

CONTROLLING OFFICER'S REPLY

FHB(FE)352

(Question Serial No. 6923)

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:

Please advise this Committee on:

- (1) the resources and manpower allocated by the Department for taking forward and promoting the new hawker policy, as well as the routine duties involved;
- (2) whether the Department has reviewed the effectiveness of the new hawker policy since its implementation, including striking a balance among the interests of District Councils, residents, tourists and hawkers; and whether the Department will take the initiative to mediate in stakeholders' disputes (if no, the reason(s));
- (3) the number of disputes or conflicts between law enforcement officers and hawkers or members of the public during raids and joint operations in each of the past 5 years; and whether there were any injuries during the operations (if yes, the number); and
- (4) whether the Department has reviewed the approaches adopted by law enforcement officers in raids and joint operations (if no, the reason(s)).

Asked by: Hon CHEUNG Chiu-hung, Fernando (LegCo internal reference no.: 7706)

Reply

- (1) Hawker management and control is carried out by the Food and Environmental Hygiene Department (the Department), involving a revised estimate of expenditure of about \$1,148 million in 2018-19. The Department does not keep separate breakdown on expenditure for specific duties relating to the management and control of hawkers.
- (2) The Subcommittee on Hawker Policy (the Subcommittee) set up under the Legislative Council Panel on Food Safety and Environmental Hygiene was briefed in March 2015 on the principles underpinning the Government's current policy on the management of hawkers. In gist, the Government seeks to formulate a hawker policy which can

strike an optimal balance between allowing licensed hawking business to thrive on the one hand, and meeting other legitimate concerns to ensure food safety, environmental hygiene, and public security on the other.

The Government adopts a positive attitude towards specific proposals put up by individuals / organisations in the community for organising bazaars. When suitable sites have been identified by the organisers concerned (i.e. the venue owners have no in-principle objection to the proposed bazaars being held at their venues at the proposed time slots) and support from local communities and respective District Councils have been obtained, provided that the bazaar proposals will not compromise public order and safety, food safety and environmental hygiene, or cause obstruction to public passageways, the Government will facilitate liaison with the relevant bureaux and departments regarding the use of the sites and application of the necessary permits or licences. Depending on the specific details of bazaar proposals, the bureaux concerned will, according to the roles they play, give comments on matters related to their policy areas respectively. The departments concerned will process bazaar proposals according to their procedures and criteria.

The Department plans to issue new fixed-pitch hawker licences in 2019. Upon the conclusion of the 5-year Assistance Scheme for Hawkers in Fixed-pitch Hawker Areas in June 2018, it is estimated that a total of 425 vacant hawker pitches will be available for allocation to eligible persons. The Department proposes to allocate these vacant pitches equally among 4 categories of applicants, namely, licensed newspaper hawkers, licensed itinerant hawkers, registered assistants with 5 years or more experience at the same hawker pitch and members of the general public satisfying certain basic criteria. The Department is now consulting the District Councils and stakeholders concerned, and expects the allocation exercise to commence in 2019.

- (3) The Department does not keep statistics on the number of disputes or conflicts between hawker control officers and hawkers or members of the public during raiding and joint operations. The number of hawker control team staff injured whilst on duty in the past 5 years is as follows -

Calendar year	No. of hawker control team staff injured
2014	36
2015	40
2016	44
2017	40
2018	30

- (4) To ensure that hawker management operations are effectively carried out, the Department has issued operational guidelines and provided regular refresher training courses to its staff covering issues such as safety consideration during raiding operations, arrest and prosecution procedures. The guidelines also state clearly that the safety of hawkers, passers-by and hawker control officers is of primary importance. These guidelines are reviewed from time to time in view of changes in operational requirements and feedback from staff.

- End -