

**立法會**  
***Legislative Council***

LC Paper No. CB(3) 534/09-10

Ref : CB(3)/M/MM  
Tel : 2869 9205  
Date : 11 March 2010  
From : Clerk to the Legislative Council  
To : All Members of the Legislative Council

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**Council meeting of 17 March 2010**

**Proposed amendments to motion on  
“Supporting the market for traders running small businesses”**

Further to LC Paper No. CB(3) 510/09-10 issued on 5 March 2010, five Members (Hon Frederick FUNG Kin-kee, Hon Fred LI Wah-ming, Hon WONG Yung-kan, Hon Paul TSE Wai-chun and Dr Hon Priscilla LEUNG Mei-fun) have respectively given notice of their intention to move separate amendments to Hon Tommy CHEUNG Yu-yan’s motion on “Supporting the market for traders running small businesses” scheduled for the Council meeting of 17 March 2010. As directed by the President, the respective proposed amendments will be printed in the terms in which they were handed in on the Agenda of the Council.

2. To assist Members in debating the above motion and amendments, I set out below the procedure to be followed during the debate:

- (a) Hon Tommy CHEUNG moves his motion;
- (b) the President proposes the question on Hon Tommy CHEUNG’s motion, and orders a joint debate;
- (c) the President calls on the five Members, who intend to move amendments, to speak in the following order, but no amendment is to be moved at this stage:
  - (i) Hon Frederick FUNG;
  - (ii) Hon Fred LI;

- (iii) Hon WONG Yung-kan;
  - (iv) Hon Paul TSE; and
  - (v) Dr Hon Priscilla LEUNG;
- (d) the President calls upon the designated public officer(s) to speak;
  - (e) joint debate on the motion and the amendments follows thereafter;
  - (f) the President gives leave to Hon Tommy CHEUNG to speak for the second time on the amendments;
  - (g) the President calls upon the designated public officer(s) again to speak;
  - (h) in accordance with Rule 34(5) of the Rules of Procedure, the President has decided that he will call upon the five Members to move their respective amendments in the order set out in paragraph (c) above. The President invites Hon Frederick FUNG to move his amendment to the motion, and forthwith proposes and puts to vote the question on Hon Frederick FUNG's amendment;
  - (i) after Hon Frederick FUNG's amendment has been voted upon, the President deals with the other four amendments; and
  - (j) after all amendments have been dealt with, the President calls upon Hon Tommy CHEUNG to reply. Thereafter, the President puts to vote the question on Hon Tommy CHEUNG's motion, or his motion as amended, as the case may be.

3. For Members' ease of reference, the terms of the original motion and of the motion, if amended, are set out in the **Appendix**.

( Mrs Justina LAM )  
for Clerk to the Legislative Council

Encl.

(Translation)

**Motion debate on  
“Supporting the market for traders running small businesses”  
to be held at the Legislative Council meeting  
of Wednesday, 17 March 2010**

**1. Hon Tommy CHEUNG Yu-yan’s original motion**

That, as the Hong Kong economy has yet to see a strong recovery, and the rents and operating costs in the private sector have remained high in recent years, together with ever increasing prices, the market for small businesses has suffered a severe blow, and this has not only increased the life stress of the grassroots, but has also reduced their chances of achieving self-reliance, making it difficult to improve the unemployment situation; as such, this Council urges the Government to support the market for traders running small businesses, so as to preserve their characteristic of providing quality goods at low prices and serve the grassroots, thereby increasing job opportunities; the relevant measures should include:

- (a) to revitalize hawker stalls by expeditiously allocating no less than 70% of the vacant on-street fixed hawker pitches to the existing registered assistants at fixed hawker pitches for running businesses through priority balloting, so as to enable the registered assistants who are familiar with the hawking trade and the stall environment to start businesses on the same streets or in the same districts, so as to bring vitality to the hawker market;
- (b) to increase the room for survival for licensed itinerant hawkers, reasonably reduce the number of illegal hawking blackspots, and study the designation of proposed hawking locations with time limits or conditions, and publish the list of locations concerned through various means, including facsimiles or telephone-recorded messages, for access by itinerant hawkers;
- (c) to strive to preserve the culture of ‘dai pai dong’ open-air bazaars, to tie in with the promotion focus of the tourism industry and, apart from improving the sanitary facilities of the existing ‘dai pai dongs’ and planning and developing them afresh, to expeditiously study subsidizing the development of ‘dai pai dongs’ or open-air markets in remote areas, so as to stimulate the economic activities of the neighbouring communities and create job opportunities for residents in remote areas;
- (d) to affirm the position and function of public markets as facilities serving the grassroots and determine future rent adjustments by using the affordability of the grassroots as one of the principles, so as to ensure that small traders can continue to capitalize on their selling point of providing quality goods at low

prices to counter rent increase by The Link and monopolization by supermarkets; and

- (e) to immediately implement a public market enhancement policy and proactively allocate resources to improve the design and business environment of the public markets, including bearing the installation and maintenance costs for air-conditioning facilities in public markets, so as to enhance the competitiveness of small traders.

## **2. Motion as amended by Hon Frederick FUNG Kin-kee**

That, ~~as the Hong Kong economy has yet to see a strong recovery~~ *although the impact of the financial tsunami is gradually subsiding, the Hong Kong economic outlook remains uncertain*, and the rents and operating costs in the private sector have remained high in recent years, together with ever increasing prices, the market for small businesses has suffered a severe blow, and this has not only increased the life stress of the grassroots, but has also reduced their chances of achieving self-reliance, making it difficult to improve the unemployment situation; as such, this Council urges the Government to support the market for traders running small businesses, so as to preserve their characteristic of providing quality goods at low prices and serve the grassroots, thereby increasing job opportunities; the relevant measures should include:

- (a) to revitalize hawker stalls by expeditiously allocating no less than 70% of the vacant on-street fixed hawker pitches to the existing registered assistants at fixed hawker pitches for running businesses through priority balloting, so as to enable the registered assistants who are familiar with the hawking trade and the stall environment to start businesses on the same streets or in the same districts, so as to bring vitality to the hawker market;
- (b) to increase the room for survival for licensed itinerant hawkers, reasonably reduce the number of illegal hawking blackspots, and study the designation of proposed hawking locations with time limits or conditions, and publish the list of locations concerned through various means, including facsimiles or telephone-recorded messages, for access by itinerant hawkers;
- (c) *to implement the voluntary surrender scheme for itinerant hawker licences on a long-term basis, including arrangements such as allowing itinerant hawkers who have voluntarily surrendered their licences to select a vacant fixed pitch;*
- ~~(e)~~(d) to strive to preserve the culture of ‘dai pai dong’ open-air bazaars, to tie in with the promotion focus of the tourism industry and, apart from improving the sanitary facilities of the existing ‘dai pai dongs’ and planning and developing them afresh, to expeditiously study subsidizing the development of ‘dai pai dongs’ or open-air markets in remote areas, so as to stimulate the

economic activities of the neighbouring communities and create job opportunities for residents in remote areas;

- (d)(e) to affirm the position and function of public markets as facilities serving the grassroots and determine future rent adjustments by using the affordability of the grassroots as one of the principles, so as to ensure that small traders can continue to capitalize on their selling point of providing quality goods at low prices to counter rent increase by The Link and monopolization by supermarkets; and
- (e)(f) to immediately implement a public market enhancement policy and proactively allocate resources to improve the design and business environment of the public markets, including bearing the installation and maintenance costs for air-conditioning facilities in public markets, so as to enhance the competitiveness of small traders.

Note: Hon Frederick FUNG Kin-kee's amendment is marked in ***bold and italic type*** or with deletion line.

### **3. Motion as amended by Hon Fred LI Wah-ming**

That, *markets for traders running small businesses have all along been a tourist attraction in Hong Kong, attracting a lot of tourists, and are also places where Hong Kong people like to go for shopping; however,* as the Hong Kong economy has yet to see a strong recovery, and the rents and operating costs in the private sector have remained high in recent years, together with ever increasing prices, the market for small businesses has suffered a severe blow, and this has not only increased the life stress of the grassroots, but has also reduced their chances of achieving self-reliance, making it difficult to improve the unemployment situation; as such, this Council urges the Government to support the market for traders running small businesses, so as to preserve their characteristic of providing quality goods at low prices and serve the grassroots, thereby increasing job opportunities; the relevant measures should include:

- (a) to revitalize hawker stalls by expeditiously allocating no less than 70% of the vacant on-street fixed hawker pitches to the existing registered assistants at fixed hawker pitches for running businesses through priority balloting, so as to enable the registered assistants who are familiar with the hawking trade and the stall environment to start businesses on the same streets or in the same districts, so as to bring vitality to the hawker market;
- (b) to increase the room for survival for licensed itinerant hawkers, reasonably reduce the number of illegal hawking blackspots, and study the designation of proposed hawking locations with time limits or conditions, and publish the list

of locations concerned through various means, including facsimiles or telephone-recorded messages, for access by itinerant hawkers;

- (c) to strive to preserve the culture of 'dai pai dong' open-air bazaars, to tie in with the promotion focus of the tourism industry and, apart from improving the sanitary facilities of the existing 'dai pai dong' and planning and developing them afresh, to expeditiously study subsidizing the development of 'dai pai dong' or open-air markets in remote areas, so as to stimulate the economic activities of the neighbouring communities and create job opportunities for residents in remote areas;
- (d) to affirm the position and function of public markets as facilities serving the grassroots and determine future rent adjustments by using the affordability of the grassroots as one of the principles, so as to ensure that small traders can continue to capitalize on their selling point of providing quality goods at low prices to counter rent increase by The Link and monopolization by supermarkets; and
- (e) to immediately implement a public market enhancement policy and proactively allocate resources to improve the design and business environment of the public markets, including bearing *the costs of* the installation *works* and maintenance ~~costs~~ for air-conditioning facilities in public markets *provided that 65% of the tenants in the markets concerned give consent*, so as to enhance the competitiveness of small traders.

Note: Hon Fred LI Wah-ming's amendment is marked in *bold and italic type* or with deletion line.

#### **4. Motion as amended by Hon WONG Yung-kan**

That, as the Hong Kong economy has yet to see a strong recovery, and the rents and operating costs in the private sector have remained high in recent years, together with ever increasing prices, the market for small businesses has suffered a severe blow, and this has not only increased the life stress of the grassroots, but has also reduced their chances of achieving self-reliance, making it difficult to improve the unemployment situation; as such, this Council urges the Government to support the market for traders running small businesses, so as to preserve their characteristic of providing quality goods at low prices and serve the grassroots, thereby increasing job opportunities; the relevant measures should include:

- (a) to revitalize hawker stalls by *improving the business environment for the stalls and waiving the hawker licence fee for one year, as well as* expeditiously allocating no less than 70% of the vacant on-street fixed hawker pitches to the existing registered assistants at fixed hawker pitches for running businesses through priority balloting, so as to enable the registered assistants

who are familiar with the hawking trade and the stall environment to start businesses on the same streets or in the same districts, so as to bring vitality to the hawker market;

- (b) to increase the room for survival for licensed itinerant hawkers, reasonably reduce the number of illegal hawking blackspots, and study the designation of proposed hawking locations with time limits or conditions, and publish the list of locations concerned through various means, including facsimiles or telephone-recorded messages, for access by itinerant hawkers;
- (c) to strive to preserve the culture of ‘dai pai dong’ open-air bazaars, to tie in with the promotion focus of the tourism industry and, apart from improving the sanitary facilities of the existing ‘dai pai dongs’ and planning and developing them afresh, to expeditiously study subsidizing the development of ‘dai pai dongs’ or open-air markets in remote areas, so as to stimulate the economic activities of the neighbouring communities and create job opportunities for residents in remote areas;
- (d) to affirm the position and function of public markets as facilities serving the grassroots and determine future rent adjustments by using the affordability of the grassroots as one of the principles, ***and to extend the rent freeze period for one year***, so as to ensure that small traders can continue to capitalize on their selling point of providing quality goods at low prices to counter rent increase by The Link and monopolization by supermarkets; and
- (e) to immediately implement a public market enhancement policy and proactively allocate resources to improve the design and business environment of the public markets, including bearing the installation and maintenance costs for air-conditioning facilities in public markets, so as to enhance the competitiveness of small traders.

Note: Hon WONG Yung-kan’s amendment is marked in ***bold and italic type***.

## **5. Motion as amended by Hon Paul TSE Wai-chun**

That, as the Hong Kong economy has yet to see a strong recovery, and the rents and operating costs in the private sector have remained high in recent years, together with ever increasing prices, the market for small businesses has suffered a severe blow, and this has not only increased the life stress of the grassroots, but has also reduced their chances of achieving self-reliance, making it difficult to improve the unemployment situation; as such, this Council urges the Government to support the market for traders running small businesses, so as to preserve their characteristic of providing quality goods at low prices and serve the grassroots, thereby increasing job opportunities; the relevant measures should include:

- (a) to revitalize hawker stalls by expeditiously allocating no less than 70% of the vacant on-street fixed hawker pitches to the existing registered assistants at fixed hawker pitches for running businesses through priority balloting, so as to enable the registered assistants who are familiar with the hawking trade and the stall environment to start businesses on the same streets or in the same districts, so as to bring vitality to the hawker market;
- (b) to increase the room for survival for licensed itinerant hawkers, reasonably reduce the number of illegal hawking blackspots, and study the designation of proposed hawking locations with time limits or conditions, and publish the list of locations concerned through various means, including facsimiles or telephone-recorded messages, for access by itinerant hawkers;
- (c) to strive to preserve the culture of ‘dai pai dong’ open-air bazaars, to tie in with the promotion focus of the tourism industry and, apart from improving the sanitary facilities of the existing ‘dai pai dongs’ and planning and developing them afresh, to expeditiously study subsidizing the development of ‘dai pai dongs’ or open-air markets in remote areas, *and to appropriately relax the restrictions on on-street busking and hawking in various districts (particularly in places with tourism value or features)*, so as to stimulate the economic activities of the neighbouring communities and create job opportunities for residents in remote areas;
- (d) to affirm the position and function of public markets as facilities serving the grassroots and determine future rent adjustments by using the affordability of the grassroots as one of the principles, so as to ensure that small traders can continue to capitalize on their selling point of providing quality goods at low prices to counter rent increase by The Link and monopolization by supermarkets; and
- (e) to immediately implement a public market enhancement policy and proactively allocate resources to improve the design and business environment of the public markets, including bearing the installation and maintenance costs for air-conditioning facilities in public markets, so as to enhance the competitiveness of small traders.

Note: Hon Paul TSE Wai-chun’s amendment is marked in *bold and italic type*.

## **6. Motion as amended by Dr Hon Priscilla LEUNG Mei-fun**

That, as the Hong Kong economy has yet to see a strong recovery, and the rents and operating costs in the private sector have remained high in recent years, together with ever increasing prices, the market for small businesses has suffered a severe blow, and this has not only increased the life stress of the grassroots, but has also reduced their chances of achieving self-reliance, making it difficult to improve the unemployment

situation; as such, this Council urges the Government to support the market for traders running small businesses, so as to preserve their characteristic of providing quality goods at low prices and serve the grassroots, thereby increasing job opportunities; the relevant measures should include:

- (a) to revitalize hawker stalls by expeditiously allocating no less than 70% of the vacant on-street fixed hawker pitches to the existing registered assistants at fixed hawker pitches for running businesses through priority balloting, so as to enable the registered assistants who are familiar with the hawking trade and the stall environment to start businesses on the same streets or in the same districts, so as to bring vitality to the hawker market;
- (b) to increase the room for survival for licensed itinerant hawkers, reasonably reduce the number of illegal hawking blackspots, and study the designation of proposed hawking locations with time limits or conditions, and publish the list of locations concerned through various means, including facsimiles or telephone-recorded messages, for access by itinerant hawkers;
- (c) to strive to preserve the culture of ‘dai pai dong’ open-air bazaars, to tie in with the promotion focus of the tourism industry and, apart from improving the sanitary facilities of the existing ‘dai pai dongs’ and planning and developing them afresh, to expeditiously study subsidizing the development of ‘dai pai dongs’ or open-air markets in remote areas, so as to stimulate the economic activities of the neighbouring communities and create job opportunities for residents in remote areas;
- (d) to affirm the position and function of public markets as facilities serving the grassroots and ~~determine future rent adjustments by using the~~ ***use the economic condition of the current year, employment market situation and affordability of the grassroots as one of the principles reference indicators when adjusting the levels of rent of public markets***, so as to ensure that small traders ***in the markets*** can continue to ~~capitalize on their selling point of providing~~ ***operate with lower rents and provide people with*** quality goods at low prices, ***so as*** to counter rent increase by The Link and monopolization by supermarkets; ~~and~~
- (e) to immediately implement a public market enhancement policy and proactively allocate resources to improve the design and ~~business environment~~ ***sanitary conditions of the markets, step up advertising and promotion, and enhance the ancillary facilities for business operation in*** the public markets, including ~~bearing the installation~~ ***actively studying the expeditious installation of air-conditioning facilities in all public markets and bearing the electricity tariffs*** and maintenance costs ~~for air-conditioning facilities in public markets~~ ***incurred***, so as to enhance the competitiveness of small traders ***in the markets; and***

- (f) *if rent reduction or waiver are proposed in the Budget of a certain financial year, to consider also including commercial tenants of public markets as the target beneficiaries.*

Note: Dr Hon Priscilla LEUNG Mei-fun's amendment is marked in *bold and italic type* or with deletion line.