

Self-certification System when Submission of Revised Plans at Licence Application Stage/ Submission of Alteration Plans of Licensed Restaurant under Restaurant Licensing Regime

Introduction

1. The Self-certification System (the System) is a streamlining measure in which FEHD will handle the applications of revised plans at licence application stage/ alteration plans of licensed restaurant without referral to BD for comment on building safety issues.
2. The System is an alternative option for the applicant. When the applicant submits the revised plans at licence application stage/ alteration plans of licensed restaurant to FEHD, he/she can opt for the system if the restaurant is under the situations mentioned either in paragraphs 5 or 6 below.
3. Under the System, the applicant is required to submit an AP's certification to certify that the proposed changes shown in those revised plans/ alteration plans are in compliance with the building safety requirements.
4. FEHD will handle the applications without referral to BD upon receipt of the AP's certification.

Eligibility and Situation for Adoption of the Self-certification System

5. The System is applicable to submission of revised plans (including ventilation plans) for the to-be-licensed restaurant at licence application stage subject to
 - (i) the restaurant has been processed by BD after implementation of the system; and
 - (ii) the criteria stated in the **Annex I** have been met.
6. The System is applicable to submission of alteration plans (including ventilation plans) of licensed restaurant subject to
 - (i) the licenced restaurant is licenced under the System **or** an alteration plan of the licenced restaurant has been processed by BD after implementation of the system; and
 - (ii) the criteria stated in the **Annex I** have been met.
7. The memorandum issued by the BD after launching of the system would state whether or not the premises meet the criteria (a) & (b) of Annex I.
8. If following building safety requirements have been imposed in the memorandum issued by the BD, the applicant cannot opt for the System until those building safety requirements have been complied with.
 - (i) Category 3 requirements or
 - (ii) Category 1 or Category 2 requirements that requires the re-submission of plans for comment and acceptance by BD

9. If there is/are other food business licence(s) (e.g. Bakery Licence) connected to the restaurant which is eligible for joining the System, those food business licence(s) is/are also eligible to join the System.

AP's certification

10. The AP's certification should cover compliance of all the items (a) to (c) in **Annex I** to ensure the applicant's eligibility to adopt the system.
11. The AP's certification should certify the revised plans at licence application stage/ alteration plans of licensed restaurant complying with the building safety requirements in accordance with the prevailing "A Guide to Application for Restaurant Licences" (the Guide) issued by FEHD and the provision of facilities for persons with a disability in the premises has not been reduced.
12. In addition, submission of plans and report of works completion at the same time, the AP is required to confirm that the premises have been completed in accordance with the plans and verify the full compliance of all building safety requirements.
13. The AP's Certification should be made in a prescribed forms at **Annex II** & **Annex III** and submitted together with those revised plans/alteration plans.

Procedures for Adoption of the System

14. Submission of Revised Plans at Licence Application Stage

- (i) In case that the applicant submits the revised plans together with prescribed form at licence application stage to FEHD **for comment only**, the AP should duly complete and sign Part A and some items¹ of Part B of the prescribed form – (Form SCERT-1).
- (ii) In case that the applicant submits the revised plans together with prescribed form at licence application stage to FEHD **for comment and for issue of provisional licence**, the AP should duly complete and sign Part A and some items² of Part B of the prescribed form – (Form SCERT-1). The submission of the Certificate of Compliance B (Building Safety Requirements) specified under item (c)3 of Appendix J of the Guide is not required.
- (iii) In case that the applicant submits the revised plans together with prescribed form at licence application stage to FEHD **for comment and for report of works completion**, the AP should duly complete and sign all items of prescribed form – (Form SCERT-1). The submission of the Certificate of Compliance (Category 1 requirements) and Certificate of Compliance (Category 2 requirements) specified under items (d)5 & (d)6 of **Appendix J** of the Guide are not required.

15. Submission of Alteration Plans of Licensed Restaurant

- (i) In case that the applicant submits the alteration plans of licensed restaurant to FEHD **for comment only**, the AP should duly complete and sign Part A and some items³ of Part B of the prescribed form – (Form SCERT-1a).

¹ You are not required to complete Part B item (e)

² You are not required to complete Part B item (e)

³ You are not required to complete Part B item (f). In addition, if the licenced restaurant is licenced under the System, the Part B item (d) is not required to be completed. While if an alteration plan of the licenced restaurant has been processed by BD after implementation of the system, the Part B item (c) is not required to be completed.

- (ii) In case that the applicant submits the alteration plans to FEHD **for comment and for report of works completion**, the AP should duly complete and sign Part A and some items⁴ of Part B of prescribed form – (Form SCERT-1a). The submission of the Certificate of Compliance (Category 1 requirements) and Certificate of Compliance (Category 2 requirements) specified under items (d)5 & (d)6 of **Appendix J** of the Guide are not required.
16. The prescribed form should be duly completed and signed by AP correctly, otherwise FEHD will be unable to process the application.
17. BD will conduct audit checks on the AP's certification in order to ascertain the compliance with the building safety requirements. AP's clarification/rectification should be required or disciplinary actions may be taken when false certification/ irregularities are subsequently found.

⁴ If the licenced restaurant is licenced under the System, the Part B item (d) is not required to be completed. While if an alteration plan of the licenced restaurant has been processed by BD after implementation of the system, the Part B item (c) is not required to be completed.

Criteria that The Applicant Can Opt for The Self-certification System

The applicant can opt for the system if the restaurant has been processed by BD after implementation of the System and has met the following criteria:

- (a) All the means of escape provision of proposed or licensed restaurant are exclusive and direct exit(s) to ultimate place(s) of safety;
- (b) Proposed or licensed restaurant is **not** served by fire safety constructions⁵ based on fire engineering design; and
- (c) Proposed changes to the revised layout plan/alteration plans do **not** involve change in the boundaries of the proposed or licensed restaurant.

Under the System, the AP is required to certify that the revised plans/ alteration plans complying with the building safety requirements in accordance with the prevailing “A Guide to Application for Restaurant Licences” issued by the Food and Environmental Hygiene Department”.

⁵ They refer to means of escape, fire resisting constructions and means of access for firefighting and rescue.