

CAB C 4/17/7

1 November 1999

Mrs Constance LI
Clerk to Bills Committee
Legislative Council
8 Jackson Road
Central
Hong Kong
(Fax: 2509 9055)

Dear Mrs LI,

**Bills Committee on
Provision of Municipal Services (Reorganization) Bill**

Follow-up to meeting on 19 October 1999

Thank you for your letter of 21 October 1999, conveying the Bills Committee's concerns raised at the above meeting. Our response to these concerns, following your same order, is set out below:

Hawker Regulation

1. *Section 2 - To improve the Chinese translation of "hawker badge" to accurately reflect the form of badge.*_____

For the Chinese translation of 'hawker badge', we propose that '小販證' be used to replace '小販徽章' and would put up CSAs to amend the Chinese translation of this term for Members' consideration.

2. *Section 14 - To improve the drafting of subsections (2) and (3) in respect of "defacement authorized by the Director"*_____

In view of Members' concern, we have already put up a CSA to

improve the drafting of section 14 of the Hawker Regulation for Members' consideration.

3. *Section 21/31/32/34 - To consider whether the licence conditions or the proposed provisions are adequate for enforcing the requirement to remove fixture, equipment, goods and paraphernalia on the pitch if temporary or permanent vacation is necessary*

It is considered that the provision under section 34 of the proposed Hawker Regulation is adequate to deal with the removal of fixture, equipment, goods and paraphernalia left on the pitch when it has to be vacated either permanently or temporarily. Moreover, in the event of unlawful occupation of a pitch upon termination or expiry of the fixed pitch hawker licence, the Schedule to the Land (Miscellaneous Provisions) Ordinance, (Cap. 28) empowers the Urban Council to demolish the structure erected on the pitch and to remove the property therein. In view of the continued need for such a power, we are proposing to amend the Schedule to the Land (Miscellaneous Provisions) Ordinance to the effect that the Director of Food and Environmental Hygiene will be one of the designated authorities and a supplementary CSA for this purpose will be put up for Members' consideration.

4. *To consider preserving certain types of hawker/stall/pitch licences for selling handicrafts and traditional Chinese sweets/snacks as a means to promote tourism*

This is a policy issue to be considered after the proposed reorganization.

The Chinese translation of the response will be forwarded to you when available.

Yours sincerely,

(John C. Y. Leung)
for Secretary for Constitutional Affairs

Encl.

b.c.c.

DUS	(Attn: Mr LO Fu-wai	- 2530 1368
	Mr Harris Kam	- 2530 1368)
DRS	(Attn: Mr K T Lai)	- 2691 4661
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	(Attn: Miss Vivian Fung)	- 2523 5104
	(Attn: Miss Selina Lau)	- 2845 2215

Internal

DH, TF
AH(TF)2
SAO(TF)
EO(TF)4