

**L.N. 21 of 2026**

**Food Business (Amendment) Regulation 2026**

(Made by the Director of Food and Environmental Hygiene under section 56 of the Public Health and Municipal Services Ordinance (Cap. 132))

**1. Commencement**

This Regulation comes into operation on 8 May 2026.

**2. Food Business Regulation amended**

The Food Business Regulation (Cap. 132 sub. leg. X) is amended as set out in sections 3 to 6.

**3. Section 3 amended (interpretation)**

Section 3(1)—

**Add in alphabetical order**

“*Cap. 167D* (《第167D章》) means the Dangerous Dogs Regulation (Cap. 167 sub. leg. D);

*fighting dog* (格鬥狗隻) has the meaning given by section 2 of Cap. 167D;

*known dangerous dog* (已知危險狗隻) has the meaning given by section 2 of Cap. 167D;”.

**4. Section 10B amended (prohibition of dogs on food premises)**

(1) Section 10B, heading, after “**premises**”—

**Add**

**“except in certain circumstances”.**

(2) Section 10B—

**Repeal subsections (1) and (2)**

**Substitute**

“(1) A person must not bring a dog onto any food premises.

(2) A person engaged in a food business must not knowingly suffer or permit the presence of a dog on any food premises.

(2A) However, subsections (1) and (2) do not apply if—

(a) a permission is granted under section 31B in respect of the food premises and is valid;

(b) the dog is not a fighting dog or known dangerous dog;

(c) at all times when the dog is present on the premises, the dog is—

(i) securely held on a leash of not more than 1.5 m in length by an adult; or

(ii) securely tied to a fixture on a leash of not more than 1.5 m in length; and

(d) the dog is not present in a food room at any time when it is present on the premises.”.

(3) Section 10B(3), English text—

**Repeal**

“shall”

**Substitute**

“is to”.

- (4) Section 10B(3), Chinese text—

**Repeal**

“在任何食物業處所內(食物室除外)出現”

**Substitute**

“處於食物業處所(食物室除外)”。

- (5) Section 10B(3), Chinese text—

**Repeal**

“在任何食物業處所內出現”

**Substitute**

“處於食物業處所”。

**5. Section 31B added**

After section 31A—

**Add**

**“31B. Director may grant permission for presence of dogs on food premises**

The Director may grant permission in writing to a person for the presence of any dog (except a fighting dog or known dangerous dog) on any food premises (except a food room).”.

**6. Section 35 amended (offences and penalties)**

After section 35(3)—

**Add**

- “(4) It is a defence for a person charged with an offence under subsection (1) for contravening section 10B(1) or (2) to establish that, at the time of the alleged offence, the person had reasonable excuse for the contravention.

- (5) For the purposes of subsection (4), a person is taken to have established the reasonable excuse for the contravention if—
- (a) there is sufficient evidence to raise an issue with respect to the reasonable excuse; and
  - (b) the contrary is not proved by the prosecution beyond reasonable doubt.”.

Donald NG Man-kit  
Director of Food and  
Environmental Hygiene

6 March 2026

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### **Explanatory Note**

This Regulation amends the Food Business Regulation (Cap. 132 sub. leg. X) (*principal Regulation*).

2. Section 3 amends section 3 of the principal Regulation to add new definitions of *fighting dog* and *known dangerous dog*.
3. Section 4 amends section 10B of the principal Regulation to provide for the circumstances in which dogs may be present on food premises and the related requirements.
4. Section 5 adds a new section 31B to the principal Regulation to empower the Director of Food and Environmental Hygiene to grant permission for the presence of any dog (except a fighting dog or known dangerous dog) on any food premises (except a food room).
5. Section 6 amends section 35 of the principal Regulation to provide for the defence for the purposes of section 10B of the principal Regulation.