

CONTROLLING OFFICER'S REPLY

FHB(FE)180

(Question Serial No. 2396)

Head: (49) Food and Environmental Hygiene Department

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

Programme: (3) Market Management and Hawker Control

Controlling Officer: Director of Food and Environmental Hygiene (Miss Vivian LAU)

Director of Bureau: Secretary for Food and Health

Question:

It is stated that “responding to 98% of the complaints against hawking in built-up areas within 30 minutes” is one of the targets of the Food and Environmental Hygiene Department (the Department) for the new financial year.

In this regard, please advise this Committee whether complaints against the display of publicity materials using easy-mount frames by major telecommunications companies, pay television programme service providers and other companies are included in the 98% of the complaints mentioned above (if yes, the details; if not, the reason(s)).

Asked by: Hon TSE Wai-chun, Paul (Member Question No. 13)

Reply:

Display of publicity materials using easy-mount frames is not regarded as hawking. The performance pledge of the Food and Environmental Hygiene Department (the Department) for responding to complaints against illegal hawking does not apply to complaints against such activities.

This notwithstanding, upon receipt of complaints, the Department will take enforcement action as soon as practicable against unauthorised display of bills and posters in accordance with sections 104A and 104D of the Public Health and Municipal Services Ordinance (Cap. 132). To address the problem of unauthorised display of commercial publicity materials on the streets with the use of easy-mount frames, the Department has been issuing fixed penalty notices under the Fixed Penalty (Public Cleanliness Offences) Ordinance (renamed as the Fixed Penalty (Public Cleanliness and Obstruction) Ordinance since 24 September 2016) (Cap. 570) for unauthorised display of bills and posters since 2011. Besides, the Department may, having regard to the actual circumstances, take prosecutions concerning promotional booths which cause obstruction in public places under section 4A of the Summary Offences Ordinance (Cap. 228). The Department will continue to deploy officers to patrol the blackspots of unauthorised display of bills and posters and take out prosecutions as appropriate. Special blitz operations will be mounted where necessary.

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