

Annex

**Information on Management and Control of Hawkers
in Singapore and Taiwan**

Singapore

Background

During the 1950s to 1960s, street hawking in Singapore was rampant owing to the employment situation at that time and low capital required to enter the trade. Street hawking activities absorbed the unemployed and also addressed the public need for cheap and convenient goods and services. At that time, there was no control over street hawkers and they operated in an unregulated manner. Business environment was often unhygienic and undesirable.

2. These hawking activities brought about hygiene and obstruction problems. Due to the lack of direct potable water supply, the hygiene standard of food and utensils was questionable. Food and liquid wastes were not properly disposed of and caused waterways pollution and vermin proliferation. Pedestrian movement was impeded. The dilapidated makeshift stalls also put the appearance of the city in less than favourable light. As a result, the Singaporean Government took steps to tackle the pressing environmental issues by resettling the hawkers.

Resettlement of street hawkers

3. In 1968 and 1969, the Singaporean Government conducted an island-wide Hawker Registration Exercise. Except itinerant hawkers selling ice-cream and newspapers, cobblers and key-makers, street hawkers were issued with temporary licences and resettled to less busy back lanes, car parks and vacant land.

4. From 1971 to 1986, the Singaporean Government embarked on a large-scale resettlement programme to resettle some 18 000 street hawkers to newly constructed “market and hawker centres” (or “hawker

centres” for short) with proper amenities and infrastructure. The Ministry of Environment at that time collaborated with the Housing and Development Board (HDB) and the Jurong Town Corporation (JTC) to include hawker centres as part of the infrastructure of new residential estates and industrial estates respectively. Altogether 113 hawker centres were built as a result.

Legislation and licensing of hawkers

5. According to the Environmental Public Health Act of Singapore, no person shall hawk or sell any food and goods of any kind without first obtaining a licence. Unlicensed hawkers will be fined and their goods will be seized.

6. Hawker licences are issued by the National Environment Agency (NEA)¹. Individuals who are Singapore citizens or permanent residents, aged 21 or above and have a valid tenancy agreement for a hawker stall are eligible to apply for a hawker licence. The applicant should not be a hawker previously banned from operating a hawker stall. For cooked food stalls, the applicant has to complete the Basic Food Hygiene Course and should not be a food handler previously disqualified. No person shall rent more than two cooked food stalls in hawker centres managed by NEA.

7. As at 2013, there were 14 227 licensed hawkers and around 40% of them are selling cooked food. Over 95% of the hawkers were operating in markets and hawker centres. The remaining ones were street hawkers selling a variety of goods such as newspapers, ice-cream and other less perishable food items in public place.

Management of hawker centres

8. The management of hawker centres was consolidated under NEA in April 2004. The roles of NEA include the management of tenancies, licences and the public health aspects of hawker centres, as well as the upgrading of hawker centres.

¹ NEA is a statutory board established under the Ministry of environmental and Water Resources.

9. Cleaning services are provided to the common areas of hawker centres such as cleaning of floors and toilets as well as tables and cutlery. The relevant fees are paid by the hawkers. Cleansing staff provided by contractors are required to be trained under the National Skills Recognition System.

10. Hawker associations are formed on a voluntary basis to foster relationships among the stallholders, and to represent their interests.

Regulation of food hygiene

11. To maintain high standards of hygiene and cleanliness of food stalls in hawker centres, NEA adopts the following four-pronged approach -

Legislation

12. Regular inspections to cooked food stalls would be conducted by NEA staff. Food handlers are required to comply with the rules set out in the Environmental Public Health Act, the Environmental Public Health (Food Hygiene) Regulations and the Sale of Food Act.

Education

13. Since 1990, all cooked food stallholders and their assistants have to complete a Basic Food Hygiene Course and attend a refresher hygiene course every three years. Besides, NEA encourages stallholders to attend courses on customer service and stall displays under the Skills Upgrading Scheme offered by the Singapore Workforce Development Agency.

Grading system

14. To discern the better performers from other food outlets, a stall grading system was introduced in 1997. NEA assesses the food stalls annually and gives grades of A to D to them based on the standard of personal and food hygiene, as well as the housekeeping of stalls.

Stallholders are required to display the certificate on the stall to show the grading.

Points Demerit System

15. The Points Demerit System was introduced in 1987. Two to six points will be deducted for offences that have impact on food hygiene or safety. The licence will be suspended if the licensee accumulates 12 points or more over one year. NEA may revoke the licence for recalcitrant offenders.

Promotion of the hawking trade

16. Nowadays, hawker centres are places where members of the public will go for a wide variety of food at affordable prices in a hygienic environment. As a whole, hawker centres provide employment opportunities for Singapore people as well as community space for their interaction and bonding.

17. In 2013, in collaboration with some private sector organizations, NEA and the Workforce Development Agency launched a “Hawker Master Trainer Pilot Programme” to encourage hawker entrepreneurship and preserve hawker heritage. The programme consists of foundation skills training in food and beverage and practical on-the-job training with veteran hawkers. The trainees will have opportunity to put to use what they have learnt at incubation hawker stalls for a period of time at the hawker centres designated by NEA. Subsequently, trainees may bid for stalls at hawker centres of their choice.

Upgrading and further development of hawker centres

18. As the hawker centres were mostly built over 20 years by then, a ten-year Hawker Centre Upgrading Programme was promulgated in 2001 to reconfigure the hawker centres. The works included re-tiling and re-wiring, replacement of tables and stools and utility services facilities as well as upgrading with provisions of central freezer areas, central wash areas, barrier-free facilities, etc. In 2011, the Singaporean Government announced that ten new hawker centres housing about 600 cooked food

stalls would be built in the next decade in towns where cooked food stalls are relatively underprovided.

Taiwan

Background

19. The Taiwanese Government has all along adopted a tolerant approach to street hawking as such informal economic activity provided employment opportunities to the poor, especially in the early years.

20. Hawking in Taiwan is recognized for providing convenient commercial services, bringing employment opportunities, fostering economic prosperity of an area, complementing proper markets, etc. However, hawking activities also cause traffic obstruction, generate environmental nuisances, deprive others' right of using public places, upset government revenues, consume public resources for paying resettlement costs, etc. Following lobbying by commercial shopkeepers in the 1980s against the unfair competition of on-street hawking activities, the Government set up authorities to formulate hawking-related policies and develop plans to regulate hawkers.

21. According to the Comprehensive Analysis of Survey Results (攤販經營概況調查) published by the Directorate General of Budget, Accounting and Statistics of Executive Yuan (行政院主計總處) in 2013, there were 491 883 persons operating 318 796 hawker stalls in Taiwan. The value of year-round operating revenues and total production (全年營業收入及生產總額) was about NT\$ 551.0 billion and NT\$ 244.4 billion (equivalent to HK\$ 142.3 billion and HK\$ 63.1 billion) respectively. Their average profit rate reached 31.94%.

Hawker legislation and licensing in Taipei

22. In Taiwan, each local government has its own agencies and regulations for the management of hawkers. The following paragraphs set out the situation in Taipei City for reference.

23. The main ordinance regulating hawkers and the hawking trade in Taipei is the Taipei City Hawker Self-regulated Management Regulation (the Ordinance) (《臺北市攤販管理自治條例》), under which several regulations have been made to cover matters such as licence fees and hawker stall specifications. Hawkers are prohibited from operating at tourist areas, major thoroughfares and areas within 200 meters of a market.

24. Under the Ordinance, the Department of Economic Development (產業發展局) of the Taipei City Government and its Taipei City Market Administration Office (臺北市市場處) are the authorities responsible for formulating and implementing hawker development policies respectively.

25. There are three types of hawkers, namely government-licensed hawkers (有證攤販), government-condoned hawkers (列管攤販) and undocumented hawkers (無證攤販) in Taipei. The Taipei City Government has designated several areas as temporary centralized fields for vendors (臨時攤販集中場) to group the hawkers together.

26. According to the Ordinance, an applicant for a hawker licence shall have established household registration with the local household registration officer for at least six months before the application. The applicant must also comply with any one of the following requirements –

- (a) a family member of low-income household;
- (b) currently holding a hawker licence and planning to renew it;
- (c) physically-handicapped; or
- (d) aged 50 or above, having familial responsibility but no regular employment, and was a hawker prior to 1984.

27. A hawker licence is valid for three years and can be renewed. It can also be transferred to or succeeded by the spouse or an immediate family member². The business nature, operating hours and location are

² “Immediate family member” (“直系親屬”) is defined as one’s grandparents, parents, children, grandchildren, parents-in-law and children-in-law.

restricted and listed on the licence. Non-compliance with licence conditions may result in cancellation of licence. These government-licensed hawkers can only run business at specific location as approved and are required to register with the local hawker associations prior to starting business.

28. Government-condoned hawkers are the unlicensed hawkers permitted by the Taipei City Government to operate stalls in temporary centralized fields for vendors. The remaining ones are the undocumented hawkers (無證攤販) and they are subject to prosecution by the police. However, their activities are usually tolerated by the Taipei City Government as long as they do not cause serious traffic obstruction or public inconvenience.

29. As at the end of August 2014, there are 4 049 documented hawkers in Taipei, of which 43.74% (i.e. 1 771) are government-licensed hawkers and 56.26% (i.e. 2 278) are government-condoned hawkers, operating in 40 temporary centralized fields for vendors and 714 scattered locations.

Thematic study on hawker counselling management problems

30. The Thematic Study Report on Hawker Counselling Management Problems 《攤販輔導管理問題專案調查研究報告》 was published by the Control Yuan of the Republic of China (Taiwan) (中華民國(臺灣)監察院) in 2010 to analyze the hawking trade and come up with suggestions for the way forward on hawker management. Its conclusion advocated that the approach of dealing with hawkers should be adjusted from “controlling and banning” (「管制」與「取締」) to “counselling and managing” (「輔導」與「管理」). The major recommendations included the following -

- (a) the central authority to expedite law-making to expressly state the general rules on counselling and management of hawkers, so as to form the basis for local governments to develop the management standards;

- (b) to delegate, to self-regulated hawker associations, the power to manage the operation of temporary centralized fields for vendors; and
- (c) to assist undocumented hawkers to carry out their business in temporary centralized fields for vendors.

Latest Development

31. In 2011, the Taipei City Hawker Management Regulation (《臺北市攤販管理規則》) was amended and renamed as the Taipei City Hawker Self-regulated Management Regulation (《臺北市攤販管理自治條例》). In accordance with section 15 of the new regulation, hawkers operating in each temporary centralized fields for vendors shall establish a self-regulated association. The association shall be responsible for the maintenance of order and sanitation, urging members to pay regulatory fees, investigation and report of illegal hawking activities, as well as other hawker-related management matters.

32. The Taipei City Market Administration Office actively assists the hawkers to set up their self-regulated associations and register these associations as legal bodies. Hawkers operating in temporary centralized fields for vendors are required to join the respective self-regulated association and abide by the rules of the association when operating their stalls.

33. Moreover, to sustain the determination of the Taipei City Government in dealing with undocumented hawkers, an ad hoc group has been set up among various government departments and administration offices to handle the intensified problem of undocumented hawkers.
