

CONTROLLING OFFICER'S REPLY

FHB(FE)279

(Question Serial No. 5375)

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 (1) on 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) on 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.: 1651)

Reply:

(1)&(2) The Subcommittee on Hawker Policy 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 and meeting other legitimate concerns such as avoiding unreasonable nuisance to the local community in addition to ensuring food safety, environmental hygiene and public safety.

The Food and Environmental Hygiene Department launched the scheme of Re-allocation of Fixed Hawker Pitches and Issue of New Licences (the scheme) at the end of September 2019. Under the scheme, 435 vacant fixed hawker pitches located at 7 districts will be open for application by persons who are interested in the hawking business and able to meet the required conditions. Successful applicants will operate at the pitches after a licence is granted. The Department has consulted the trade, the 7 District Councils (or their committees) concerned and

the Legislative Council Panel on Food Safety and Environmental Hygiene to collect views on the arrangement for pitch allocation with a view to upholding the basic principles of fairness and impartiality.

After launching the scheme, the Department received a total of 14 126 applications, of which 12 788 applicants were initially eligible. The Department conducted an open computer random sequencing cum manual ballot exercise to determine the priority order of applicants for pitch selection at the end of November 2019. Applicants were invited for selection of vacant pitches starting from early December. The pitch selection exercise is scheduled for completion at the end of April 2020. After the applicants have collected their licences and commenced their hawking business, the Department will carry out routine inspection pursuant to the relevant legislation and licensing conditions, and monitor the operation of the stalls according to the established mechanism.

The work of re-allocation of hawker pitches is mainly performed by 12 departmental staff at an estimated expenditure of \$8.04 million in 2020-21.

- (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 while on duty in the past 5 calendar years is as follows:

| Year | No. of hawker control team staff injured |
|-------------|---|
| 2015 | 40 |
| 2016 | 44 |
| 2017 | 40 |
| 2018 | 30 |
| 2019 | 21 |

- (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, as well as 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.

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