

立法會
Legislative Council

Ref : CB2/PL/FE

LC Paper No. CB(2) 3000/02-03
(These minutes have been seen by
the Administration)

Panel on Food Safety and Environmental Hygiene

**Minutes of special meeting
held on Wednesday, 16 April 2003 at 4:30 pm
in the Chamber of the Legislative Council Building**

Members present : Hon Fred LI Wah-ming, JP (Chairman)
Hon Tommy CHEUNG Yu-yan, JP (Deputy Chairman)
Hon WONG Yung-kan
Hon Andrew CHENG Kar-foo
Hon Michael MAK Kwok-fung
Hon LEUNG Fu-wah, MH, JP
Dr Hon LO Wing-lok
Hon WONG Sing-chi

Members attending : Hon Cyd HO Sau-lan
Hon Margaret NG
Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP
Hon Andrew WONG Wang-fat, JP
Dr Hon TANG Siu-tong, JP
Hon Frederick FUNG Kin-kee
Hon IP Kwok-him, JP
Hon MA Fung-kwok, JP

Members absent : Dr Hon David CHU Yu-lin, JP
Hon James TO Kun-sun
Hon CHAN Yuen-han, JP

Public Officers attending : Miss Janet WONG
Acting Director of Home Affairs

Miss Monica CHEN
Assistant Director of Home Affairs (1)

Mr Gregory LEUNG, JP
Director of Food and Environmental Hygiene

Mr LAU Kai-hung
Deputy Director (Estate Management)
Housing Department

Dr L Y TSE
Consultant (Community Medicine)
Department of Health

Clerk in attendance : Mrs Constance LI
Chief Assistant Secretary (2)5

Staff in attendance : Ms Joanne MAK
Senior Assistant Secretary (2)2

Action

I. Territory-wide cleansing and disinfection work as a measure to combat Atypical Pneumonia
(LC Paper No. CB(2) 1796/02-03(01) and (02))

The Chairman said that the special meeting was convened to enable members to understand more about the arrangements made for the Territory-wide Cleansing Day on 19 April 2003, and the efforts made by the Administration in improving environmental hygiene since the outbreak of Atypical Pneumonia (AP).

2. At the invitation of the Chairman, Acting Director of Home Affairs (DHA(Atg)) briefed Members on the Administration's paper (LC Paper No. CB(2)1796/02-03(01)). She said that since the outbreak of AP, departments such as Food and Environmental Hygiene Department (FEHD) and the Housing Department (HD) had stepped up efforts in improving environmental hygiene. To demonstrate the concerted efforts of the community to combat AP by keeping the environment clean, each district would stage major cleansing events involving departments including Home Affairs Department (HAD), FEHD, HD, Drainage Services Department (DSD) and Leisure and Cultural Services Department (LCSD) during the Territory-wide Cleansing Day on 19 April 2003 (Saturday) and 20 April 2003 (Sunday). During the two days, large-scale cleanup operations would be carried out at various locations and venues in the 18 districts, including -

Action

- (a) multi-storey buildings (both public housing and common parts of private buildings);
- (b) environmental blackspots (such as problematic private streets/lanes);
- (c) social and educational institutions (such as schools and elderly hostels); and
- (d) commercial premises (such as markets, restaurants, shopping centres and office buildings).

3. DHA(Atg) further said that the Secretary for Home Affairs (SHA) would explain the detailed arrangements of the Territory-wide Cleansing Day at the press briefing to be held the next day. DHA(Atg) appealed to Members for their support and participation in the Territory-wide Cleansing Day.

4. Deputy Director (Estate Management) (DD(EM)) of HD briefed Members on the paper provided by HD (LC Paper No. CB(2)1796/02-03(02)). He said that since 25 March 2003, extensive cleansing and disinfection exercises had been carried out in all public housing estates (PHEs). The measures taken by HD were detailed in paragraphs I, II and III of the paper.

5. Mr Michael MAK and Mr WONG Yung-kan opined that the Administration had been late in organising the Territory-wide Cleansing Day as the outbreak of AP had occurred for more than one month. Mr Michael MAK urged the Administration to take more effective measures to combat the offences of littering and spitting, as he still found many people committing such offences despite the implementation of the fixed penalty system. He asked what short-term and long-term measures the Administration would take to change people's attitude and educate them about the need of keeping the environment clean.

6. Director of Food and Environmental Hygiene (DFEH) responded that the Administration aimed at tackling the offence of spitting by public education and prosecution. In 2002, the Administration had implemented the Fixed Penalty (Public Cleanliness Offences) Ordinance (the Ordinance) which provided a fixed penalty of \$600 for common public cleanliness offences including spitting. In view of the recent outbreak of AP, the enforcement departments concerned had strengthened enforcement actions against spitting in public places as the act of spitting could spread contaminated droplets. Since 28 March 2003, enforcement officers had issued summonses against spitting offenders in lieu of fixed penalty notices to increase deterrent effect. 105 summonses had been issued between 28 March 2003 and 13 April 2003 but the cases had yet to be heard. The Chairman suggested that once the court had heard the first case, the Administration should widely publicise the fine imposed for the convicted. DFEH agreed.

Action

7. DFEH further said that as the Ordinance had been implemented for almost one year, the Administration would review its scope and effectiveness, and members would be consulted in this regard. He added that the Administration was considering to introduce a host of improvement measures and members' views would be sought in due course.

8. Mr Tommy CHEUNG said that all along FEHD had been the major enforcement department which had issued the majority of fixed penalty notices against public cleanliness offences. He suggested that the other enforcement departments should be reminded to step up their enforcement actions under the Ordinance, especially against the spitting offences. The Chairman advised that the Panel should include the review of the implementation of the Ordinance in the agenda of next regular Panel meeting. Members agreed.

9. The Chairman said that he had received many complaints from residents that spitting was still rampant in PHEs. He said that with more and more PHEs (60%) being contracted out for management and yet staff of property services companies were not empowered to enforce the Ordinance, there would be problems in the enforcement in PHEs. He further said that as Housing Managers and Housing Officers were not the frontline staff responsible for the actual management work in PHEs, they should not be relied on to implement the fixed penalty system. He urged the Administration to look into the problem and take measures to plug the loophole.

10. DD(EM)/HD responded that similar concerns had been raised by Members at a meeting of the Panel on Housing on 7 April 2003. He explained that property services companies had the contractual obligation to ensure satisfactory cleanliness and effectivehawker control in PHEs under their management. Where necessary, HD would deploy staff to support staff of property services companies to combat illegal hawking and improve estate cleanliness. He said that property services companies were obliged to report problems to and seek the assistance of HD whenever necessary.

11. Mr Michael MAK asked whether the Administration had a list of environmental blackspots (such as any PHEs) and, if it had, whether it would publicise the list. DHA(Atg) responded that the District Councils (DCs) and District Management Committees (DMCs) in each of the 18 districts maintained a list of hygiene blackspots in their respective districts and sustained efforts were being made to clean up such blackspots. DHA(Atg) said that DCs played an important role to spearhead the implementation of improvement measures. The 18 District Clean Hong Kong Committees, which was chaired by the Vice-chairmen of the respective DC, had been set up to organise cleansing activities and educational/publicity events to disseminate Clean Hong Kong messages.

12. DD(EM)/HD added that the objectives of the Territory-wide Cleansing Day were not just to clean up hygiene blackspots but also to arouse public awareness of the importance of environmental and personal hygiene. As far as PHEs were concerned,

Action

the Territory-wide Cleansing Day aimed at encouraging residents to do their own cleansing disinfection regularly on a long term basis. Household disinfection guidelines had been distributed to each household.

13. Mr WONG Yung-kan suggested that the Territory-wide Cleansing Day should be conducted on a regular basis and should include rodent and mosquito control. DHA(Atg) agreed.

14. Mr WONG Yung-kan urged FEHD to step up supervision of its refuse-collection services contractors to ensure proper handling of refuse at refuse collection points. DFEH said that FEHD would strengthen monitoring of its contractors to ensure that they strictly observe the cleanliness and hygiene requirements in handling refuse at refuse collection points.

15. Mr WONG Yung-kan said that it seemed that many community organisations and rural villages in the New Territories knew little about the Territory-wide Cleansing Day. DHA(Atg) responded that there had been wide publicity on the Territory-wide Cleansing Day and contacts had been made with a wide cross-section of the community already. Nevertheless, she would relay Mr WONG's concern to the District Officers and ask them to strengthen liaison with local community to solicit their participation.

16. Dr TANG Siu-tong asked whether the Territory-wide Cleansing Day was intended to be a gesture of demonstrating the Administration's determination in fighting AP, or a thorough exercise to clean up environmental hygiene blackspots throughout the territory. He asked whether the Administration would provide any assistance to residents of private buildings, such as old tenement buildings and single private residential buildings which had not formed any residents' associations, in the cleansing campaigns.

17. DHA(Atg) responded that the Administration aimed at achieving a high-level of cleanliness throughout the territory and arousing the public's awareness to the blackspots in their districts by launching the Territory-wide Cleansing Day. She said that arrangement had been made with the mass media to widely cover the cleansing events to arouse the attention of all members of the public. She added that the weekend events would cover a great variety of venues and single private residential buildings were also included.

18. DFEH explained that intensified efforts in cleansing and disinfection had already started and the efforts would be sustained after the Cleansing Day. He informed members that FEHD and HAD were compiling a priority list of district hygiene blackspots, and the clean-up work would be carried out, on a long-term basis. The departments concerned would take action to rectify drainage problems and remove unauthorised illegal structures found in the areas.

Action

19. DFEH further said that, starting from 19 April 2003, FEHD inspectors would proactively inspect common parts of private buildings to identify sanitary and pest nuisances, particularly in areas like canopies, lightwells, refuse chutes, and advise the building management companies ways of cleansing, disinfection and pest control. FEHD would take enforcement actions if the owners/occupiers did not make rectifications.

20. As for private buildings which did not engage the services of building management companies and did not form Owners' Corporations (OCs), DFEH said that FEHD would assist in cleaning up the common parts of these buildings this time. However, in the long term, it would be necessary for FEHD and HAD to work out arrangements on ways to help the tenants of these buildings to maintain cleanliness of the common parts of their buildings.

21. Dr TANG Siu-tong said that although it was the responsibility of owners/occupiers of private buildings to keep their premises and the vicinity clean, some of them (especially elderly singletons) lacked the financial means to undertake the necessary building maintenance. He asked how the Administration would address the problem which, in his view, could not be resolved merely by enforcement actions. DHA(Atg) responded that HAD would address the building management problems in collaboration with FEHD. In response to the Chairman, DHA(Atg) said that the Administration would also look into the legal issues in implementing new measures.

22. Ms Cyd HO asked about the estimated time required for conducting the first round of cleaning up of the common areas of old private buildings, especially those located in old districts awaiting redevelopment. She also asked how cleansing of rooftop squatters and partitioned units could be carried out.

23. Ms Cyd HO said that some elderly singletons living in private buildings were in need of cleansing and disinfection services. She suggested that the Social Welfare Department (SWD) should set up telephone hotlines to enable elderly people to seek assistance. DD(EM)/HD responded that SWD had publicised five such hotlines set up by SWD and non-government organisations (NGOs) for the elderly to seek assistance. DHA(Atg) said that DCs had mobilised voluntary workers to visit elderly singleton households in their respective districts. Moreover, a non-government clean-up team of volunteers called Operation Unite, under the convenorship of Ms Rosanna WONG, would provide cleansing services for elderly households over the coming weekend. DHA(Atg) said that she would also convey Ms HO's concerns to SWD for consideration.

24. Ms Cyd HO said that the public had much concern about the conditions of drains and pipes in residential buildings. She asked whether the Administration would step up efforts to rectify water seepage problems in residential housing blocks. She suggested that hotlines should also be set up for residents to report defects of external drainage pipes in residential buildings so that repair works could be carried

Action

out swiftly. DD(EM)/HD said that HD technical staff would conduct inspections to public housing blocks where water seepage problems or defects of external drainage pipes were reported and conduct repair works. He added that HD would step up inspections to all PHE housing blocks.

25. Ms Cyd HO expressed concern about the provision of protective gear to cleansing staff and whether the Department of Health (DH) had issued guidelines to cleansing companies in this respect. Consultant (Community Medicine) (C(CM)) responded that guidelines had been issued to cleansing workers and relevant departments such as FEHD. She advised that cleansing staff should put on proper protective gear such as face mask, gloves, overall, footwear, etc. Members noted that the Labour Department would also issue such guidelines for cleansing staff soon.

26. In response to the Chairman, DFEH said that in March 2003, FEHD had issued letters to its cleansing contractors reminding them to provide protective gear for cleansing staff. In response to the recent media reports about cleansing staff found not wearing protective gear, FEHD had issued letters to warn the contractors that they would be subject to a fine of \$2,500 each time if such complaints were substantiated. As to FEHD staff engaged in cleansing work, they had been provided with proper protective gear in accordance with the relevant guidelines.

27. DD(EM)/HD said that the contracts of HD required cleansing contractors to provide protective gear to their cleansing staff. Contractors not complying with such requirements would be deemed to have breached the conditions of the contract. In response to Ms Cyd HO, DFEH said that cleansing staff should put on the protective gear while at work irrespective of whether the outbreak of AP had come to an end. Any cleansing staff engaged by FEHD/HD contractors not provided with the necessary protective gear could lodge complaints to FEHD or HD as appropriate.

28. Ms Cyd HO asked whether any HD cleansing contractors had claimed that the provision of protective gear for cleansing staff had incurred extra costs to them and sought extra payments from HD. Mr Tommy CHEUNG considered that if the requirement of providing additional protective gear for staff was not specified in the contract when it was signed, it was justifiable for the contractor concerned to put up such claims. DD(EM)/HD said that HD would process claims put up by contractors based on the terms and conditions of the relevant contracts.

29. Mr Tommy CHEUNG asked how employers should handle the situation if the staff refused to put on the protective gear provided, or if they asked for provision of N95 face masks despite being provided with surgical face masks. He said that some cleansing staff might not be willing to wear a face mask when performing labour work. DD(EM)/HD said that as stipulated in contracts, cleansing contractors were obliged to give due regard to the occupational safety of their staff. Contractors therefore had a responsibility to require the cleansing staff to wear a face mask even though the staff were reluctant to do so.

Action

30. DFEH said that staff working in high-risk areas, such as the high-risk zones in hospitals, were provided with N95 face masks, while those exposed to lower risk were provided with surgical face masks. So far the FEHD cleansing staff had not shown resistance to wear the protective gear. DD(EM)/HD said that HD provided surgical face masks for its cleansing staff. C(CM) added that for cleansing staff undertaking general cleansing work in low-risk working areas, a surgical face mask would suffice as laid down in DH's guidelines.

31. Mr Tommy CHEUNG asked how the refuse at the top of air-conditioners and at lightwells would be cleaned up. The Chairman asked how the problem of people throwing objects from height would be dealt with. DFEH explained the usual ways of removing refuse accumulated at the top of air-conditioners. He said that it was extremely difficult to remove such refuse and the cooperation of tenants/owners and the property service companies was necessary in the clean-up actions. He agreed that the problem would be best tackled by changing some people's bad habits of throwing objects from height. Consideration could also be given to launching an "Intensive Clean-up Day" each month to keep the living environment clean.

32. Mr WONG Sing-chi commented that it was not appropriate for the Territory-wide Cleansing Day to be called "對抗非典型肺炎全民清潔保健行動日", in Chinese, as sustained efforts were required to maintain cleanliness of the territory in the long term irrespective of whether AP would persist. DHA(Atg) agreed that it was more common to call the campaign "全民清潔保健行動日" in Chinese. She stressed that the Administration was determined to take sustained efforts in maintaining cleanliness of the territory. The purpose of the territory-wide cleansing event was not only to clean up various environmental blackspots but also to arouse public awareness of the importance of personal and environmental hygiene.

33. Mr WONG Sing-chi pointed out that there were complaints from residents in PHEs about failure of HD to take actions in cases of excessive storage of rubbish by some households. Mr WONG asked whether HD would tackle the problem during the Territory-wide Cleansing Day, and the actions to be taken by voluntary workers when they came across such cases.

34. DD(EM)/HD responded that HD would follow-up these complaints and liaise with the tenants concerned to remove the rubbish. During the Territory-wide Cleansing Day, voluntary workers would provide cleansing service for elderly households with their consent. HD would issue advisory letters to those households found to have accumulated excessive rubbish. If these households ignored HD's advice, and if they posed a nuisance to their neighbours, consideration could be given to terminating the tenancy. DD(EM)/HD added that HD would liaise with relevant departments such as SWD in taking actions against elderly households.

35. Mr Frederick FUNG said that he had made visits to several infected buildings in Sham Shui Po, including public and private housing blocks with and without OCs. He found that the residents of the infected buildings without OCs had great difficulty

Action

in organising themselves to clean up and disinfect the common parts of their buildings. Mr FUNG pointed out that there were about 500 single private residential buildings without OCs in Sham Shui Po and asked how the Administration could improve the hygiene conditions of these buildings.

36. DHA(Atg) said that residents in need could approach relevant departments such as HAD, DH and FEHD to seek advice on the cleansing and disinfection work required for infected buildings. DFEH acknowledged that single private residential buildings posed a complicated problem in respect of building management and maintenance. He said that FEHD would have to work out long term measures with HAD for dealing with the sanitary problems of private residential buildings without OCs, including those single private residential buildings. In the interim, FEHD inspectors would soon start conducting inspections to common parts of private buildings to identify sanitary and pest nuisances, and priority would be given to inspecting the infected buildings.

37. Mr Frederick FUNG suggested that whenever DH announced a new infected building, FEHD should immediately deploy staff to advise residents of that building on ways to disinfect and clean up the building. DFEH agreed to follow up.

38. Mr Frederick FUNG said that in the past two years, residents of Lai On Estate in Sham Shui Po had reported to HD serious defects of the foul sewers in their toilets. He said that the foul sewers in the singleton flats of the Estate were made of cast iron and had developed problems of seepage and rust. However, no actions had been taken by HD to change the sewers. Mr FUNG further asked whether the Administration would consider taking any measures to rectify the same problem in some private residential buildings. He suggested that the Administration should take into account the experience of the Amoy Gardens and introduce legislation to impose a mandatory requirement on property owners that they had to change cast iron foul sewers found in their premises.

39. DD(EM)/HD responded that HD would follow up the case of Lai On Estate and conduct inspections to the sewers in question. He said that HD technical staff were also conducting inspections to all other PHEs to examine and arrange changing sewers where necessary. DHA(Atg) said that Mr FUNG's concern about the risk posed by cast iron foul sewers and suggestion would be conveyed to Buildings Department for consideration.

40. Mr Frederick FUNG asked what measures would be taken to prevent any possible cross-contamination between the voluntary workers and elderly residents during the Cleansing Day. He said that this concern had also been raised by some social workers.

41. DHA(Atg) said that the voluntary workers signed up for the cleansing events were required to notify the organiser if they had any illnesses. She stressed that service recipients also had the right to refuse the service if they did not wish to.

Action

DD(EM)/HD said that following the recent visit to elderly households in Lower Ngau Tau Kok Estate jointly conducted by HD, HAD and DH, these departments had drawn up detailed guidelines on precautionary measures that should be taken in providing services for elderly households.

42. Mrs Sophie LEUNG said that to ensure environmental cleanliness, priority should be given to rodent control and preventing drains from becoming harbourages for rodents. She considered that the pouring of abundant food remains into drains had, to some extent, caused rodent infestation which also gave rise to diseases. She was also worried that the current extensive use of bleach solution for disinfection might further lead to environmental problems.

43. DFEH responded that as the pest control authority in Hong Kong, FEHD had been carrying out regular inspections and anti-rodent measures throughout the territory. In addition, it had been conducting anti-rodent campaigns on an annual basis and the 2003 Campaign had already started. He further briefed members on the anti-rodent measures taken such as placing traps and poisonous bait. Mrs Sophie LEUNG suggested that reference should be made to the experience of overseas countries in reducing the amount of food remains poured into drains. DFEH said that he would consider the suggestion.

44. The Chairman raised the following questions and suggestions for the Administration's response -

- (a) whether the Administration would consider issuing summonses, instead of fixed penalty notices, against littering offenders throwing away used face masks on the street or from a height, in order to increase deterrent effect against such offences;
- (b) whether FEHD, which was the licensing authority to issue Funeral Parlour Licence, had followed up recent media reports on refusals of funeral parlours to provide funeral services for people died of SARS;
- (c) liquid soap should be made a standard provision in all public toilets and toilets in commercial malls;
- (d) disinfection of the control panels and handrails inside lifts in all public housing estates should be done hourly instead of "no less than four times daily"; and
- (e) whether any measures would be taken to improve the conditions of the open refuse collection points in PHEs which had posed nuisances to residents nearby.

Action

Admin

45. DFEH undertook that FEHD would follow up the Chairman's concerns in paragraph 44(a) and (b) above. DD(EM)/HD said that for public housing estates where the residents had been infected with SARS, disinfection of the control panels and handrails inside lifts in that estate had to be done hourly. For the other buildings, the disinfection work was required to be done no less than four times daily. He said that HD had also stepped up cleansing of all refuse collection points in housing estates and would closely monitor their hygiene conditions.

46. Mr WONG Yung-kan asked if it was desirable to place a mat soaked with bleach solution at the entrance of a building for disinfection purpose and whether DH or FEHD would advise building management to do so. C(CM) said that there was no evidence suggesting that SARS was spread by contaminated soles of shoes. DH would further observe new developments before considering to issue such guidelines.

47. The Chairman reiterated that members were of the view that the Territory-wide Cleansing Day must not be an "one-off exercise" and sustained efforts were necessary to maintain the cleanliness of the environment. He also appealed to members for their support and participation in the cleaning events.

II. Any other business

48. There being no other business, the meeting ended at 6:00 pm.

Council Business Division 2
Legislative Council Secretariat
19 August 2003