

立法會
Legislative Council

LC Paper No. CB(2)1858/14-15
(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 Monday, 1 June 2015, at 10:45 am
in Conference Room 2 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 CHAN Chi-chuen
Hon CHAN Han-pan, JP
Hon Alice MAK Mei-kuen, JP
Hon Christopher CHUNG Shu-kun, BBS, MH, JP

Members absent : Hon Cyd HO Sau-lan, JP
Hon Michael TIEN Puk-sun, BBS, JP
Hon Steven HO Chun-yin

Public Officers attending : Item I

Mr Christopher WONG Kwok-bun, JP
Deputy Secretary for Food and Health (Food) 1

Miss Diane WONG Shuk-han
Principal Assistant Secretary for Food and Health (Food) 2

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

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

Attendance : Item I
by invitation

Individual

Mr NGAN Man-yu
Kwun Tong District Council Member

Individual

Ms Nixie LAM
Tsuen Wan District Council Member

Liberal Party

Mr Peter SHIU
Vice Party Chair

小販政策關注組

Mr Henry CHAN Chi-hang
Convenor

The Lion Rock Institute

Mr Louis LO
Research Assistant

Federation of Hong Kong Kowloon New Territories
Hawker Associations

Mr WONG Yin-wa
Secretary General

Association of Yue Wan Market Stall Holder

Mr WONG Chiu-yen
Chairman

Yeung Uk Road Market Shop Tenants Association

Mr LAM Fook-chuen
Chairman

The Committee of Stall Keepers at Tai Shing Street Market

Mr HUI Chi-kuen
Chairman

Civil Force

Mr LEUNG Ka-wai
Community Development Officer

柴灣街市商會

Ms CHEUNG King-chi
Chairman

The Association of Aberdeen Complex
Merchandiser and Hawkers

Mr CHAN Kin-wa
Chairman

西營盤正街街市枱商協會

Mr WONG Po-chung
Chairman

Individual

Mr LI Ka-leung
Sai Kung District Council Member

Individual

Miss TUNG Kin-lei
Sha Tin District Council Member

Tai Wai Market Mutual Aid Committee

Mr HEUNG Chung-wan
Deputy Chairman

Labour Party

Mr CHIU Yan-loy
Representative

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

Staff in attendance : Mr Richard WONG
Council Secretary (2) 2

Ms Camy YOONG
Clerical Assistant (2) 2

Action

I. Measures to improve the operating environment of public markets
(LC Paper Nos. CB(2)1544/14-15(01) and (02))

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

2. The Chairman reminded the deputations / individuals attending the meeting that they were not covered by the protection and immunity provided under the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) when addressing the Subcommittee.

3. The Subcommittee received views from 17 deputations / individuals attending the meeting (see **Annex**).

4. Members in general shared the deputations' concerns that it was unreasonable for the Administration to set the threshold of tenants' support at 85% as the requirement for the retrofitting of air-conditioning facilities in public markets. Members held a strong view that the Administration should review and lower the 85% threshold.

Admin

5. At the request of the Subcommittee, the Administration undertook to -

- (a) to provide a more detailed account of the Administration's latest position relating to the provision of air-conditioning facilities in public markets and air-conditioning charging

Action

arrangement at the next Subcommittee meeting to be held on 29 June 2015; and

- (b) to provide the Chinese version of the final report of the consultancy study on ways to improve the operating environment of public markets ("the consultancy report") before the next Subcommittee meeting (the English version of the report was in Annex B to the Administration's paper (LC Paper No. CB(2)1544/14-15(01))).

6. The Chairman and Deputy Chairman hoped that the Administration would provide the Chinese version of the consultancy report by 22 June 2015.

II. Any other business

7. The Chairman invited members to note that the next meeting will be held on 29 June 2015, at 4:30 pm.

8. There being no other business, the meeting ended at 12:26 pm.

Council Business Division 2
Legislative Council Secretariat
7 July 2015

**Proceedings of the meeting of the
Subcommittee on Issues Relating to Public Markets
on Monday, 1 June 2015, at 10:45 am
in Conference Room 2 of the Legislative Council Complex**

Time marker	Speaker	Subject(s)	Action Required
000430 - 000807	Chairman	The Chairman's opening remarks	
000808 - 000922	Ms Nixie LAM, Tsuen Wan District Council Member	Presentation of views	
000923 - 001229	Mr Peter SHIU, Liberal Party	Presentation of views	
001230 - 001545	Mr Henry CHAN Chi-hang, 小販政策關注組	Presentation of views	
001546 - 001818	Mr Louis LO, The Lion Rock Institute	Presentation of views	
001819 - 002124	Mr WONG Yin-wa, Federation of Hong Kong Kowloon New Territories Hawker Associations	Presentation of views [LC Paper No. CB(2)1600/14-15(01)]	
002125 - 002439	Mr WONG Chiu-yen, Association of Yue Wan Market Stall Holder	Presentation of views [LC Paper No. CB(2)1600/14-15(01)]	
002440 - 002759	Mr LAM Fook-chuen, Yeung Uk Road Market Shop Tenants Association	Presentation of views [LC Paper No. CB(2)1600/14-15(01)]	
002800 - 003039	Mr HUI Chi-kuen, The Committee of Stall Keepers at Tai Shing Street Market	Presentation of views [LC Paper No. CB(2)1600/14-15(01)]	
003040 - 003330	Mr LEUNG Ka-wai, Civil Force	Presentation of views	
003331 - 003555	Ms CHEUNG King-chi, 柴灣街市商會	Presentation of views [LC Paper No. CB(2)1600/14-15(01)]	

Time marker	Speaker	Subject(s)	Action Required
003556 - 003906	Mr CHAN Kin-wa, The Association of Aberdeen Complex Merchandiser and Hawkers	Presentation of views [LC Paper No. CB(2)1600/14-15(01)]	
003907 - 004218	Mr LI Ka-leung, Sai Kung District Council Member	Presentation of views	
004219 - 004425	Mr WONG Po-chung, 西營盤正街街市枱商協會	Presentation of views [LC Paper No. CB(2)1600/14-15(01)]	
004426 - 004739	Miss TUNG Kin-lei, Sha Tin District Council Member	Presentation of views [LC Paper No. CB(2)1544/14-15(03)]	
004740 - 005043	Mr HEUNG Chung-wan, Tai Wai Market Mutual Aid Committee	Presentation of views [LC Paper No. CB(2)1600/14-15(01)]	
005044 - 005351	Mr CHIU Yan-lay, Labour Party	Presentation of views	
005352 - 005642	Mr NGAN Man-yu, Kwun Tong District Council Member	Presentation of views	
005643 - 010334	Chairman Admin	<p>The Administration's briefing on its preliminary thinking on the key findings of the consultancy study on ways to improve the operating environment of public markets, as detailed in the Administration paper [Annex A to LC Paper No. CB(2)643/14-15(01)].</p> <p>The Chairman requested the Administration to provide a more detailed response to concerns raised by individuals / deputations attending the meeting on issues relating to the provision of air-conditioning facilities in public markets.</p> <p>The Administration indicated that it would provide a more detailed account of the latest position relating to the provision of air-conditioning facilities in public markets and air-conditioning charging arrangement at the next Subcommittee meeting to be held in late June 2015.</p>	Admin to follow up (paragraph 5(a) of the minutes)

Time marker	Speaker	Subject(s)	Action Required
010335 - 011029	Chairman Mr WONG Kwok-hing Mr WONG Yin-wa, Federation of Hong Kong Kowloon New Territories Hawker Associations Admin	<p>Mr WONG Kwok-hing's views that -</p> <p>(a) the Administration should expeditiously review and revise its existing position relating to the provision of air-conditioning facilities in public markets; and</p> <p>(b) he shared the views of Mr WONG Yin-wa that it was unreasonable that the Administration had set the threshold of tenants' support at 85% as the requirement for the retrofitting of air-conditioning facilities in public markets ("the 85% threshold"), and the Administration should lower the 85% threshold.</p> <p>The Administration responded that apart from the tenants' support, the Administration would also have to take into account other factors, such as the technical feasibility of the related works, in considering whether air-conditioning could be provided to a particular public market. The Administration noted the views expressed by individuals / deputations attending the meeting and would further study the issue.</p>	
011030 - 011503	Chairman Mr CHAN Chi-chuen Admin	<p>Mr CHAN Chi-chuen's views that -</p> <p>(a) the provision of air-conditioning facilities was an urgent and important issue relating to the operating environment of public markets, and the Administration should tackle the issue expeditiously; and</p> <p>(b) the Administration should expeditiously study how the daily management of public markets could be improved and consider adopting a more responsive approach in handling stall operators' requests for retrofitting of air-conditioning facilities in public markets.</p>	
011504 - 012029	Chairman Mr CHAN Han-pan Admin	<p>Mr CHAN Han-pan's views that -</p> <p>(a) as public markets were one of the major sources of fresh food provisions for the general public, the Administration should continue to subsidize the operation of public markets. The Administration should not apply the basis of open market value in setting stall rentals. He was also strongly against the idea of subletting</p>	

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		<p>public market(s) to a single operator; and</p> <p>(b) while he had no strong views against the improvement plans for the six "prototype" markets as detailed in the consultancy report [Annex B to LC Paper No. CB(2)1544/14-15(01)], he considered that the provision of air-conditioning was a more critical factor affecting the operating environment of public markets. He urged the Administration to consider lowering the 85% threshold and taking a more flexible approach in taking forward stall operators' proposals for retrofitting of air-conditioning facilities in public markets (e.g. accepting floor-by-floor proposals for retrofitting of air-conditioning facilities in public markets).</p> <p>The Administration responded that it would examine on a case-by-case basis whether it was technically feasible to take forward floor-by-floor proposals (if any) for retrofitting of air-conditioning facilities in public markets.</p>	
012030 - 012930	Chairman Deputy Chairman Admin	<p>The Deputy Chairman requested the Administration to take the following follow-up actions -</p> <p>(a) to provide the Chinese version of the consultancy report (particularly Chapters 1 and 11-14) before the next Subcommittee meeting to be held in late June 2015;</p> <p>(b) to devise (i) a more detailed account of how the six "prototype" public markets would provide reference to other public markets, and (ii) a timetable for implementing improvement measures as provided in the consultancy report; and</p> <p>(c) consult the trade associations and Market Management Consultative Committees of respective public markets on the proposed measures for improving the operating environment of public markets.</p> <p>In reply to the Chairman's enquiry, the Administration indicated that it would provide the Chinese version of the consultancy report before the next Subcommittee meeting.</p>	<p>Admin to follow up (paragraph 5(b) of the minutes)</p>

Time marker	Speaker	Subject(s)	Action Required
		The Chairman and the Deputy Chairman hoped that the Administration would provide the Chinese version of the consultancy report by 22 June 2015.	
012931 - 013618	Chairman	<p>The Chairman's remarks that -</p> <ul style="list-style-type: none"> (a) the Administration should expeditiously handle issues relating to the provision of air-conditioning in public markets, including whether it would consider lowering the 85% threshold and revising the air-conditioning charging arrangement (e.g. requiring stall operators to only pay air-conditioning charges with reference to the actual size of their stall areas, i.e. not requiring them to share the air-conditioning charges for the common areas); (b) he considered that the recommendations of the consultancy report, if implemented, might not significantly improve the operating environment and increase the patronage of public markets. In his view, the consultancy report was general and theoretical. The Administration should devote its attention to putting in place concrete and practicable measures that were capable of improving the operating environment of public markets; (c) the Administration should make reference to the ways the Link Management Limited revitalized the Lok Fu Market; and (d) before proposing to increase the stall rentals, the Administration should provide funding for improving the operating environment of public markets with a view to increasing the patronage. 	
013619 - 014140	<p>Chairman</p> <p>Mr LAM Fook-chuen, Yeung Uk Road Market Shop Tenants Association</p> <p>Mr WONG Yin-wa, Federation of Hong Kong Kowloon New Territories Hawker Associations</p>	<p>The Chairman invited the deputations to express further views.</p> <p>Mr LAM Fook-chuen's view that if stall operators were required to pay air-conditioning charges only for their actual stall areas, it would be very likely that more stall operators would agree to proposals for retrofitting of air-conditioning facilities in public markets.</p>	

Time marker	Speaker	Subject(s)	Action Required
	<p>Mr CHAN Kin-wa, The Association of Aberdeen Complex Merchandiser and Hawkers</p> <p>Mr LI Ka-leung, Sai Kung District Council Member</p> <p>Mr HEUNG Chung-wan, Tai Wai Market Mutual Aid Committee</p>	<p>Mr WONG Yin-wa's view that the Administration should consider providing an activity room in each public market (if feasible) for the association of tenants of that public market.</p> <p>Mr CHAN Kin-wa stressed that the provision of air-conditioning facilities was an urgent issue.</p> <p>Mr LI Ka-leung's view that the Administration should provide funding for the installation of escalators / elevators in public markets.</p> <p>Mr HEUNG Chung-wan's view that the Administration should expeditiously provide air-conditioning facilities in public markets.</p>	
014141 - 014252	Chairman	<p>Date of next meeting; and</p> <p>The Chairman's closing remarks.</p>	