

**Economic and Employment Council
Retail Task Force**

Regulatory activities in the catering/food category

Purpose

1. This paper presents performance information collected on the catering/food category under the Retail Sector. The performance information has included names of all agencies involved in the licensing process and their respective role, performance pledges and details of process time.

Overview

1. There are 25 regulatory activities in this category, mostly administered by FEHD (13 items) and EPD (4 items). BD and FSD are commonly involved in the approval process of FEHD licences to advise on fire and building safety.
2. Altogether 17 of these regulatory activities have performance pledges, and in most cases, they could be achieved. For regulatory activities involving other government agencies, it is common that performance pledges are set for different stages of the approval process. The statistics at **Annex** reflect problems with Places of Public Entertainment Licensing and the Subgroup on Business Facilitation has already commissioned a consultancy study on this subject.
3. FEHD has no performance pledges nor performance statistics on permits that it issues. These include milk permit, frozen confection permit for packaged confection, non-bottled drinks permit, restricted food permit, restricted food (sale of sashimi/sushi/oyster & meat to be eaten in raw) permit, coin-operated automatic vending machine permit. Annex has not covered these six permits.
4. Provisional licensing is available for 5 types of regulatory activities under the charge of FEHD.

Performance of Agencies Involved in the Regulatory Activities in the Catering/Food Category

Types of Regulatory Activities ^{(1),(2)}		No of Licence/Permit Issued in 2003	Licensing Agency	Performance Pledge	Pledge Achievement ⁽⁵⁾	No of Cases in the Pledge Sample	Actual Processing Time			Other Agency Involved	Roles in Approval Process
							Earliest (days)	Average (days)	Longest (days)		
1	Pesticide Licence	2499	AFCD	2 working days upon receiving full and correct data, supporting documents and a satisfactory inspection by the department.	100%	2484	Not available	Not available	Not available	Nil	NA
2	Permit to Use and Operate Kiddie Ride	382	EMSD	Issue permit in 14 working days.	97.4%	392	1	8.4	17	Nil	NA
3	Licence for Discharge from Industrial, Commercial and Institutional Premises	4496	EPD	No pledge for approval process except or the issue of licence, 95% in 14 working days after receipt of payment.	100%	2641	1	8	258	Nil	NA
4	Waste Disposal Licence ⁽³⁾	21	EPD	No pledge.	NA	21	10	47.3	142	Nil	NA
5	Registration of Waste Producers	1103	EPD	95% in 30 days upon receipt of application.	100%	698	1	11.7	115	Nil	NA
6	Approval for Storage of Chemical Waste in Large Container > 450 Litres ⁽³⁾	0	EPD	No pledge.	NA	1	85	85	85	Nil	NA

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							Earliest (days)	Average (days)	Longest (days)		
7	Places of Public Entertainment Licence	11 (annual) 873 (temporary)	FEHD	Inspect premises within 7 working days upon acceptance of licence application.	33%	3 (annual)	3	7	10	BD	Ensure building safety.
				Issue Letter of Requirements within 7 working days of receipt of confirmation from other agencies that premises are suitable for licensing.	100%		3	4.3	6		
				Conduct final verification inspection within 8 working days of receipt of notification from applicant on compliance.	100%		2	4.3	6	HKPF	Ensure fitness of licensee for some types of places of public entertainment.
				Issue Licence within 7 working days upon satisfactory final verification inspection.	66%		7	7.7	8		
				No pledge for overall process.	NA		173	268.3	349	FSD	Ensure fire and ventilation safety.

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							Earliest (days)	Average (days)	Longest (days)		
8*	Bakery Licence	67	FEHD	Inspect premises within 7 working days upon acceptance of licence application.	100%	10	3	6.4	7	BD	Ensure building safety.
				Issue Letter of Requirements within 7 working days of receipt of confirmation from other agencies that the premises are suitable for licensing.	100%		1	4.1	6		
				Conduct final verification inspection within 8 working days of receipt of notification from applicant on compliance.	90%		1	3.9	11		
				Issue Full Licence within 7 working days upon satisfactory final verification inspection.	100%		1	3.1	7	FSD	Ensure fire and ventilation safety.
				No pledge for overall process.	NA		82	153.2	260		
	Provisional Bakery Licence	62	FEHD	Inspect premises within 7 working days upon acceptance of licence application.	100%	14	1	4.6	7	BD	Ensure building safety.
				Issue Letter of Requirements within 7 working days of receipt of confirmation from other agencies that premises are suitable for licensing.	100%		2	4.2	7		
				Issue Provisional Licence on the same day of receipt of acceptable Certificates of Compliance by the Provisional Food Business Licences Issue Office.	100%		1	1	1	FSD	Ensure fire and ventilation safety.
				No pledge for overall process.	NA		21	73.1	426		

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							Earliest (days)	Average (days)	Longest (days)		
9*	Food Factory Licence	463	FEHD	Inspect premises within 7 working days upon acceptance of licence application.	88%	92	1	5.7	24	BD	Ensure building safety.
				Issue Letter of Requirements within 7 working days of receipt of confirmation from other agencies that premises are suitable for licensing.	88%		1	5.7	24		
				Conduct final verification inspection within 8 working days of receipt of notification from applicant on compliance.	96%		1	3.9	15		
				Issue Full Licence within 7 working days upon satisfactory final verification inspection.	96%		1	3.8	12	FSD	Ensure fire and ventilation safety.
				No pledge for overall process.	NA		21	150.9	366		
	Provisional Food Factory Licence	440	FEHD	Inspect premises within 7 working days upon acceptance of licence application.	88%	104	1	5.9	20	BD	Ensure building safety.
				Issue Letter of Requirements within 7 working days of receipt of confirmation from other agencies that the premises are suitable for licensing.	100%		1	4.4	7		
				Issue Provisional Licence on the same day of receipt of acceptable Certificates of Compliance by the Provisional Food Business Licences Issue Office.	100%		1	1	1	FSD	Ensure fire and ventilation safety.
				No pledge for overall process.	NA		6	43.4	294		

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							Earliest (days)	Average (days)	Longest (days)		
10*	Frozen Confection Factory Licence	17	FEHD	Inspect premises within 7 working days upon acceptance of licence application.	50%	4	4	6.8	10	BD	Ensure building safety.
				Issue Letter of Requirements within 7 working days of receipt of confirmation from other agencies that premises are suitable for licensing.	100%		4	5.8	7		
				Conduct final verification inspection within 8 working days of receipt of notification from applicant on compliance with licensing requirements.	100%		1	3	5		
				Issue Full Licence within 7 working days upon satisfactory final verification inspection.	100%		3	4	6	FSD	Ensure fire and ventilation safety.
				No pledge for overall process.	NA		16	27.8	34		
	Provisional Frozen Confection Factory Licence	8	FEHD	Inspect the premises within 7 working days upon acceptance of licence application.	100%	1	6	6	6	BD	Ensure building safety.
				Issue Letter of Requirements within 7 working days of receipt of confirmation from other agencies that the premises are suitable for licensing.	100%		6	6	6		
				Issue Provisional Licence on the same day of receipt of acceptable Certificates of Compliance by the Provisional Food Business Licences Issue Office.	100%		1	1	1	FSD	Ensure fire and ventilation safety.
				No pledge for overall process.	NA		45	45	45		

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							Earliest (days)	Average (days)	Longest (days)		
11*	Fresh Provision Shop Licence	230	FEHD	Inspect premises within 7 working days upon acceptance of licence application.	94%	35	2	5.6	9	BD	Ensure building safety.
				Issue Letter of Requirements within 7 working days of receipt of confirmation from other agencies that premises are suitable for licensing.	89%		1	4.5	11		
				Conduct final verification inspection within 8 working days of receipt of notification from applicant on compliance.	97%		1	3.6	18		
				Issue Full Licence within 7 working days upon satisfactory final verification inspection.	97%		1	3.6	9	FSD	Ensure fire and ventilation safety.
				No pledge for overall process.	NA		11	73.1	208		
	Provisional Fresh Provision Shop Licence	72	FEHD	Inspect premises within 7 working days upon acceptance of licence application.	100%	16	3	5.3	7	BD	Ensure building safety.
				Issue Letter of Requirements within 7 working days of receipt of confirmation from other agencies that the premises are suitable for licensing.	94%		1	4.1	8		
				Issue Provisional Licence on the same day of receipt of acceptable Certificates of Compliance by the Provisional Food Business Licences Issue Office.	100%		1	1	1	FSD	Ensure fire and ventilation safety.
				No pledge for overall process.	NA		11	31.1	74		

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							Earliest (days)	Average (days)	Longest (days)		
12*	Siu Mei and Lo Mei Shop Licence	63	FEHD	Inspect premises within 7 working days upon acceptance of licence application.	85%	13	1	5.9	8	BD	Ensure building safety.
				Issue Letter of Requirements within 7 working days of receipt of confirmation from other agencies that premises are suitable for licensing.	85%		1	5.9	30		
				Conduct final verification inspection within 8 working days of receipt of notification from applicant on compliance.	100%		1	3.2	7		
				Issue Full Licence within 7 working days upon satisfactory final verification inspection.	92%		1	3	10	FSD	Ensure fire and ventilation safety.
				No pledge for overall process.	NA		40	125.2	231		
	Provisional Siu Mei and Lo Mei Shop Licence	45	FEHD	Inspect premises within 7 working days upon acceptance of licence application.	75%	8	3	7.5	19	BD	Ensure building safety.
				Issue Letter of Requirements within 7 working days of receipt of confirmation from other agencies that premises are suitable for licensing.	88%		2	4.5	9		
				Issue Provisional Licence on the same day of receipt of acceptable Certificates of Compliance by the Provisional Food Business Licences Issue Office.	100%		1	1	1	FSD	Ensure fire and ventilation safety.
				No pledge for overall process.	NA		25	55	116		

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							Earliest (days)	Average (days)	Longest (days)		
13	Liquor Licence	618	FEHD	Issue Liquor Licence within 5 working days upon approval granted by the Liquor Licensing Board and production of a valid restaurant licence/certificate of compliance for clubs.	100%	149	2	3.8	5	Nil	NA
14	Licence for Storage of Dangerous Goods (Categories 2 to 10 (Excluding Category 9A))	259	FSD	Conduct an initial inspection within 14 working days upon receipt of application.	100%	421	1	9.8	11	Lands D	Provide information on the legitimate use of land for the construction of a D. G. store.
				Issue fire safety requirements within 28 working days following receipt of application and the required details/plans in full.	100%	421	5	12.8	26		
				Conduct a verification inspection within 7 days upon report of work completion.	100%	101	1	4.9	7	BD	Comment on the structural stability and other building issues.
				Issue DG licence within 6 working days upon confirmation of full compliance.	100%	101	1	3.5	6		
15	Registration of Boilers and Pressure Vessels	1713	LD	Complete processing applications for registration of equipment within 3 weeks upon receipt of all relevant information and documentation.	100%	122	6	10.8	21	Nil	NA
16	Temporary Liquor Licence ⁽⁴⁾	155	HKPF	Issue licence in 14 working days upon receipt of application.	99.2%	98	13	14	30	Nil	NA
17	Mobile Radio System Licence (System Consisting of Portables Only)	2576	OFTA	98% of licences will be issued in 9 working days upon receipt of application.	99.8% of licences issued in 9 working days	2576	Not available	Not available	10	Nil	NA
18	Radio Dealer (Unrestricted) Licence	1605	OFTA	96% of licences will be issued in 4 working days upon receipt of application.	98.9% of licences issued in 4 working days	1605	Not available	Not available	6	Nil	NA

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19	Trade Promotion Competition Licence	1589	TELA	Issue licence in 7 working days upon receipt of application.	100%	1802	4	6	7	Nil	NA

Note :

- (1) The source of the above regulatory activities is the Business Licence Information System of Trade and Industry Department.
- (2) Activities marked with "*" have been covered in the supermarket licensing review.
- (3) The "Waste Disposal Licence" and "Approval for Storage of Chemical Waste Container > 450L" processed by EPD are uncommon with the retail sector. In the past 12 months there were only 22 such applications, mainly from operators of industrial undertakings.
- (4) "Temporary Liquor Licence" is mainly for sale of liquor at public entertainment or on public occasion. The licence should not be of great relevance to the retail trade.
- (5) Performance details of licensing agencies are compiled from data of the following periods -

AFCD	-	12 months ending September 2004.
EMSD	-	12 months ending August 2004.
EPD	-	12 months ending September 2004.
FEHD	-	April to June 2004.
FSD	-	12 months ending September 2004.
LD	-	September 2004
HKPF	-	12 months ending September 2004.
OFTA	-	12 months ending December 2003.
TELA	-	12 months ending September 2004.

Legend

AFCD	Agricultural, Fisheries and Conservation Department
EMSD	Electrical and Mechanical Services Department
EPD	Environmental Protection Department
FEHD	Food and Environmental Hygiene Department
BD	Buildings Department
FSD	Fire Services Department
LD	Labour Department
HKPF	Hong Kong Police Force
OFTA	Office of the Telecommunications Authority
TELA	Television and Entertainment Licensing Authority
NA	Not applicable