

CONTROLLING OFFICER'S REPLY

FHB(FE)266

(Question Serial No. 3702)

Head: (49) Food and Environmental Hygiene Department
Subhead (No. & title): (000) Operational expenses
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:

1. Please advise on the number of unlicensed hawkers arrested by the Food and Environmental Hygiene Department (the Department) in each of the past 5 years;
2. Please advise on the number of unlicensed hawkers prosecuted by the Department in each of the past 5 years;
3. Please advise on the number of complaints against illegal hawking received by the Department in each of the past 5 years;
4. Please advise on the number of food poisoning cases reported as a result of patronising unlicensed cooked food hawkers in each of the past 5 years;
5. Please advise on the number of complaints about obstruction by unlicensed hawkers received by the Department in each of the past 5 years;
6. Please advise whether the Department will re-issue hawker licences in 2017-18 (if yes, the details and expenditure in this respect);
7. Please advise whether the Department will designate new hawker areas at suitable locations in the territory in 2017-18 (if yes, the details and expenditure in this respect); and
8. Please advise whether the Department will conduct studies on building new public markets at suitable locations in the territory in 2017-18 (if yes, the details and expenditure in this respect).

Asked by: Hon CHAN Tanya (Member Question No. 532)

Reply:

1. The number of arrests taken out against unlicensed hawkers in each of the past 5 years is given at Annex I.
2. The number of prosecutions taken out against unlicensed hawkers in each of the past 5 years is given at Annex II.

3. The number of complaints against unlicensed hawking and obstruction in each of the past 5 years is given at Annex III.
4. The Food and Environmental Hygiene Department (the Department) has over the years been taking stringent enforcement actions against unlicensed hawking activities involving the sale of cooked food. In the past 5 years, the Department has not received any reports of food poisoning cases as a result of patronising unlicensed cooked food hawkers.
5. Please refer to Annex III for the number of complaints against unlicensed hawking and obstruction. A further breakdown to show the number of the complaints about obstruction is not available.
6. In taking forward the Hawker Assistance Scheme implemented since June 2013 with a view to further reducing fire risks in 43 hawker areas, some hawker pitches were vacated as a result of surrender of licence for ex-gratia payment. On whether to re-issue new hawker licences to fill any vacant pitches in the relevant hawker areas, the Government would carefully consider the case, taking into account the circumstances of individual hawker areas, including their fire safety and environmental hygiene situations, the business environment, comments of relevant departments, as well as the views of the relevant District Council and local residents.
7. The Government is committed to implementing a hawker policy which can strike an optimal balance between allowing licensed hawking business to thrive on the one hand and addressing other legitimate concerns such as avoiding unreasonable nuisance to the local community in addition to ensuring food safety, environmental hygiene and public security on the other hand. We keep an open mind towards proposals for developing the hawker trade or the establishment of bazaars with local characteristics, so long as food safety and environmental hygiene are not compromised, public passageways are not obstructed and local community support is obtained. If suitable sites are identified, support from the relevant District Councils has been obtained and food safety and environmental hygiene are not compromised, the Department stands ready to facilitate liaison with relevant government departments. Existing resources will continue to be deployed to carry out the said facilitation work.
8. The Government has initially identified suitable sites in the east of Tung Chung New Town East Extension Area as well as in the southwest of Hung Shui Kiu New Development Area (NDA) to build sizable public markets. The markets are intended to serve not only Tung Chung New Town Extension Area and Hung Shui Kiu NDA but also the whole Tung Chung and Tin Shui Wai areas. The projects will need to undergo technical feasibility studies (of which the project estimates would be worked out) and to seek necessary funding. The Government will continue to identify suitable sites in other NDAs.

**Number of arrests taken out against unlicensed hawkers
(2012-2016)**

Calendar Year	No. of arrests
2012	8 980
2013	8 953
2014	7 424
2015	6 945
2016	4 420

**Number of prosecutions taken out against unlicensed hawkers
(2012-2016)**

Calendar year	No. of prosecutions
2012	27 457
2013	29 243
2014	26 025
2015	23 054
2016	15 310

**Number of complaints against unlicensed hawking and obstruction
(2012-2016)**

Year	No. of complaints
2012	14 167
2013	15 797
2014	16 468
2015	13 428
2016	10 512

A further breakdown to show the number of the complaints against unlicensed hawking is not available