

**CONTROLLING OFFICER'S REPLY**

**FHB(FE)130**

**(Question Serial No. 2074)**

Head: (49) Food and Environmental Hygiene Department

Subhead (No. & title): (-) Not specified

Programme: (2) Environmental Hygiene and Related Services

Controlling Officer: Director of Food and Environmental Hygiene (Miss Vivian LAU)

Director of Bureau: Secretary for Food and Health

Question:

On the enforcement of the Public Cleansing and Prevention of Nuisances Regulation and the Fixed Penalty (Public Cleanliness and Obstruction) Ordinance, please advise this Committee on:

- (a) the enforcement of environmental hygiene legislation from 2017 to 2020 as per the table below:

Offences under the Regulation and the Ordinance / Number of inspections per year	2017 (actual)	2018 (actual)	2019 (actual)	2020 (estimate)
Littering and/or spitting				

- (b) the respective number of prosecutions against littering and spitting in 2019?

Asked by: Hon OR Chong-shing, Wilson (LegCo internal reference no.: 50)

Reply:

- (a) Under the Public Cleansing and Prevention of Nuisances Regulation (Cap. 132 BK), any person depositing litter on street or public place will be prosecuted. The offender is liable on conviction to a fine of up to \$25,000 and imprisonment for 6 months. Any person who spits in a street or public place will also be prosecuted and liable to a fine of up to \$10,000. The same offences may also be caught under the Fixed Penalty (Public Cleanliness and Obstruction) Ordinance (Cap. 570), which empowers an enforcement officer to issue a Fixed Penalty Notice (FPN) currently at \$1,500. Officers of the Food and Environmental Hygiene Department will take enforcement actions against various public cleanliness offences, including littering and spitting. The Department has not kept information on the number of inspections.

- (b) In 2019, the Department issued a total of 41 911 FPNs and 145 summonses against littering and a total of 2 361 FPNs and 8 summonses against spitting.

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