

**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

**FHB(FE)023**

Head: 49 Food and Environmental Hygiene Department  
Subhead (No. & title):

Question Serial No.

0442

Programme: (2) Environmental Hygiene and Related Services

Controlling Officer: Director of Food and Environmental Hygiene

Director of Bureau: Secretary for Food and Health

Question:

The Ombudsman commented earlier that on-street promotional activities involving the use of easy-mount frames and setting up of publicity stands were rampant. As the obstruction caused by easy-mount frames, A-shape boards and placards has become increasingly serious, will the Government inform this Committee of:

- (a) the respective number of complaints involving publicity materials such as easy-mount frames received in various districts of the territory in each of the past two years (i.e. in 2008 and 2009), the nature of complaints, and among the complaints received, the number of those involving publicity materials in pedestrian precincts, the quantity of publicity materials such as easy-mount frames seized in various districts of the territory each year over the same period, the number of verbal warnings issued, prosecutions initiated and cases convicted, and the penalties imposed; and
- (b) the respective number of portable publicity placards seized in various districts of the territory over the past year (i.e. in 2009), the number of verbal warnings issued, prosecutions initiated and cases convicted, and the penalties imposed as it is noted that salespersons have instead used portable publicity placards to evade prosecution and the problem of obstruction still exists?

Asked by: Hon. LEE Wai-king, Starry

Reply:

- (a) In 2008 and 2009, the Food and Environmental Hygiene Department received 1 964 and 2 399 complaints respectively against unauthorised display of bills and posters in public places with the use of easy-mount frames and A-shape boards, etc. The complaints were related to the visual impact of such displays on streetscape, public cleanliness and obstruction. Other information sought is provided as follows -

	<b>2008</b>	<b>2009</b>
No. of complaints related to displays in pedestrian precincts	334	295
No. of easy-mount frames and A-shape boards, etc, seized	8 377	15 664
No. of verbal warnings issued	6 067	10 971
No. of prosecutions initiated	919	1 082
No. of cases convicted	898	824
Penalties imposed	Fine : \$80 - \$800	Fine : \$800 - \$1,500

Further breakdowns by district are summarised at Annex.

- (b) It is an offence under section 104A(1)(a) of the Public Health and Municipal Services Ordinance (Cap. 132) to display or affix bills and posters on any Government land without the written permission of the Authority. Hand-holding a publicity placard however does not amount to an act of displaying or affixing. No prosecution has hence been taken out against such acts.

Signature \_\_\_\_\_

Name in block letters W H CHEUK

Post Title Director of  
Food and Environmental Hygiene

Date 15.3.2010

District	Year	Complaints and Actions Against Unauthorised Display of Bills and Posters Using Easy Mount Frames and A-shape boards, etc									
		No. of complaints	No. of complaints related to display in pedestrian precincts	No. of easy-mount frames and A-shape boards, etc seized	No. of verbal warnings issued	No. of summonses issued		No. of cases convicted		Average Fine (\$)	
						4A*	104A <sup>@</sup>	4A*	104A <sup>@</sup>	4A*	104A <sup>@</sup>
Central/ Western	2008	223	0	68	22	0	0	0	0	-	-
	2009	195	0	641	468	0	6	0	0	-	-
Wanchai	2008	259	42	1 095	910	601	0	582	0	300	-
	2009	189	13	742	820	75	0	52	0	300	-
Eastern	2008	100	0	452	533	0	0	0	0	-	-
	2009	274	0	735	993	75	0	0	0	#	-
Southern	2008	22	0	20	14	0	0	0	0	-	-
	2009	33	0	135	21	0	0	0	0	-	-
Islands	2008	0	0	0	0	0	0	0	0	--	--
	2009	2	0	0	2	0	0	0	0	-	-
Kwun Tong	2008	115	0	3 463	0	190	0	188	0	380	-
	2009	137	0	2 032	0	318	0	263	0	325	-
Wong Tai Sin	2008	115	0	6	92	10	0	10	0	250-400	-
	2009	132	0	21	102	31	0	25	0	250-400	-
Sham Shui Po	2008	125	42	19	1 258	59	0	59	0	300-400	-
	2009	199	30	144	924	102	0	98	0	250-330	-
Kowloon City	2008	56	0	0	50	0	0	0	0	-	-
	2009	84	0	609	142	4	4	4	0	250-600	-
Mong Kok	2008	468	250	1 990	1 610	59	0	59	0	200-500	-
	2009	466	252	3 583	5 995	419	0	347	0	250-800	-
Yau Tsim	2008	141	0	297	217	0	0	0	0	-	-
	2009	108	0	259	153	6	26	5	18	300	800-1,500
Tsuen Wan	2008	100	0	873	1 068	0	0	0	0	-	-
	2009	149	0	6 155	990	1	8	0	5	#	1,500
Kwai Tsing	2008	34	0	0	14	0	0	0	0	-	-
	2009	79	0	42	30	0	0	0	0	-	-
Sha Tin	2008	12	0	4	0	0	0	0	0	-	-
	2009	48	0	18	30	2	0	2	0	80-100	-
Sai Kung	2008	35	0	0	174	0	0	0	0	-	-
	2009	45	0	0	132	0	0	0	0	-	-
Tai Po	2008	40	0	0	40	0	0	0	0	-	-
	2009	39	0	0	32	0	0	0	0	-	-
North	2008	23	0	5	10	0	0	0	0	-	-
	2009	84	0	22	45	0	0	0	0	-	-
Tuen Mun	2008	20	0	70	25	0	0	0	0	-	-
	2009	44	0	102	40	0	0	0	0	-	-
Yuen Long	2008	76	0	15	30	0	0	0	0	-	-
	2009	92	0	424	52	5	0	5	0	200-300	-
Total	2008	1 964	334	8 377	6 067	919	0	898	0	-	-
	2009	2 399	295	15 664	10 971	1 038	44	801	23	-	-

Remarks \* Prosecutions under section 4A of the Summary Offences Ordinance, Cap.228

@ Prosecutions under section 104A(1) of the Public Health and Municipal Services Ordinance, Cap.132

# Pending court hearing