

**立法會**  
**Legislative Council**

LC Paper No. CB(2)1451/13-14  
(These minutes have been seen  
by the Administration)

Ref : CB2/PS/6/12

**Panel on Food Safety and Environmental Hygiene**

**Subcommittee on Issues Relating to Public Markets**

**Minutes of meeting**  
**held on Tuesday, 25 March 2014, at 4:30 pm**  
**in Conference Room 2B of the Legislative Council Complex**

**Members present** : Hon Vincent FANG Kang, SBS, JP (Chairman)  
Hon Alan LEONG Kah-kit, SC (Deputy Chairman)  
Hon WONG Kwok-hing, BBS, MH  
Hon Cyd HO Sau-lan  
Hon Michael TIEN Puk-sun, BBS, JP  
Hon Steven HO Chun-yin  
Hon WU Chi-wai, MH  
Hon CHAN Chi-chuen  
Hon CHAN Han-pan  
Hon Alice MAK Mei-kuen, JP  
Dr Hon KWOK Ka-ki  
Dr Hon Helena WONG Pik-wan  
Hon Christopher CHUNG Shu-kun, BBS, MH, JP

**Member attending** : Dr Hon Fernando CHEUNG Chiu-hung

**Public Officers attending** : Item II  
Miss Diane WONG Shuk-han  
Principal Assistant Secretary for Food and Health (Food) 2  
  
Miss Vinci CHAN  
Assistant Secretary for Food and Health (Food) 7

Ms Ava CHIU Wai-fan, JP  
Deputy Director of Food and Environmental Hygiene  
(Administration and Development)

Mr FAN Yung-kai  
Assistant Director of Food and Environmental Hygiene  
(Operations) 2

**Clerk in attendance** : Ms Alice LEUNG  
Chief Council Secretary (2) 2

**Staff in attendance** : Mr Jove CHAN  
Senior Council Secretary (2) 2

Mr Richard WONG  
Council Secretary (2) 2

Ms Camy YOONG  
Clerical Assistant (2) 2

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Action

Members noted the withdrawal of Mr WONG Yuk-man from the Subcommittee with effect from 25 March 2014.

*(Post-meeting note: Mr WONG Yuk-man's letter giving notice to withdraw membership from the Subcommittee tabled at the meeting was issued to members vide LC Paper No. CB(2)1174/13-14(01) on 26 March 2014.)*

**I. Election of Chairman (and Deputy Chairman)**

2. Mr Vincent FANG and Mr Alan LEONG were elected Chairman and Deputy Chairman of the Subcommittee respectively.

**II. II. Issues relating to the operating environment of public markets**

(LC Paper Nos. CB(2)1144/13-14(02) and (03))

3. The Subcommittee deliberated (index of proceedings attached at **Annex**).

Action

Admin 4. Noting that the consultant appointed by the Administration was scheduled to submit preliminary findings of the study on improving the operating environment of public markets ("the Consultancy Study") in mid-2014, members strongly requested that the consultant should be invited to attend the meeting to listen and respond to members' views on the areas of the study, particularly on the positioning and functions of public markets, before finalizing the report. The Administration was requested to co-ordinate the attendance of the representatives of the consultant for the next Subcommittee meeting.

Follow-up actions required of the Administration

Admin 5. The Subcommittee requested the Administration to provide the following information in writing to facilitate members' discussion of the subject matter at future meetings -

- (a) information of the Consultancy Study, including the scope and schedule of the Consultancy Study;
- (b) details of each public market, including the name, year of establishment, number of rented stalls (with number of rented stalls being used as storage), number of vacant stalls (with the duration of vacancy and reasons for vacancy), and a floor plan indicating the location of vacant stalls;
- (c) information on the installation of air-conditioning facilities in each public market and cooked food centre, with details on (i) whether air-conditioning was provided, the reasons for doing or not doing so; and (ii) the air-conditioning charging and maintenance arrangement; and
- (d) the Food and Environmental Hygiene Department's evaluation of the operating environment of each public market, including major difficulties in operating the public market (e.g. the number of competitors in the vicinity, the demographic change in the district).

**III. Schedule of meetings and item(s) for discussion**

Clerk 6. At the suggestion of the Deputy Chairman, the Chairman said that he and the Deputy Chairman would hold an informal meeting with the Administration to discuss the workplan for the Subcommittee, including

Action

items for discussion and the schedule of meetings. The representative(s) of the consultant would also be invited to attend the informal meeting. The Chairman further said that the next meeting of the Subcommittee would be fixed after the aforesaid informal meeting and members of the Subcommittee would be informed of the arrangement, once decided.

**IV. Any other business**

7. There being no other business, the meeting ended at 5:45 pm.

Council Business Division 2  
Legislative Council Secretariat  
7 May 2014

**Proceedings of the meeting of the  
Subcommittee on Issues Relating to Public Markets  
on Tuesday, 25 March 2014, at 4:30 pm  
in Conference Room 2B of the Legislative Council Complex**

| <b>Time marker</b> | <b>Speaker</b>   | <b>Subject(s)</b>  | <b>Action Required</b> |
|--------------------|--|--|------------------------|
| 000105 -<br>000139 | Mr Vincent FANG  | Withdrawal of membership   |                        |
| 000140 -<br>000817 | Mr Vincent FANG<br>Dr KWOK Ka-ki<br>Mr Alan LEONG<br>Miss Alice MAK<br>Mr Steven HO<br>Mr WONG Kwok-hing | Election of Chairman   |                        |
| 000818 -<br>000858 | Chairman<br>Dr Helena WONG<br>Ms Cyd HO<br>Mr Alan LEONG   | Election of Deputy Chairman  |                        |
| 000859 -<br>001814 | Chairman<br>Admin  | Briefing by the Administration on issues relating to the operating environment of public markets (LC Paper No. CB(2)1144/13-14(02)).   |                        |
| 001815 -<br>002614 | Chairman<br>Mr WONG Kwok-hing<br>Admin   | <p>Mr WONG Kwok-hing's view that the Administration should review the public market policy before proposing any increase in the rental. His suggestion of inviting deputations to give views on the subject in future meetings.</p> <p>In response to Mr WONG's enquiry about the retrofitting of air-conditioning in public markets, the Administration advised that -</p> <p>(a) as at the end of December 2013, air-conditioning facilities had not been installed in 57 of the 76 public markets and 19 of the 39 cooked food centres managed by the Food and Environmental Hygiene Department ("FEHD");</p> <p>(b) follow-up actions had been carried out for the 19 outstanding projects of the former Municipal Councils on retrofitting of air-conditioning in public markets and/or cooked food centres, including the retrofitting of air-conditioning in 4 public markets (with capital cost paid by the Government ranging from \$23 million to \$76 million for each project) and general</p> |                        |

| Time marker     | Speaker                                   | Subject(s)  | Action Required |
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|                 |   | <p>improvement works in some other public markets;</p> <p>(c) a support rate of 85% among market stall operators was needed for taking forward air-conditioning retrofitting projects, as it was necessary to obtain a vast majority of stall operators' consent to pay for the electricity charges and costs of daily general maintenance afterwards, and acceptance of the disruption of business during the retrofitting stage; and</p> <p>(d) the Administration was prepared to consider conducting feasibility study on air-conditioning retrofitting projects for any public markets with a 85-percent support rate.</p> |                 |
| 002615 - 002820 | Chairman<br>Mr Christopher CHUNG<br>Admin | <p>Mr Christopher CHUNG's view that -</p> <p>(a) the Administration should continue the concessionary rental arrangements put in place by the former Municipal Councils for those stall operators who were hawkers being resited to public markets;</p> <p>(b) relevant papers of the former Municipal Councils in respect of the rental adjustment policy might be of useful reference to the Subcommittee; and</p> <p>(c) the Administration should examine the functions and positioning of public markets before putting forward any proposals for rental adjustments.</p>  |                 |
| 002821 - 003438 | Chairman<br>Deputy Chairman<br>Admin      | <p>The Deputy Chairman's view that the Administration should improve the operating environment of public markets before putting forward any rental adjustments.</p> <p>In response to the Deputy Chairman's enquiry about the progress of the consultancy study, the Administration's response that -</p> <p>(a) BMT Asia Pacific was appointed as the consultant to develop proposals for improving the operating environment of public markets;</p>   |                 |

| Time marker     | Speaker                              | Subject(s)   | Action Required  |
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|                 |                                      | <p>(b) an information note covering the content of the consultancy brief had already been provided to the Panel on Food Safety and Environmental Hygiene in August 2013; and</p> <p>(c) the Administration would report to the Subcommittee on the results of the consultancy study after the study was completed.</p> <p>The Chairman's request for the Administration to provide information of the Consultancy Study.</p> <p>The Deputy Chairman's suggestion of inviting the consultant to discuss with members on the positioning and social functions of public markets before finalizing the consultancy report.</p> <p>The Chairman's expression of support for the Deputy Chairman's suggestion of inviting the consultant to attend the next Subcommittee meeting(s) to discuss with members on the subject.</p> | <p><b>Admin to provide the requested information</b><br/>(paragraph 5(a) of the minutes)</p> <p><b>Admin to follow up</b><br/>(paragraph 4 of the minutes)</p> |
| 003439 - 004035 | Chairman<br>Mr Michael TIEN<br>Admin | <p>Pointing out that the rentals of the public markets had been frozen since the former Municipal Councils decided to reduce public market rental by 30% in 1998, Mr Michael TIEN's view that -</p> <p>(a) it was not an effective way to best utilize public resources for the Administration to continue to subsidize stall operators in the form of concessionary rental arrangement;</p> <p>(b) it was necessary to conduct a comprehensive review of the positioning and functions of public markets so that public markets could increase the patronage and provide the public with good quality commodities at affordable prices; and</p> <p>(c) the possibility of setting up a statutory body to take up the responsibility of managing public markets should be considered.</p>                                  |  |

| Time marker     | Speaker                             | Subject(s)  | Action Required |
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|                 |                                     | Mr TIEN's support for inviting the consultant to discuss with members regarding the positioning and functions of public markets.  |                 |
| 004036 - 004358 | Chairman<br>Ms Cyd HO               | Ms Cyd HO's suggestions of inviting deputations (including Working Groups concerning the management of public markets in various District Councils) to future meetings and that the Subcommittee should draw up a work plan based on members' concerns and views.   |                 |
| 004359 - 005040 | Chairman<br>Dr Helena WONG<br>Admin | <p>Dr Helena WONG's views that -</p> <ul style="list-style-type: none"> <li>(a) the Administration should retain its role in monitoring the management of public markets;</li> <li>(b) public market served an important function in providing the public with daily food provisions at affordable prices; and</li> <li>(c) the Subcommittee should discuss the need for building new public markets.</li> </ul> <p>In response to Dr WONG's enquiry, the Administration's advice that -</p> <ul style="list-style-type: none"> <li>(a) future provision of new public markets would be considered on a case-by-case basis. As stipulated in the Hong Kong Planning Standards and Guidelines, factors that would be taken into consideration included the demographic mix, community needs, provision of both public and private market facilities nearby, and number of fresh provision retail outlets in the vicinity; and</li> <li>(b) public markets proposed to be built in a public housing estate would be managed by the Housing Department instead of FEHD.</li> </ul> |                 |
| 005041 - 005527 | Chairman<br>Miss Alice MAK<br>Admin | <p>Miss Alice MAK's views that -</p> <ul style="list-style-type: none"> <li>(a) the Administration should examine the need for constructing new public markets; and</li> <li>(b) consumer choices were limited and the food prices were comparatively higher in some new districts owing to the lack of public</li> </ul>   |                 |





| Time marker     | Speaker                              | Subject(s)  | Action Required              |
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|                 |                                      | that the consultant should also be invited to the informal meeting.   | (paragraph 6 of the minutes) |
| 010639 - 011150 | Chairman<br>Admin                    | <p>The Chairman's views that proposals for rental increase should only be considered after the facilities in public markets had been enhanced and the patronage increased, and provision of new public markets could help assisting stall operators and promote healthy competition with markets managed by the Link.</p> <p>The Administration's advice that -</p> <p>(a) in 2014-2015, the Administration would spend \$31.5 million on improvement works in five public markets;</p> <p>(b) FEHD had since October 2010 let small stalls through short-term tenancies on a trial basis. As at February 2014, a total of 114 stalls had been let out for service trades, light refreshment and bakery stalls; and</p> <p>(c) with effect from February 2009, the upset auction prices were lowered from 80% to 60% of the open market rental for stalls which had been left vacant for six months and eight months respectively in order to boost the occupancy rate of public markets.</p> |                              |
| 011151 - 011619 | Chairman<br>Deputy Chairman<br>Admin | <p>The Deputy Chairman's views that -</p> <p>(a) the importance of conducting a review on the positioning and social functions of public markets in a comprehensive manner; and</p> <p>(b) public markets should perform a major function in promoting healthy competition with markets managed by The LINK Management Limited.</p>   |                              |
| 011620 - 011650 | Chairman                             | The Chairman's closing remarks.   |                              |