout plan attached with the Form UBW-1. The separate sheets should be endorsed by the AP/RSE.

