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Panel on Food Safety and Environmental Hygiene
Subcommittee on Hawker Policy

Proposed continuation of work of the Subcommittee

Purpose

This paper seeks members' views on the need for the Subcommittee on Hawker Policy ("the Subcommittee") formed under the Panel on Food Safety and Environmental Hygiene ("the Panel") 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.

Progress of work of the Subcommittee

3. The Subcommittee has since 15 April 2014 held three 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; and
- (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.

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.

4. 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.

5. 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.

Need for continuation of work for six months

Major work ahead

6. To enable members to exchange views and suggestions with the Administration and academics on the formulation of hawker policy from the development perspective, a working meeting was held at the Central Government Offices on 6 January 2015 during which the Administration, members and academic in attendance have jointly worked out the principles for policy formulation as set out in paragraph 13 of LC Paper No. CB(4)561/14-15(01).

7. The Administration has subsequently provided a paper setting out the principles and proposed measures on hawker policy for the Subcommittee's consideration. Subject to members' decision, the Subcommittee will hold a public hearing to receive deputations' views on the proposed measures before meeting with the Administration and finalizing the measures for implementation.

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

Proposed extension of period of work

9. Rule 26(c) of the House Rules provides that a subcommittee should complete its work within 12 months of its commencement and report to the relevant Panel(s). If it is necessary for a subcommittee to work beyond 12 months, the subcommittee should, after obtaining the endorsement of the relevant Panel(s), report to the House Committee ("HC") and give justifications for an extension of the 12-month period.

10. The length of extension of the Subcommittee ties in with the progress of work detailed in paragraphs 7 and 8. 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, members may wish to consider the need for the Subcommittee to continue to work for six more months (i.e. until 14 October 2015). The Subcommittee will urge the Administration to take into account the views of members and deputations to devise measures under the eight principles for policy formulation, and report its deliberations to the Panel within the proposed extended period of the Subcommittee.

Advice sought

11. Members' views are sought on whether the Subcommittee should seek for an extension of its work for six months. Subject to members' view and the endorsement of the Panel, a report will be made to HC for seeking its approval of the proposal.

Council Business Division 4
Legislative Council Secretariat
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