

**A GUIDE TO APPLICATION
FOR
FACTORY CANTEEN LICENCE**

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General

In accordance with the laws of Hong Kong, any person who intends to operate a factory canteen in the territory must obtain a factory canteen licence issued by the Licensing Authority before commencement of such business.

Factory canteen means any food business in a factory building which involves the sale or supply of meals or unbottled non-alcoholic drinks other than Chinese herb tea for consumption on the premises by persons employed in any factory in that factory building.

Application Procedure

Application may be submitted either in writing (Chinese or English) or with the use of a standard form, accompanied by 3 copies of a proposed layout plan of the premises which should be drawn to scale and in metric unit, and addressed to the Assistant Secretary (Licensing) of the Licensing Office (see Appendix I). Standard forms are obtainable from the Licensing Office and respective District Environmental Health Offices.

The application, whether made in writing or with the use of a standard form, should contain the following :-

- (a) the class of licence applied for;
- (b) full address of the premises under application for a licence including name of the street, number of the premises, name of the building and the flat number etc to avoid postal misdelivery;
- (c) the name, address and telephone number of the applicant; if the applicant is a corporation, the name and address of the corporation and the names and addresses of the principal officers;
- (d) the type of heating equipment and the type of fuel intended to be used; and
- (e) whether air-conditioning system is to be installed in the factory; if so, the type and working capacity of such installation.

The application must be signed by the applicant personally. A licence may be issued in the name of a person or a corporation.

Before the applicant receives a letter of licensing requirements from the Licensing Authority, he is advised not to start any work on decoration. He must also not start the business before obtaining the licence. Otherwise, he will be liable to prosecution.

Preparation of Proposed and Revised Layout Plan

Before preparation of the layout plan, the applicant is required to apportion the factory canteen for the proposed usage such as the locations of the kitchen, food preparation room and sanitary facilities. In the proposed layout plan, the following particulars should be furnished :-

- (a) space allocated to the cooking, preparation or handling of exposed 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 or 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 or ducts providing ventilation or mechanical means of ventilation, if installed;
- (i) the siting of all furniture of a substantial and permanent nature, including food manufacturing or preparation plant, cooking ranges, sterilizers, dish-washing machine, refrigeration or cooling equipment and fixed sideboards, wash-hand basins or wash-up sinks, drying racks, water tanks; and
- (j) means of refuse storage and disposal.

The proposed layout plan may be prepared by the applicant himself or an architect employed by him.

Whenever there are changes to the submitted plans for the application, the applicant is required to highlight any proposed changes on the revised plans with colour pens and simple descriptions before making submission to this department for consideration and referral to other departments for processing. Revised plans not in compliance with this requirement will be rejected.

Processing of Application and Notification of Licensing Requirements

Upon receipt of the application of licensing, the Assistant Secretary (Licensing) will acknowledge it and inform the applicant in writing the date and time when the Licensing Inspector will conduct the Quality Audit of the proposed layout plan and inspect the premises to assess its suitability for licensing. If the appointment is inconvenient to him, he can always request to change it to another date by telephoning the Assistant Secretary (Licensing). This, however, may cause some delay in the processing of the application.

Meanwhile, the application will be referred to the Director of Fire Services, Director of Buildings, Director of Lands and Commissioner for Labour for comments, as appropriate.

In case the proposed factory canteen is situated in a public industrial building, the application will also be referred to the Director of Housing who will consider whether the applicant is the authorized tenant and whether the proposed business is a designated trade.

If, in connection with the food business, the fuel consumption rate exceeds the following statutory limits, the applicant should also obtain prior approval from the Environmental Protection Department (See Appendix II) for the installation of the stoves and chimneys :-

- (a) gaseous fuel : 1,150 megajoules per hour; or
- (b) liquid fuel : 25 litres per hour; or
- (c) solid fuel : 35 kilograms per hours.

If towngas or liquefied petroleum gas is intended to be used on the premises, the applicant is required to submit a Certificate of Compliance and a Certificate of Completion to the Licensing Authority before a licence can be issued. These certificates are to be completed and signed by the applicant's gas contractor who must have been registered with the Gas Standards Office of the Electrical and Mechanical Services Department. (See Appendix III)

If new electrical installations are intended to be fixed on the premises, the applicant should appoint an electrical worker/contractor registered with the Director of Electrical and Mechanical Services to inspect, test and certify such installations after completion. The applicant has to provide a Work Completion Certificate (Form WR1) to the Licensing Authority before a licence can be issued. For existing electrical installations, a Periodic Test Certificate (Form WR2) endorsed by Director of Electrical and Mechanical Services instead of Form WR1 will be required.

As for the fire services requirements, they will be directly conveyed to the applicant by the Fire Services Department (See Appendix IV) with a copy to the Licensing Office for information.

Please note that it is a licensing pre-requisite for the applicant to obtain a Fire Services Certificate from the Fire Services Department prior to the issue of the licence. A fee will be charged for the issue of this certificate.

Please also note that a Letter of Compliance issued by the Fire Services Department is a licensing pre-requisite for a ventilating system including simple installation embodying the use of ducting or trunking (e.g. cooker hood with an air-duct). Therefore, if the applicant wishes to install a ventilating system on the premises, appropriate plans with full details (extraction or propulsion fans and ducting or trunking in cooker hood, etc.) should be submitted to Assistant Secretary (Licensing) for processing.

After the inspection and upon clearance from all Government departments concerned, the Assistant Secretary (Licensing) will list out in detail the licensing requirements and convey them to the applicant in writing for his compliance before a licence can be issued.

For details of the main licensing requirements, please refer to Appendix V. The applicant is advised, in his own interest, to purchase a copy of the Food Business Regulations, Cap. 132 for reference from the Government Publications Centre at G/F, Low Block, Queensway Government Offices, 66 Queensway, Hong Kong.

The applicant is advised to start the decoration work only when he has received the letter of licensing requirements from the Licensing Authority. If the subject premises are unsuitable for licensing, the applicant will be informed of the refusal of the application together with reasons by the Assistant Secretary (Licensing).

Enquiry on Licensing Matters

If the applicant has difficulty in understanding the licensing requirements imposed by the Licensing Authority or has any enquiries concerning licensing matters, he can approach the Licensing Inspector in charge of the application either in person or by telephone at the address and telephone number given in Appendix I.

Report of Compliance with Licensing Requirements and Issue of Licence

The applicant should expedite action to comply with the licensing requirements and report compliance as soon as possible to the Licensing Office Concerned. The Licensing Inspector will inspect the premises for verification of compliance.

When fire services requirements have been complied with, the applicant should inform the Fire Services Department direct to arrange for an inspection. Please see Appendix IV for the addresses and telephone numbers.

When all the licensing requirements have been confirmed to be complied with, a licence will be issued. The applicant will be informed in writing to pay a fee and to collect the licence.

The licence fee for a factory canteen licence, which is subject to annual review, is calculated according to the gross floor area of the food premises. For details, please refer to Food Business Regulations or call the Licensing Offices.

The objective of issuing factory canteen licence is to ensure maintenance of a good standard of hygiene at the premises concerned and the wholesomeness of the food supplied therefrom. In the event of any difficulty or incomprehension, the applicant should approach the Assistant Secretary (Licensing). On the other hand, the applicant must not offer any money or gift to any staff because this is an offence under the law and the offender is liable to prosecution.

Non-compliance with Licensing Requirements

Where the Licensing Inspector finds some licensing requirements have not been complied with during inspection, he will immediately point out the shortcomings to the applicant and advise him of the necessary remedial action on the premises. The applicant will be informed of the outstanding requirements once more in writing and advised to report compliance again for another verification inspection after the requirements are fully complied with.

If no report of compliance of licensing requirements is received, the Licensing Inspector will inspect the premises at 3 months intervals to check the progress of the application. Should the applicant fail to meet all the licensing requirements in 6 months, cancellation of his application will be considered.

Licensing Office

Hong Kong Island

The Assistant Secretary (Licensing)
Licensing Office,
Urban Council Lockhart Road Complex,
8th floor, 225 Hennessy Road,
Hong Kong

Tel. No. 2879 5712

Kowloon

The Assistant Secretary (Licensing)
Licensing Office,
Urban Council Pei Ho Street Complex,
4/F, 333 Ki Lung Street,
Shamshuipo, Kowloon.

Tel. No. 2727 1293

New Territories

The Assistant Secretary (Licensing)
Licensing Section,
9/F., Regional Council Building,
1-3 Pai Tau Street,
Sha Tin,
N.T.

Tel. No. 2601 8747

THE ENVIRONMENTAL PROTECTION DEPARTMENT
ONE-STOP SHOP OFFICES
(INCLUDING LOCAL CONTROL OFFICES) ADDRESSES

	One-stop Shop Offices	Office Address	Tel. No. for enquiry	Control Districts
Local Control Offices	Territory East	5/F, Nam Fung Commercial Centre, 19 Lam Lok Street, Kowloon Bay, Kowloon	2755 5518	Kwun Tong, Wong Tai Sin, Sai Kung
	Territory South	2/F, Chinachem Exchange Square, 1 Hoi Wan Street, Quarry Bay, Hong Kong	2516 1718	Eastern, Southern, Central, Western, Wanchai
	Territory West	7/F, Chinachem Tsuen Wan Plaza, 455-457 Castle Peak Road, Tsuen Wan, N.T.	2411 9621	Tuen Mun, Yuen Long
	Territory North	Units 1-10, 11/F, Tower 1, Grand Central Plaza, Shatin Rural Committee Road, Shatin, N.T.	2634 3800	Shatin, Tai Po, North
	Urban East	Suite UG01-02, Block 2, Ho Fai Commercial Centre, 222-224 Sai Lau Kok Road, Tsuen Wan, N.T.	2402 5200	Kowloon City, Yau Tsim Mong, Sham Shui Po
	Urban West	8/F, Tsuen Wan Government Offices, 38 Sai Lau Kok Road, Tsuen Wan, N.T.	2417 6084	Kwai Tsing, Tsuen Wan, Outlying Islands

**THE GAS STANDARDS OFFICE OF THE
ELECTRICAL AND MECHANICAL SERVICES DEPARTMENT**

Enquiries concerning towngas and liquefied petroleum gas installation works can be made at the following address of the above Department :-

98 Caroline Hill Road,
Causeway Bay,
Hong Kong.

Tel. No. : 2808 3393

**LIST OF FIRE PROTECTION OFFICES AND
VENTILATION DIVISION OF THE FIRE SERVICES DEPARTMENT**

Enquiries can be made either by telephone, in writing, or in person at the following offices :-

Hong Kong Island

The Senior Divisional Officer (Protection),
Fire Protection Regional Office,
Sheung Wan Fire Station,
No. 2 Western Fire Services Street,
Hong Kong.
Tel. No. : 2549 8104

Kowloon

The Senior Divisional Officer (Protection),
Fire Protection Regional Office,
No. 1 Hong Chong Road, 2/F,
Tsim Sha Tsui East,
Kowloon.
Tel. No. : 2733 7542

New Territories

The Senior Divisional Officer (Protection),
Fire Protection Regional Office,
Sha Tin Fire Station,
Yuen Wo Road,
Sha Tin,
New Territories.
Tel. No. : 2604 7223

Ventilation Division

The Engineer (Ventilation)
Fire Protection Command,
No. 1 Hong Chong Road, 3/F,
Tsim Sha Tsui East,
Kowloon.
Tel. No. : 2733 7571

Main Requirements for the Issue of a Factory Canteen Licence

Ordinary premises do not usually come up to the standard required of a factory canteen. You will have to carry out certain improvements before a licence may be issued. Unless exempted by the Licensing Authority, the following are the more essential requirements :-

(A) Health Requirements

1. The premises shall be painted or limewashed in a light colour.
2. The floors and internal surfaces of the walls of the food preparation room, scullery space and kitchen to a height of not less than two metres shall be surfaced with smooth light coloured impervious materials such as glazed tiles and the junctions between the walls and the floor shall be covered.
3. The food preparation room, scullery space and kitchen shall be so sited that there is direct access to the seating area without the necessity of passing through a yard or other open space.
4. The minimum aggregate area of kitchen, food preparation room and scullery space shall be 15% of the gross floor area, but not less than 6m².
5. Toilet facilities :-

I.	<u>Customers</u>	<u>Minimum Standard</u>	
		<u>W.C.</u>	<u>Urinal</u>
	(a) 25 or less	(M) *1 (F) (* for both sexes)	
	(b) 26 - 50	(M) *1 (F) (* for both sexes)	1

(c) 51 - 100	(M)	*2	
	(F)	(* for both sexes. The WCs should be physically segregated from each other and provided with separate entrances so that they could be used separately by different sexes at the same time.)	
(d) 101 - 200	(M)	1	1
	(F)	2	-
(e) 201 - 300	(M)	1	2
	(F)	2	-
(f) 301 - 500	(M)	2	3
	(F)	3	-
(g) 501 - 700	(M)	2	4
	(F)	4	-

B. Staff

Fitments for customers could be shared by canteen staff.

II. For over 700 customers :-

A. Customers

Type	Male	Female
W.C.s	Under 400, 1 W.C. for every 100 or part thereof. Over 400, 5 W.C.s and 1 additional W.C. for every 250, or part thereof, over 650.	Under 200, 2 W.C.s for every 100 or part thereof. Over 200, 5 W.C.s and 1 additional W. C. for every 100, or part thereof, over 300.
Urinals	1 Urinal for every 50 or part thereof.	

B. Staff

Type	Male	Female
W.C.s	Under 100, 1 W.C. for every 25 or part thereof. Over 100, 5 W.C.s and 1 additional W.C. for every 50, or part thereof, over 150.	1-10 inclusive, 1 W.C. 11-25 inclusive, 2 W.C.s. Over 25, 3 W.C.s and 1 additional W. C. for every 25, or part thereof, over 50.
Urinals	10-50 inclusive, 1 urinal. Over 50, 2 urinals and 1 additional urinal for every 50, or part thereof, over 100.	
N.B. If the total number of male and female employees is less than 10, 1 W.C. shall be deemed to be sufficient.		

Note for toilet facilities :-

- (a) The toilets should not communicate directly with a kitchen, food preparation room, food store scullery space and they must be so sited that customers wishing to use them do not have to pass through any such kitchen, food preparation room, food store or scullery space.
 - (b) The number of customers are based on the maximum capacity of the canteen and determined at the rate of one customer for every 1.5 sq. metres of seating area. The proportion of male customers to female customers is deemed to be 1:1.
6. A grease trap shall be provided between drain traps and main sewer.

7. Natural and/or mechanical means of ventilation shall be sufficient in every part of the premises other than that used exclusively for storage purposes. If only mechanical means in used, outside air amounting to not less than 17 cu. metre per hour for each person must be provided therein.
8. A metal hood properly connected to air-duct fitted with an extraction fan of adequate capacity shall be provided over all cooking stoves in the kitchen and food room. The exhaust shall be arranged to pass through a grease filter before discharging into the open air or at roof level in such a position as not to be a nuisance.
9. If solid fuel or diesel oil is used, an independent chimney must be installed. Every chimney stack shall be carried up above the roof level of the highest point of the building to a height of at least 900mm and prior approval from the Buildings Department and the Environmental Protection Department must be obtained.
10. All extraction fans installed on the premises shall be discharged into the open air at a height of at least 2.5m above ground or street level and in such a manner as not to be a nuisance.
11. No manhole shall be situated in any food room. (Note : The re-siting of manhole is a drainage alteration which requires the approval from the Director of Buildings. It is the applicant's responsibility to seek such approval.)
12. All soil/waste/rain-water pipes inside any food room shall be enclosed in pipe ducts constructed of impervious rust-proof material to the satisfaction of the Licensing Authority. Suitable inspection openings shall be provided to such enclosures.
13. Dust and vermin proof cupboards shall be provided for the storage of clean crockery, utensils etc.
14. Glazed wash-hand basins shall be installed (a) within reasonable distance of each water closet or urinal, and (b) in each food preparation room.
15. Suitable wash-up sinks shall be installed in each food preparation room and scullery space.

16. Mains water must be laid on to the premises.
17. All false ceilings, panelling, decorations etc. forming hollow spaces and potential harbourage for rats and cockroaches shall be rendered accessible for cleansing and inspection.
18. A Fire Services Certificate in respect of the premises under application for a factory canteen licence shall be obtained from the Director of Fire Services.
19. There shall be displayed outside each entrance of the factory canteen a notice in English and Chinese -

"FACTORY EMPLOYEES OF THIS BUILDING ONLY"

『非本大廈工廠員工恕不招待』

(B) Structural Safety and Means of Escape

1. Suspended floors should be designed for a minimum superimposed load of 5 kpa.
2. Where extensive alteration and additional works are to be carried out to the premises, it is strongly recommended that the services of an authorized person (architect, structural engineer or building surveyor) registered under the Buildings Ordinance be sought.
3. Premises should be constructed of fire resisting materials which satisfy the provisions of the Building (Construction) Regulations.
4. No hazardous trades should co-exist on the premises. The policy of "first-come-first-served" is normally applied when both applications are received.
5. Premises should normally have two or more exits discharging to the street.
6. Premises should normally have two staircases to roof or one staircase to roof where access to adjoining property via roof is possible.

7. For means of escape, the Code of Practice on Provision of Means of Escape and Part V of the Building (Planning) Regulations, Cap. 123 will apply.
8. Factory canteens are not permitted on the upper floors of single staircase buildings.

Note : For enquiries, please contact the Buildings Department at 16/F., Pioneer Centre, 750 Nathan Road, Kowloon.
Telephone No. 2626 1257

(C) Fire Safety

1. If premises have only one exit, fuel should be restricted to electricity, town gas, piped liquefied petroleum gas from chamber or diesel oil.
2. If premises have only one staircase and are not provided with access to adjoining property via roof, fuel should be restricted to electricity, town gas, piped liquefied petroleum gas from chamber or diesel oil.
3. For fire services installations and equipment for the premises, the Code of Practice (Minimum Fire Services Installation and Equipment) will apply.

Note : For enquiries, please contact the Fire Protection Command of the Fire Services Department. The addresses and telephone numbers are detailed at Appendix IV.

SUPPLEMENTARY NOTE

COMMON OBJECTIONS FROM GOVERNMENT DEPARTMENTS CONCERNED

If a premises in a factory or an industrial building are to be used as a factory canteen, the lease condition of the premises, which does not normally provide for the setting up of a factory canteen, must be modified to meet that purpose. However, modification of lease conditions will not normally be considered in the following circumstances :

- (A) From Lands Department's point of view, if the canteen is -
1. at or near ground floor level and have an exclusive direct access to the street except for emergency use;
 2. in areas set aside under lease conditions for access, parking, loading or unloading of vehicles;
 3. acquired from a private treaty grant for special purpose (not for the purpose of factory canteen); or
 4. exceeding in area 10% of the total gross floor area of the factory premises on the lot.
- (B) From Buildings Department's point of view, if the canteen is -
1. structurally unsuitable (unauthorised structure is an example);
 2. having inadequate fire escape provisions or fire separation;
 3. not totally constructed on non-combustible building materials; or
 4. deprived of proper fire separation from other parts of the area.

- (C) From Fire Services Department's point of view, if the canteen is -
1. situated close to a dangerous goods store within a certain distance;
 2. occupying the common parts of the building and/or obstructing the means of egress of a staircase discharge point; or
 3. to use fuel other than electricity, town gas, piped liquefied petroleum gas from chamber and diesel oil.

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	Urban West	8/F, Tsuen Wan Government Offices, 38 Sai Lau Kok Road, Tsuen Wan, N.T.	2417 6084	Kwai Tsing, Tsuen Wan, Outlying Islands