

**CONTROLLING OFFICER'S REPLY**

**S-FHB(FE)006**

**(Question Serial No. S072)**

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:

With regard to Reply Serial No. FHB(FE)085:

- (1) The Government replied that “The Food and Environmental Hygiene Department does not keep a breakdown of the irregularities by type”. However, in reply FHB(FE)142 regarding market stalls which are found not in operation or in an inactive state, the Government stated that “The Department issued 1 063 verbal warnings and 1 166 warning letters, and terminated 26 stall tenancy agreements in 2018. In addition, 339 tenants had voluntarily surrendered their stalls before we issued the final warning letter”. In this regard, how much information about irregularities of stall operators does the Government have? Can the Government provide more detailed information by category?
- (2) Please set out the number of cases of irregularities of public market stalls, details of irregularities and follow-up actions taken in all the 18 districts in the territory in the past 3 years.

Asked by: Hon AU Nok-hin

Reply:

- (1) In the Direct Investigation Report on the Food and Environmental Hygiene Department's Regulation of Market Stalls issued by the Ombudsman in August 2018, the Ombudsman urged the Food and Environmental Hygiene Department (the Department) to formulate effective measures to curb the irregularities of inactive operation of stalls in public markets managed by the Department. In the light of such recommendation, the Department has stepped up inspections of market stalls especially to those found not in operation, or in an inactive state such as short business hours or being used for storage purpose, etc. since 2018 and has been taking stock of the action in tackling such irregularities. However, the Department does not keep a breakdown of other irregularities by type.

(2) The information sought is provided as follows -

<b>Year</b>	<b>No. of cases of irregularities of market stalls</b>	<b>No. of verbal warnings</b>	<b>No. of warning letters</b>	<b>No. of market stall tenancies terminated</b>
2016	2 283	1 784	2 763	42
2017	2 330	1 395	2 675	52
2018	2 401	2 077	2 863	40

The cases of irregularities refer to the breach of tenancy agreements, such as unauthorised change of trade, non-operation of stall and occupying public passageway, etc. The Department does not keep a breakdown of the irregularities by type and by each of the public markets.

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