

CONTROLLING OFFICER'S REPLY**FHB(FE)342****(Question Serial No. 5808)**Head: (49) Food and Environmental Hygiene DepartmentSubhead (No. & title): (-) Not specifiedProgramme: (-) Not specifiedControlling Officer: Director of Food and Environmental Hygiene (Miss Vivian LAU)Director of Bureau: Secretary for Food and HealthQuestion:

Regarding its work in relation to the Code on Access to Information, will the Administration advise this Committee on the following:

- Concerning the requests for information under the Code on Access to Information received by the Food and Environmental Hygiene Department (FEHD) for which only some of the required information was provided, please state in table form: (i) the content of the requests for which only some of the required information was provided; (ii) the reasons for providing some of the information only; and (iii) how the requests were eventually handled.

Year

(i) Content of the requests for which only some of the required information was provided	(ii) Reasons for providing some of the information only	(iii) How the requests were eventually handled

- Concerning the requests for information under the Code on Access to Information received by the FEHD for which the required information was not provided, please state in table form: (i) the content of the requests refused; (ii) the reasons for refusal; and (iii) how the requests were eventually handled.

Year

(i) Content of the requests refused	(ii) Reasons for refusal	(iii) How the requests were eventually handled

Asked by: Hon CHAN Tanya (LegCo internal reference no.: 194)

Reply:

- 1) Among the requests under the Code on Access to Information (the Code) received by the Food and Environmental Hygiene Department (the Department) from January to September 2018, there were 3 requests for which partial information was provided. The information sought is provided as follows -

(i) Content of the requests for which only some of the required information was provided	(ii) Reasons for providing some of the information only	(iii) How the requests were eventually handled
(1) Information related to details of complaints and enforcement actions against restaurants from 2012 to 2017	Having regard to paragraph 2.9(d) of the Code, the withheld information was “information which could only be made available by unreasonable diversion of a department’s resources”.	Other information sought was provided according to the time frame stipulated in the Code.
(2) Information on all current holders of food business licences	Having regard to paragraph 2.15 of the Code, the withheld information was related to “privacy of the individual”.	Other information sought was provided according to the time frame stipulated in the Code.
(3) Information on a complaint case	Having regard to paragraph 2.6(d) of the Code, the withheld information was “information which would be privileged from production in legal proceedings on the ground of legal professional privilege”.	Other information sought was provided according to the time frame stipulated in the Code.

- 2) From January to September 2018, no requests for information under the Code received by the Department were refused.

- End -