

**CONTROLLING OFFICER'S REPLY**

**FHB(FE)394**

**(Question Serial No. 5247)**

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:

Some on-street hawkers sell traditional snacks with distinctive characteristics. Some of these snacks (e.g. the blown sugar and dragon's beard candy) have even been included in the Intangible Cultural Heritage Inventory. In this connection, please advise this Committee on:

1. the existing policy of the Department on hawkers skilled in traditional craftsmanship;
2. the number of prosecutions instituted against this type of hawkers in the past 5 years;
3. whether the Department has discussed the arrangement for preservation of intangible cultural heritage with the Leisure and Cultural Services Department and Intangible Cultural Heritage Office. If yes, what are the details? If no, what is/are the reason(s)?
4. whether the Government will consider issuing licences in respect of folk handicrafts to allow on-street hawking of such handicrafts in order to preserve local intangible cultural heritage items. If yes, what are the details? If no, how will the intangible cultural heritage be preserved?

Asked by: Hon KWOK Ka-ki (LegCo internal reference no.: 309)

Reply:

1. The Food and Environmental Hygiene Department (FEHD) is committed to formulating a hawker policy which can strike an optimal balance between allowing licensed hawking business to thrive on one hand and meeting other legitimate concerns to avoid unreasonable nuisance to the local community and to ensure food safety, environmental hygiene and public security on the other. In following up the issue of licences to surveyed unlicensed street tradesmen with characteristics reminiscent of our local culture and heritage, FEHD has been keeping contact with these tradesmen, and assisting them in seeking clearance

from relevant departments and obtaining support from the District Councils, so that licences could be issued to them for operating legally in-situ or at other suitable sites. FEHD will continue to follow up these cases in accordance with the established policy.

2. The number of prosecutions taken against unlicensed hawkers in the past 5 years (2014 to 2018) is tabulated as follows –

<b>Calendar year</b>	<b>No. of prosecutions</b>
2014	26 025
2015	23 054
2016	15 310
2017	6 402
2018	5 564

Further breakdown of the number of prosecutions of specific types of hawkers is not available.

- 3-4. While the Government should allow room for traditional cultural activities and / or handicrafts, the promotion of culture and tradition, however, should not be an excuse to justify insulation from market forces. A licensed hawker would still have the primary responsibility to identify a mode of operation and a market niche that can sustain the hawking business. At present, FEHD does not have a plan to issue on-street hawker licences for preservation of intangible cultural heritage in tandem with the Leisure and Cultural Services Department. That said, the preservation of intangible cultural heritage will continue to be taken care of by the Intangible Cultural Heritage Office.

- End -