

**立法會**  
***Legislative Council***

Ref : CB2/PL/FE

LC Paper No. CB(2) 940/02-03  
(These minutes have been seen  
by the Administration)

**Panel on Food Safety and Environmental Hygiene**

**Minutes of special meeting  
held on Saturday, 28 December 2002 at 9:30 am  
in Conference Room A of the Legislative Council Building**

**Members present** : Hon Fred LI Wah-ming, JP (Chairman)  
Dr Hon David CHU Yu-lin, JP  
Hon James TO Kun-sun  
Hon WONG Yung-kan  
Hon Andrew CHENG Kar-foo  
Dr Hon LO Wing-lok

**Member attending** : Hon NG Leung-sing, JP

**Members absent** : Hon Tommy CHEUNG Yu-yan, JP (Deputy Chairman)  
Hon CHAN Yuen-han, JP  
Hon Michael MAK Kwok-fung  
Hon LEUNG Fu-wah, MH, JP  
Hon WONG Sing-chi

**Public Officers Attending** : Mr Tony MA  
Acting Deputy Director (Culture)  
Leisure and Cultural Services Department

Mr John Martin Henry Bicknell  
District Commander (Yau Tsim)  
Hong Kong Police Force

Mr Edward LAW  
Principal Assistant Secretary (Food and Environmental Hygiene) 2  
Health, Welfare and Food Bureau

Mr K K LEE  
Assistant Director (Operations) 2  
Food and Environmental Hygiene Department

**Clerk in** : Ms Joanne MAK  
**Attendance** Senior Assistant Secretary (2)2

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Action

**I. Littering problem at the Hong Kong Cultural Centre during Christmas**  
[LC Paper No. CB(2) 771/02-03(01)]

The Chairman requested the Administration to give an account of the littering problem at the Cultural Centre during Christmas and measures it would take to prevent recurrence of the problem in future.

2. Acting Deputy Director (Culture) (DD(C)(Atg)) said that an inter-departmental meeting had been held on the previous day to work out special measures to be introduced on New Year's Eve to keep the Cultural Centre and the vicinity clean and safe. The meeting had been attended by representatives of the Leisure and Cultural Services Department (LCSD), Health, Welfare and Food Bureau, Food and Environmental Hygiene Department (FEHD), the Police, Home Affairs Bureau (HAB), Education Department (ED) and Social Welfare Department (SWD). The meeting had decided to adopt the following measures -

- (a) stepping up publicity in the next few days to spread the message of caring for the environment and public property during festive occasions;
- (b) putting up more banners, arranging public broadcast and deploying more staff at the Cultural Centre on New Year's Eve;
- (c) staff of LCSD, FEHD and police officers would form special squads to tackle the problems of littering, illegal hawking and vandalism. They would persuade and warn offenders first. Should warnings fail, appropriate enforcement action would be taken;
- (d) cleaning of the venue, both on New Year's Eve and New Year Day, would be sped up. FEHD would arrange for additional large refuse bins to be placed at the Cultural Centre and for a large refuse truck to be parked near the area to collect garbage; and
- (e) mobilising youngsters to act as "Ambassadors" to help in the clean-up operation and to spread the message of love for the environment and public property.

In response to the Chairman, DD(C)(Atg) said that no more serious problem had been found at the Cultural Centre and the vicinity at the previous night.

Action

Issues raised by Members

3. Mr James TO stressed that when the Administration implemented any measures to maintain order and cleanliness of public places during festive occasions, public safety should be a prime concern. He considered that public safety should take priority over other considerations such as rubbish/graffiti problems. He further said that enforcement actions should be taken only when circumstances permitted and public safety was ensured.
4. Mr James TO requested the Administration to explain the clean-up operation planned for the Cultural Centre on New Year's Eve. DD(C)(Atg) said that the inter-departmental meeting had decided that additional large refuse bins should be placed at the Cultural Centre on New Year's Eve and a large refuse truck would be parked in the vicinity to facilitate frequent clearance of the refuse bins. Moreover, the "Ambassadors" mobilised would help in the clean-up operation.
5. Mr James TO asked that since hundreds of thousands of people were expected to flock to the Cultural Centre on New Year's Eve, how the clean-up operation could be carried out at the venue during the celebration. DD(C)(Atg) said that the Administration planned to clear the refuse bins more frequently on New Year's Eve by deploying more staff and voluntary workers to help in the clean-up operation. Moreover, additional large refuse bins would be provided at the venue. DD(C)(Atg) said that the Administration would try its best to maintain cleanliness of the area as far as possible.
6. Mr James TO asked whether the Administration would consider cleaning up the Cultural Centre area after midnight when the crowds had left. DD(C)(Atg) said that the Administration all along did not encourage littering. It was worried that if the refuse bins were not cleared until after midnight, people would tend to throw rubbish on the ground when they found the refuse bins were full.
7. Mr James TO asked about the Administration's assessment of the motives behind acts such as graffiti at the venue. DD(C)(Atg) said that some people had sprayed fake snow on walls and windows of the Cultural Centre on Christmas Eve. He said that as this kind of spray could be washed away, the problem was easier to be dealt with. However, some people had sprayed paint on walls, windows and sculptures, including hard-to-reach surfaces, and such paint spray was more difficult to be cleaned. DD(C)(Atg) said that the Administration had not found people who had done spray-painted graffiti at the Cultural Centre on Christmas Eve and had intentionally returned to there at Christmas night to commit the same acts.
8. Dr David CHU expressed concern about the problem of spray-painted graffiti and asked whether the police would take immediate enforcement actions when they saw people committing such acts. He stressed that graffiti which caused damages to public facilities was a kind of serious offence. He urged the Administration to take actions against it and prevent it from developing into a trend.

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9. District Commander (Yau Tsim) responded that graffiti that could not be easily washed away was the one using oil-based permanent paint. As such acts would very likely constitute the offence of criminal damage, the police would take actions against these acts. He said that the police would take action against a person if he showed the intention to damage a public facility by the use of permanent paint. However, there might be enforcement difficulty to arrest people committing these acts on New Year's Eve as the Cultural Centre area would be seriously overcrowded at that night.

10. Mr Andrew CHENG agreed that public safety should be the prime consideration in taking enforcement against littering and graffiti acts during festive occasions. He considered that the problem of vandalism could not be tackled merely by taking enforcement actions, and the Administration should explore long-term measures to strengthen the sense of responsibility and self-discipline of youngsters. It should also provide opportunities and proper channels for their expression of feelings. Mr CHENG considered that the serious littering and graffiti problems found at the Cultural Centre reflected the discontent of youngsters.

Admin

11. DD(C)(Atg) responded that the Administration from time to time organised activities, such as mural art, to provide proper channels for youngsters to express themselves and their creativity. The Chairman suggested that the Administration should take into account Mr CHENG's views and suggestions when formulating policies on youth services and consult the Panel on Home Affairs. DD(C)(Atg) noted the suggestion.

Admin

12. Mr Andrew CHENG further suggested that the Administration should erect boards in places such as the two racecourses, Victoria Park, etc. for youngsters to spray paint on New Year's Eve. DD(C)(Atg) responded that there might not be adequate time for making the arrangements for this occasion. He said that, for example, crowd control measures would have to be put in place if such activities were to be organised. He said that the Administration would consider the suggestion for future occasions.

13. Mr WONG Yung-kan also considered that it was difficult to enforce the law against littering at the Cultural Centre and the vicinity on Christmas Eve when the place was crowded with hundreds of thousands of people. He believed that the problem of marine refuse had been serious too in the past few days. He suggested that the Administration, including ED and HAB, should step up public education to teach youngsters civic-mindedness and strengthen their sense of belonging. He asked what actions the Administration would take to deal with hawkers who sold aerosol around the Cultural Centre on New Year's Eve.

14. DD(C)(Atg) said that ED was very concerned about the littering problem at the Cultural Centre and would strengthen youth education. Departments such as ED, HAB and SWD would make concerted efforts in strengthening civic education to teach youngsters civic-mindedness and caring for public property. He added that the young "Ambassadors" mobilised to help in the clean-up operation would set good examples of caring for the environment and public property.

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15. As to the problem of illegal hawkers, Assistant Director (Operations) 2 (AD(Ops)2) said that FEHD would adopt a preventive approach to tackle the problem on New Year's Eve. He said that staff of FEHD, LCSD and police officers would patrol the Cultural Centre area before crowds were formed and would disperse hawkers found in the area. If the warning was ignored by the hawkers, the staff would take enforcement actions against them and confiscate their goods. He stressed that stringent enforcement actions would be taken against illegal hawkers especially those who sold aerosol spray cans or cooked food in the area.

16. Dr LO Wing-lok took the view that the Administration should disseminate the message that people should take their garbage back to their home for disposal. He considered that teaching people about this would be more effective than providing additional refuse bins/trucks in tackling the problem of littering. DD(C)(Atg) responded that it would have to rely on long-term public education to teach people about their responsibility. Dr LO Wing-lok stressed that the Administration should disseminate the message and he believed that it was not difficult for people to put it to practice.

17. Dr LO Wing-lok further said that the littering problem would only worsen if the Administration continued to disseminate a message that, for various reasons, it would tolerate offenders during festive occasions. He queried whether it was fair for the young "Ambassadors" to help in the clean-up operation whereas the offenders could get away without punishment. He considered that people who sprayed paint on public facilities had obviously committed a criminal offence. He supported that the police should take enforcement actions against these people.

18. Mr James TO considered that the most important thing was proper disposal of garbage and there was no difference between dumping it in public refuse bins or taking garbage home for disposal. However, Dr LO Wing-lok pointed out that from the hygiene point of view, it was preferable for people to take their garbage home for disposal rather than dumping it in public refuse bins. He pointed out that containers or bottles containing water disposed in public refuse bins could become the breeding ground for mosquitoes or other insects.

19. Mr NG Leung-sing said that Radio Television Hong Kong (RTHK) should have been asked to send representatives to the inter-departmental meeting held on the previous day, as RTHK could help spread the message of caring for the environment and public property. He considered that the Administration should step up publicity, before major festivals, through the media on the need to maintain public cleanliness and how to cooperate with the police to maintain public order during celebrations, and RTHK should play an active part in the publicity work. Mr WONG Yung-kan also considered that the Administration should adopt a preventive approach by stepping up publicity before New Year's Eve.

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Admin 20. DD(C)(Atg) said that the Administration had also planned to step up publicity through the media including RTHK to spread the message of caring for the environment and public property during festive occasions. He further said that after New Year's Eve, another inter-departmental meeting would be convened to review the special measures introduced on New Year's Eve and to discuss the necessary arrangements for future celebrations. He agreed to consider whether RTHK representatives should be invited to attend the meeting.

Admin 21. The Chairman agreed with Mr James TO that during festive occasions, innovative refuse bins, instead of the traditional ones, should be used to attract people to dump garbage in the bins. The Chairman pointed out that many newspapers had also made this suggestion. DD(C)(Atg) agreed to consider the suggestion.

22. Mr WONG Yung-kan asked whether littering problem or damages had been found in the Golden Bauhinia Square and Victoria Park where were also crammed with people on Christmas Eve. DD(C)(Atg) replied that no such problem had been found in Victoria Park. He said that in fact the Park had been the venue for holding the New Year's Eve Countdown Carnival each year and no serious problem had been found there. He explained that since people could only enter Victoria Park through designated entries, control could be exercised at these entries to prevent people from carrying aerosol into the venue. As to the Golden Bauhinia Square, he was not sure about the situation there on Christmas Eve.

23. The Chairman was of the view that the Administration should first deal with the problem of illegal hawkers at the Cultural Centre in order to prevent the recurrence of the problems on Christmas Eve and Christmas night. He considered that the illegal hawkers were the source of supplying aerosol and paint-spray. The Administration must take prompt actions against them instead of giving warnings. As regards the preventive approach as explained by AD(Ops)2, the Chairman queried whether it served any purpose for the enforcement officers to patrol the area before crowds were formed because illegal hawkers might not appear so early.

24. The Chairman said that members in general supported the police's decision that it would take immediate enforcement actions against people who sprayed paint on public facilities, sculptures and trees in the Cultural Centre area. He considered that it was not necessary to persuade and warn these people first before taking enforcement actions. As to the deployment of "Ambassadors" to the area, the Chairman asked how these young people could be identified by people as "Ambassadors" and how they could really persuade people not to litter. He said that the Administration should make careful arrangements and avoid causing confusion.

25. Mr James TO considered that the Administration should not introduce over-drastic measures to rectify problems. It should rather strike a balance between allowing people to enjoy the festive mood and restricting destructive behaviour. He said that, for example, if hawking was completely stamped out and people were disallowed to carry fluorescent rods, the festive spirits would certainly be affected.

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However, Dr LO Wing-lok considered that it was not solely the Administration's responsibility in maintaining festive spirits. He said that if a public place was always turned into a mess after celebrations, sooner or later the place might be considered unsuitable for people to gather to celebrate. He considered that self-discipline of people was an important factor in maintaining festive mood during festivals.

26. The Chairman said that the Administration could identify spots in the Cultural Centre area allowing hawkers to hawk legally to facilitate the Administration's control work. It could also consider organising special activities at the venue for people. He said these were the possible ways to prevent chaos.

27. There being no other business, the meeting ended at 10:35 am.

Council Business Division 2  
Legislative Council Secretariat  
17 January 2003