

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

Food and Environmental Hygiene Department

(March 2012 Edition)

A GUIDE TO APPLICATION FOR FACTORY CANTEEN LICENCE

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 should be made by submission of a standard application form (FEHB 94), a declaration on premises in compliance with Government lease conditions (FEHB 192), and 3 copies of a proposed layout plan of the premises (drawn to scale and in metric unit) to Assistant Secretary (Other Licences) of Licensing Office concerned (see **Appendix I**). The standard forms are obtainable from all Licensing Offices and District Environmental Hygiene Offices and can be downloaded from the website of Food and Environmental Hygiene Department at http://www.fehd.gov.hk/english/forms/index_forms.html.

The application 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, correspondence 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 managing director and authorized person;
- (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.

Certification of Free of Unauthorized Building Works, Compliance with Government Lease Conditions and Statutory Plan Restrictions

With effect from 18 April 2006, premises under application for **Factory Canteen Licence** should be free of unauthorized building works and comply with Government lease conditions and statutory plan restrictions. Applicants may refer to the “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 and (iii) Compliance with Statutory Plan Restrictions” for details. The said documents are obtainable from all Licensing Offices and District Environmental Hygiene Offices and can be downloaded from the website of Food and Environmental Hygiene Department at http://www.fehd.gov.hk/english/howtoseries/forms/new/External_guide_combine_e.PDF.

Preparation of Proposed 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 the Licensing Authority for consideration and referral to other Government 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 (Other Licences) will acknowledge it and inform the applicant in writing the date and time when the Licensing Inspector will conduct inspection to the premises to assess its suitability for licensing and the date and time of Application Vetting Panel meeting after the proposed layout plan passing the preliminary screening. If the appointment for site inspection is inconvenient to him, he can always request to change it to another date by telephoning the Assistant Secretary (Other Licences). 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, Commissioner for Labour and other Government departments concerned for comments, as appropriate.

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 | : | 1150 megajoules per hour; or |
| (b) | liquid fuel | : | 25 litres per hours; or |
| (c) | solid fuel | : | 35 kilograms per hour. |

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 (Other Licences) for processing.

After the inspection and upon clearance from all Government departments concerned, the Assistant Secretary (Other Licences) will list out in detail the licensing requirements and convey them to the applicant in writing at or before the Application Vetting Panel meeting for his compliance before a licence can be issued. In addition, the applicant may also enquire various matters about his application during the Application Vetting Panel meeting.

For details of the main licensing requirements, please refer to Appendix V. The applicant is advised, in his own interest, to make reference to the Food Business Regulations, Cap.132X.

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 rejection to the application together with reasons by the Assistant Secretary (Other Licences).

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 in writing and submit the acceptable documents to the Licensing Office concerned. The Licensing Office will then arrange for a Licensing Inspector to visit the premises for verification inspection. The acceptable documents shall include final layout plans of the premises and of the ventilating system installed, the completed and signed prescribed form of FEHB 191(Form UBW-2), nomination form for Hygiene Manager and/or Hygiene Supervisor and other required supporting documents, such as Certificate of Compliance (Category 1 requirements), Electrical Installation Certificate (Form WR1/WR2), Certificate of Compliance and Certificate of Completion in respect of gas installation, communal toilet certificate and food supplier's certificate.

When fire safety 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. To ensure smooth processing of licence inspection, the applicant should submit **ALL** required documentary proof of compliance with fire safety requirements to the respective Regional Office before a compliance inspection would be arranged. Given below are some common documentary proof of compliance with fire safety requirements:

- (a) Certificates of Fire Service Installations and Equipment (FS 251); and
- (b) Invoices from manufacturers/ suppliers and test certificates from testing laboratories indicating that the polyurethane (PU) foam filled mattresses and upholstered furniture used in the premises have complied with the specified standards. (Test certificates shall be issued by an accredited laboratory authorized to conduct such test according to the specified standard, and be stamped with the company's chop of the manufacturer/ supplier for verification.)

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 flow chart for processing of application for Factory Canteen Licence is at Appendix VI.

The licence fee for a factory canteen licence, which is subject to 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 there from. In the event of any difficulty or incomprehension, the applicant should approach the Assistant Secretary (Other Licences). 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 after verification inspection by Licensing Inspector, the Assistant Secretary (Other Licences) 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 once within the first 3 months after the issue of letter of requirements to check progress of the application. Afterwards, only quarterly reminders will be issued to the applicant reminding to expedite action to comply with all licensing requirements for the issue of licence by the Assistant Secretary (Other Licences).

Deadline for Compliance with Licensing Requirements

The maximum period of time allowed for the applicant to comply with all licensing requirements is 6 months after the expiry of provisional licence or 12 months after the issue of the letter of requirements for a full licence in the case where application for a full licence is made or provisional licence is not issued, unless the applicant can demonstrate that the delay in meeting the licensing requirements is due to factors beyond his reasonable control. The application for a full licence will be deemed withdrawn after the above period of time.

Licensing Offices of Food and Environmental Hygiene Department

Hong Kong & Islands

Assistant Secretary (Other Licences)
Hong Kong & Islands Licensing Office,
8/F, Lockhart Road Municipal Services Building,
225 Hennessy Road,
Wan Chai, Hong Kong.
Tel. No. : 2879 5712
Fax No. : 2507 2964
E-mail : hkis_lo@fehd.gov.hk

Kowloon

Assistant Secretary (Other Licences)
Kowloon Licensing Office,
4/F, Pei Ho Street Municipal Services Building,
333 Ki Lung Street,
Sham Shui Po, Kowloon
Tel. No. : 2729 1293
Fax No. : 2789 0107
E-mail : kln_lo@fehd.gov.hk

New Territories

Assistant Secretary (Other Licences)
New Territories Licensing Office,
4/F, Tai Po Complex,
8 Heung Sze Wui Street,
Tai Po, New Territories
Tel. No. : 3183 9226
Fax No. : 2606 3350
E-mail : nt_lo@fehd.gov.hk

The Environmental Protection Department (EPD) Regional Offices

EPD Regional Offices				
District	Regional Offices	Address	Tel No.	Faxline
Kwun Tong, Wong Tai Sin, Sai Kung, Yau Tsim Mong & Kowloon City	Regional Office (East)	5/F., Nan Fung Commercial Centre, 19 Lam Lok Street, Kowloon Bay, Kowloon.	2755 5518	2756 8588
Hong Kong Island & Islands	Regional Office (South)	2/F., Chinachem Exchange Square, 1 Hoi Wan Street, Quarry Bay, Hong Kong.	2516 1718	2960 1760
Tuen Mun, Tsuen Wan, Kwai Tsing & Sham Shui Po	Regional Office (West)	8/F., Tsuen Wan Government Offices, 38 Sai Lau Kok Road, Tsuen Wan, New Territories.	2417 6116	2411 3073
Yuen Long, Shatin, Tai Po & North	Regional Office (North)	10/F., Sha Tin Government Offices, No.1 Sheung Wo Che Road, Sha Tin, New Territories.	2158 5757	2685 1133

**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 :

3 Kai Shing Street, Kowloon.

Tel. No. : 2808 3683

Fax No. : 2576 5945

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

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

Hong Kong Regional Office

M/F, Sheung Wan Fire Station,
2 Western Fire Services Street,
Sheung Wan, Hong Kong
Tel: 2549 8104
Fax: 2559 3461
e-mail: lchfpro2@hkfsd.gov.hk

Kowloon West Sub-Regional Office

6/F, East Wing,
Tsim Sha Tsui Fire Station,
333 Canton Road, Tsim Sha Tsui, Kowloon
Tel: 2302 5339
Fax: 2302 5314
e-mail: lckfpro@hkfsd.gov.hk

Kowloon East Sub-Regional Office

Room 403, 4/F, West Wing,
Tsim Sha Tsui Fire Station,
333 Canton Road, Tsim Sha Tsui, Kowloon.
Tel: 2302 5310
Fax: 2722 5256
e-mail: lckfpro@hkfsd.gov.hk

New Territories Regional Office

Room 402, 4/F., West Wing,
Tsim Sha Tsui Fire Station,
No.333 Canton Road, Tsim Sha Tsui, Kowloon
Tel: 2302 5373
Fax: 2443 1411
e-mail: lcstfpro@hkfsd.gov.hk

Ventilation Division

5/F, South Wing,
Fire Services Headquarters Building,
No.1 Hong Chong Road,
Tsim Sha Tsui East, Kowloon
Tel: 2718 7567
Fax: 2382 2495
e-mail: fsvent@hkfsd.gov.hk

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 internal surfaces of walls of the food preparation room, scullery space and kitchen to a height of not less than two metres shall be surfaced with smooth impervious materials such as glazed tiles and the junctions between the walls and the floor shall be coved (i.e. rounded). Remaining surfaces of walls and ceilings shall be limewashed or painted. The floor of the food preparation room, scullery space and kitchen shall be surfaced with smooth light coloured non-absorbent material.
2. 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.
3. According to the Schedule 5A to the *Food Business Regulation*, every factory canteen is required to provide the minimum aggregate area of kitchen, food preparation room and scullery space as follows:

Gross floor area	Minimum area of food room
250 m ² or less	14% of gross floor area, but not less than 5 m ²
Exceeding 250 m ² but not exceeding 1 000 m ²	12% of gross floor area, but not less than 35 m ²
Exceeding 1 000 m ²	10% of gross floor area, but not less than 120 m ²

4. Toilet facilities :-

<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	1
	(F)	(* for both sexes)	

(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 :-

Water closets and flushed urinals for customers and staff shall be installed to a standard not less than that required by the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations, Cap.123I.

Note for toilet facilities:-

- (a) The toilets shall not communicate directly with a kitchen, food preparation room, food store or 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 1:1.5 (for over 700 customers).

5. A grease trap shall be provided between drain traps and main sewer.

6. 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.
7. 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.
8. 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.
9. 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.
10. 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.)
11. 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.
12. Dust and vermin proof cupboards shall be provided for the storage of clean crockery, utensils etc.
13. Glazed wash-hand basins shall be installed (a) within reasonable distance of each water closet or urinal, and (b) in each food preparation room.
14. Suitable wash-up sinks shall be installed in each food preparation room and scullery space.

15. Mains water must be laid on to the premises.
16. All false ceilings, panelling, decorations etc. forming hollow spaces and potential harbourage for rats and cockroaches shall be rendered accessible for cleansing and inspection.
17. 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.
18. There shall be displayed outside each entrance of the factory canteen a notice in English and Chinese -

"FACTORY EMPLOYEES OF THIS BUILDING ONLY"

『只准本大廈之工廠員工使用』

(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, Cap.123B
4. No hazardous trades should co-exist on the premises. The policy of "first-comefirst-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. 123F will apply.
8. Factory canteens are not permitted on the upper floors of single staircase buildings.

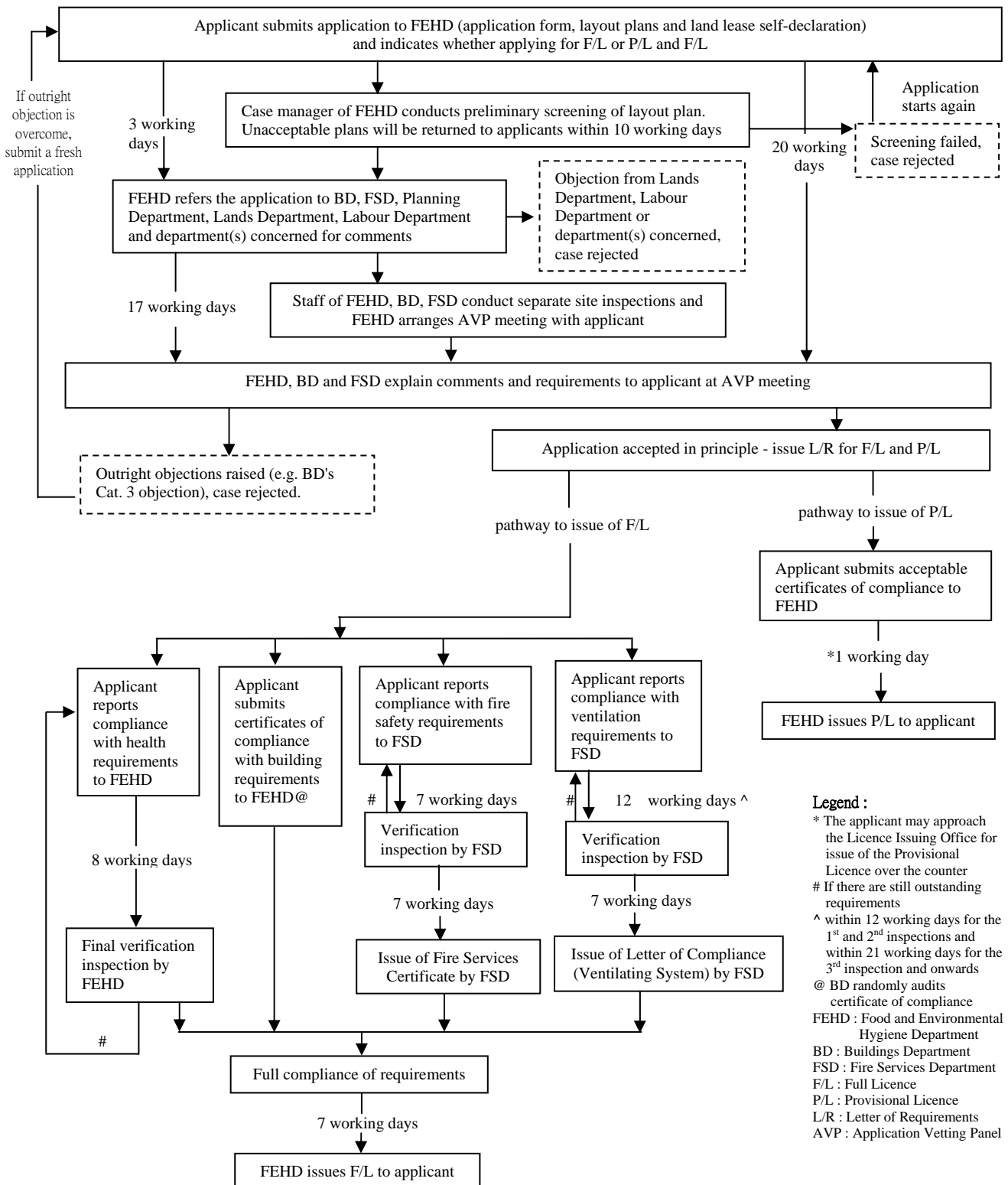
Note : For enquiries, please contact the Buildings Department at 12/F.,
Pioneer Centre, 750 Nathan Road, Kowloon.
Telephone No. 2626 1085

(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.

FLOW CHART SHOWING FACTORY CANTEEN LICENSING PROCEDURES



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.