

**Business Facilitation Advisory Committee
Food Business and Related Services Task Force**

Revision to Bakery Licence Requirement for Licensed Restaurants

Purpose

This paper briefs members on the revised requirement for obtaining a bakery licence for sale of bakery products in licensed restaurants put forward by the Food and Environmental Hygiene Department (FEHD).

Background

2. Under the Food Business Regulation, Cap. 132X (the Regulation), a restaurant licence must be obtained from the FEHD for the food business which involves the sale of food for consumption on the premises, while a food factory licence is required for any food business which involves the preparation of food for sale for human consumption off the premises. In addition, a bakery licence must be obtained if the food business involves the baking of bread and other bakery products.

3. Hence, a licensed restaurant has to obtain a bakery licence if it prepares bread and other bakery products for retail sale at a separate counter/in a separate portion of the premises, but no separate bakery licence is required for a licensed general restaurant if it prepares such bakery products for consumption by customers on the premises. In the case of a licensed light refreshment restaurant, as the licensee is restricted to prepare and sell for consumption on the premises the group of food items specified in the licence, and the area requirements for the food room are comparatively less stringent, a separate bakery licence is still required under the licensing policy if baking of bakery products is carried out, whether the bakery products are for consumption by consumers on the premises, or for retail sale at a separate counter of the premises.

Processing of Restaurant Licence and Related Bakery Licence and Licensing Requirements

4. The FEHD is considering adopting a facilitating approach to process applications for restaurant licence and the related bakery licence concurrently, including the use of a single form for both applications, and combined processing of these applications in conducting site inspections, referring applications to relevant departments and the issuance of the Letter of

Requirements, so as to facilitate applicants to apply for both licences in one go. As for other departments involved in processing relevant licence applications, including the Fire Services Department, Buildings Department and Independent Checking Unit of Transport and Housing Bureau, after receiving restaurant licence and the corresponding bakery licence applications referral from the FEHD, the applications will be processed together as far as practicable, including conducting inspections and issuing relevant safety and licensing requirements to facilitate the trade.

5. In addition, the Regulation specifies the provision of adequate space and facilities in licensed food premises. Notwithstanding this, provided that food safety and environmental hygiene is not compromised, shared use of sanitary fitments for staff and ventilating system (except for the kitchen where an independent ventilating system is required) is allowed for a licensed restaurant and the related bakery on the same premises. However, other facilities such as wash-up sinks and refrigerators still need to be separately provided for reasons of food safety and licensing control.

Revision to Bakery Licence Requirement for Light Refreshment Restaurants

6. The FEHD has reviewed the licensing policy of requiring licensed light refreshment restaurants to obtain a separate bakery licence. On the premise that food safety and environmental hygiene is not compromised, the requirement has been revised in line with the licensing policy for licensed general restaurants, that is, a light refreshment restaurant with permission to prepare and sell bakery products is not required to obtain a separate bakery licence if the bakery products are for consumption by consumers on the premises. The new licensing policy has come into effect since December 2019.

Advice Sought

7. Members are invited to note and give comments on the content of this paper.

Food and Environmental Hygiene Department

Fire Services Department

Buildings Department

Independent Checking Unit, Transport and Housing Bureau

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