

CONTROLLING OFFICER'S REPLY

(Question Serial No. 6000)

Head: (49) Food and Environmental Hygiene Department

Subhead (No. & title): (-) Not Specified

Programme: (2) Environment 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. 131):

The Department provides public cleansing services mainly through outsourcing. Yet, it still needs to deploy manpower to monitor the quality of services provided by the contractors and has the responsibility to oversee whether the contractors have breached the labour laws or exploited the outsourced workers.

Please provide information on the following:

1. the number and ranks of civil servants involved in as well as the expenditure on overseeing the performance of cleansing contractors in respect of the various types of outsourced cleansing services;
2. the number of demerit points given and, among them, the number given for breaches of contractual obligations relating to wages in each of the past five years (i.e. from 2009-10 to 2013-14) since the introduction of the Demerit Points System by the Government; and
3. the number of cases in which contractors were penalised for violating the Standard Employment Contract or the Employment Ordinance as well as the penalties imposed by the Department during the same period.

Asked by: Hon. LEUNG Kwok-hung

Reply:

1. The following number of civil servants in the Food and Environmental Hygiene Department (the Department) was involved in supervising the service performance of cleansing contractors as at 28.2.2014 –

Rank of Civil Servants	No. of Civil Servants	Expenditure incurred
Health Inspector	73	These civil servants also perform other duties, such as law enforcement and venue management. Breakdown of expenditure by type of duties is not available.
Overseer	26	
Senior Foreman	300	
Foreman	43	
Senior Hawker Control Officer	5	
Assistant Hawker Control Officer	6	
Total:	453	

2. The number of demerit points registered against contractors by the Department in the past five years is as follows –

	2009-10	2010-11	2011-12	2012-13	2013-14 (as at 28.2.2014)
No. of demerit points	0	0	1(1)	2(1)	0

The figures in bracket denote the number of demerit points registered in connection with wages.

3. The number of breaches of the Standard Employment Contract or the Employment Ordinance is as follows –

	2009-10	2010-11	2011-12	2012-13	2013-14 (as at 28.2.2014)
No. of cases	0	0	1	2	0

Under the demerit points system, any breach of contractual obligations in connection with wage level, daily maximum working hours, signing of standard employment contract with and wage payment by means of autopay to non-skilled workers will lead to the issuance of a default notice. Each default notice attracts one demerit point. For any contractor who has, over a rolling period of 36 months, accumulated three demerit points obtained on or after 1 May 2006 from one or more government departments, his/her tender offer for service contracts that rely heavily on the deployment of non-skilled workers will not be considered for a period of five years. A contractor will also be debarred from tendering for such service contracts for a period of five years if he/she has any conviction under the relevant sections of the Employment Ordinance (Cap. 57) and the Employees' Compensation Ordinance (Cap. 282), which individually carries a maximum fine corresponding to Level 5 or higher within the meaning of Schedule 8 to the Criminal Procedure Ordinance (Cap. 221).