

## Residential Care Homes (Elderly Persons) Ordinance Application for Renewal of a Licence

Note: Please put a “✓” in the appropriate boxes

### Part I Particulars of the Residential Care Home for the Elderly (RCHE)

LORCHE number	
Name of the RCHE	
Address of the RCHE	
Telephone number	Fax number
Email address	
<p>The premises of the RCHE is:</p> <p><input type="checkbox"/> a self-owned property</p> <p><input type="checkbox"/> a rented property (please specify the duration of the tenancy agreement below)</p> <p><input type="checkbox"/> situated on leased government land</p> <p><input type="checkbox"/> a partially self-owned and partially rented property (please specify the duration of the tenancy agreement below)</p> <p style="padding-left: 40px;">Details of the self-owned portion _____</p> <p style="padding-left: 40px;">Details of the rented portion _____</p> <p>Validity of Tenancy Agreement (1)      From _____ to _____</p> <p>Validity of Tenancy Agreement (2)      From _____ to _____</p> <p>Validity of Tenancy Agreement (3)      From _____ to _____</p> <p>(Please use supplementary sheets if necessary)</p>	
<p>Number of places in the RCHE</p> <p style="padding-left: 40px;">Care and Attention home places _____</p> <p style="padding-left: 80px;">Aged home places _____</p> <p style="padding-left: 40px;">Self-care hostel places _____</p> <p style="padding-left: 80px;">Total _____</p>	
<p>Type of applicant/operator for the RCHE</p> <p><input type="checkbox"/> Sole proprietorship (Please fill in Part II(A))</p> <p><input type="checkbox"/> Partnership (Please fill in Part II(A))</p> <p><input type="checkbox"/> Body corporate (including a non-governmental organisation (NGO)) (Please fill in Part II(B))</p>	

**Part II (A) To be filled in by a Sole Proprietorship or Partnership**

(If partner in the partnership is a body corporate, please fill in Part III(B))

Name(s) of the operator/partner(s) in the partnership (Shall be the same as the name shown on the Hong Kong Identity Card)	
(1) <input type="checkbox"/> Mr/ <input type="checkbox"/> Ms _____	( _____ ) English (surname first, then other names) Chinese
Hong Kong Identity Card number	
Correspondence address	
Telephone number	Email address
(2) <input type="checkbox"/> Mr/ <input type="checkbox"/> Ms _____	
_____	( _____ ) English (surname first, then other names) Chinese
Hong Kong Identity Card number	
Correspondence address	
Telephone number	Email address
(3) <input type="checkbox"/> Mr/ <input type="checkbox"/> Ms _____	
_____	( _____ ) English (surname first, then other names) Chinese
Hong Kong Identity Card number	
Correspondence address	
Telephone number	Email address
(4) <input type="checkbox"/> Mr/ <input type="checkbox"/> Ms _____	
_____	( _____ ) English (surname first, then other names) Chinese
Hong Kong Identity Card number	
Correspondence address	
Telephone number	Email address
(5) <input type="checkbox"/> Mr/ <input type="checkbox"/> Ms _____	
_____	( _____ ) English (surname first, then other names) Chinese
Hong Kong Identity Card number	
Correspondence address	
Telephone number	Email address
(Please use supplementary sheets if necessary)	

**Part II (B) To be filled in by a Body Corporate (Including an NGO/a Partner in the Partnership who is a Body Corporate)**

Name of the company/NGO in English	
Name of the company/NGO in Chinese	
Business registration number (if applicable)	<input type="checkbox"/> The trust/ <input type="checkbox"/> Company's Certificate of Incorporation number/ <input type="checkbox"/> The chapter number of the Ordinance of the Laws of Hong Kong under which the statutory body is incorporated (if applicable)
Address of the company/NGO in English	
Address of the company/NGO in Chinese	
Telephone number	Email address

**Part III Correspondence of Authorised Representative**

(A body corporate (including an NGO/a partner in the partnership) shall authorise an "authorised representative" in writing. For details, please refer to the Guidance Notes for Application for Renewal of a Licence)

Name of the authorised representative (Shall be the same as the name shown on the Hong Kong Identity Card) <input type="checkbox"/> Mr/ <input type="checkbox"/> Ms _____ ( _____ ) English (surname first, then other names) Chinese	
Telephone number	Email address
Position of the authorised representative in the <input type="checkbox"/> company/ <input type="checkbox"/> NGO/ <input type="checkbox"/> RCHE (if applicable)	

**Part IV Personal Particulars of the Responsible Person**

(Please also submit the Proposal of a Responsible Person for a Residential Care Home for the Elderly if change of responsible person is required in this renewal application)

Name of the proposed responsible person (Shall be the same as the name shown on the Hong Kong Identity Card) <input type="checkbox"/> Mr/ <input type="checkbox"/> Ms  _____ ( _____ ) English (surname first, then other names) Chinese	
Hong Kong Identity Card number	
Correspondence address in English	
Correspondence address in Chinese	
Telephone number	Email address
Position of the proposed responsible person in the <input type="checkbox"/> sole proprietorship/ <input type="checkbox"/> partnership/ <input type="checkbox"/> company/ <input type="checkbox"/> NGO/ <input type="checkbox"/> RCHE	
Is the proposed responsible person currently being the person the responsible person in other Residential Care Home(s) for the Elderly/Persons with Disabilities? <input type="checkbox"/> No <input type="checkbox"/> Yes (Please provide LORCHE/LORCHD number(s) and the RCH name(s): _____ )	

**Part V Declaration of the Applicant (Including Sole Proprietor, Body Corporate, Partner in the Partnership)**

(For partnership, each partner must fill in a separate Part V)

I hereby declare that:	
1. the <input type="checkbox"/> sole proprietor/ <input type="checkbox"/> body corporate/ <input type="checkbox"/> partner (applicable to partner being an individual or a body corporate) is currently being prosecuted for or has been convicted of an offence involving fraud or dishonesty in any place. <input type="checkbox"/> No <input type="checkbox"/> Yes (If you answer “yes”, please provide the relevant prosecution documents/court documents with the following details) <input type="checkbox"/> being prosecuted currently	
Prosecuting authority	
Place of prosecuting authority	
Offence involved	
Date of hearing	

<input type="checkbox"/> has been convicted	
Court that tried the offence	
Place of the court	
Offence committed	
Penalty imposed	
Date of conviction	

2. the  sole proprietor/  body corporate/  partner (applicable to partner being an individual or a body corporate) is currently being prosecuted for or has been convicted of an indictable offence<sup>1</sup> in Hong Kong.

No

Yes (If you answer “yes”, please provide the relevant prosecution documents/court documents with the following details)

being prosecuted currently

Prosecuting authority	
Offence involved	
Date of hearing	

has been convicted

Court that tried the offence	
Offence committed	
Penalty imposed	
Date of conviction	

3. the  sole proprietor/  partner (applicable to partner being an individual) is currently being prosecuted for an offence punishable with imprisonment or has been sentenced to imprisonment, whether or not the sentence is suspended, in a place outside Hong Kong.

No

Yes (If you answer “yes”, please provide the relevant prosecution documents/court documents with the following details)

being prosecuted currently

Prosecuting authority	
Place of prosecuting authority	
Offence involved	
Date of hearing	

has been convicted

Court that tried the offence	
Place of the court	
Offence committed	
Penalty imposed	
Date of conviction	

<sup>1</sup> According to section 14A of the Criminal Procedure Ordinance (Cap. 221), if the legislative provision creating the offence contains the words "upon indictment" or "on indictment" etc., then the offence is an indictable offence.

4. the  body corporate/  partner (applicable to partner being a body corporate) is currently being prosecuted for or has been convicted of an offence in a place outside Hong Kong.

No

Yes (If you answer “yes”, please provide the relevant prosecution documents/court documents with the following details)

being prosecuted currently

Prosecuting authority	
Place of prosecuting authority	
Offence involved	
Date of hearing	

has been convicted

Court that tried the offence	
Place of the court	
Offence committed	
Penalty imposed	
Date of conviction	

5. the  sole proprietor/  body corporate/  partner (applicable to partner being an individual or a body corporate) is currently being prosecuted for or has been convicted of an offence against the Residential Care Homes (Elderly Persons) Ordinance/Residential Care Homes (Elderly Persons) Regulation/Residential Care Homes (Persons with Disabilities) Ordinance/Residential Care Homes (Persons with Disabilities) Regulation.

No

Yes (If you answer “yes”, please provide the relevant prosecution documents/court documents with the following details)

being prosecuted currently

Prosecuting authority	
Offence involved	
Date of hearing	

has been convicted

Court that tried the offence	
Offence committed	
Penalty imposed	
Date of conviction	

6. the  sole proprietor/  body corporate/  partner (applicable to partner being an individual or a body corporate) has been refused the issuance or renewal of a licence/certificate of exemption under the Residential Care Homes (Elderly Persons) Ordinance/Residential Care Homes (Persons with Disabilities) Ordinance.

No

Yes (If you answer “yes”, please provide the following details)

Date	
LORCHE/LORCHD number and RCH name (if applicable)	
Reason(s)	

7. the  sole proprietor/  partner (applicable to partner being an individual) is an undischarged bankrupt.

No

Yes (If you answer “Yes”, please provide the following details)

Date of adjudication	
Court that made the adjudication	

8. the  sole proprietor/  partner (applicable to partner being an individual or a body corporate)/  body corporate has entered into a composition or scheme of arrangement with the creditor(s).

No

Yes (If you answer “Yes”, please provide the following details)

Date of approval of the composition or scheme of arrangement with the creditor(s)	
Repayment proposal	

9. the  sole proprietor/ partner (applicable to partner being an individual or a body corporate)/ body corporate is a director of a body corporate that is in liquidation or the subject of a winding-up order.

No

Yes (If you answer “Yes”, please provide the following details)

Name of the company in English	
Name of the company in Chinese (if applicable)	
Business Registration number	
Certificate of Incorporation number (if applicable)	
Registered address of the company	
Date of adjudication	
Court that made the adjudication	

10. the  body corporate/ partner (applicable to partner being a body corporate) is in liquidation or the subject of a winding-up order.

No

Yes (If you answer “Yes”, please provide the following details)

Date of adjudication	
Court that made the adjudication	

11. I have read, understood and agreed to the contents of this declaration, the Personal Information Collection Statement, and the Guidance Notes for Application for Renewal of a Licence;

12. the information I have provided on this application form is true and correct to the best of my knowledge and belief;

13. I consent to the Social Welfare Department (SWD) making necessary enquiries on matters regarding my application for renewal of an RCHE licence and for verifying the information given above (e.g. requesting details of my conviction records (if any) from the Commissioner of Police; details of my bankruptcy records (if any) from the Official Receiver);



14. I (applicable to the sole proprietor and the partner (being an individual)) agree to sign the specified authorisation in the witness of the staff of Licensing Office of Residential Care Homes for the Elderly (LORCHE) so as to authorise the Commissioner of Police to release my criminal record(s) to the SWD for the vetting of this application for renewal of an RCHE licence;
15. I authorise all government departments and other organisations or agencies (including but not limited to Town Planning Board/ Planning Department/ Lands Department/ Hong Kong Police Force/ Hong Kong Fire Services Department/ Buildings Department/ Electrical and Mechanical Services Department/ Official Receiver's Office/ Government bureaux and departments/ public utilities companies, etc.) to disclose any relevant records and information pertaining to my application for renewal of an RCHE licence on a need-to-know basis; and
16. the operation, keeping, management or other control of the RCHE above is under my continuous supervision.

Signature of the

Applicant/

Authorised Representative/

Partner (applicable to partner being an individual): \_\_\_\_\_

Date: \_\_\_\_\_

Name (Block letters): \_\_\_\_\_

Company/Organisation Chop (if applicable): \_\_\_\_\_

### **WARNING**

- Under section 21(6)(a) of the Residential Care Homes (Elderly Persons) Ordinance, any person who in or in connection with this application makes any statement or furnishes any information, whether such statement be oral or written, which is false in any material particular and which the person knows or reasonably ought to know is false in such particular commits an offence. The provision of such false information may also prejudice this application and the existing licence.
- Under section 6 of the Residential Care Homes (Elderly Persons) Ordinance, any person who operates, keeps, manages or otherwise has control of a residential care home while no licence is in force in respect of the residential care home commits an offence and is liable to a fine of \$1,000,000 and to imprisonment for 2 years and to a fine of \$10,000 for each day during which the offence continues.

## Personal Information Collection Statement

**Please read this notice before you provide any personal data<sup>2</sup> to the SWD.**

### Purposes of Collection

1. The personal data supplied by you will be used by the SWD to process your application for renewal of a residential care home licence and related matters, including (but is not limited to) service supervision and regulation. Provision of personal data to the SWD is voluntary. However, if you fail to provide the requested personal data, the SWD may be unable to process your application.

### Classes of Transferees

2. The personal data you provided may be made available to other government departments/organisations/persons or under the circumstances listed below for the purposes mentioned in paragraph 1 above –
  - (a) Other government departments/organisations/persons if they are involved in –
    - (i) the application for residential care home licence;
    - (ii) service supervision and regulation of residential care homes, including handling of complaints;
  - (b) Where such disclosure is authorised or required by law; or
  - (c) Where you have given your prescribed consent to such disclosure.

### Access to Personal Data

3. You have the right to request access to and correction of your personal data held by the SWD in accordance with the Personal Data (Privacy) Ordinance, Cap 486. A fee is charged for supplying copies of personal data. Requests for access to and correction of personal data collected by the SWD should be addressed to –

Post title : Executive Officer I (Licensing & Regulation)<sup>2</sup>  
 Office : Development Section, Licensing & Regulation Branch, Social Welfare Department  
 Address : 5/F, THE HUB, 23 Yip Kan Street, Wong Chuk Hang, Hong Kong  
 Email : eoilr2@swd.gov.hk

<sup>2</sup> Under the Personal Data (Privacy) Ordinance, Cap. 486, personal data means any data –

- (a) relating directly or indirectly to a living individual;
- (b) from which it is practicable for the identity of the individual to be directly or indirectly ascertained; and
- (c) in a form in which access to or processing of the data is practicable.

## **Residential Care Homes (Elderly Persons) Ordinance**

### **Guidance Notes for Application for Renewal of a Licence**

1. An “applicant” includes a sole proprietorship, partnership and body corporate (including an NGO).
2. A partnership and body corporate (including an NGO) shall authorise a “authorised representative” to sign on this application form, and submit a written authorisation together with this application form.
3. The applicant/representative of the applicant shall forward the original copy of a completed renewal application form by dispatch or by registered post to the LORCHE of the SWD, or the application form can be completed and submitted electronically via the Online Platform. The address of LORCHE is –  
6/F, THE HUB, 23 Yip Kan Street,  
Wong Chuk Hang, Hong Kong
4. Any person applying for renewal of an RCHE licence shall submit the following documents at the same time –

#### **(a) Applicable to all applications**

- photocopy of the tenancy agreement of the RCHE premises (applicable to rented premises)
- photocopy of the deed of assignment of the RCHE premises (applicable to self-owned premises)
- certified copy of the Business Registration Application (applicable to applications of private RCHEs)
- photocopy of the Business Registration Certificate (applicable to applications of private RCHEs)
- photocopy of the Branch Registration Certificate (applicable to applications of private RCHEs)  
(if applicable)
- staff list of the RCHE
- photocopy of the relevant documents related to fire safety and precautionary measures (please refer to Annex 5.2 of the Code of Practice for Residential Care Homes (Elderly Persons) (Code of Practice))
- layout plans of the RCHE (applicable to RCHEs which have undergone the addition and alteration works as mentioned in paragraph 4.13 of Chapter 4 in the Code of Practice. Please refer to Annex 3.3 of the Code of Practice for the requirements of layout plans)
- proposal of a responsible person for an RCHE (applicable to first licence renewal application on or after 16 June 2024/the licence renewal application that requires a change of responsible person)
- photocopy of Hong Kong Identity Card and correspondence address of responsible person (if applicable)

Besides the items in (a) above, the following documents shall be submitted –

**(b) (i) Applicable to an application of a sole proprietorship**

- photocopy of Hong Kong Identity Card of the applicant
- relevant court document related to the criminal record of the applicant (if applicable)
- relevant records issued by Official Receiver to the applicant (if applicable)
- relevant documents of the entered composition or scheme of arrangement with their creditors (if applicable)

**(b) (ii) Applicable to an application of a partnership**

- photocopies of Hong Kong Identity Card of all partners
- original copy of the written authorisation for the representative of the applicant (if applicable)
- relevant court document related to the criminal record of all partners (if applicable)
- relevant records issued by Official Receiver to all partners (if applicable)
- relevant documents of the entered composition or scheme of arrangement with their creditors (if applicable)

**(b) (iii) Applicable to an application of a body corporate (including an NGO)**

- original copy of the written authorisation for the representative of the applicant
- photocopy of the Certificate of Incorporation
- photocopy of the Annual Return (NAR1)
- photocopy of the Notice of Change of Company Name (NNC2) (if applicable)
- photocopy of the Notice of Change of Company Secretary and Director (Appointment/Cessation) (ND2A) (if applicable)
- relevant court document related to the criminal record of the body corporate (if applicable)
- relevant records issued by Official Receiver to the body corporate (if applicable)
- relevant documents of the entered composition or scheme of arrangement with their creditors (if applicable)