

CONTROLLING OFFICER'S REPLY

(Question Serial No. 2527)

Head: (49) Food and Environmental Hygiene Department
Subhead (No. & title): (-) Not Specified
Programme: (2) Environmental Hygiene and Related Services
Controlling Officer: Director of Food and Environmental Hygiene (Miss Vivian LAU)
Director of Bureau: Secretary for Food and Health
This question originates from: Estimates on Expenditure Volume I Page 250 (if applicable)

Question (Member Question No. 48):

Regarding the efforts against unauthorised extension of business area by shops and restaurants, please provide information on the following:

- (a) the Department's estimated expenditure and manpower to be involved in 2014-15;
- (b) the number of inspections conducted, warnings issued and prosecutions instituted, the locations involved as well as the nature of the cases detected in 2013-14; and
- (c) whether new measures will be put in place or additional manpower or resources be allocated to step up raids in districts or streets where the problem of unauthorised extension of business area is serious; and whether consideration has been given to imposing heavier penalties and expediting the prosecution process to achieve a greater deterrent effect.

Asked by: Hon. HO Chun-yin, Steven

Reply:

- (a) In the Food and Environmental Hygiene Department (the Department), 608 Foreman grade officers, 2 210 Hawker Control grade officers and 291 Health Inspectorate grade officers are responsible for enforcing the respective legislation against unauthorised extension of business area by shops and restaurants under their purview, among other duties relating to cleansing, hawker control and environmental hygiene services. There is no separate breakdown on the estimated expenditure involved for taking enforcement against unauthorised extension of business area by shops and restaurants.
- (b) The Department has not kept separate statistics on the number of inspections conducted, locations involved and nature of cases in respect of unauthorised extension of business area by shops and restaurants. In 2013, the Department issued 33 923 warnings and instituted 26 896 prosecutions against unauthorised extension of business area by shops and restaurants.
- (c) In recent years, the Department has adopted a multi-pronged approach and implemented targeted measures to strengthen its actions against illegal extension of business area by food premises. The enhanced measures include stepping up inspections and enforcement actions, speeding up the prosecution process, providing additional information to the court for consideration when passing sentences, applying for closure order from the court against food premises which persistently operate without a licence and, where appropriate, consulting the relevant District Councils on the enhanced measures to seek their support. The Department set up in May 2013, on a pilot basis, a task force comprising eight health inspectorate officers through internal redeployment to pursue enhanced

enforcement actions in Tsuen Wan and Kwai Chung. The Department plans to set up additional task force teams comprising 26 health inspectorate officers and two clerical officers for five years starting from 2014-15, with an estimated annual expenditure of about \$14 million, to tackle the extension of business area by food premises in other areas. The Department will also flexibly deploy the manpower and resources in stepping up enforcement action to tackle obstruction to scavenging operation, illegal hawking and obstruction in public place due to unauthorised extension of business by shops. The Government will also explore the feasibility of enhanced measures against shop front extensions, including introducing a fixed penalty system against shop front extensions.