

**A GUIDE TO APPLICATION  
FOR  
BAKERY LICENCE**

## **A GUIDE TO APPLICATION FOR BAKERY LICENCE**

### **General**

In accordance with the laws of Hong Kong, any person who intends to bake bread and other bakery products for sale at any premises in the territory must obtain a bakery licence issued by the Licensing Authority before commencement of such business.

If the baking of bread and other bakery products is carried out in a licensed general restaurant and if such bakery products are for consumption of the customers on the premises, no separate bakery licence is required. In the case of a light refreshment restaurant, a separate bakery licence is required if the bakery products are prepared for consumption of the customers on the premises. For the retail sale of bread and other bakery products prepared in a licensed restaurant (both general and light refreshment) in a separate counter/portion of the premises, a separate bakery licence is required.

## **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 concerned (see Appendix I). Standard forms are obtainable from all Licensing Offices 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, home address, telephone number and identity card number of the applicant; if the applicant is a corporation, the name and address of the corporation and the name and home address of the principal officers;
- d. the type of heating equipment and the type of fuel intended to be used;
- e. whether air-conditioning system is to be installed in the shop; 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 applicants is required to apportion the shop for the proposed usage such as the locations of the baking room, food preparation room and sanitary facilities. In the proposed layout plan, the following particulars should be furnished :

1. food preparation room, baking room, kitchen, and food storage room;
2. all windows, and mechanical means of ventilation, if installed, including air ducts, cooling towers, extraction fans etc;
3. all entrances and exits, doors and internal communication;
4. cloakroom(s), passageways and open spaces (such as yards and light wells);
5. means of refuse storage and disposal;
6. toilets, wash-hand basin(s) and drainage works;
7. the siting of all furniture and fittings of a substantial and permanent nature, including food preparation tables, cooking ranges, refrigeration or cooling equipment, fixed cupboards, electric baking ovens, washbasins or sinks, drying racks etc.

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 for licensing, the Assistant Secretary (Licensing) concerned 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 subject 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) concerned, but this will cause some delay in the processing of the application.

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

In case the proposed bakery is situated in a Housing Estate, 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.

However, 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 (Appendix II) for the installation of the stoves and chimneys :

- (a) gaseous fuel : 1150 megajoules per hour; or
- (b) liquid fuel : 25 litres per hour; or
- (c) solid fuel : 35 kilograms per hour.

After all these inspections and upon clearance from all Government departments concerned, the Assistant Secretary (Licensing) concerned 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 III. 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 Sales Centre at G/F, Lower Block, Queensway Government Offices, 66 Queensway, Hong Kong.

The applicant can start the decoration work only upon notification in writing 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 by the Assistant Secretary (Licensing) concerned together with reasons.

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

Please note that it is a licensing prerequisite 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 chargeable for the issue of this certificate.

### **Enquiry of Licensing Matters**

In case the applicant has difficulty in understanding the licensing requirements or has any queries 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 Compliance with Licensing Requirements and Issue of Licence**

Upon compliance of all licensing requirements, the applicant should immediately inform the Assistant Secretary (Licensing) concerned in writing who will arrange a Licensing Inspector for a verification inspection.

For fire services requirements, the applicant should inform the Fire Services Department direct to arrange for an inspection.

After confirming that all licensing requirements have been complied with, a licence will then be issued. The applicant will be informed in writing to pay fee and to collect licence.

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

The objective of issuing bakery licences 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, please approach the Assistant Secretary (Licensing) concerned. 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**

If the applicant fails to comply with all the licensing requirements within three months, the Assistant Secretary (Licensing) concerned will inform him of the outstanding requirements in writing for his early remedial action. He will also be advised to report compliance again for another verification inspection after he has complied with the outstanding requirements.

If no report of compliance of licensing requirements is received, the Licensing Inspector will only inspect the premises at 3 months intervals to check 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 Offices**

Hong Kong Island

The Assistant Secretary (Licensing)  
Hong Kong Licensing Office,  
Lockhart Road Municipal Services Building,  
8th floor, 225 Hennessy Road,  
Hong Kong.

Tel. No. 2879 5712

Kowloon

The Assistant Secretary (Licensing)  
Kowloon Licensing Office,  
Pei Ho Street Municipal Services Building,  
4/F, 333 Ki Lung Street,  
Shamshuipo,  
Kowloon.

Tel. No. : 2729 1293

New Territories

Assistant Secretary (Other Licences)  
New Territories Licensing Office  
Food and Environmental Hygiene Department  
4th Floor, Tai Po Complex,  
No.8 Heung Sze Wui Street,  
Tai Po, New Territories  
Tel. No.: 3183 9226

**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

**Main requirements for the Issue of a Bakery Licence**

## (A) Licensing requirements

1. The premises shall be painted or limewashed in a light colour.
2. Public mains water shall be laid on to the premises.
3. The floors and internal surfaces of the walls surrounding the business portion shall be surfaced with smooth light coloured non-absorbent material or tiles to a height of not less than two metres. The junctions between the walls and floors shall be covered.
4. The kitchen, baking room, food preparation room and food store shall be so sited that there is direct access to the shop without the necessity of passing through a yard or other open space.
5. A separate bakery room with a minimum area of 12m<sup>2</sup> shall be provided in a general/light refreshment restaurant for retail sale of bakery products; and a separate bakery room with a minimum area of 6m<sup>2</sup> shall be provided in a light refreshment restaurant for preparation of bakery products for customers' consumption on the premises.
6. Facilities in the toilets :
  - (a) water closets and flushed urinals shall be installed to a standard not less than that required by the Building (Standards of Sanitary Fittings, Plumbing, Drainage Works and Latrines) Regulations, Cap. 123 as specified below :-

<u>Type</u>	<u>Male Employees</u>	<u>Female Employees</u>
Water Closet	Under 100, 1W.C. for every 25 or part thereof; Over 100, 5 W.C.; and 1 additional W.C. for 50 or part thereof; over 150.	1-10 inclusive, 1 W.C.; 11-25 inclusive, 2 W.C.; over 25, 3 W.C.; 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 number of male and female employees is less than 10, 1 W.C. shall be deemed sufficient.

- (b) Toilets shall not communicate directly with the kitchen, bakery room, food preparation room, or food store.

7. Suitable wash-hand basin(s) shall be installed near the water closets or flushed urinals and inside the food preparation room.
8. Suitable wash-up sink(s) shall be provided in the bakery room and food preparation room.
9. The tops tables used for food preparation shall be made of close-jointed hard-wood or other impervious material.
10. Cupboard space shall be provided to accommodate all utensils, crockery and cutlery used in the business.
11. Except for areas allocated for storage purpose, all parts of the premises shall be adequately ventilated by natural and/or mechanical means.
12. A metal hood properly connected to air-duct fitted with an extraction fan of suitable capacity shall be provided over all cooking stoves and baking ovens 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.
13. If solid fuel or diesel oil is used, an independent chimney shall be installed. Every chimney stack shall be carried up above the roof level of the highest point of the building and prior approval from the Buildings Department and the Environmental Protection Department shall be obtained.
14. 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.
15. No manhole shall be situated in any food room.

(Note : The resiting of manhole is a drainage alteration which requires the approval from the Building Authority. It is the applicant's responsibility to seek such approval.)

16. Any soil/waste/rain-water pipe inside any food room shall be enclosed in pipe duct constructed of impervious rust-proof material to the satisfaction of the Licensing Authority. Suitable inspection openings shall be provided to such enclosures.
17. One or more grease traps shall be provided between the drain trap and the main sewer.
18. Sufficient dustbins with close-fitting lids shall be provided for the storage of all refuse and other waste matter awaiting disposal.
19. A Fire Services Certificate in respect of the premises under application for a bakery licence shall be obtained from the Director of Fire Services.
20. New fixed electrical installations, after completion, shall be inspected, tested and certified by an electrical worker/contractor registered with the Director of Electrical and Mechanical Services (DEMS). A copy of the Works Completion Certificate (Form WR1) shall be submitted to the Council as proof of compliance. For existing electrical installations, a Periodic Test Certificate (Form WR2) endorsed by DEMS in lieu of the required Form WR1 shall be submitted instead.

(B) Building Structure and Means of Escape

1. Particular care should be taken in the selection of premises as buildings or parts of a building approved for use other than for shop or commercial purposes may not be suitable. As a general rule, all premises on solid ground floor are structurally suitable.
2. Where premises are on a floor not resting on soil or where extensive alteration and addition works are to be carried out on the premises, it is strongly recommended that the service of an authorized person (architect, structural engineer or building surveyor) registered under the Buildings Ordinance, Cap. 123 be sought.
3. The required superimposed load of the floor is decided after receipt of individual application and consideration is given to the following factors : nature of manufacturing process; total number and types of machinery and plant to be used; types of building and floor area; the purpose/intended purpose of the building.
4. Premises shall be constructed of materials the fire resistance of which satisfies the provisions of the Building (Construction) Regulations, Cap. 123.

5. As a general rule, bakeries can be established on any floor of an industrial building or on the ground floor of a non-industrial building.
6. As a general rule, premises on ground floor having direct access to a street are suitable or can be adapted to meet the requirements on means of escape.
7. Premises shall normally have two or more exits discharging to street.
8. 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.
9. Bakery is not permitted on the upper floor of a single staircase building.

(C) Fire Safety

The following premises are considered not suitable to be licensed as a bakery from fire safety point of view :-

1. Any buildings/structures which are of substandard construction.
2. Premises in level 4 of basement and below.
3. Premises in areas designed for emergency use, such as the "buffer" floor (also referred to as the refuge floor).
4. Premises located vertically below, and posing a fire hazard to, a registered school/child care centre.