

**立法會**  
**Legislative Council**

LC Paper No. CB(4)1338/14-15  
(These minutes have been seen  
by the Administration)

Ref: CB4/PS/2/12

**Panel on Food Safety and Environmental Hygiene**  
**Subcommittee on Hawker Policy**

**Minutes of the meeting held on**  
**Tuesday, 14 April 2015, at 4:30 pm**  
**in Conference Room 1 of the Legislative Council Complex**

**Members present** : Hon Steven HO Chun-yin (Chairman)  
Hon Alan LEONG Kah-kit, SC (Deputy Chairman)  
Hon Vincent FANG Kang, SBS, JP  
Hon WONG Kwok-hing, BBS, MH  
Hon WONG Yuk-man  
Hon CHAN Chi-chuen  
Hon CHAN Han-pan, JP  
Dr Hon Kenneth CHAN Ka-lok

**Members attending** : Hon WU Chi-wai, MH  
Hon CHAN Yuen-han, SBS, JP  
Hon TANG Ka-piu, JP

**Members absent** : Hon Cyd HO Sau-lan, JP  
Hon CHEUNG Kwok-che  
Hon Claudia MO  
Hon Alice MAK Mei-kuen, JP  
Hon Christopher CHUNG Shu-kun, BBS, MH, JP

**Public Officers attending** : Agenda item I  
  
Mr Christopher WONG Kwok-bun, JP  
Deputy Secretary for Food and Health (Food) 1

Miss Vinci CHAN  
Assistant Secretary for Food and Health (Food)7

Mr LAM Wing-hong  
Assistant Director of Food and Environmental  
Hygiene (Operations)2

Mr Edward CHAN Yiu-keung  
Senior Superintendent (Hawker and Market)  
Food and Environmental Hygiene Department

**Attendance by  
invitation** : Agenda item I

Ms MA Lai-mei  
Chairman  
樂富中心商會

張運波先生  
Vice Chairman  
新界商戶協進會

蘇貴來先生  
Chairman  
西貢漁民艇仔小販會

Mr CHOW Wai-man  
Vice Chairman  
新界跳蚤市場商戶協會

Mr CHAN Chi-chung  
Representative  
荃灣商戶聯誼會

Ms LEE Siu-mei  
Vice Chairman  
鴨寮街販商協會

Ms FONG Yuk-fung  
Chairman  
香港仔天光墟市集小販會

Ms CHAN Mei-shuen  
Chairman  
福華街販商協會

Mr CHAN Kwan-po  
Representative  
大南街販商協會

Mr WONG Yin-wa  
Secretary  
Federation of Hong Kong Kowloon New Territories  
Hawker Associations

Ms CHAN Yuen-pik  
Representative  
港九小商販聯誼會

Miss NG Ting-yan  
Representative  
廣東道(旺角道至亞皆老街)販商協會

Mr TAM Cher-kin  
Chairman  
通菜街(女人街)販商協會

Miss PANG Lok-yan  
Community Organizer  
天姿作圍

Miss Doris FAN  
Community Organizer  
關注草根生活聯盟

Mr CHU Wai-chung

Mr David CHUI  
Representative  
Labour Party

Mr LEE Tai-shing  
Community Organizer  
Concerning CSSA and Low Income Alliance

Mr LEE Kwok-kuen  
Community Organizer  
深水埗基層關注組

Mr Yo KWOK  
External Vice-president  
Hong Kong Federation of Social Work Students

Ms CHIU Shau-ha  
Organizer  
深水埗基層墟市關注組

Mr PANG Kin-pu  
Member  
深水埗見光墟關注組

Ms LEE Yuk-mei

**Clerk in attendance** : Ms Debbie YAU  
Chief Council Secretary (4)5

**Staff in attendance** : Ms Shirley TAM  
Senior Council Secretary (4)5

Ms Zoe TONG  
Legislative Assistant (4)5

Miss Shanice LOK  
Clerical Assistant (4)4

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Action

**I. Principles for formulation of hawker policy and proposed measures**

Meeting with the deputations and the Administration

(LC Paper No. CB(4)561/14-15(01) - Administration's paper on proposals on hawker management)

Discussion

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

Action

Follow-up actions to be taken by the Administration

Admin 2. The Administration was requested to provide the following information

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- (a) information relating to current registered hawker assistants, including the number and their years being registered, and their background such as the number of dependents in the families;
- (b) an elaboration on the ways in gestating bottom-up proposals, including –
  - (i) the parties responsible for initiating district-led and bottom-up hawking proposals; and
  - (ii) the assistance provided by the Administration in setting up district-based committees/communication platforms for stakeholders including stallholders, affected residents and shopkeepers as well as district members, to exchange views on specific needs of the district concerned and to identify the types of hawking activities suitable for the district with community consensus;
- (c) the feasibility for the Administration to assist in gestation and implementation of bottom-up proposal with community support, which would then become a successful model proposal for other districts to follow; and
- (d) fine-tuned principles for formulation of hawker policy and proposed measures in addressing the views and concerns expressed at the meetings.

*(Post-meeting note: The Administrations' written response was circulated to members via LC Paper No. CB(4)920/14-15(01) on 5 May 2015.)*

3. Members noted that the next Subcommittee meeting would be held in mid May 2015.

*(Post-meeting note: The next Subcommittee meeting was held on 11 May 2015.)*

Action

**II. Any other business**

4. There being no other business, the meeting ended at 6:38 pm.

Council Business Division 4  
Legislative Council Secretariat  
20 July 2015

**Proceedings of the meeting of  
the Subcommittee on Hawker Policy  
on Tuesday, 14 April 2015, at 4:30 pm  
in Conference Room 1 of the Legislative Council Complex**

Time marker	Speaker	Subject(s)	Action required
<b>Agenda item I – Principles for formulation of hawker policy and proposed measures</b>			
000842 – 000951	Chairman	Opening remarks	
000952 – 001151	樂富中心商會	As a representative of all tenants of shops under the Link REIT ("Link"), the trade union objected to any issue of new itinerant hawker licences or the operation of food trucks near Link's malls as their operations would price out existing tenants of Link.	
001152 – 001234	新界商戶協進會	Some itinerant licences should be succeeded by the registered assistants so as to enable the supply and sales of more economical commodities for those in need.	
001235 – 001327	西貢漁民艇仔小販會	As the hawkers worked in irregular hours, the association hoped that the Administration's policy would be more conducive to their survival.	
001328 – 001423	新界跳蚤市場商戶協會	Highlighting the activities of the bazaars they organized, the association hoped that the Government could allocate more land for them to organize the bazaars which helped young people and those seeking self-reliance to start and maintain their small businesses.	
001424 – 001554	荃灣商戶聯誼會	Cautioned that the operation of food truck would not be monopolized by large consortia by providing business start-up funds or subsidies, and amending the relevant legislation for implementing the food truck initiative. The association preferred food truck models in Taiwan over that in Euro-America because of their smaller size and lower cost.	
001555 – 001727	鴨寮街販商協會	Expressed appreciation to the Administration in implementing the 5-year Assistance Scheme for Hawkers in Fixed-pitch Hawker Areas ("the Scheme").	
001728 – 001812	香港仔天光墟市集小販會	Supported the continual operation of the open-air bazaars in Aberdeen as it offered more economical products for the residents.	
001813 – 001839	福華街販商協會	Suggested allowing licence succession by hawkers' registered assistants.	

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001840 – 002044	大南街販商協會	Suggested granting hawker licence to registered assistant and improving the operating environment to attract more visitor flow, improving the hygienic conditions and designating the road for pedestrian scheme. Licensing for specific street tradesmen should be relaxed to allow the trading of more products.	
002045 – 002443	Federation of Hong Kong Kowloon New Territories Hawker Association ("FHA")	Appreciated the Administration's paper on proposals on hawker management. It suggested that the hawker-related legislation should be updated as appropriate.	
002444 – 002759	港九小商販聯誼會	Appreciated the Administration's proposals on hawker management. It suggested that licences of retiring hawkers should be succeeded by the registered assistants even if the latter had been working for less than 10 years.	
002800 – 003003	廣東道(旺角道至亞皆老街)販商協會	Urged the Administration to immediately allow registered assistants to succeed the licences returned by existing hawkers and to expand the size of the pitches wherever feasible.	
003004 – 003146	通菜街(女人街)販商協會	Supported the existing practices of "dismantling of stalls and removal of all commodities after close of business at night" by hawkers of on-street pitches.	
003147 – 003453	天姿作圍	Highlighting the successful experience of the bazaars in Tin Shui Wai and Hung Shui Kiu in providing more economical products, the association supported setting up district-led and bottom-up open-air hawker bazaars in each district, and suggested providing venues for the production of commodities.	
003454 – 003738	關注草根生活聯盟	Shared the experience in organizing bazaars but its recent application for a bazaar venue was turned down due to objection of the district council ("DC"). Instead of relying on DCs in giving support to the setting up of the hawker bazaars, it hoped that the Food and Health Bureau ("FHB") could establish a committee for interested parties to take forward the Administration's initiative.	
003739 – 004046	Mr CHU Wai-chung	Expressed views on the curbing of the Kweilin night market by some district councillors. It enquired about the licensing of cooked-food hawkers.	
004047 – 004358	Labour Party	Expressed views on licensing of those who had worked as unlicensed hawkers for the past two	



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		decades.	
004359 – 004719	Concerning CSSA and Low Income Alliance ("CCLIA")	Urged Secretary for Food and Health ("SFH") and district councillors to meet with the low income groups in respect of hawker policy.	
004720 – 005032	深水埗基層關注組	Shared experience in setting up bazaars held in Shamshuipo and expressed concerns about the need to set up a platform for communications among government officials, district councillors and stakeholders in the community.	
005033 – 005343	Hong Kong Federation of Social Work Students	Need to gauge community views other than through DCs, say, through a consultative committee on the establishment of different types of bazaars.	
005344 – 005628	深水埗基層墟市關注組	Views and concerns on the regulation of unlicensed hawkers by the Government.	
005629 – 005820	深水埗見光墟關注組	Suggested allocating land for bazaars and enhancing communications between the Government and hawkers.	
005821 – 010128	Ms LEE Yuk-mei	Expressed concern about the low occupancy of public markets and the issue of itinerant hawker licences for cooked-food.	
010129 – 010424	Chairman Administration	The Administration undertook to consider ways to strengthen the cooperation with districts and community in gestating bottom-up and district-led proposals on hawking activities. As advocated by SFH at his meeting with the chairmen and deputy chairmen of the 18 DCs, interested parties were welcomed to make district-led and bottom-up proposals in respect of setting up of open-air hawker bazaars and night markets. Upon receipt of suitable proposals that had the support of the relevant DC, FHB undertook to facilitate liaison with relevant government departments.	
010425 – 011002	Chairman Mr CHAN Chi-chuen FHA	Mr CHAN expressed concern about different perspectives in the formulation of hawker policy, viz maintaining food safety and environmental hygiene, economic development, and promotion of culture and tradition. While hawking was a small business usually run by the low income group, he expressed concern that one of the proposed principles of hawker policy was to avoid positioning the hawker trade as a form of social welfare for the disadvantaged or for	

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		<p>poverty alleviation, otherwise, means-testing in licensing and price control of goods sold by hawkers might need to be introduced.</p> <p>FHA said that hawking was a business engaged by people at the grassroot level. The proposed measures might attract some young people to join the hawking trade.</p>	
011003 – 011613	Chairman Deputy Chairman	The Deputy Chairman appreciated SFH in proposing the principles and measures for formulation of hawker policy by acknowledging the contribution of hawking trade to the Gross Domestic Product of the local economy, and changing the role of the Administration in respect of hawker policy from management to facilitation. He considered that hawking was a means to resist the imbalance of market economy. He called on the community stakeholders to work out relevant proposals to obtain the support of DCs so that FHB, under the supervision of Chief Secretary for the Administration, could liaise with relevant government departments to take forward the proposals and realize the benefits for the community.	
011614 – 011818	深水埗基層關注組	Expressed concern on the need to set up a consultative committee in the district for all relevant stakeholders to communicate among themselves on bazaar proposals. The purpose of the bazaars might vary from economic development to poverty alleviation, depending on the characteristics and needs of each district.	
011819 – 012042	CCLIA	Agreed that district-led bazaars should have their own purposes meeting specific needs of the community concerned. The Administration should take the lead in coordinating the efforts of the stakeholders.	
012043 – 012251	Mr CHU Wai-chung	Enquired about the licensing for cooked-food itinerant hawkers. The Administration should assist individual districts in gestating bottom-up proposals.	
012252 – 012537	FHA	Expressed views on the need to update hawker-related legislation and the succession of hawker licences by registered assistants.	
012538 – 013046	Chairman Dr Kenneth CHAN	Dr CHAN cautioned that it might not be possible to reach consensus if stakeholders were concerned about their own interests more than the overall development of the district(s) concerned. He considered that urban planners might help a specific district	

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		coordinate relevant stakeholders in making a bottom-up proposal for the establishment of a local bazaar, which would then become a model for other districts.	
013047 – 013231	Chairman Administration	The Administration advised that after careful consideration, there was no policy change in respect of licensing for cooked-food itinerant hawkers.	
013232 – 013747	Chairman	The Chairman considered that there was no consensus in the community regarding hawker policy, notwithstanding the fact that members of the Subcommittee held similar view that hawkers should be developed rather than managed. He said that problems related to unlicensed hawkers grew with its number and the recent incident of Kweilin Street was a case in point. The number of cooked-food stalls there grew from six in 2013 to 36 in 2014. In response to a survey conducted by district councillors belonging to Democratic Alliance for the Betterment and Progress of Hong Kong, some 90% of the residents objected their continuing operation due to the nuisance brought along by hawking activities. In the absence of a communication platform between the two sides supporting and objecting the continual operation of the stalls, conflict arose. He urged the Administration to draw experience from the Scheme in resolving issues relating to the proposed measures and reaching consensus, e.g. establishment of bazaars which, in his opinion, should be incorporated in the Government's long-term planning and development.	
013748 – 014355	Chairman Deputy Chairman Administration	<p>The Deputy Chairman reiterated his appreciation to the proposals of FHB in taking forward hawker policy from a development perspective. However, he expressed concern on the party who should be responsible for initiating district-led and bottom-up hawking proposals, and whether it was feasible for the Administration to assist in the process to gauge community support.</p> <p>The Administration responded that it did not intend to impose restrictions on who should and could initiate district-led proposals for local bazaars. It undertook to discuss with community people in some districts shortly and explore opportunities in developing proposals on local bazaars. The Administration would reflect members' views on the actual implementation of gestating the "bottom-up" proposals for local bazaars.</p>	

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014356 – 014943	Chairman Mr TANG Ka-piu Administration	<p>Mr TANG expressed concern that as there was a lack of land for organizing local bazaars in Tung Chung and Tin Shui Wai, it was very difficult for district councillors to consider "bottom-up" proposals as the officers from Leisure and Cultural Services Department and Food and Environmental Hygiene Department would turn down these proposals according to the department's existing work practice. To enable the proposed "bottom-up" model to work, he called on FHB to engage community stakeholders and district councillors to exchange views on the specific needs of one to two districts concerned, e.g. night markets, local bazaars selling economical commodities or flea market, and come up with "bottom-up" proposals, including the identification of the organization which would manage the bazaars in future. The successful implementation of the proposal would then become a model for other districts to follow.</p> <p>The Administration said that it took note of members' concern and would revert after giving some thoughts to the actual implementation of gestating "bottom-up" proposals and the assistance that it might be able to provide in the process.</p>	
014944 – 015512	Chairman Mr CHAN Chi-chuen	Mr CHAN urged the attending deputations to gestate "bottom-up" proposals and obtain ten thousands signatures from the district concerned so that FHB would be able to facilitate liaison with the relevant bureaux and departments.	
015513 – 015806	Chairman	<p>The Chairman opined that one of the problems at stake was related to the regulation of unlicensed hawkers. He called on the attending deputations to put up "bottom-up" proposals for consideration by DCs. He also invited the Administration and members to take note of the views and concerns expressed by deputations at the meeting.</p> <p>The Chairman advised that at the House Committee meeting on 20 March 2015, Members agreed that permission be given for the Subcommittee to extend the period of its work until 14 October 2015.</p>	
015807 – 020233	Chairman Dr Kenneth CHAN	Dr CHAN said he was pleased to note that there was a paradigm shift in the formulation of hawker policy from management to development perspective, and he expected that a model proposal could be implemented in the next stage. Meanwhile, he considered it very	

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		important to resolve conflicts between residents/district councillors and hawkers/community groups in respect of unlicensed hawking activities such as the night market of Kweilin Street. Instead of curbing these markets from top-down management, some fruitful exchanges between the two sides could be held with a view to tackling the problem together. He considered that paradigm shift should also happen at the community level.	
020234 – 020855	Chairman 樂富中心商會 CCLIA	<p>樂富中心商會 said that while supporting unlicensed hawkers to operate in local bazaars which did not affect the interests of the businesses in Link's malls, it expressed objection to licensing them. CCLIA indicated its intention to further communicate the matter with 樂富中心商會 and urged district councillors to take up this liaising role.</p> <p>The Chairman urged the Administration to consider setting up district-based committee/communication platforms for stakeholders to exchange their views. He also invited the Administration to provide an overall response to the views and concerns expressed at the meetings held on that day, and in view of them, fine-tune the principles and proposed measures for formulation of hawker policy.</p>	
<b>Agenda item II – Any other business</b>			
020856 – 020914	Chairman	Concluding remarks.	

**Submissions from organizations/individuals not attending the meeting**

No.	Name of deputation/individual	Submission
1.	「十幾對手」自家製生產計劃	● LC Paper No. CB(4)586/14-15(02) (Chinese version only)
2.	土地正義聯盟	● LC Paper No. CB(4)586/14-15(04) (Chinese version only)
3.	西區墟市關注組	● LC Paper No. CB(4)794/14-15(03) (Chinese version only)