

立法會 *Legislative Council*

LC Paper No. CB(2)1072/14-15

Ref: CB2/T/16

Paper for the House Committee meeting on 20 March 2015

Proposed extension of period of work of subcommittees on policy issues

Purpose

This paper invites Members to consider the proposed extension of period of work of two subcommittees on policy issues.

Background

2. Rule 26(c) of the House Rules ("HR") specifies that a subcommittee on policy issues should complete work within 12 months of its commencement and report to the House Committee ("HC") or relevant Panel(s) as appropriate. Should such a subcommittee consider it necessary to work beyond 12 months, it should, after obtaining the endorsement of the relevant Panel(s) if it is appointed by a Panel(s), report to HC and give justifications for an extension of the period.

3. The maximum number of subcommittees on policy issues under HC and Panels that may be in operation at any one time is 10¹. Pursuant to HR 26(b), any new subcommittees formed after the quota has been filled will be put on a waiting list, and HC will act as the clearing house for the activation of subcommittee(s) on the list.

Proposed extension of period of work of subcommittees

4. The two subcommittees seeking the permission of HC for extension of the period of their work are -

- (a) the Subcommittee on Issues Relating to Public Markets; and
- (b) the Subcommittee on Hawker Policy.

¹ Under HR 26(a), the maximum number of subcommittees on policy issues that may be in operation at any one time is eight. With additional resources being allocated to the Secretariat in the 2013 Resource Allocation Exercise, the Secretariat is able to utilize such resources to service up to two more subcommittees on policy issues on top of the quota of eight specified in HR 26(a) with effect from 1 April 2014.

5. These two subcommittees are appointed under the Panel on Food Safety and Environmental Hygiene ("FSEH Panel") and commenced work in March/April 2014. They have recently reviewed their work progress and consider it necessary to extend the period of their work for about six months after expiry of the 12-month period of their work. The progress of work of these two subcommittees and their proposals for extension of period of work are detailed in **Appendices I and II** respectively. Their proposals are summarized as follows:

Subcommittees on policy issues	Date of first meeting	End date of 12-month period	Proposed time frame for extension of work	Proposed duration of extension of work
1. Subcommittee on Issues Relating to Public Markets under the FSEH Panel	25 March 2014	24 March 2015	2014-2015 session (i.e. until 30 September 2015)	about 6 months
2. Subcommittee on Hawker Policy under the FSEH Panel	15 April 2014	14 April 2015	14 October 2015	6 months

Considerations for proposed extension of period of work of subcommittees on policy issues

Broad principles for activation, operation and extension of period of work of subcommittees on policy issues

6. To ensure the completion of work of subcommittees on policy issues within a specified time frame so that slots can be vacated within a reasonable time for the activation of other subcommittees, as well as effective and flexible use of resources, Members agreed at the HC meeting on 15 November 2013 to adopt the following broad principles for the activation, operation and extension of period of work of such subcommittees –

- (a) where a subcommittee considers it necessary to extend the period of its work but there are subcommittees on the waiting list awaiting activation, HC may, if considered appropriate, give permission for the subcommittee to continue to operate for three more months in the first instance after the expiry of its period of work to allow time for it to wrap up its current stage of work, after which the subcommittee will, if necessary, be placed on the waiting list for

re-activation of work. Upon re-activation, the subcommittee shall complete its work within the remainder of the extension period originally sought, unless decided otherwise by HC. HC can decide the order of activation/re-activation of subcommittees on the waiting list; and

- (b) the number of subcommittees under each Panel operating at the same time should not exceed two. For this purpose, a joint subcommittee will be counted as one subcommittee for each of the Panels concerned.

Current position of subcommittees on policy issues

7. Currently, apart from the two subcommittees seeking the permission of HC for extension of their period of work, there are eight other subcommittees on policy issues in operation. Of these eight subcommittees, four have been given permission by HC to extend the period of their work to 30 September 2015 and one to 31 January 2016. In addition, three subcommittees are on the waiting list pending activation. The position of all subcommittees on policy issues is in **Appendix III**.

Advice sought

8. In accordance with the broad principles for activation, operation and extension of period of work of subcommittees on policy issues agreed by HC as set out in paragraph 6(a), since there are presently three subcommittees on policy issues on the waiting list awaiting activation, HC may consider giving permission for the two subcommittees to extend the period of their work for three months in the first instance, after which they will, if necessary, be placed on the waiting list for re-activation of work for the remainder of the extension period (i.e. about three months) they have sought. Two slots can then be vacated in late June and mid-July 2015 respectively for activation of the first two subcommittees on the waiting list. Alternatively, HC may, if consider appropriate, approve the proposals of the two subcommittees to extend the period of their work for about six months in one-go to enable them to conclude their work within the current session, with their slots to be vacated in October 2015 for activation of the subcommittees on the waiting list.

9. Members are invited to consider the proposals of the two subcommittees to extend the period of their work as set out in paragraph 5.

立法會
Legislative Council

LC Paper No. CB(2)1069/14-15

Ref : CB2/PS/6/12

Paper for the House Committee meeting on 20 March 2015

**Proposed extension of period of work
of the Subcommittee on Issues Relating to Public Markets**

Purpose

This paper reports on the progress of work of the Subcommittee on Issues Relating to Public Markets ("the Subcommittee") formed under the Panel on Food Safety and Environmental Hygiene ("the Panel") and the need for the Subcommittee to extend the period of its work and continue to operate until 30 September 2015.

Background

2. The Subcommittee was appointed by the Panel in February 2013 to study and review issues relating to the policy and business environment of public markets; assess the demand for public markets according to the district-based principle; examine the Administration's proposals for the rental adjustment mechanism and air-conditioning charging arrangement for public market stalls; and make timely recommendations. The House Committee agreed at its meeting on 15 November 2013 that the Subcommittee could be activated when a vacant slot arose in March 2014.

3. According to its work plan, the Subcommittee will focus its work on the following areas -

- (a) the positioning, functions and usages of public markets;
- (b) the consultancy study on improving the operating environment of public markets ("the Consultancy Study") commissioned by the Administration;

- (c) the Administration's proposed measures for improving the operating environment of public markets;
- (d) the rental adjustment mechanism for public market stalls;
- (e) the provision of air-conditioning facilities in public markets and the charging arrangement; and
- (f) issues relating to establishing new markets.

4. The terms of reference and membership of the Subcommittee are set out in **Annexes I and II** respectively.

Work of the Subcommittee

5. Under the chairmanship of Hon Vincent FANG-kang, the Subcommittee has, since March 2014, held five meetings to study the following major issues -

- (a) the operating environment of public markets;
- (b) the progress of the Consultancy Study to develop proposals for improving the operating environment of public markets commensurate with their functions and positioning;
- (c) the positioning, functions and usages of public markets;
- (d) provision of air-conditioning facilities in public markets;
- (e) issues relating to establishing new markets; and
- (f) measures to improve the operating environment of public markets.

Need for continuation of work

Major work ahead

6. According to the Administration, there are at present 76 public wet markets managed by the Food and Environmental Hygiene Department. The facilities of some of the public markets have aged with the passage of time, and their design and layout are too old-fashioned to keep up with present-day

expectations of patrons. Shoppers' preferences and behaviour, the availability of alternative shopping facilities in the community, as well as the profile of shoppers and market tenants have also been evolving in the course of time, in tandem with rising expectations on the part of consumers who patronize public markets.

7. Members have raised various concerns about the problems faced by public market stall operators including outdated market facilities, low patronage and the persistently high vacancy rates in some public markets. Members held the view that the Administration should review the public market policy and examine the functions and positioning of public markets before putting forward any proposals for rental adjustment. At its meeting on 25 March 2014, the Subcommittee was advised that the Administration had engaged BMT Asia Pacific ("the Consultant") to conduct a consultancy study to improve the operating environment of public markets. The Consultant was expected to come up with improvement proposals for specified markets and provide general suggestions for the routine improvement works for public markets. When meeting with the Administration and the Consultant in April 2014, members urged the Administration and the Consultant to (a) enhance the design of public markets; (b) improve the operating environment of public markets; (c) increase the patronage of public markets; and (d) ensure that public markets would provide a clean and hygienic shopping environment and good quality commodities at affordable prices.

8. The Subcommittee was briefed by the Consultant on the key findings of the Consultancy Study and the Administration on its preliminary thinking on measures to improve the operating environment of public markets at the meeting on 20 January 2015. According to the Administration, the Consultant was expected to complete several tasks including - (a) tendering views on the functions and positioning of public markets; (b) surveying the public markets and coming up with concrete improvement proposals for six representative ones that would serve as "prototype" for reference to other public markets; (c) providing some general suggestions for the routine improvement works for public markets; and (d) suggesting ways and pragmatic measures to preserve market stalls that are selling traditional commodities or involving traditional specialty. It is incumbent upon the Subcommittee to follow up the outcome of the Consultancy Study and the Administration's proposed measures for improving the operating environment of public markets.

9. The Administration has advised the Subcommittee that the Consultant will finalize the Consultancy Study in March or April 2015. Afterwards, the Administration will brief members on its preliminary proposals to improve the operating environment of public markets and the proposal for rental adjustment

mechanism for public markets.

10. The Subcommittee will have worked for 12 months by March 2015. The work of the Subcommittee ties in with the progress of the Administration's work on taking forward the Consultancy Study's proposed measures to improve the operating environment of public markets. Having regard to the outstanding matters which need to be followed up by the Subcommittee as set out in paragraphs 6 to 9 above and the time required by the Subcommittee to conclude its work and finalize its recommendations, the Subcommittee considers it necessary to operate in the 2014-2015 session (i.e. until 30 September 2015). The Panel agreed at its meeting on 10 March 2015 that the Subcommittee should seek the endorsement of the House Committee accordingly.

Advice sought

11. Pursuant to rule 26(c) of the House Rules, Members are invited to note the progress of work of the Subcommittee and endorse the proposal of the Subcommittee to extend the period of its work until 30 September 2015.

Council Business Division 2
Legislative Council Secretariat
18 March 2015

Panel on Food Safety and Environmental Hygiene

Subcommittee on Issues Relating to Public Markets

Terms of reference

To study and review issues relating to the policy and business environment of public markets; assess the demand for public markets according to the district-based principle; examine the Administration's proposals for the rental adjustment mechanism and air-conditioning charging arrangement for public market stalls; and make timely recommendations.

Panel on Food Safety and Environmental Hygiene
Subcommittee on Issues Relating to Public Markets

Membership list

Chairman	Hon Vincent FANG Kang, SBS, JP
Deputy Chairman	Hon Alan LEONG Kah-kit, SC
Members	Hon WONG Kwok-hing, BBS, MH Hon Cyd HO Sau-lan, JP Hon Michael TIEN Puk-sun, BBS, JP Hon Steven HO Chun-yin Hon CHAN Chi-chuen Hon CHAN Han-pan, JP Hon Alice MAK Mei-kuen, JP Hon Christopher CHUNG Shu-kun, BBS, MH, JP
	(Total : 10 Members)
Clerk	Ms Alice LEUNG
Legal Adviser	Miss Carrie WONG

立法會
Legislative Council

LC Paper No. CB(4)661/14-15

Ref : CB4/PS/2/2

Paper for the House Committee meeting on 20 March 2015

**Proposed extension of period of
work of the Subcommittee on Hawker Policy under the
Panel on Food Safety and Environmental Hygiene**

Purpose

This paper reports on the progress of work of the Subcommittee on Hawker Policy ("the Subcommittee") formed under the Panel on Food Safety and Environmental Hygiene ("the Panel") during the past year and the need for the Subcommittee to extend the period of its work and continue to operate for six more months.

Background

2. The Subcommittee was appointed by the Panel on 9 July 2013 to study and review the hawker policy. The House Committee agreed at its meeting on 15 November 2013 that the Subcommittee could be activated when a vacant slot arose in March 2014. The first Subcommittee meeting was held on 15 April 2014, and it should complete its work within 12 months, i.e. by 14 April 2015. According to its terms of reference and work plan, the Subcommittee would focus its work on the following areas -

- (a) setting the policy framework for the revitalization and long-term development of the hawking trade;
- (b) examining the need and arrangement for the issue of new hawker licences;
- (c) improving the management and operating environment of hawker areas;

- (d) exploring the feasibility of establishing hawker bazaars on a district basis; and
- (e) recommending initiatives for the further development of the hawking trade.

3. The terms of reference and 2014-2015 membership of the Subcommittee are set out in **Annexes I and II** respectively.

Progress of work of the Subcommittee

4. Under the chairmanship of Hon Steven HO Chun-yin, the Subcommittee has since 15 April 2014 held four open meetings and two working meetings with the Administration. The Subcommittee has studied the following issues -

- (a) formulation of hawker policy from a "development" perspective;
- (b) information on hawker policies adopted in Australia, Singapore, Taiwan and Thailand according to the fact sheets prepared by the Research Office of the Legislative Council Secretariat;
- (c) information on management and control experience of hawkers and hawking in the Mainland (viz Shenzhen, Guangzhou and Zhuhai), the South Korea and Japan prepared by the Administration;
- (d) principles for formulation of hawker policy worked out by the Administration based on the discussions at the Subcommittee meetings; and
- (e) measures proposed by the Administration on the basis of the aforesaid principles.

The Subcommittee also agreed to consider members' proposal of conducting an overseas duty visit later pending the discussion with the Administration on formulating the hawker policy from a long-term development perspective.

5. At the open meetings, members expressed grave concerns that the reduction of hawkers was caused by stringent enforcement policies adopted by the Administration which sought to eliminate hawkers through management and control. They also criticized the Administration for its lack of a comprehensive policy to promote and develop the hawking trade as the economy today was dominated by financial and property sectors leaving very little rooms for other industries. Members urged the Administration to formulate a hawker policy from a "development" perspective. Some members expressed appreciation of the establishment of a Hawker Department in some overseas places.

6. Members suggested that the Administration should, based on the overseas experiences, adopt a more flexible policy in regulating the hawking activities, such as allowing temporary hawking activities at designated streets in festivals and allowing fixed-pitch stallholders to acquire the stalls on a 20-year lease at a discount.

7. Members in general supported the Administration's proposals (LC Paper No. CB(4)561/14-15(01)) of converting existing public market with low occupancy into off-street cooked food centre, and setting up district-led open-air hawker bazaars and night market. They urged the Commerce and Economic Development Bureau to collaborate with the Food and Health Bureau in facilitating liaison with relevant government departments to take forward the proposals contained in the paper.

Need for continuation of work for six months

Major work ahead

8. At the meeting on 2 March 2015, the Subcommittee decided to hold a public hearing to receive deputations' views on the principles for formulation of hawker policy and proposed measures (LC Paper No. CB(4)561/14-15(01)) before meeting with the Administration again to fine-tune the measures for implementation. Meanwhile, the Secretary for Food and Health undertook to provide a briefing to Chairmen and Deputy Chairmen of the 18 District Councils on, among others, the readiness of his bureau to facilitate liaison among relevant bureaux and departments on district-led proposals with community consensus, such as putting up open-air hawker bazaars and night markets.

9. The Subcommittee may also wish to make further recommendations on top of the said measures for the Administration's consideration to implement at the stages to follow.

10. The Subcommittee will have worked for 12 months by mid April 2015. The length of extension of the Subcommittee ties in with the progress of work detailed in paragraphs 8 and 9. Having regard to the outstanding matters which need to be followed up by the Subcommittee and the time required by the Subcommittee to conclude its work and finalize its recommendations, the Subcommittee agreed at its meeting on 2 March 2015 to continue to work for six more months (i.e. until 14 October 2015). The proposed extension was endorsed by the Panel at its meeting on 10 March 2015.

Advice sought

11. Pursuant to Rule 26(c) of the House Rules, members of the House Committee are invited to note the progress of work of the Subcommittee and endorse the proposal for the Subcommittee to continue its work for six more months until 14 October 2015.

Council Business Division 4
Legislative Council Secretariat
18 March 2015

Panel on Food Safety and Environmental Hygiene

Subcommittee on Hawker Policy

Terms of Reference

To study and review the hawker policy with the objectives of facilitating the long-term development of the hawking trade and improvement of the management and operating environment of the hawker areas and make timely recommendations.

Panel on Food Safety and Environmental Hygiene

Subcommittee on Hawker Policy

Membership list for 2014-2015 session

Chairman	Hon Steven HO Chun-yin
Deputy Chairman	Hon Alan LEONG Kah-kit, SC
Members	Hon Vincent FANG Kang, SBS, JP Hon WONG Kwok-hing, BBS, MH Hon Cyd HO Sau-lan, JP Hon CHEUNG Kwok-che Hon WONG Yuk-man Hon Claudia MO Hon CHAN Chi-chuen Hon CHAN Han-pan, JP Dr Hon Kenneth CHAN Ka-lok Hon Alice MAK Mei-kuen, JP Hon Christopher CHUNG Shu-kun, BBS, MH, JP (Total : 13 members)
Clerk	Ms Debbie YAU
Legal Adviser	Miss Carrie WONG
Date	11 November 2014

**Position of subcommittees on policy issues currently in operation
(as at 18 March 2015)**

A. Subcommittees on policy issues in operation

Subcommittees	Date of first meeting	End date of approved period of work
1. Subcommittee on Issues Relating to Public Markets under the Panel on Food Safety and Environmental Hygiene	25 March 2014	24 March 2015 #
2. Subcommittee on Hawker Policy under the Panel on Food Safety and Environmental Hygiene	15 April 2014	14 April 2015 #
3. Subcommittee on Matters Relating to Railways under the Panel on Transport	30 November 2012	30 September 2015 *
4. Subcommittee on Health Protection Scheme under the Panel on Health Services	12 December 2012	30 September 2015 *
5. Joint Subcommittee to Monitor the Implementation of the West Kowloon Cultural District Project under the Panel on Home Affairs and the Panel on Development	29 January 2013	30 September 2015 *
6. Subcommittee on Retirement Protection under the Panel on Welfare Services	25 February 2014	30 September 2015 *
7. Subcommittee to Study the Implementation of Free Kindergarten Education under the Panel on Education	27 October 2014	26 October 2015
8. Subcommittee on Issues Relating to the Development of Chinese Medicine under the Panel on Health Services	5 November 2014	4 November 2015
9. Subcommittee on Strategy and Measures to Tackle Domestic Violence and Sexual Violence under the Panel on Welfare Services	3 December 2014	2 December 2015
10. Subcommittee on Poverty under the House Committee	5 November 2012	31 January 2016 *

Approval of the House Committee is being sought by these two subcommittees for extending the period of their work beyond 12 months.

* These subcommittees have previously obtained the permission of the House Committee to extend the period of their work beyond 12 months.

B. Subcommittees on policy issues on the waiting list

Subcommittees	Date of appointment
1. Subcommittee to Study Issues Relating to Mainland-HKSAR Families under the House Committee	23 January 2015
2. Subcommittee to Study Issues Relating to Standard Working Hours under the Panel on Manpower	10 February 2015
3. Joint Subcommittee to Study the Arrangement of Offsetting Severance Payments and Long Service Payments Against Mandatory Provident Fund Accrued Benefits under the Panel on Financial Affairs and the Panel on Manpower	2 March 2015