

**立法會**  
**Legislative Council**

LC Paper No. CB(2)1352/10-11  
(These minutes have been seen  
by the Administration)

Ref : CB2/PL/FE

**Panel on Food Safety and Environmental Hygiene**

**Minutes of meeting**  
**held on Tuesday, 15 February 2011, at 10:45 am**  
**in Conference Room A of the Legislative Council Building**

**Members present** : Hon Tommy CHEUNG Yu-yan, SBS, JP (Chairman)  
Hon WONG Yung-kan, SBS, JP (Deputy Chairman)  
Hon Fred LI Wah-ming, SBS, JP  
Hon Andrew CHENG Kar-foo  
Hon TAM Yiu-chung, GBS, JP  
Hon Vincent FANG Kang, SBS, JP  
Hon WONG Kwok-hing, MH  
Dr Hon Joseph LEE Kok-long, SBS, JP  
Hon KAM Nai-wai, MH  
Dr Hon LEUNG Ka-lau  
Hon WONG Sing-chi  
Hon Alan LEONG Kah-kit, SC

**Member absent** : Hon WONG Yuk-man

**Public Officers attending** : Item IV

Prof Gabriel M LEUNG, JP  
Under Secretary for Food and Health

Mr Kevin YEUNG Yun-hung  
Principal Assistant Secretary for Food and Health (Food) 1

Mr LO Fu-wai, JP  
Assistant Director (Operations) 1  
Food and Environmental Hygiene Department

Mr Peter Geoffrey Hunt  
Assistant Commissioner of Police (Support)

Mr Eric CHENG Tak-ming  
Superintendent (Licensing Office)  
Hong Kong Police Force

Mr Alex CHOW Kim-ping  
Assistant Director/Support (Acting)  
Buildings Department

Mr LAU Mun-ming, FSMSM  
Chief Fire Officer (Licensing & Certification  
Command), Fire Services Department

Item V

Prof Gabriel M LEUNG, JP  
Under Secretary for Food and Health

Mr Owin FUNG Ho-yin  
Principal Assistant Secretary for Food and Health (Food) 3

Mr LIU Kwei-kin  
Assistant Director (Agriculture)  
Agriculture, Fisheries and Conservation Department

**Clerk in attendance** : Miss Betty MA  
Chief Council Secretary (2) 4

**Staff in attendance** : Mrs Sharon TONG  
Principal Council Secretary (2)

Ms Maisie LAM  
Senior Council Secretary (2) 6

Ms Catherina YU  
Senior Council Secretary (2) 7

Ms Mina CHAN  
Council Secretary (2) 7

Miss Maggie CHIU  
Legislative Assistant (2) 4

Miss Michelle LEE  
Legislative Assistant (2) 7

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**I. Confirmation of minutes**  
(LC Paper No. CB(2)987/10-11)

The minutes of the meeting held on 14 December 2010 were confirmed.

**II. Information paper(s) issued since the last meeting**

2. Members noted that no information paper had been issued since the last meeting.

**III. Items for discussion at the next meeting**  
(LC Paper Nos. CB(2)982/10-11(01) and (02))

3. Members agreed to discuss the following items proposed by the Administration at the next meeting to be held on 8 March 2011 -

(a) Trawl ban and other fisheries management measures; and

(b) Report of the food surveillance results of 2010.

4. Mr WONG Yung-kan suggested and members agreed that a special meeting would be held on 15 March 2011 to receive views from deputations on the proposed trawl ban.

**IV. Liquor licensing review**  
(LC Paper Nos. CB(2)982/10-11(03) and (04))

5. Under Secretary for Food and Health ("USFH") briefed members on the proposed trade facilitation measures in respect of liquor licensing

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and updated members on the problems besetting upstairs bars in Hong Kong.

6. Mr KAM Nai-wai expressed disappointment that the Administration only focused on the trade facilitation measures and failed to address the problem of public nuisance. He said that some District Councillors had raised concern about the problem of public nuisance caused by the bars in Wan Chai and Central and Western Districts time and again but the Administration had not taken any action to rectify the situation. The residents had expressed great dissatisfaction about the consultation process regarding the applications for liquor licences. He enquired about how the consultation was conducted, the mechanism in place to handle public complaints, the enforcement of the licensing conditions such as restriction on the liquor selling hours and sanction against breaches of the licensing conditions.

7. Mr KAM Nai-wai criticized the composition of the Liquor Licensing Board ("LLB") as there was no representative from the general public in LLB. Many residents had been complaining about the nuisance caused by upstairs bars since the former Municipal Councils era and the Administration had not taken any steps to address their concerns. He enquired whether the Administration would consider restricting the number of liquor licences in residential buildings and whether LLB would consider conducting a review on the entire liquor licensing regime. Mr KAM suggested that the Panel should consider receiving public views on issues relating to liquor licensing.

8. USFH responded that the Administration would seek the views of LLB and conduct public consultation after briefing the Panel and soliciting members' views on the proposals on liquor licensing. As regards the composition of LLB, he said that LLB comprised 11 members including a Chairman and a Vice Chairman, whose normal tenure was two years, came from various walks of life including the commercial sector, the social service sector, the education sector, the legal sector, the accountancy sector and the catering sector. The chairman of LLB was currently a member of Wan Chai District Council and one of LLB's members was a member of Kowloon City District Council.

9. Assistant Director (Operations) 1/Food and Environmental Hygiene Department ("AD(Ops)1/FEHD") elaborated on the consultation process regarding applications for liquor licences. He said that FEHD would refer the liquor licence applications to the relevant departments including the Police and Home Affairs Department ("HAD") for advice.

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The relevant District Offices would then gauge views of nearby residents, District Councillors and area committees for LLB's consideration. LLB would take into account the views collected and impose additional licensing conditions (such as restriction on liquor selling hours, restriction on playing of music after certain hours, the duty hours of the licensee) where appropriate on a case-by-case basis.

10. AD(Ops)1/FEHD further said that LLB required all applicants for new liquor licences to advertise their applications on local newspapers. Notice in respect of the application for liquor licence would also be posted in conspicuous locations of the building in which the premises under application were located. Members of the public could give their views to LLB on the applications.

11. In response to Mr KAM Nai-wai and the Chairman's enquiry on how the consultation process adopted by the former Municipal Councils differed from the current consultation process, AD(Ops)1/FEHD said that he did not have the information but was given to understand that the stakeholders in the vicinity of the premises under application were consulted.

12. Mr KAM Nai-wai opined that LLB, being an independent statutory body to consider liquor licence applications, should advise the enforcement departments on the consultation process. The Chairman and Mr KAM Nai-wai were disappointed that representatives from both LLB and HAD did not attend the meeting. The Administration was requested to provide information on how the consultation process adopted by the former Municipal Councils with respect to the applications for liquor licences differed from the current consultation process.

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13. Regarding the inspection and enforcement regime, Assistant Commissioner of Police (Support) ("ACP(Sup)") said that the frequency of routine licence checks on liquor licensed premises depended upon the activities and the track records of the premises. In some premises, there could be one or more frequent inspections in a month and in other premises, the inspection could be conducted every six months. In addition to routine licence inspections, the Police would carry out operations targeting breaches of licensing conditions, anti-crime operations targeting vice and drug activities, etc. There were over 5 300 such operations conducted in 2010. The Police would take criminal actions where appropriate and inform LLB of the problems or concerns associated with the applications for its consideration. On the advice of

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the Police, LLB might revoke the licence or impose additional licensing conditions. ACP(Sup) said that among the applications that the Police had raised objection, a large number of them involved dangerous drugs. Others were related to vice, non-disclosure of criminal records and gambling.

14. Mr KAM Nai-wai expressed concern about the enforcement of the licensing conditions to tackle nuisance problems. He enquired about the number of cases breached the licensing conditions, the number of revocation of licences, and the number of cases where additional conditions were imposed to reduce public nuisance in 2010. He further asked whether the policy direction of licence checks was to combat crime or to deal with nuisance problems.

15. ACP(Sup) responded that the Police's enforcement actions were based on a whole spectrum which included enforcing liquor licensing conditions and tackling crimes. The Police had raised objections to 66 applications for liquor licences and additional conditions were imposed to 19 premises. The Police would carry out additional checks to ensure the compliance of the additional licensing conditions. The Police was aware of the public concern about the nuisance caused by bars and would endeavour to take actions to minimise the disturbance to the public. As regards the number of revocation of licences and the number of cases where additional conditions were imposed as a result of public nuisance, ACP(Sup) undertook to provide the information after the meeting.

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16. Mr WONG Kwok-hing welcomed the trade facilitation measures proposed by the Administration and sought information on the timetable of drawing up concrete proposals on regulating upstairs bars for members' consideration.

17. Mr WONG Kwok-hing noted that LLB's views on liquor licensing had not been included in the Administration's paper. As LLB was responsible for the issue of liquor licences, it was in the best position to advise the Panel on the subject matter at stake. He suggested that the Panel should write to LLB and request them to provide their views and recommendations in this regard. The chairman and members of LLB should also be invited to attend a Panel meeting to present their views on the matter.

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(*Post meeting note: LLB's views and recommendations on the review of liquor licensing had been circulated to members vide LC Paper No. CB(2)1205/10-11 on 4 March 2011.*)

18. Noting that the Efficiency Unit ("EU") had made a total of 16 recommendations on the principle, process and communication aspects of the liquor licensing regime, the Chairman and Mr WONG Kwok-hing enquired about the implementation progress of these recommendations.

19. On the timetable for taking forward the proposals, USFH said that as explained earlier, the Administration would seek the views of LLB and conduct trade and public consultation after briefing the Panel on the preliminary proposals to enhance the existing liquor licensing arrangement to facilitate the trade and to address the problems of the upstairs bars. USFH advised that under the existing policy, before granting a liquor licence, LLB should consider whether the applicant was a fit and proper person to hold the licence, the premises to which the application related were suitable for selling liquor, and the grant of the licence was not contrary to the public interest. Since many of the proposals had an impact on the community and the trade, the Administration would have to explain to and discuss thoroughly with LLB the feasibility of the proposals, the implementation details and the way forward. In view of this, the Administration expected that a consultation paper would be issued for trade and public consultation by the third or fourth quarter of 2011.

20. Regarding the implementation of EU's recommendations on liquor licensing, USFH said that as reported to the Panel in June 2008, all the 16 recommendations made by EU had already been implemented between 2006 and early 2008. Aside from these recommendations, EU had also put forth in the review the legislative amendment recommendation, including the review of the appropriate party for holding a liquor licence, the classification of licences by making reference to overseas jurisdictions, as well as the extension of licence period to more than one year and explore other means to enable notice of the applications be given to the public. The Administration would continue to discuss the issues with the trade.

21. Responding to the Chairman, USFH said that depending on the outcome of consultation, the Administration would proceed with the legislative amendment exercise. The Chairman was gravely concerned that members would not have sufficient time to scrutinise the legislative amendments before the current term expired in July 2012 if public

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consultation were to commence in the third quarter of 2011. The Chairman said that when the Panel discussed the review of liquor licencing in 2008, the Administration had been repeatedly reminded that the legislative amendments should be introduced into the Legislative Council ("LegCo") as early as possible. The Chairman and Mr WONG Kwok-hing urged the Administration to speed up the legislative process.

22. Given the time and the extensive preparation work involved, USFH said that it would be difficult, if not impossible, to introduce the relevant legislative amendments into and have the bill passed through LegCo before July 2012 even if all parties concerned had already reached a consensus on the proposals right away.

23. The Chairman commented that it would be a waste of time for members to pursue the matter if the legislative amendment exercise could not be completed within the current term having regard to the fact that some newly elected Members would likely reopen the discussion with the new Administration on liquor licensing when the next LegCo term commenced. He enquired about the legislative timetable.

24. USFH said that the Administration was mindful of members' wishes for an early implementation of the proposals and would endeavour to expedite the process but a considerable amount of time was essential for fostering a consensus. He trusted that the Administration and LegCo would continue to regard public interest an imperative principle, irrespective of whether there was a change in the office holders and Members, and hence he did not envisage that there would be substantial changes to the policy direction in the next LegCo term. To speed up the preparatory work, the Chairman was of the view that the Administration should proceed with drafting the legislative amendments in respect of the non-controversial issues in parallel with the trade and public consultation. The Chairman requested the Administration to provide the timetable of the relevant legislative amendment exercise.

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25. In response to the Chairman's enquiry, USFH reiterated that LLB had not been invited to the Panel meeting as the Administration intended to explain its preliminary proposals together with members' views to LLB before requesting LLB to consider the proposals. As regards the attendance of representative of HAD, he would revert to members.

26. The Chairman took the view that LLB, the bureaux and departments concerned had started the discussion of liquor licensing

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review some two years ago. He believed that LLB had already agreed on the trade facilitation measures proposed by the Administration.

27. Mr Fred LI noted that LLB relied on the Police to conduct licence checks but the crux of the problem was that the Police attached more importance to combating crimes than dealing with noise and environmental nuisance which were the major areas of public complaints. As a result, complaints on public nuisance were not handled efficiently and effectively. Mr LI further said that given that upstairs bars were tucked inside high rise buildings, it made the enforcement of the smoking ban difficult. Moreover, smoking in liquor licensed premises was not in breach of liquor licensing conditions, LLB would not reject applications on this ground. In his view, LLB should consider a wider spectrum when granting liquor licences and the Administration should step up enforcement of liquor licensing conditions as well as tackling of public nuisance caused by bars. He enquired whether the Administration would consider introducing a demerit points system for liquor licensed premises and whether there were separate teams in the Police to carry out licence inspections and handle public nuisance.

28. The Chairman considered that members of the public and the Police would raise objection to an application for liquor licence if the premises caused nuisance to the public repeatedly, such as allowing the patrons to smoke in the premises.

29. USFH said that prior to the enactment of the Smoking (Public Health) Ordinance (Cap. 371), the question of whether the food premises licensees should be held criminally liable if there were persons smoking in the licensed premises had been discussed in great details. It was considered that as the start, the licensees should be allowed to adapt to the new piece of legislation and were encouraged to advise the patrons not to smoke in the premises. If smoking problem in bars exacerbated, the Administration would review the need of amending the legislation. As for the introduction of a demerit points system, USFH said that depending on the views of LLB, the viability of the proposal could be further studied.

30. ACP(Sup) advised that the Police adopted a holistic approach in the enforcement of issues associated with liquor licensed premises and took a very strong line on upstairs bars. In doing so, the Police would look into the liquor licence regulations, the crime and social nuisance aspects. The Police took specific actions and attempted to control the problems such as illegal parking and noise nuisance through the licensing regime. ACP(Sup) further advised that of the 982 applications for new

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licences received in last year, the Police had requested that additional licensing conditions be imposed on 176 of them. These included restriction on the liquor selling hours, capacity limit, the requirements on closing of doors and windows of the premises, etc. Warnings were sometimes given to licensees to take remedial measures before more stern actions were taken. ACP(Sup) assured members that the Police shared the concerns of the public and gauged views of the public through the constant liaison with the owners' corporations and mutual aid committees.

31. ACP(Sup) added that the Police's Miscellaneous and Enquiry Unit was responsible for processing applications for liquor licences and recording offences and warnings for LLB's consideration of additional conditions and revocation. Routine checks would be carried out at all liquor licensed premises and the frequency of such checks would depend on the risks of the premises and the track records. The checks to ensure enforcement of the licence conditions and to combat crime problems would be conducted by the Police's normal uniform branch in crime teams as necessitated by the activities in the premises.

32. Mr WONG Yung-kan supported the proposed trade facilitation measures in principle. He asked about the lead time taken for a reserve licensee to take over the liquor licence upon the departure of the current licensee from the business or decease of the licensee.

33. USFH explained that having regard to the legal and public interest considerations, the Administration considered it appropriate to maintain the existing arrangement of granting liquor licences to natural persons only. To address the trade's concern about the disruption to business when the licensee left the business without transferring his licence, the feasibility of an optional system of reserve licensee was being explored. If the reserve licensee had already been nominated at the time of the application or during the licensed period by the licensee and was endorsed by LLB, the reserve licensee could take over the liquor licence upon the departure of the original licensee within a very short period of time.

34. Noting that the Administration proposed to consider additional measures to minimise the disturbance of upstairs bars to the public at large, Mr WONG Yung-kan expressed concern that the measures would be too stringent. USFH explained that the proposed measures were outlined in paragraph 25 of the Administration's paper. In summary, these measures included imposing a stricter capacity limit in liquor licensed premises located in multi-storey buildings that were not purpose

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built for entertainment, limiting the number of liquor selling premises in a multi-storey building, restricting the issue of new liquor licence in high risk targeted buildings with a relatively higher incidence of crime or complaints in the past and developing more restrictive guidelines for approving new liquor licences/club licences in all multi-storey buildings. USFH stressed that the Administration would conduct public and trade consultation on how the policy on licensing of upstairs bars should be tightened in order to strike a balance among the interests of different sectors of the community.

35. Mr WONG Yung-kan enquired whether an application of the renewal of a liquor licence would be declined if there were repeated crimes occurred in or arose from incidents at the premises. USFH said that the sanctions against the licensees would depend on the seriousness of the offences, and the most severe sanction would be the revocation of the licence.

36. Mr WONG Sing-chi said that to his knowledge, a number of LLB members were from the catering sector. He commented that these members might have a vested interest and were in favour of the trade in deciding the trade facilitation measures. Mr WONG added that the political affiliations of LLB members was not made known to the public. To his knowledge, apart from two LLB members belonging to the Liberal Party, other political affiliations were not represented in LLB. Mr WONG Sing-chi considered that the expertise and qualifications of some LLB members were not relevant to the work of LLB. He enquired about the criteria for appointing members of LLB and requested the Administration to disclose the political affiliations of individual LLB members.

37. USFH responded that when appointing members to statutory bodies, the Administration would, in line with the established practice, have an extensive and stringent examination of the background, experience and knowledge of the nominees. LLB members were appointed on the basis of individual merits. Political affiliation of an individual had never been a consideration as far as the appointment was concerned. Neither would the Administration request members of statutory bodies to disclose their political affiliations. Hence, it did not have the information in this regard.

38. Mr Vincent FANG said that the business environment had a bearing on the livelihood of the trade. It was therefore important for the Administration to strike a balance between the interests of the public and

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the trade when considering the proposals to further control upstairs bars. According to the Administration, the number of crimes related to upstairs bars was higher than other liquor licensed premises. He enquired whether there were established procedures for the inspection of upstairs bars.

39. Mr Vincent FANG further said that some liquor licence applicants had spent a considerable amount of money in leasing and renovating the premises to open a bar but when their applications were subsequently rejected, they would suffer from financial losses. He enquired whether LLB could consider providing a list comprising the buildings which were regarded as high risk targeted buildings as well as those suitable for bar business for the applicants' reference.

40. Mr Vincent FANG expressed concern that some bars were opened in private premises without a valid liquor licence and worried that the number of such bars would proliferate if the Police was not empowered to carry out inspections in these premises.

41. USFH responded that the number of commercial establishments in a district was determined by the relevant land and planning policies and the usage of private premises were governed by the relevant Government lease and Deeds of Mutual Covenant. However, it would be very difficult to obtain all relevant information for the purpose of compiling a list of the buildings suitable for bar business. Furthermore, the scale and mode of operation of a bar would be made available only when an application for liquor licence was filed. In the absence of the relevant information before receiving the application, LLB was unable to advise as to whether the premises were suitable for bar business.

42. ACP(Sup) said that the number of upstairs bars had proliferated from 123 in 2005 to 430 to date. Upstairs bars represented 7.4% of all the liquor licensed premises and accounted for 11% of all crimes at liquor licensed premises in 2010. The Police would focus on the business model of those bars which encouraged under-aged drinking or binge drinking, attracted crimes or caused nuisance, and would seek additional control of bars which caused public nuisances and crimes. For inspections of unlicensed bars, the Police would obtain search warrants if necessary. ACP(Sup) stressed that the Police adopted a zero tolerance policy towards unlicensed drinking establishments and would take enforcement actions as appropriate.

43. The Chairman said that he had no particular views on the proposed trade facilitation measures except for the classification of licences. As

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shown from overseas experience, classification of licences in accordance with the mode of operation of the business concerned was proven feasible. Moreover, as rightly pointed out by the Administration, karaoke establishments were a different type of premises from liquor licensed premises, and the associated risk for potential law and order problem was much lower. By the same token, such risk and problem in other catering establishments should be even lower. He called on the Administration to introduce different categories of liquor licences in accordance with the mode of operation of the business concerned as soon as possible.

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44. The Chairman said that the Administration remained its stance that natural persons should be the licensees on the ground that the body corporate, and its directors or partners might not be held liable for the breaches of the licensing conditions. The Chairman commented that if there were only a few cases in the past involving the prosecution and imprisonment of licensees, the Administration should reconsider the trade's call for allowing a corporate or multiple authorised persons to hold a liquor licence. He sought information on the number of cases on prosecution and imprisonment of licensees in the past 20 to 30 years.

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45. The Chairman added that the number of upstairs bars had been decreasing because the business environment had become more difficult. He requested the Administration to provide information concerning the number of upstairs bars in 2008 and 2009 and the breakdown of the crime cases relating to liquor licensed premises.

46. The Chairman was of the view that the Administration had yet to address various problems of the trade. For instance, a reserve licensee could not take over the liquor licence if the original licensee departed from the business suddenly. Moreover, the existing requirement of a liquor licence holder to be a local person would be a hindrance to overseas investors. He added that in other business settings, the directors of listed companies were liable for offences of the companies. The Chairman reiterated his request for the Administration to consider the trade's request and the EU's recommendation to allow a body corporate to hold a liquor licence.

47. In concluding the discussion, the Chairman suggested and members agreed that the subject matter be discussed again at the regular meeting on 12 April 2011. Representatives of LLB and HAD should be invited to attend the meeting and the Panel would decide on the timing of the meeting with deputations after the regular meeting in April 2011. The Administration was requested to provide the Panel with a paper

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Admin furnishing the requisite information for members' discussion at the April meeting.

**V. Code of practice for pig farming**

(LC Paper Nos. CB(2)982/10-11(05) and (06))

48. USFH briefed members on the Administration's plan to introduce a Code of Practice for Pig Farming ("CoP") to licensed local pig farmers to enhance the management and hygiene standards of their farms as detailed in the Administration's paper.

49. Mr WONG Kwok-hing welcomed the Administration's decision to delink CoP with the licence conditions as suggested by the trade. Mr WONG, however, noted with concern that, as set out in paragraph 13 of the Administration's paper, the Administration would consider incorporating CoP as part of the licence conditions if there was evidence suggesting that pig farmers had substantively deviated from the standards set out in CoP. He held the view that the Administration should not resort to a stick approach for making CoP effective.

50. Mr TAM Yiu-chung considered it reasonable for delinking CoP with the livestock licensing conditions given that the existing 43 pig farms had made noticeable improvement in management and hygiene standards. In his view, the Administration should assist the trade in complying with the CoP requirements through education and provision of technical assistance instead of tightening the licence conditions. Mr TAM then sought clarification on the consideration factors that would constitute pig farmers having substantively deviated from the standards set out in CoP and under which the Administration would consider incorporating CoP as part of the licence conditions.

51. USFH stressed that the prime objective of the Administration was to ensure food safety and protect public health. On this basis, the Administration would strive to minimise the possible adverse impact on the pig farming trade. The Administration would collaborate with the trade to enhance farm management standards. In the event that there were long-standing breaches of the CoP requirements which caused serious threat to public health and food safety, the Administration would not rule out the possibility of introducing more stringent measures such as incorporating CoP as part of the licence conditions.

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52. Pointing out that pig farming was currently the major livestock sector in Hong Kong, Mr WONG Kwok-hing enquired about the measures, including the resources involved, put in place by the Administration to promote the development of pig farming.

53. Assistant Director (Agriculture)/Agriculture, Fisheries and Conservation Department advised that the Agriculture, Fisheries and Conservation Department ("AFCD") would continue to organise seminars on waste treatment and disease prevention and control in 2011 and 2012. Staff of AFCD would also visit individual pig farms to provide farmers with advice on issues relating to farm operations and management, disease control, etc. Where necessary, AFCD's Veterinary Laboratory would provide farmers with examination and analysis services. Other disease prevention measures put in place included providing the trade with advice on the requirements for the importation and use of veterinary medicines and assisting the trade in bulk purchase of Foot and Mouth Disease vaccine.

54. In recognition of the contribution of the pig farmers to the economy, Mr WONG Kwok-hing called on the Administration to provide financial support to pig farmers in need to meet their operational needs. USFH advised that individual pig farmers could apply to the Kadoorie Agricultural Aid Loan Fund and the J E Joseph Trust Fund for development or working capital.

55. Mr WONG Yung-kan welcomed the Administration's decision to delink CoP with the Livestock Keeping Licence conditions. He, however, considered that the Administration should not use safeguarding public health as the justification for implementing measures that would indeed stifle the development of the trade, such as the incorporation of CoP as part of the licence conditions if situation warranted. Mr WONG took the view that apart from providing advice and training to the trade to facilitate the implementation of CoP, the Administration should enhance the communications with the pig farmers and take proactive actions to assist them to develop pig farming by, say, allowing the pig farmers to increase their licensed rearing capacity.

56. USFH advised that frontline staff of AFCD had maintained close communication with the trade to assist them in enhancing farm management standards. He assured members that efforts had been and would continue to be made by the Administration at the policy level to promote the development of local pig farms and the control of food safety at source (i.e. farm level). As far as the CoP was concerned, AFCD had

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taken heed of farmers' concerns and revised the CoP with a view to minimising any possible adverse impact on the operation of the trade without compromising public health. The current CoP had the support of local pig farmers.

*[To allow sufficient time for discussion, the Chairman directed that the meeting be extended for five minutes beyond its appointed time.]*

57. Mr Vincent FANG criticised the Administration for introducing various measures in recent years under the shield of public health without taking into account their adverse impact on the livelihood of the poultry and livestock trade. He asked whether consideration could be given to allowing those pig farmers who had surrendered their licences under the voluntary surrender scheme for pig farm licences launched in June 2006 to resume their operations if they were willing to comply with the CoP requirements.

58. USFH replied in the negative. USFH elaborated that under the voluntary surrender scheme for pig farm licences, pig farmers who had surrendered their livestock keeping licences and received an ex-gratia payment were required to cease operation on a permanent basis. This had been made clear when the funding application for the voluntary surrender scheme was submitted to LegCo for approval and the Administration had no intention to change the policy. He assured members that in formulating and implementing public policies, the Administration would carefully consider the impact of the relevant policy on the community at large and would consult the Panel and relevant stakeholders as appropriate, as in the case of the introduction of the voluntary surrender scheme for pig farm licences.

59. Mr Vincent FANG noted that when working out the revised CoP, the Administration had taken into account, amongst others, the factor that there were no major disease outbreaks in local pig farms affecting public health in the last few years. In the light of the significant reduction of the risk of avian influenza in Hong Kong in recent years, Mr FANG asked whether the Administration would change its policy of maintaining the licensed rearing capacity of local chicken farms at the present level.

60. USFH pointed out that the current total rearing capacity of local chicken farms had not yet reached the maximum limit. The Administration had no plan at this stage to increase the licensed rearing capacity of local chicken farms.

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61. The Chairman said that the Liberal Party supported the decision of the Administration to implement the whole set of CoP as general guidelines separated from the licence conditions. He also commended the Veterinary Officers of AFCD for their hard work in supporting the livestock trade in their daily operation. To promote a low carbon economy, the Chairman considered that the Administration should lift the limit on the rearing capacity of local livestock and poultry farms so as to increase the availability of local produces with low carbon footprint.

**VI. Any other business**

62. There being no other business, the meeting ended at 12:50 pm.

Council Business Division 2  
Legislative Council Secretariat  
25 March 2011