

“Guidelines on New Applications for License for Outdoor Cafes”

I. Formalities for applications for License for Outdoor Cafes

1. Applicants interested in applying for the License for Outdoor Cafes should first refer to the “Application Requirements for Outdoor Cafes” and comply with the relevant requirements (see Annex II);
2. Applicants who meet the requirements should prepare the required application documents. The application letter has to be made by the license holder (see Annexes I, IV, and V);
3. Applicants are required to visit the counter for One-stop Licensing Service for Food and Beverage Establishments on the 2nd floor of China Plaza for processing the relevant formalities;
4. IAM will review the relevant documents and forward them to other departments for consultation;
5. In general, the time taken for examination and approval of the application is about 30 working days, excluding the time needed for consultation with other departments. If other departments issue an opinion stating that an application is not feasible, the applicant should follow up on the matter;
6. If other departments issue an opinion stating that an application is feasible, IAM will make the final decision;
7. IAM will notify the applicant via SMS and official letter regarding payment and license collection;
8. The fees and charges of the applications should be based on the “Fees, Charges

and Prices List of IAM”. For areas of 30 square metres or less, each square metre or less is charged MOP 1200.00 per year, and extra Mop 400.00 is charged per year for each additional square metre or less. 10% of the license application fee is also charged as stamp duty;

9. License holders of establishments should comply with the relevant provisions of the “Operation Rules for Outdoor Cafes” in their operations (see Annex III).

II. Documents required for new applications for License for Outdoor Cafes

Documents to be submitted	Documents to be produced
<ol style="list-style-type: none"> 1. Application letter 2. Location plan of the proposed construction work 3. Floor plan of the occupied area (Scale 1:100) 4. Rendering of the occupied area with tables and seats 5. If the establishment is licensed and supervised by the Macao Government Tourist Office, it is required to submit a legible photocopy of its administrative license <ul style="list-style-type: none"> ■ the license holder is a natural person, he or she should submit a legible photocopy of identity document(s); ■ the license holder is a legal entity, a photocopy of valid Business Registration Certificate (companies registered at the Commerce and Movable Property Registry of Macao are exempted from submission) is required to be submitted, together with a legible photocopy of the identity document of the legal representative(s) of the company. A legible photocopy of the company's document of incorporation or of the company's incorporation document which has been published in the "Official Gazette of Macao SAR" if the document of incorporation has been signed for less than 15 days. 	<p>The original / notarised copy of the identity document which bears the signature of the applicant or the legitimate representative</p>

Application Letter for License for Outdoor Cafes (template)

(Applicant/Legal Person Name), whose identity document type is (Macao Resident Identity Card/Hong Kong Identity Card/Passport/Business Registration Certificate), with number (number), is the license holder of (establishment name), which is a (beverage establishment/food and beverage establishment/restaurant/bar), whose license number is (number), and is located at (address). I/We hereby apply to the competent authorities for the License for Outdoor Cafes and submit the following documents as required:

I. Required documents in general

- ☐ Location plan of the proposed outdoor cafe
- ☐ Floor plan of the occupied area (Scale 1:100)
- ☐ Rendering of the occupied area with tables and seats

II. Other documents that may be required

☐ If the establishment is licensed and supervised by the Macao Government Tourist Office, it is required to submit a legible photocopy of its administrative license. In addition:

☐ If the license holder is an individual person, he or she should submit a legible photocopy of identity document(s);

☐ If the license holder is a legal person, a photocopy of valid Business Registration Certificate (companies registered at the Commerce and Movable Property Registry of Macao are exempted from submission) is required to be submitted, together with a legible photocopy of the identity document of the legal representative(s) of the company. A legible photocopy of the company's document of incorporation or of the company's incorporation document which has been published in the "Official Gazette of Macao SAR" if the document of incorporation has been signed for less than 15 days.

☐ Others _____

(Signature of applicant / representative of legal person)

Date: _____ (Date)

Contact phone number: _____ (mobile phone number)

Contact address: _____ (residential address)

APPLICATION REQUIREMENTS FOR OUTDOOR CAFES

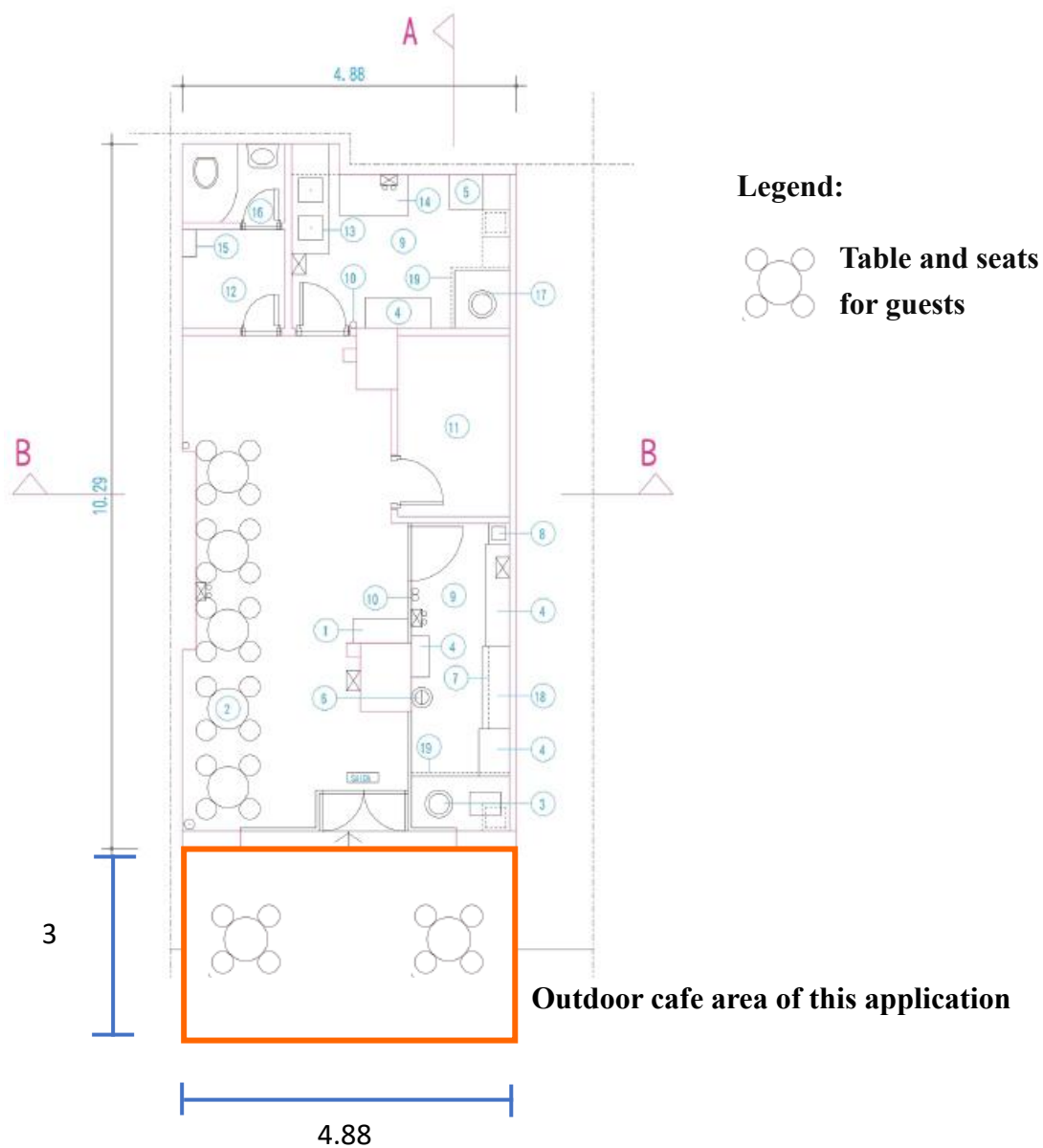
1. Outdoor cafes refer to those specifically affiliated to hotels and similar establishments. Therefore, applicants must hold the License for Food and Beverage Establishments issued by the Municipal Affairs Bureau (IAM), or the License of Restaurant and License of Bar issued by the Macao Government Tourism Office, in order to be eligible for application.
2. If the requirement mentioned above is met, the applicant can make an application for the License for Outdoor Cafes to IAM.
3. As outdoor cafes are a characteristic type of leisure dining, they are not suitable to be opened in crowded areas with frequent crowd control measures.
4. After setting up the outdoor cafe, there should still be enough space for pedestrian passage. It is recommended to maintain a passage width of at least 2.4 metres (for two wheelchairs to pass through at the same time). If there are other facilities for pedestrian passage on the same street, such as streets with colonnades on both sides of a building, the passage width can be reduced by 1.2 metres.
5. The occupied width of the outdoor cafe should also be regulated, which is recommended to be one-third of the street width at maximum. The reason is that if the shops on the opposite side of the same street apply for opening an outdoor cafe at the same time, one-third of the street width can be reserved for pedestrian passage. However, for streets with colonnades on both sides of a building, it is only required to maintain a minimum passage width of 1.2 metres. For special spacious locations like plazas or squares, they are handled on a case-by-case basis depending on the actual circumstances.
6. The occupied location of the outdoor cafe must be directly connected to an entrance of the establishment, and it must cling to the façade of the establishment without exceeding the area of the façade width. However, if the space in front of the shop entrance is the colonnade of a building, it is permissible for the outdoor cafe not to cling to the façade of the establishment.
7. The entrance and exit in the occupied area must have a passageway of at least one metre.
8. In accordance with the stipulations of Clause 1 of Article 27 of the “General Regulations Governing Public Places”, if an outdoor cafe seriously obstructs the passage of vehicles or pedestrians, or renders the place concerned unusable to the public, IAM must reject the issuance of the License for Outdoor Cafes.
9. Compliance with the operation rules set by IAM and the comments on the establishment of the outdoor cafe issued by various departments is required.
10. The case of reissuing a license after revocation is not eligible for application. The same business owner is only eligible for making an application for the License for Outdoor Cafes if he/she does not have records of violations of the “General Regulations Governing Public Places” within two years after the revocation of the license.

OPERATION RULES FOR OUTDOOR CAFES

1. In accordance with the stipulations of “Fees, Charges and Prices List of Municipal Affairs Bureau (IAM)” approved in Chief Executive Writ of Instruction no. 268/2003 amended by Chief Executive Writs of Instruction no. 319/2016, no. 109/2005 and no. 267/2004, the rules for “annual license” are as follows:
 - a. The payable amount for the first-time issuance of an annual license is calculated proportionally to the number of full months between the month of the license issuance date and the end of the calendar year.
 - b. The payable amount for each renewal is the whole amount of the annual license fee.
 - c. Applications for license renewal should be submitted between January and February.
 - d. Failure to renew the annual license within the period specified in the previous Clause shall result in cessation of the licensed activity, unless the person concerned regularises the situation within 90 days.
 - e. Application for renewal of the annual license within the period for regularisation specified in the previous Clause, in addition to payment of the renewal fee, is subject to an additional charge calculated according to the following rules:
 - (1) Application made within 30 days after the expiry of the period provided for license renewal: 30% of the license renewal fee;
 - (2) Application made between the 31st day and the 60th day after the expiry of the period provided for license renewal: 60% of the license renewal fee;
 - (3) Application made between the 61st day and the 90th day after the expiry of the period provided for license renewal: 100% of the license renewal fee.
2. In accordance with the stipulations of Clause 1 of Article 27 of the “General Regulations Governing Public Places”, if an outdoor cafe seriously obstructs the passage of vehicles or pedestrians, or renders the place concerned unusable to the public, IAM must reject the issuance of the License for Outdoor Cafes or its renewal.
3. The license holder is responsible for the performance of management, maintenance, examination, repair and other work of the occupied items, including, but not limited to, all acts to safeguard public interests.
4. The surface of walkways is required to be protected sufficiently and properly during the occupation period to avoid damage. In the event of damage of the surface of walkways or the public facilities due to the installation of the outdoor cafe, repair and proper restoration must be made in accordance with the requirements of IAM.
5. The drainage well and the drainage system must not be blocked, and the installation of the outdoor cafe cannot affect the drainage on the surface of the walkways.
6. Placing any items or fixed devices in the outdoor cafe without permission is prohibited.
7. Occupying public places outside the designated occupation area is prohibited.

8. The outdoor cafe is prohibited from opening to the public from 9:00 p.m. to 9:00 a.m. daily. All items on the occupied area are required to be properly packed immediately after the end of business hours each day.
9. Placing loudspeakers or other similar devices that make sounds in the outdoor cafe area is prohibited.
10. The outdoor cafe area and the surrounding places must be kept clean and hygienic. During the operation period, the area has to be cleaned regularly, and the site has to be cleared immediately after use each day, including cleaning the stains on the ground.
11. Garbage bins can be placed in the outdoor cafe area during the permitted operation hours. They must be covered containers with the use of garbage bags to wrap garbage properly and ensure no leakage.
12. The License for Outdoor Cafes cannot be transferred in any form. The license holder is prohibited from leasing, lending or transferring the whole or part of the license in any name, otherwise the license shall become invalid. If the license holder of the establishment is changed, a new application for the License for Outdoor Cafes is required to be made.
13. The death of a license holder that is an individual or the termination of a license holder that is a legal person shall result in the invalidation of the license.
14. If IAM verifies that the outdoor cafe causes serious impact on public peace, cleanliness or public hygiene, or penalties are imposed on the license holder twice or above in less than six months due to violations of the operation rules set by IAM, the license shall be revoked.
15. If any infringements involving the “General Regulations Governing Public Places” are committed for three times during the valid period of the annual license, the license shall be revoked regardless of the fines or penalties imposed.
16. The case of reissuing a license after revocation is not eligible for application. The same business owner is only eligible for making an application for the License for Outdoor Cafes if he/she does not have records of violations of the “General Regulations Governing Public Places” within two years after the revocation of the license.
17. To safeguard public interest, if the outdoor cafe area has to be temporarily used for government construction works, such as road construction, or public activities, the license holder is required to cooperate unconditionally and remove the outdoor cafe without compensation.
18. The license holder is required to comply with the comments on the establishment of the outdoor cafe issued by various departments.
19. The establishment has to pay attention to information about tropical cyclones and storm surges, and it can only be open to the public for operation when safety is ensured.
20. When the Macao Meteorological and Geophysical Bureau issues a tropical cyclone signal no. 8 or above, the establishment must suspend the business operation and properly pack all items on the occupied area immediately.

Floor plan of the occupied area of outdoor cafe (example)



Floor plan

Scale 1:100

**Rendering of the occupied area with tables and seats in an outdoor
cafe (example)**



Photo of table and seat(s)

Description of design proposal (for reference only):

1. The street width is 12 metres, and the outdoor cafe area is 3 metres x 7.5 metres;
2. The outdoor cafe area will be equipped with two tables and 11 seats. Please see the image for the design);
3. Two parasols will be placed during operation hours and returned to the establishment after closing each day.