

CONTROLLING OFFICER'S REPLY

FHB(FE)149

(Question Serial No. 1150)

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 Diane WONG)

Director of Bureau: Secretary for Food and Health

Question:

On the execution of statutory duties by the Food and Environmental Hygiene Department (FEHD) under the Public Cleansing and Prevention of Nuisances Regulation and the Fixed Penalty (Public Cleanliness and Obstruction) Ordinance, please advise this Committee of:

- (a) the number of inspections conducted by enforcement officers of FEHD against public cleanliness offences in the past 3 years; and
- (b) the respective number of prosecutions against littering and spitting in 2020?

Asked by: Hon OR Chong-shing, Wilson (LegCo internal reference no.: 57)

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 does not keep statistics of the number of inspections.
- (b) In 2020, the Department issued a total of 41 737 FPNs and 181 summonses against littering and a total of 1 472 FPNs and 9 summonses against spitting.

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