

立法會
Legislative Council

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LC Paper No. CB(2) 2069/03-04
(These minutes have been seen
by the Administration)

Panel on Food Safety and Environmental Hygiene

Minutes of special meeting
held on Wednesday, 3 March 2004 at 8:30 am
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 YEUNG Yiu-chung, BBS
Hon Andrew CHENG Kar-foo
Hon Michael MAK Kwok-fung
Hon LEUNG Fu-wah, MH, JP
Dr Hon LO Wing-lok, JP
- Members attending** : Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP
Hon CHAN Yuen-han, JP
Dr Hon LAW Chi-kwong, JP
Hon IP Kwok-him, JP
- Public officers attending** : Item I
- Mr Eddy CHAN
Deputy Secretary (Food & Environmental Hygiene)
Health, Welfare and Food Bureau
- Miss Shirley KWAN
Assistant Secretary (Food & Environmental Hygiene) 4
Health, Welfare and Food Bureau
- Dr Y Y HO
Consultant (Community Medicine) (Risk Assessment and
Communication)
Food and Environmental Hygiene Department

Item II

Mr Eddy CHAN
Deputy Secretary (Food & Environmental Hygiene)
Health, Welfare and Food Bureau

Miss Shirley KWAN
Assistant Secretary (Food & Environmental Hygiene) 4
Health, Welfare and Food Bureau

Mr Donald TONG
Deputy Director of Food and Environmental Hygiene
(Administration and Development)

Item III

Mr Eddy CHAN
Deputy Secretary (Food & Environmental Hygiene)
Health, Welfare and Food Bureau

Miss Shirley KWAN
Assistant Secretary (Food & Environmental Hygiene) 4
Health, Welfare and Food Bureau

Mr Donald TONG
Deputy Director of Food and Environmental Hygiene
(Administration and Development)

Mr HUNG Chi-pai
Assistant Director (Operations) 1
Food and Environmental Hygiene Department

Mr YEUNG Shun-kui
Assistant Director (Operations) 2
Food and Environmental Hygiene Department

Mrs Christine FUNG
Chief Executive Officer (Planning)
Food and Environmental Hygiene Department

Mr LEE Yuk-shing
Chief Project Manager
Architectural Services Department

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

Staff in attendance : Ms Amy WONG
Senior Council Secretary (2)1

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I Anti-mosquito campaign and dengue vector surveillance in 2004
[LC Paper No. CB(2) 1382/03-04(03)]

Consultant (Community Medicine) (Risk Assessment and Communication) (C(CM)) briefed members on the findings of the dengue vector surveillance programme in 2003 and the Anti-mosquito Campaign in 2004. He said that an ovitrap survey covering 38 selected areas was introduced in 2003 to monitor the mosquito control situation. In general, the monthly ovitrap indices were much lower than that of 2000-2002. The average monthly ovitrap index recorded in 2003 was 9.9%, much lower than 17.8% recorded in 2000. It was also the first time that it hit below 10%. However, there was no room for complacency as ovitrap indices exceeding 40% were recorded in several areas including Tai Po North, Cheung Chau and Tin Shui Wai.

2. C(CM) said that to enhance surveillance, task forces had been set up in areas where the ovitrap indices had been over 20% since February 2004. The port areas were divided into 7 groups of 30 surveillance locations. A Monthly Port Ovitrap Index showing the overall situation of mosquito breeding in port areas would also be published for public information.

3. Mr WONG Yung-kan acknowledged that the Administration had made much effort in reducing mosquito breeding problems. Noting that the ovitrap indices were particularly high in the New Territories such as Tai Po, he asked whether the Administration had enlisted the support of the District Councils in the surveillance work. He also asked whether the Administration would expand the scope of its anti-mosquito activity and extend it to private land which was abandoned.

4. C(CM) said that the Food and Environmental Hygiene Department (FEHD) worked jointly with the Housing Department and Home Affairs Department in the anti-mosquito campaign. The departments would strengthen publicity in the rural areas, and interested parties in the districts were welcome to participate in the anti-mosquito work. The departments would also explore areas for further improvements, for example, in tackling the problem of private abandoned land.

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5. Mr WONG Yung-kan asked whether the Administration would enhance its anti-mosquito effort in the high-risk season from June to August. C(CM) responded that while the anti-mosquito campaign was an on-going programme, there would be strengthened publicity and surveillance during the rainy season.

6. Noting the high ovitrap indices in Cheung Chau, Tin Shui Wai, Diamond Hill and Wong Tai Sin, the Chairman asked whether the Administration had conducted any study to find out the reasons and whether more focussed efforts would be made in these areas.

7. C(CM) responded that surveys had been conducted to identify the reason for the high indices in these areas. It was found that the density of the population and living habits of the community such as improper disposal of small containers and lunch boxes would give rise to mosquito breeding. Ditches and slopes were also blackspots which could become mosquito breeding ground.

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8. The Chairman urged the departments to discuss with those DCs with "blackspots" as early as possible, in order to strengthen anti-mosquito work in those areas.

Inter-departmental anti-mosquito response mechanism

9. C(CM) said that starting from the fourth quarter of 2003, the inter-departmental anti-mosquito response mechanism led by FEHD would be activated in areas where the ovitrap index was above 20% (previously 30%).

10. Mr Michael MAK said that the departments should make more focussed efforts in areas where the ovitrap indices were on the high side. He asked whether the 20% threshold for activating the inter-departmental anti-mosquito response mechanism could be further lowered to enhance surveillance. Mr WONG Yung-kan expressed support for Mr MAK's suggestion. He agreed that it was necessary to maintain high vigilance in order to prevent dengue fever.

11. C(CM) said that the 20% threshold was adopted based on risk assessment findings. The Administration would review the mechanism after a period of implementation.

Public education and prosecution

12. Mr Michael MAK considered that apart from public education, prosecution action should be taken against offenders who threw empty containers in public places. He asked about the prosecution figures in this respect.

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13. C(CM) said that enforcement action had been stepped up in areas with high ovitrap indices. He agreed to provide the prosecution figures on mosquito breeding after the meeting. C(CM) further said that with increased publicity and district participation, the situation would be further improved.

(Post-meeting note : The Administration subsequently advised that in 2003, FEHD instituted 258 prosecutions against mosquito breeding and issued 616 warning letters against accumulation of stagnant water.)

14. The Chairman requested the Administration to take note of members' suggestion of lowering the percentage for activating the anti-mosquito response mechanism. The Administration noted the request.

II Outcome of public consultation on proposed new penalties for repeat cleanliness offenders

[LC Paper No. CB(2) 1382/03-04(04)]

15. Assistant Secretary (Food & Environmental Hygiene) (AS(FEH)) briefed members on the results of the public consultation exercise on proposed new penalties for repeat cleanliness offenders conducted between October and December 2003. AS(FEH) said that both the consultation outcome and findings of two opinion surveys conducted during the consultation period showed that there was majority public support of the proposal of imposing a community service order and a penalty higher than \$1,500 for repeat cleanliness offences committed within 24 months. The Administration would proceed to draw up detailed legislative proposal with a view to introducing it to the Legislative Council in the 2004-05 session.

16. Mr LEUNG Fu-wah asked the Administration to clarify the survey methods and findings described in paragraphs 5 and 6 of the Administration's paper.

17. AS(FEH) explained that the two surveys referred to in paragraph 6 of the paper were conducted by consultancy firms. The following two questions were asked in both surveys -

- (a) whether the respondent would agree to impose a penalty higher than \$1,500 for repeat cleanliness offences committed within 24 months; and
- (b) whether the respondent would agree to impose a community service order in addition to a penalty higher than \$1,500 for repeat cleanliness offences.

AS(FEH) said that in both surveys, the majority of respondents were in favour of (b).

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18. The Chairman commented that the survey should seek public views on three different options for repeat offences, as follows -

- (a) increased penalty only;
- (b) impose community service order only; and
- (c) increased penalty and a community service order.

19. AS(FEH) explained that the Team Clean report recommended a penalty higher than \$1,500 and the award of a community service order for repeat offenders. Question (a) in paragraph 17 was included in the questionnaire because some people might consider that a penalty higher than \$1,500 alone could provide sufficient deterrence against repeat cleanliness offences.

20. Mr Michael MAK said that he had suggested imposing a community service order for repeat cleanliness offenders, and this had proven to have majority public support. Mr MAK further said that he fully supported the Administration's proposal, but he would need further information on the implementation details.

21. Mr Michael MAK asked about the age/sex distribution of repeat offenders and the nature of such offences. He said that community service orders might be more effective in dealing with the young and middle-age offenders than the old.

22. Deputy Director of Food and Environmental Hygiene (DD(FEH)) said that out of the 15 000 fixed penalty notices issued since June 2003, 82% were related to littering and 16% spitting. The age and sex distribution of the repeat offenders were as follows -

<u>Age</u>	<u>Below 21</u> 20%	<u>21 - 40</u> 28%	<u>41 - 60</u> 27%	<u>Over 60</u> 24%
<u>Sex</u>	<u>Male</u> 84%	<u>Female</u> 16%		

(Post-meeting note : The above figures had been revised by the Administration after the meeting.)

23. DD(FEH) further said that among the 154 repeat offenders, 51% were related to littering, 30% unauthorised posting of bills and posters, and 2% spitting. He added that among the 568 notices issued to the visitors, 70% were from Mainland China and 30% from other places/countries. Out of the 568 notices, 72% were related to littering and 27% spitting.

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24. Mr Michael MAK said that he would not agree to impose a uniform penalty for all these offenders. He added that it might not be appropriate to impose community service orders in respect of unauthorized posting of bills and posters, as this would affect the offenders' livelihood. He considered that this type of cleanliness offence should be handled differently.

25. Mr WONG Yung-kan said that he opposed to a uniform penalty for all repeat offenders. Mr WONG asked whether the Administration had a more detailed breakdown on the types of repeat offences. He said that there had been suggestion that a community service order should be imposed in lieu of a penalty, but the survey findings indicated that the majority of respondents preferred both. He was worried that the Administration might propose even harsher punishment if there was no improvement in the number of repeat offences. He believed that public education and publicity targetted at the repeat offenders should be more effective than imposing heavier penalty.

26. DD(FEH) said that he did not have a more detailed breakdown on the type of repeat offences other than that provided in paragraphs 22 and 23 above. He agreed with Mr WONG Yung-kan that education and publicity were important in promoting cleanliness in Hong Kong. He said that in addition to the APIs and radio publicity, FEHD officers visited 800 schools last year to promote environmental hygiene and public health. Moreover, over 1 500 warning notices against littering were posted on refuse bins in the streets, announcements were made at the border control points, and publicity leaflets distributed to visitors.

27. DD(FEH) added that for those who breached the law, enforcement action would have to be taken against them. The proposal to impose a heavier penalty and a community service order for repeat offenders was only to enhance the deterrence effect against cleanliness offences, in order to maintain a clean environment in Hong Kong.

28. In response to the Chairman, DD(FEH) clarified that the Administration's proposal was that for the second offence, the enforcement department would withdraw the fixed penalty notice and issue a summons instead. The enforcement department would subsequently apply to the Court for a penalty higher than \$1,500 and the award of a community service order.

29. Mr IP Kwok-him said that he supported the Clean Hong Kong Campaign. However, he questioned the need for further reviewing or amending the legislation within a short time, as the fixed penalty system for public cleanliness offences was introduced only last year. He asked whether the Administration considered that the fixed penalty of \$1,500 could not provide sufficient deterrence against cleanliness offences. Mr IP considered that imposing a community service order for the second

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offence would be too harsh a punishment, and the target should be those who had committed the offence more than twice. Mr IP added that the enforcement departments should also review the enforcement standards to ensure fairness and consistency.

30. Deputy Secretary for Food and Environmental Hygiene (DS(FEH)) responded that when the Chief Secretary for Administration (CS) proposed to raise the penalty for repeat cleanliness offence from \$600 to \$1,500 last year, many Members had requested the Administration to consider imposing a community service order for repeat offenders. DS(FEH) said that since the SARS outbreak, the community generally recognised the importance of maintaining a high standard of cleanliness in Hong Kong. In this connection, Team Clean had proposed zero tolerance for cleanliness offences. DS(FEH) further said that given the high population density of our city, it would be most difficult for an offender to be caught the second time. In this connection, the Administration considered it fair and appropriate that a repeat offender should be dealt with seriously. He added that the Court would also look at the background of the offender and the circumstances of the case before passing a sentence on the repeat offender.

31. As regards enforcement standards, DS(FEH) said that training had been provided and enforcement guidelines had been issued to all enforcement staff. On the deterrence effect of the fixed penalty of \$1,500, DS(FEH) said that the \$1,500 penalty had provided sufficient deterrence generally, but a greater deterrence was required, as demonstrated by the survey findings, for repeat offenders.

32. The Chairman said that the Democratic Party was in support of imposing a community service order and fixed penalty for repeat offenders. However, the cleanliness offence should not be made a criminal offence solely for the purpose of imposing a community service order. Moreover, the duration of community service for cleanliness offences should be shorter than the usual 200 or 240 hours.

33. Mr Andrew CHENG suggested that the Administration should seek the view of the Department of Justice on the concerns raised by the Democratic Party and report to the Panel.

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34. DS(FEH) noted members' comments and suggestions. He said that the Administration would proceed with drawing up the detailed legislative proposals and consult the Panel again on the detailed proposal. It was the intention of the Administration to introduce the legislative proposal into LegCo in the next session.

III Retro-fitting of air-conditioning and/or general improvement works to 19 existing markets and/or cooked food centres

[LC Paper Nos. CB(2) 1500/03-04(01)-(03)]

[LC Paper No. CB(2) 1567/03-04(01)]

35. Miss CHAN Yuen-han said that the previous Subcommittee to follow up the outstanding capital works projects of the former municipal councils (the Subcommittee) had discussed the proposed retro-fitting of air-conditioning (A/C) and general improvement works for the 19 existing markets/cooked food centres, which were amongst the 169 outstanding capital works of the former municipal councils. Miss CHAN said that the Subcommittee supported that these projects should be taken forward. Referring to the Director of Auditor's reservations about the cost effectiveness of providing A/C systems to the public markets and his comment that the provision of A/C alone could not revitalize a market, Miss CHAN said that the community still had a demand for wet markets. She considered that the high stall vacancy rate in public markets was mainly due to their poor design. Citing the example of a Swedish church turned into a market at a tourist spot, she said that improvement in the market design could increase the patronage of public markets.

36. Miss CHAN further said that during the deliberations of the Subcommittee, the Administration had insisted on adopting a support rate of 85% or more in determining whether to proceed with the retro-fitting of A/C projects for public markets and cooked food centres. Miss CHAN added that she did not agree that the 85% support rate should be used as the criterion for carrying out the retro-fitting of A/C projects. Apart from those A/C projects which had already secured funding approval, she considered that other markets and/or cooked food centres, such as Ngau Chi Wan Market and Java Road Market, should also be considered for A/C retro-fitting.

37. Mrs Selina CHOW said that historically, public markets were built mainly to relocate hawkers from the streets. Due to the market design decades ago, some of these markets had not been successful and there was a high stall vacancy rate in these markets. Mrs CHOW asked whether an overall review on public markets was being carried out by the Administration, and when the review would be completed. She also asked whether the review would have any impact on the retro-fitting of A/C projects under discussion.

38. Mrs CHOW added that while she had doubts that the provision of A/C alone could improve the stall vacancy rate, the Administration might consider whether retro-fitting of A/C could improve the hygiene conditions of public markets and prevent recurrence of avian influenza outbreaks. Mrs CHOW stressed that she did not agree to "throwing good money after bad". She considered that resources should be spent only on those public markets that had high patronage.

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39. DS(FEH) said that the overall review of public markets was under way. In conducting the review, the Administration would also take into consideration the supply and demand of public markets in the areas concerned. The Administration would report the outcome of the review to the Panel.

40. DS(FEH) further said that the review would not affect the present retro-fitting of A/C projects and the general improvement works to the 19 existing markets and/or cooked food centres, as these were outstanding capital works projects of the former municipal councils and had been discussed by the Subcommittee. Nevertheless, the Audit Commission and the LegCo Public Accounts Committee (PAC) had recently requested FEHD to critically reassess the need and cost-effectiveness of providing A/C systems in these public markets. The Administration was therefore duty bound to consult the Panel on the outcome of such re-assessments.

A/C retro-fitting projects for Bowrington Road Cooked Food Centre, and Yue Wan Market & Cooked Food Centre

41. Mr LEUNG Fu-wah said that the retro-fitting of A/C systems in Bowrington Road Cooked Food Centre and Yue Wan Market & Cooked Food Centre was worth pursuing, as the vast majority of stall lessees supported the projects and were willing to pay the recurrent A/C charges. Mr LEUNG commented that the Administration's paper had not mentioned the need of the local community for public markets. He said that he was very familiar with the Yue Wan area and there was a genuine need to provide A/C in Yue Wan Market & Cooked Food Centre. Since over 85% of the stall lessees concerned had expressed support for the A/C projects and were willing to pay the recurrent A/C costs, he did not understand why the projects were still not taken forward.

42. Mr IP Kwok-him expressed dissatisfaction that the Administration had not proceeded with the retro-fitting of A/C systems in Bowrington Road Cooked Food Centre and Yue Wan Market & Cooked Food Centre which had already secured funding approval in May 2003. Mr IP said that the Administration had agreed to take forward these projects after lengthy discussion with the Subcommittee. He expressed regret that the Administration did not honour its promise and had put these projects on hold, even after all procedures had been completed and approval given by the Public Works Subcommittee (PWSC) and the Finance Committee (FC). He pointed out that the stall lessees of Yue Wan Market had actually made preparation for the commencement of the works and had rented other accommodation during the proposed market closure period. The delay in taking forward the project would lead to financial losses of the lessees concerned. Mr IP strongly urged the Administration to proceed immediately with the A/C works in Bowrington Road Cooked Food Centre and Yue Wan Market & Cooked Food Centre, in order to provide a suitable business environment for the stall lessees.

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43. DS(FEH) explained that at the request of PAC, the Administration had agreed to review the need and cost-effectiveness of the projects for the provision of A/C systems in Yue Wan Market, San Hui Market and Fa Yuen Street Market, and to consult the Panel on whether these and other projects should be proceeded with. DS(FEH) said that if it was the Panel's view that the Administration should proceed with these projects, after having re-examined the need and the cost-effectiveness of these projects, the Administration would report to PAC in writing and then proceed with the projects.

44. Mr IP Kwok-him asked whether the project for Yue Wan Market could commence in April 2004. Chief Project Manager of Architectural Services Department (CPM(ASD)) said that the tender of the project was returned in November 2003 and the tender report was ready for submission to Central Tender Board for approval, pending the Administration's decision to proceed after the meeting and further discussion with the stall lessees on the revised timetable for cooked food centre and market closure. He expected that the works could start in mid-April 2004 and be completed in end January 2005 if everything went smoothly. Mr IP Kwok-him said that the stall lessees were already prepared for the commencement of the works.

45. Mr Andrew CHENG said that it appeared to him that the Administration's paper tried to make use of the Audit Report to save spending by shelving the projects. He commented that the Audit Report had given too much emphasis on one factor in assessing the viability of public markets. He considered that the viability of markets depended on a number of factors and the provision of A/C systems was only one of them. He agreed that for those projects which had already secured funding approval, the works should start immediately.

46. Mr Andrew CHENG further said that the Administration should not only consider the cost-effectiveness of a project without taking into account the demand for public markets and the need to enhance their competitiveness. Mr CHENG stressed that for those projects which had already secured a support rate of 85% or more, the projects should be proceeded with as agreed earlier by the Subcommittee. However, careful consideration should be given to the retro-fitting of A/C systems to those markets or cooked food centres with a net support rate less than 85% and with a high stall vacancy rate.

47. Dr LO Wing-lok agreed that the Administration should continue to proceed with the retro-fitting of A/C and improvement projects that had already been approved by FC. Dr LO said that he and Mr IP Kwok-him had visited Yue Wan Market last year and found the market in poor conditions. He considered that the Market badly needed improvements.

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48. Mr WONG Yung-kan expressed regret that the projects had not been taken forward. He said that he could not understand why the projects which had been given funding approval were still held up. He pointed out that it was opportune time to commence works in the markets because there had been less customers after the outbreaks of avian flu in the region. He urged that the Administration should expedite the projects, and asked whether the works at Yue Wan Market & Cooked Food Centre and Bowrington Road Cooked Food Centre could be completed before January 2005.

49. CPM(ASD) explained that the project completion date of the projects had already been advanced by two months, while the duration of closure would remain to be four and six months respectively for the cooked food centre and the market. He estimated that the Bowrington Road Cooked Food Centre project would start in April and complete in December 2004, and the cooked food centre would be closed during August - November 2004. The Yue Wan Market and Cooked Food Centre project would start in July 2004 and complete in January 2005, and the market would be closed during July 2004 - January 2005. He added that the market could resume operation after the major works had been completed while some minor improvement works, including testing and commissioning of the A/C installation, were still being carried out.

50. The Chairman concluded that members expressed support for the Administration to proceed immediately with the retro-fitting of A/C and general improvement works in Bowrington Road Cooked Food Centre and Yue Wan Market & Cooked Food Centre, as FC had already given funding approval to these projects.

A/C retro-fitting projects in other markets and/or cooked food centres with a support rate of 85% or more

51. Mr Andrew CHENG expressed support for proceeding with the A/C retro-fitting and general improvement works in other markets and/or cooked food centres (i.e. Shek Wo Hui Cooked Food Centre, Fa Yuen Street Market & Cooked Food Centre and San Hui Market) that had attained a net support rate of 85% or more. Referring to paragraph 15 (ii) of the Administration's paper, Mr CHENG asked about the reasons for Shek Wu Hui Cooked Food Centre not serving dinner, as this would affect the cost-effectiveness of the retro-fitting of A/C in this cooked food centre.

52. CPM(ASD) responded that it was the commercial decision of Shek Wu Hui Cooked Food Centre lessees that they did not want to open for night business.

53. Mr IP Kwok-him said that he had previously expressed support for these projects during the deliberations of the Subcommittee. He agreed that the A/C retro-fitting and improvement works in markets and/or cooked food centre with a net support rate of 85% or more should be proceeded with, although he had reservations about using the 85% support rate as the criterion for taking forward a project.

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54. As regards the project for Fa Yuen Street Market & Cooked Food Centre, Mr IP said that the Subcommittee had already supported the project, but PWSC had expressed reservations about the project costs. Mr IP considered that it would be for PWSC, which was responsible for examining the upgrading of public works projects, to decide whether it would recommend the project for FC approval. He said that the Administration should follow the normal procedure for proceeding with public works projects, and should not use the Audit Report as an excuse to shelve those projects which had been discussed and agreed to previously.

55. Mr WONG Yung-kan recalled that the Subcommittee had lengthy discussions with the Administration on the support rate for taking forward the retro-fitting of A/C in markets and cooked food centres. He said that the support rate of 85% in some markets was attained only after LegCo Members had made much effort in discussing with the lessees concerned. Therefore these projects should not be dropped.

56. Mr LEUNG Fu-wah expressed support for proceeding with the A/C retro-fitting and improvement works in markets and cooked food centres with a support rate of 85% or more.

57. Mr Tommy CHEUNG said that while he supported the principle of prudent use of public money, he considered that the Administration had a responsibility to improve the facilities and business environment of public markets to enable them to compete with private markets.

58. The Chairman said that members supported that the Administration should proceed with A/C retro-fitting and general improvements works in other markets and/or cooked food centres that had attained a net support rate of 85% or more.

59. As regards the Fa Yuen Street Market & Cooked Food Centre, DD(FEHD) sought members' views on whether the option, which had deleted the A/C retro-fitting works to the cooked food centre portion, should be pursued. He said that when the original project was considered by PWSC last year, some PWSC members had expressed strong reservations about providing A/C for Fa Yuen Street Cooked Food Centre at a total cost of \$30.1 million for 15 stalls, or \$2 million for each stall. To address PWSC's concerns, FEHD had drawn up three options for trimming down the cost and consulted the cooked food centre stall lessees. The option, which deleted the A/C system but upgraded fire services installation and kitchen ventilation system, would cost about \$2.9 million (or \$190,000 for each stall) and had the highest support among lessees.

60. DD(FEHD) further said that when the Administration reported the supported option to the Food and Environmental Hygiene Committee (FEHC) of the Yau Tsim Mong District Council (YTMDC), most members of FEHC expressed strong views against this option due to deletion of the A/C works to the Cooked Food Centre. The FEHC passed the motion that "if the Cooked Food Centre was not to be retro-fitted

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(with A/C), the Market should not be retro-fitted (with A/C) as well, and FEHD should propose alternative measures to improve the ventilation condition of the Market and Cooked Food Centre". He added that the Administration would have to resolve the difference in opinion between YTMDC, PWSC and the Fa Yuen Street Cooked Food Centre stall lessees.

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61. The Chairman suggested that since the new term District Councils had just been formed, the Administration might wish to gauge the views of the new term YTMDC on the project.

Markets/Cooked Food Centres with a net support rate below 85%

62. Mr IP Kwok-him said that he accepted the previous Subcommittee's views that, for those markets and cooked food centres with a support rate less than 85%, only essential general improvement works should be carried out, and non-essential general improvement works should be carried out subject to the agreement of the majority stall lessees. Mr LEUNG Fu-wah, Mr WONG Yung-kan and Mr Tommy CHEUNG also expressed support.

63. The Chairman advised that "essential general improvement works" were works which were necessary to comply with the present-day building and fire safety requirements. "Non-essential improvement works" referred to works such as upgrading of existing ventilation system, replacement of floor and wall finishes, and lighting improvement.

64. Regarding the high stall vacancy rate in some markets, Mr Andrew CHENG said that the Administration would have to consider carefully the circumstances of each market before closing them. Dr LO Wing-lok said that the Administration should review each of these markets and see whether some factors which contributed to the high vacancy rate could be improved. The Administration could also consider modifying the mode of operation of poultry stalls in these markets, which could provide more space, by segregating live poultry from customers, and offer rental concessions to these stalls.

65. The Chairman concluded that the Panel supported the Administration's proposal as detailed in paragraph 22 (i), (ii) and (iii) in its paper.

IV Any other business

Measures against avian influenza

66. DS(FEH) reported that consensus had been reached with the Central People's Government that priority consideration would be given to the resumption of importation of chilled and frozen poultry meat from the Mainland. However, the

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viscera of poultry would not be allowed to be imported for the time being. The inspection and quarantine details were being worked out with the Mainland authorities and he would report the progress to the Panel in due course.

67. Mr Tommy CHEUNG said that the trade supported the Administration's proposal that the viscera of poultry should not be imported for the time being. However, the trade was very concerned when the import of live poultry would be resumed. He said that the trade would be willing to pay for the additional costs for the monitoring and surveillance required for resuming the importation of live poultry where necessary.

68. There being no other business, the meeting ended at 10:30 am.

Council Business Division 2
Legislative Council Secretariat
19 April 2004